



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

# **Planning Committee North**

## **Members:**

Councillor Paul Ashdown (Chairman)  
Councillor Jenny Ceresa (Vice-Chairman)  
Councillor Elfrede Brambley-Crawshaw  
Councillor Norman Brooks  
Councillor Tony Cooper  
Councillor Linda Coulam  
Councillor Andree Gee  
Councillor Malcolm Pitchers  
Councillor Craig Rivett

Members are invited to a **Meeting of the Planning Committee North** to be held in the Conference Room, Riverside, on **Tuesday, 14 September 2021 at 2:00pm**

This meeting is being held in person in order to comply with the Local Government Act 1972. In order to comply with East Suffolk Council's coronavirus arrangements and guidance, the number of people at this meeting will have to be restricted to only those whose attendance is reasonably necessary.

Ordinarily, East Suffolk Council encourages members of the public to attend its meetings but on this occasion would encourage the public to watch the livestream, via the East Suffolk Council YouTube channel instead at <https://youtu.be/vpHDYoq7E7o>

If you do believe it is necessary for you to be in attendance we encourage you to notify Democratic Services, by email to [democraticservices@eastsoffolk.gov.uk](mailto:democraticservices@eastsoffolk.gov.uk), of your intention to do so no later than 12 noon on the working day before the meeting so that the meeting can be managed in a COVID secure way and the Team can endeavour to accommodate you and advise of the necessary health and safety precautions.

However, we are not able to guarantee you a space/seat and you are advised that it may be that, regrettably, we are not able to admit you to the meeting room.

An Agenda is set out below.

## **Part One – Open to the Public**

	<b>Pages</b>
<b>1</b>	
<b>Declarations of Interest</b>	
Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.	
<b>2</b>	
<b>Apologies for Absence and Substitutions</b>	
<b>3</b>	
<b>Declarations of Lobbying and Responses to Lobbying</b>	
To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.	
<b>4a</b>	<b>1 - 23</b>
<b>Minutes - May 2021</b>	
To confirm as a correct record the Minutes of the Meeting held on 18 May 2021	
<b>4b</b>	<b>24 - 33</b>
<b>Minutes - June 2021</b>	
To confirm as a correct record the Minutes of the Meeting held on 8 June 2021	
<b>4c</b>	<b>34 - 46</b>
<b>Minutes - July 2021</b>	
To confirm as a correct record the Minutes of the Meeting held on 13 July 2021	
<b>5</b>	<b>47 - 64</b>
<b>East Suffolk Enforcement Action - Case Update ES/0853</b>	
Report of the Head of Planning and Coastal Management	
<b>6</b>	<b>65 - 216</b>
<b>DC/19/1141/OUT - Land to the West of Copperwheat Avenue, Reydon, IP18 6YD ES/0852</b>	
Report of the Head of Planning and Coastal Management	
<b>7</b>	<b>217 - 234</b>
<b>DC/20/2917/FUL - Easton Farm (Main Barn), Easton Lane, Easton Bavants, Southwold, IP18 6ST ES/0872</b>	
Report of the Head of Planning and Coastal Management	
<b>8</b>	<b>235 - 252</b>
<b>DC/20/3183/FUL - Easton Farm (Main Barn), Easton Lane, Easton Bavents, Southwold, IP18 6ST ES/0873</b>	
Report of the Head of Planning and Coastal Management	

		Pages
9	<b>DC/21/1166/FUL - Land off South Close, Leiston ES/0874</b> Report of the Head of Planning and Coastal Management	253 - 281
10	<b>DC/21/2287/FUL - 7 Holly Grange Road, Kessingland, Lowestoft, NR33 7RR ES/0875</b> Report of the Head of Planning and Coastal Management	282 - 289
11	<b>DC/21/2687/FUL - Land Adjacent 49 Meadow Gardens, Beccles, NR34 9PA ES/0876</b> Report of the Head of Planning and Coastal Management	290 - 299
12	<b>DC/21/2836/FUL - Leiston Enterprise Centre, Eastlands Road, Leiston, IP16 4US ES/0877</b> Report of the Head of Planning and Coastal Management	300 - 304

## Part Two – Exempt/Confidential

Pages

There are no Exempt or Confidential items for this Agenda.

### Close



Stephen Baker, Chief Executive

### Speaking at Planning Committee Meetings

Interested parties who wish to speak will be able to register to do so, using an online form. Registration may take place on the day that the reports for the scheduled meeting are published on the Council's website, until 5.00pm on the day prior to the scheduled meeting.

To register to speak at a Planning Committee, please visit <https://www.eastsuffolk.gov.uk/speaking-at-planning-committee> to complete the online registration form. Please contact the Customer Services Team on 03330 162 000 if you have any queries regarding the completion of the form.

Interested parties permitted to speak on an application are a representative of Town / Parish Council or Parish Meeting, the applicant or representative, an objector, and the relevant ward Members. Interested parties will be given a maximum of three minutes to speak and the intention is that only one person would speak from each of the above parties.

If you are registered to speak, can we please ask that you arrive at the meeting **prior to its start time (as detailed on the agenda)** and make yourself known to the Committee Clerk, as the agenda may be re-ordered by the Chairman to bring forward items with public speaking and the item you have registered to speak on could be heard by the Committee earlier than

planned.

Please note that any illustrative material you wish to have displayed at the meeting, or any further supporting information you wish to have circulated to the Committee, must be submitted to the Planning team **at least 24 hours** before the meeting.

For more information, please refer to the Code of Good Practice for Planning and Rights of Way, which is contained in the East Suffolk Council Constitution (<http://www.eastsuffolk.gov.uk/assets/Your-Council/East-Suffolk-Council-Constitution.pdf>).

### **Filming, Videoing, Photography and Audio Recording at Council Meetings**

The Council, members of the public and press may record / film / photograph or broadcast this meeting when the public and press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Committee Clerk (in advance), who will instruct that they are not included in any filming.

If you require this document in large print, audio or Braille or in a different language, please contact the Democratic Services Team on 01502 523521 or email: [democraticservices@eastsuffolk.gov.uk](mailto:democraticservices@eastsuffolk.gov.uk)



**The national Charter and Charter Plus Awards for Elected Member Development**  
East Suffolk Council is committed to achieving excellence in elected member development  
[www.local.gov.uk/Community-Leadership](http://www.local.gov.uk/Community-Leadership)

<b>Unconfirmed</b>
--------------------



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, on **Tuesday, 18 May 2021 at 2.30pm**

**Members of the Committee present:**

Councillor Paul Ashdown, Councillor Elfrede Brambley-Crawshaw, Councillor Norman Brooks, Councillor Jenny Ceresa, Councillor Tony Cooper, Councillor Linda Coulam, Councillor Andree Gee, Councillor Malcolm Pitchers

**Other Members present:**

Councillor Edward Back, Councillor Peter Byatt

**Officers present:** Katherine Abbott (Democratic Services Officer), Liz Beighton (Planning Manager), Chris Bing (Legal and Licensing Services Manager), Charlie Bixby (Planner), Joe Blackmore (Principal Planner), Guy Butler (Building Services Manager), Sarah Carter (Democratic Services Officer), Michaelle Coupe (Senior Planner), Matthew Gee (Planner), Kathryn Hurlock (Asset and Investment Manager), Mia Glass (Assistant Enforcement Officer), Rachel Lambert (Planner - Major Sites), Matt Makin (Democratic Services Officer), Philip Ridley (Head of Planning and Coastal Management), Iain Robertson (Senior Planner)

**Announcement**

The Chairman announced that Item 5 - Enforcement Action Case Update would be taken as the last item on the agenda.

The Chairman further announced that, taking Covid guidance into account, he would be taking Agenda Item 9 Southwold Tennis Club first as two public speakers were in the Conference Room and that would allow them to leave the meeting as soon as a decision had been made on the application. He anticipated adjourning for a short comfort break after Agenda Item 8.

**1 Apologies for Absence and Substitutions**

An apology for absence was received from Councillor Rivett.

Councillor Back attended the meeting as a substitute for Councillor Rivett.

## **2 Declarations of Interest**

Councillor Brooks declared a Local Non-Pecuniary Interest in Item 10 - DC/21/0935/OUT - Land to the South of Blackheath Road, Wenhaston with Mells Hamlet, as being Ward Member. He further declared that he was Cabinet Member for Transport in case it encroached on any Agenda items.

Councillor Ceresa declared a Local Non-Pecuniary Interest in Item 7 - DC/21/1208/FUL - Jubilee Parade, Lowestoft, as being County Councillor for the area and in Item 10 - DC/21/0935/OUT - Land to the South of Blackheath Road, Wenhaston with Mells Hamlet, having liked the Facebook page.

Councillor Cooper declared that he was Assistant Cabinet Member for Planning and Coastal Management in case it encroached on any agenda items.

Councillor Pitchers declared a Local Non-Pecuniary Interest in Item 7 - DC/21/1208/FUL - Jubilee Parade, Lowestoft, as being Ward Member.

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

Councillor Bramley-Crawshaw declared that she had been lobbied on Item 6 - DC/20/1001/OUT - Land to the North of School Road, Ringsfield. She had only discussed procedural matters.

Councillor Brooks declared that he had been lobbied on Item 6 - DC/20/1001/OUT - Land to the North of School Road, Ringsfield and Item 7 - DC/21/1208/FUL - Jubilee Parade, Lowestoft. He had made no response.

Councillor Ceresa declared that she had been lobbied on Item 6 - DC/20/1001/OUT - Land to the North of School Road, Ringsfield and Item 7 - DC/21/1208/FUL - Jubilee Parade, Lowestoft. She had explained the planning process.

Councillor Pitchers declared that he had been lobbied on Item 7 - DC/21/1208/FUL - Jubilee Parade, Lowestoft.

## **4 Minutes**

### **RESOLVED**

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

## **5 DC/21/0453/FUL - Southwold Tennis Club, Hotson Road, Southwold**

The Committee considered report ES/0759 which set out details of the planning application for the removal of existing sheds and portacabin and the constructions of a new clubhouse in Hotson Road, Southwold. The application was before Committee

because the land on which the tennis club was sited was owned by the Council.

The Senior Planner referred the Committee to the update sheet which contained eight additional representations supporting the proposal, reference to the revised plans and additional comments from the Highway Authority.

Members received a presentation showing the site location plan and aerial view, photographs of the street scene showing a variety of properties some with on-site parking, views of the tennis courts and current buildings. The Club had been in existence since 1928 and its current membership was under 200. The site was outside the Conservation Area. The Senior Planner explained the photographs that had been submitted by the objector at No. 30 Hotson Road. The Committee also viewed the block plan, proposed floor plans and elevations, artist's impression of the proposed building with timber cladding and solar panels and which would be positioned 11m from the end of the building to the site boundary and depth of 4m.

The Senior Planner particularly referred to the revised plans, elevations and additional seating that had been removed. The balcony had been reduced in size and screening was being proposed, as shown on the new artist's impressions. In addressing the material planning considerations and key issues, she drew particular attention to the principle (policy WLP8.22) and the following:

- Impact on residential amenity – local residents had raised issues over overlooking; however, the removal of the spectator seating and reduction of the balcony satisfactorily addressed the issues raised.
- Impact on highway safety – there were no grounds to substantiate refusal.
- Design and impact on the character of the area – whilst the appearance of the building was different to the housing, it was there for a different use. Most properties in the area were two storey scale and the proposed building fitted in well.

The Senior Planner explained that the 'bar' was actually a counter between the clubroom and kitchen for serving tea and coffee and the provision of snacks would be via vending machines. It would close at 10pm. She referred to the conditions restricting the use of the facilities and members would be encouraged to walk and cycle to the premises. She referred to the update sheet which confirmed the view from Environmental Services and also the additional conditions to be imposed, if approved.

The Chairman invited questions.

A Member questioned the neighbours suffering loss of light as a result of the proposed two storey building. The Senior Planner confirmed there would be no loss of light as the building was 11m from the side boundary.

The Chairman invited the public speakers to address the Committee.

As an objector and neighbouring resident, Mr D Foulkes stated that the noise from the balcony would be intolerable and the small screens would not reduce that noise. Residents wanted to enjoy their homes and any conflict with the Club could be avoided by removing the balcony; its use all through the day would permanently disturb

residents. It seemed that the noise assessment required by Environmental Health had not been carried out. The tight weave fence was not soundproof, nor was the low level hedging and noise would carry into bedroom windows. It was not a realistic proposition for the noise to be monitored by a member of staff at all times because there was no member of staff permanently on-site. The balcony should be removed.

On behalf of Southwold Town Council, Ms J Jeans questioned the application and the size of the two storey structure. The Town Council valued the Club as an important community facility and would not want to lose the Club. The principle of the NPPF was that applicants should work closely with the Town Council and locals but, unfortunately, that had not happened here. It was only objections that had resulted in improvements to the application. The Town Council believed the balcony should be removed because anyone using it would see into the neighbouring rear gardens which was an invasion of privacy. The balcony was not a necessary part of the business plan and it would affect local residents and their properties. Having the proposed building the whole length of the plot would change the area and the greenery at the front needed to be retained. If there was consent, three should be a condition to ensure the greenery remained.

The Chairman invited questions.

Members sought clarification as to what time people currently finished on site and the building being across the width of the courts. Ms Jeans confirmed that people used the premises into the evenings and it should be recognised that the site was an asset of community value. The Senior Planner advised that the block plan illustrated the building being centred along the frontage situated 11m from the side boundaries.

As Applicant, Mr G Bennett advised that the application was providing a good clubhouse and was supported by the membership in order to provide modern facilities. The Club was run by volunteers, had a membership of some 200 people age 6 to 82 years, with 50% from Southwold, Reydon and the villages; others came from Lowestoft and further afield. The current dilapidated portacabin was unsuitable and the new clubhouse would be fully wheelchair accessible with proper changing and shower facilities. There would be an on-line booking system; coaching and other services would be provided. The site had been a home for tennis for almost 100 years and they were proposing acceptable facilities for everyone to enjoy without affecting the street scene. Mr Bennett hoped the Committee would support the officer's recommendation for approval.

Members raised questions relating to:

- The balcony and its use.
- The bar shown on the plans.
- The club applying for a licence for the bar.
- Noise from the balcony impacting on residents in the evenings.
- Whether a sound assessment had been carried out.

Mr Bennett advised that he believed its use in the summer months would outweigh the reasons for not having a balcony; it would be used for fundraising events and coaching. It was hoped that people could watch matches in the evening. He advised that the bar between the clubhouse and kitchen was actually a serving hatch; it was not intended to

sell alcohol. The club might consider applying for a one-off licence for a special event at some future date.

Members noted that, based on the revised plans and additional information submitted, and with controls through planning conditions, Environmental Health were satisfied that their concerns had been addressed.

The Committee supported sport for all and public coaching because there was a general lack of facilities in the whole of the UK. The proposals were good and generally suitably distanced from adjoining residential properties. The Club could apply for an occasional licence, if necessary, through the Council's Licensing Committee for its Sub Committee to consider. However, concerns were expressed over the balcony and, even with obscured glass, Members questioned if it was really necessary.

A proposal for approval was seconded subject to the use of the balcony ceasing one hour prior to the club closing at 9pm. The Chairman requested clarification on the proposal to clear the balcony by 9pm, and it was confirmed that that could be done unless there were exceptional circumstance, for example, a tournament. The Planning Manager advised that the balcony was set back from the neighbouring rear gardens so any overlooking was not considered to be significant enough to warrant refusal. She advised that it would be difficult to enforce such a proposal but the residential amenity could be protected with a closing time if Members so wished.

In response to a question, the Applicant advised that the balcony might be used 2-3 times per week in the summer months, say from 6pm to 9.30pm. They could clear the balcony by 9.30pm.

The proposer and seconder accepted that amendment and the Planning Manager confirmed that would be appropriate for the conditions to be amended to restrict the use of the balcony until 9.30pm, with the premises closing at 10pm. This was agreed and there being no further discussion, 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 revised plans 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. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting the said Orders) the facilities within the building hereby permitted shall only be used in association with the existing tennis club and for no other purpose.

*Reason: The use of the building for uses unrelated to the tennis club would have the potential to cause harm to the amenity of local residents and character of the area.*

5. The balcony shall not be used after 9.30pm and building shall not be used after 10pm.

*Reason: In the interests of protecting the amenity of nearby residents.*

6. Prior to the building first being used cycle storage shall have been provided in accordance with details that have previously been submitted to and approved in writing by the local planning authority. It shall thereafter be retained in accordance with the approved details.

*Reason: To ensure the satisfactory provision of cycle storage and encourage people to travel by non-car modes in the interests of sustainable travel.*

7. The first-floor window in the east elevation of the building shall be fitted with obscure glazing and thereafter retained as such.

*Reason: In the interests of residential amenity.*

8. Prior to the building being occupied the screens shall be erected on the eastern and western ends of the balcony in accordance with details that have previously been submitted to and agreed in writing by the local planning authority. The screens shall thereafter remain in place in accordance with the approved details.

*Reason: To ensure the amenity of neighbours are protected.*

9. There shall be no cooking of food from the premises other than the re-heating of foods.

*Reason: To avoid undue odours in the interests of residential amenity.*

10. The installation of any extract ventilation system, air conditioning, and any other fixed plant, shall only take place in accordance with details (including its location, acoustic housing and any vibration isolation measures), that have previously been submitted to and approved in writing by the local planning authority together, and only the approved plant shall be installed and retained in the approved form thereafter.

*Reason: To avoid noise nuisance in the interests of residential amenity.*

11. The new fencing proposed for the front boundary shall only be built in accordance with details that have previously been submitted to and approved in writing by the local planning authority.

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

12. No development shall take place, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved Plan shall be adhered to throughout the construction period.

*Reason: To avoid unacceptable impact upon residential development during the demolition and construction phases.*

## **6 DC/20/1001/OUT - Land to the North of School Road, Ringsfield Corner**

The Committee considered report ES/0756 which related to an outline application, with some matters reserved, for the construction of up to 33 dwellings, open space, landscaping, visitor car park and site access from School Road, on land to the north of School Road, Ringsfield Corner.

The Planning Manager reminded Members that the application had been deferred at their meeting in February to enable officers to have discussions with the Applicant to include the whole site within its application. Since that time, the Applicant had confirmed that they were unwilling to increase the area as set out in the officer's report.

Members received a presentation showing the site, its location plan and photographs together with an indicative proposed layout and design which would be agreed at the reserved matters stage. The density had been specified in the Local Plan policy WLP7.14 as approximately 30 dwellings for the whole site, which equated to 20 dwellings per hectare.

The Planning Manager advised that the proposal was for up to 33 dwellings on a reduced site area of approximately 1.86ha, leaving 0.7 of a hectare for grazing land. Taking these factors into account, the recommendation was for refusal. She drew attention to two appeal decisions appended to the report. Having regard to the reduced site area, car park for the school and mitigation needed to protect Ringsfield, it was considered that the whole site should come forward for development, not just the part of the site in the application before Members.

A Member questioned CIL payments and it was confirmed that that was not part of the decision before the Committee. Members recalled their concerns whilst considering the application at their meeting in February 2021 and were in agreement with the recommendation for refusal. There being no further discussion, it was unanimously

**RESOLVED**

That permission be refused for the following reasons:

The site is allocated within the Waveney Local Plan (Policy WLP7.14) as a sustainable location for the development of approximately 30 dwellings. However, due to the condensed site area of 1.86 hectares, and the proposed maximum quantum of housing at 33 dwellings, the proposal represents an over-development of the application site. The planned approach to development of this site places great emphasis on a low-density development with spacious front and rear gardens, landscaping for street frontages, and a high-quality landscaping scheme to allow this development site to integrate well with its edge-of-settlement location and the surrounding countryside. The reduced site area, when compared to the allocation extent, would see an unacceptable compromise on these key design principles and result in a poor-quality layout. Granting outline planning permission for an 'up to' position prohibits the Council requiring a lower number of homes reserved matters stage in order to achieve good design appropriate for its location.

Whilst this application is in outline, with detailed matters reserved for future determination, the local planning authority needs to be satisfied that the proposed site area can accommodate the quantum of dwellings proposed in addition to all other works and infrastructure required to comprise a high-quality development in accordance with the local plan. As the proposed development fails in this regard, the application is contrary to Policy WLP7.14 of the local plan. As required by paragraph 127 of the National Planning Policy Framework (NPPF), the proposal does not optimise the potential of the site (as in the allocated site) to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and the result of this would be a conflict between the maximum granted number of homes and the ability to achieve good design. As indicated by paragraph 130 of the NPPF, where the design outcome of the development would be poor permission should be refused.

## **7 DC/21/1208/FUL - Jubilee Parade, The Esplanade, Lowestoft**

The Committee considered report ES/0757 relating to the planning application for the replacement of 72 beach huts on two levels of Jubilee Parade, the provision of 10 accessible beach huts, and associated platform and access stairs.

Members received a presentation showing the site location plan, photographs of the previous chalets prior to demolition, the cleared site looking north and south along the lower promenade and from the existing access, together with the original and proposed amended block plans. Artist's impression drawings gave an indication of the elevations and the location of the existing café.

The Planner described how the design process had been followed, the outcome of styles and proposed colour scheme and the resulting visualisations. In addressing the material planning considerations and key issues, the Planner explained the economic considerations and tourism in the area, and the resulting improvements which would help bring Lowestoft into the 21st century. It was considered that the improvements and design approach would enhance the Conservation Area. There was no adverse impact due to coastal erosion and no risk to life as the chalets would not be occupied

at nights. Approval was therefore being recommended subject to conditions set out in the report, as amended in accordance with the update sheet.

Members questioned the date of 2015 in paragraph 9.28 in the report and it was confirmed that it should read 2050.

The Chairman invited the public speakers to address the Committee.

At this point in the meeting, the Meeting Host confirmed that the speaker from Lowestoft Town Council, who had originally joined the meeting, had disconnected from Zoom and had not reconnected.

As Architect and Agent, Ms Jerene Irwin spoke in support of the application and focussed on the design and accessibility. Firstly, wheeled beach huts from the 1800s had been used as changing rooms, then progressed to become permanent fixtures along the UK coast providing storage and adding to the character of seaside towns. The proposed new designs might be different but would add character and diversity to the town and positively contribute to the regeneration of the area. The style and angle of the huts had been specially designed for the location and would achieve maximum sun. They had undertaken discussions with local groups to make the beach huts more accessible, particularly for wheelchairs and the outcome of those consultations had resulted in creating a larger space with level access suitable for wheelchairs. Ms Irwin advised that, in accordance with planning policy, new development should demonstrate high quality design and reflect local distinctiveness and enhance heritage assets. That had been achieved and it was considered that the proposals would add to the beach front and town in a positive way. She hoped the Committee would support the application.

As Ward Member, Councillor Byatt thanked the Committee for being given the opportunity to speak. He had read all the comments both for and against the proposal and therefore did not feel the need to reiterate the points made. He had visited the site and, with the extensive works needed to the cliff face, he understood it had not been realistic to rebuild. He welcomed the increase in the number of huts and commented that the designs were not inappropriate. There was no loss of green space and the proposal would probably have a positive impact on the café. Councillor Byatt expressed his concerns over the design with the upper level being modern creating an undulating wave from the beach and the lower level being traditional. Ramps would be needed to allow permanent access to the beach for the disabled.

During debate, Members commented on the innovative design having recognised the previous beach huts had not been fit for purpose and the current multi-coloured huts were just painted garden sheds with limited access for seating in front of each hut. The innovative design was a positive update for Lowestoft and would bring money into the town. However, other Members commented on the controversial nature of the new design which could be compared to shipping containers. The new beach huts should be of a design that the town could support and original colours of Pakefield pastels could be retained. The 10 huts suitable for disabled people were welcomed.

In response to a question relating the accessible beach huts being for sale, the Planning Manager confirmed that would be the responsibility of the organisation that looked

after the huts. It was not a planning issue. The Chairman advised that people sitting on the promenade outside the beach huts was not a planning issue and would need to be dealt with by the company leasing the huts.

Comment was made the design was either loved or hated and any design would be enhanced by its colour; pastels mixed in would support a traditional seaside view and that could be followed up.

There being no further discussion, on a proposal for approval which was duly seconded, it was

## **RESOLVED**

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

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

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

- Site Location Plan, JBH-CF-A-XX-DR-A-010, received 12/03/2021
- Existing and proposed site plan, JBH-CF-A-XX-DR-A-0120 Rev P7, received 07/05/2021
- Existing and proposed elevations, JBH-CF-A-XX-DR-A-0130 Rev P4, received 07/05/2021
- Detailed elevations, JBH-CF-A-XX-DR-A-0160 Rev P3, received 07/05/2021
- Existing and proposed sections, JBH-CF-A-XX-DR-A-0161 Rev P3, received 07/05/2021
- Typical Beach Hut, JBH-CF-A-XX-DR-A-0162, received 12/03/2021
- Typical Accessible Double Beach Hut, JBH-CF-A-XX-DR-A-0163, received 12/03/2021
- Proposed Beach Hut Colour Scheme, JBH-CF-ZZ-XX-RT-0010\_6426, received 07/05/2021
- Heritage statement, received 12/03/2021
- Design and Access Statement, 4626 / Rev B / March 2021, received 12/03/2021
- FLOOD RISK ASSESSMENT/DRAINAGE STRATEGY, received 12/03/2021
- Coastal Erosion Vulnerability Assessment, 65202371-SWE-ZZ-XX-RP-R-0001-CEVA, received 12/03/2021;

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 approved in writing by the local planning authority.

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

4. The hereby approved buildings/huts shall be used as a beach hut and for no other

purpose unless otherwise approved in writing by the local planning authority.

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

5. The beach huts, hereby permitted, shall be painted in one of the four colours specified within the Proposed Beach Hut Colour Scheme document, JBH-CF-ZZ-XX-RT-0010\_6426.

*Reason: in the interest of good design in accordance with WLP8.29 (Design).*

## **8 DC/20/5224/FUL - Land Rear of 34-48 Old Station Road, Halesworth**

The Committee considered report ES/0758 which gave details of the full planning application for 21 residential units (use Class C3), associated car parking, public open space, landscaping and ancillary works on land at the rear of 34-48 Old Station Road.

Members received a presentation showing an aerial photograph and the site location plan together with the strategic site allocations for Halesworth and Holton in the Local Plan. The proposed layout plan gave an indication of the mix of dwellings with single storey properties on the southern side which would back onto existing back gardens and two storey dwellings on the northern part of the site. Photographs from within the site were displayed together with views along Station Road and Park Road, the proposed access to the site, pedestrian access and footway links. The proposed street scene, elevations and floor plans gave an indication of the different types of properties.

Whilst the site was situated outside of the settlement boundary on the policies map in the Local Plan, the Senior Planner referred to the extant planning permission for 15 self/custom build dwellings; that scheme had been justified on the basis of the delivery of custom build provision to meet the needs of those registered on the Council's Self Build and Custom Build Register in accordance with the 2015 Act.

The Senior Planner explained the material planning considerations and key issues and drew particular attention to the planning history, principle of development, increase in density, flood risk, highways issues of which there were none, design, sustainability and ecology. It was considered there was sufficient parking on-site with the provision of electric charging points and there would be upgrades to the bus stops. The increase in density of properties compared to the extant permission raised it to 30 dwellings per hectare, a sustainability statement had been submitted and it was considered to be a sustainable development. Approval was being recommended and the Senior Planner referred Members to the update sheet which contained a change of wording for condition 10.

The Chairman invited questions.

Members raised questions with regard to:

- Car parking spaces on site.
- The financial contribution of £24,000 for school transport.
- The reduction in the provision of affordable dwellings in paragraph 8.74.
- Why no development had taken place under the previous approval.

The Senior Planner advised that car parking on the site met County Highways' standards. The development would generate a certain number of school places and the financial allocation of £24,000 related to that number of school places. Whilst affordable housing was slightly low, the calculation worked out at 6.3, six were being provided on site and the 0.3 would be a financial contribution as advised by the Council's Section 106 Team. It was confirmed that there were no self-build properties in the new proposal.

The Chairman invited the public speakers to address the Committee.

As the Applicant's Agent, Mr T Pike thanked the Committee for being given the opportunity to speak and wished to reiterate a number of key elements. Whilst the site was outside the defined settlement boundary, it was adjacent to residential development and the principle of development on the site had been accepted. The proposed increase in the number of homes would make better use of the land and help the Council to meet its housing targets. The proposed housing mix better reflected local needs. The development would include six on-site affordable homes and the proposal included a financial contribution towards off-site affordable housing. There would be further financial contributions towards highway improvements and secondary school transport, as well as the provision of high quality open space and a play area. Concerns over surface water drainage had been addressed with the proposed mitigation measures. Officers had agreed with the benefits of the proposed development and Mr Pike requested Members approve the application.

Members questioned the car parking provision on site and why there had been no progress with the 15 self-build plots. Mr Pike confirmed that 50 parking spaces were being provided, two for the 2/3 bedroomed properties and three for the 4 bedroomed dwellings. The self-build plots had been marketed but there had been little demand. The proposal before Members provided affordable housing.

During discussion, Members raised issues with regard to the increase in the number of properties being built and if that number could be restricted, whether they would be accessible properties, and if bungalows were to back onto existing properties. The Planning Manager advised that the development for 21 dwellings was satisfactory and County Highways had not objected to the application. Single storey dwellings would be on the southern side of the site backing onto existing dwellings. The application was for 21 dwellings and that number could not be increased unless a further application was submitted. Whilst it was disappointing to see further encroachment outside of the Development Plan, it was

## **RESOLVED**

That permission be granted, subject to the completion of a S106 agreement securing:

- Affordable housing provision and commuted sum.
- Provision of open space.
- A financial contribution towards bus stop improvements.
- A financial contribution towards secondary school transport.
- Contribution towards RAMS (either S106 or S111)

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

- Landscape Plan - 2501-00-10-C - Received 22 March 2021
- Site layout Plan - 3812 SL01 Rev C - Received 22 March 2021
- Landscape management and maintenance Plan 2501-60-30 Rev A - Received 22 March 2021
- Sustainability and Energy statement V4.1- Received 22 March 2021
- 3812 PL03 Rev A - Bungalow Type B Plots 6 and 8 - Received 16 March 2021
- 3812 PL04 Rev A Bungalow Type C Plots 4 (H) and 7 - Received 16 March 2021
- 3812/RevA/RS01 - Refuse Strategy - Received 16 March 2021
- 3812 SS01 Rev A - Street scenes - Received 16 March 2021
- 3812 PL09 - Bungalow Type A - Plot 5 - Received 16 March 2021
- 2501-00-20 Rev A - Planting Plan 1 of 2 - Received 22 December 2020
- 2500-00-21 - Planting Plan 2 of 2 - Received 22 December 2020
- 3812 PL02 - Bungalow Type A plots 2 and 3 - Received 22 December 2020
- 3812 PL01 - House type A Plots 19, 20 and 21 - Received 22 December 2020
- 3812 GO1, G02 and G03 - Garage types - Received 22 December 2020
- 3812 PL05 - bungalow Type D plot 1 - Received 22 December 2020
- 3812 PL06 - House type B Plots 9 (H), 12, 13 and 16 - Received 22 December 2020
- 3812 PL07 - House type D Plots 10 ,11(H), 14 and 15 - Received 22 December 2020
- 3812 PL08 - House type D Plots 17 and 18 - Received 22 December 2020

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

3. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Reptile and Hedgerow Survey report (The Landscape Partnership, May 2018) and the Addendum to Construction Environmental Management Plan and Reptile Translocation report (The Landscape Partnership, March 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination. Management of new and existing landscape features must be undertaken in accordance with the approved Landscape Management and Maintenance Plan.

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

4. The surface water drainage related to the development hereby permitted shall be

constructed in all respects strictly in accordance with documents listed below, for which permission is hereby granted or which are subsequently submitted to and approved in writing by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority:

- 1) EVANS, Flood Risk Assessment, Ref. 1444/RE/06-15/01 Revision A, November 2020.
- 2) Surface Water Exceedance Flows, Drawing C150, Rev 01, 16/12/2020.
- 3) S104 Drainage Details, Drawing Ref. C114 Rev 01, 23/11/2020.
- 4) SuDS Features Management & Maintenance Plan, Ref 16N0372-CA-01-MMP01, Rev 01, 16/12/2020.
- 5) Armstrong Elliot, Highway & Drainage GA Sheet 01 of 02, Drawing No. C100 Rev 04, 22-03-2021
- 6) Armstrong Elliot, Highway & Drainage GA Sheet 02 of 02, Drawing No. C101 Rev 04, 22-03-2021
- 7) Armstrong Elliot, Construction Surface Water Management Plan, Ref 16N0372-CA-01-CSWMP01, 16th December 2020
- 8) Armstrong Elliot, Drainage Strategy Statement, Ref 16N0372-CA-02-C0001, Rev 01, 16th December 2020
- 8) A F Howland Associates, Ground Investigation Report, ref. ADB/15.266, 16th March 2021
- 9) Armstrong Elliot, Infiltration Testing & Pollution Mitigation Index Assessment, ref. 16N0372/CA/07, 18th March 2021

*Reason: To secure a properly planned development with surface water drainage that will be effective.*

5. Within 28 days of practical completion of the last dwelling, 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/>

6. 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.*

7. The approved landscaping scheme 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.*

8. Prior to construction above DCP level 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: 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 and paragraph 110 of the National Planning Policy Framework.*

9. Prior to the commencement of development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved management plan shall be adhered to throughout the construction period. The Management Plan shall provide details of:

- a. Loading and unloading of plant and materials;
- b. Storage of plant and materials used in the construction of the development;
- c. Materials/plant delivery times;
- d. Construction times;
- e. Parking for construction workers and visitors;
- f. Wheel washing facilities; measures to control the emission of dust and dirt during construction;

*Reason: In the interests of amenity and highway safety due to the potential conflict between construction traffic, new residents and the users of the leisure centre.*

10. No other part of the development hereby permitted shall be commenced until the approved access shown on Drawing Number 16N0372-C020-REV-02 has been laid out and constructed to at least carriageway binder course level. The approved access including associated alterations to kerb and channel lines on Old Station Road shall thereafter be completed in their entirety prior to occupation and shall be retained in the approved form.

*Reason: In the interests of highway safety to ensure the approved layout is properly constructed and laid out and available for use at an appropriate time.*

11. No other part of the development hereby permitted shall be occupied until suitable pram crossing facilities have been provided across Old Station Road, on the walking route from the development to Wissett Road footway via Fenn Close, to details previously approved in writing by the LPA.

*Reason: In the interests of highway safety to ensure a suitably safe and convenient*

*pedestrian route, between the development and the footway on Wissett Road, is properly constructed and available for all users.*

12. Before the access is first used visibility splays shall be provided in accordance with details previously approved in writing by the Local Planning Authority and thereafter shall be retained in the approved form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (As amended) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

13. The use shall not commence until the area(s) within the site shown on Drawing 3812-SL01-REV- C for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

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

*Reason: In the interests of highway safety and to promote sustainable travel, to ensure the provision and long-term maintenance of adequate on-site space for the storage of cycles in accordance with Suffolk Guidance for Parking.*

15. Prior to construction above DCP level exact details of the size, location and appearance of the PV panels indicatively shown within drawing no. 3812 SL01 Rev C 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 shall only be removed when they cease to function.

*Reason: To ensure that the development makes adequate provision for renewable and low carbon energy generation as required by Policy WLP8.28 "Sustainable Construction".*

16. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number 3812REVA/RS01/REFUSE STRATEGY shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

*Reason: To ensure that refuse recycling bins are not stored on the highway causing*

*obstruction and dangers for other users.*

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

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

18. Prior to occupation of the development details of the provision for the installation of fire hydrant(s) shall be submitted to and agreed in writing by the Local Planning Authority. The approved fire hydrant(s) shall be installed as permitted and retained thereafter for the lifetime of the development.

*Reason: In the interest of the safety of the occupiers of the properties.*

19. The landscaping and Local Area for Play shall be managed in accordance with the Landscape Management + Maintenance Plan document Ref: 2501-60- 30 Rev A.

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

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

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

21. Prior to occupation of any dwelling details of a management and maintenance plan for the private drive shall be submitted to and agreed in writing by the Local Planning Authority. The approved Management and Maintenance Plan shall thereafter be adhered to in accordance with the approved details.

*Reason: In the interest of highway safety and the visual appearance of the development.*

22. In the event that contamination is found or suspected at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of the contamination on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons 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 scheme must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation

criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme must be carried out in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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

23. Details shall be submitted to the Local Planning Authority for approval demonstrating how plots 1-8 shall be designed to meet requirement M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings. The development shall thereafter be carried out in accordance with the approved details unless otherwise approved in writing.

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

**Note:** The meeting was adjourned from 4.43pm to 4.53pm for a short comfort break.

## **9 DC/21/0935/OUT - Land to the South of Blackheath Road, Wenhaston with Mells Hamlet**

The Committee considered report ES/0760 which gave details of the application seeking outline planning permission with all matters reserved, apart from access, for the proposed erection of two new detached bungalows and associated garages on land off Blackheath Road, Wenhaston with Mells Hamlet.

Members received a presentation showing the site location plan, proposed block plan and street scene, photographs looking into the site and the recent houses being built.

The Planner advised Members of the recently approved application for two 1½ storey dwellings in the vicinity, one of which was built and the second was about to be started. The map view of the application site, and that with the previously implemented and extant consent for another new dwelling, showed that the site would fall within the policy compliant cluster of five or more houses in a continuous built up frontage. Having explained the material planning considerations and key issues relating to the departure from the Local Plan, the principle of housing in the countryside and Highways/visibility splays, the application was being recommended for approval subject to conditions.

Members sought clarification that bungalows would be built and whether this was a suitable location. The Planning Manager confirmed that the application was for two bungalows and the reserved matters would need to be for two bungalows. If the Applicant wished to submit an alternative application, they could do so if they so wished. The policy relating to development in the countryside had changed since the earlier application in 2018 which had been refused. The relevant policy was now that in the Local Plan adopted in 2020.

The Applicant's Agent, Mr B Norton, addressed the Committee and stated that it was the officer's opinion that the dwellings would be part of a cluster in accordance with SCLP policy 5.4. Garden space was being provided around and between the dwellings. The proposal fitted in well with the street scene and any specifics could be dealt with at the reserved matters stage. In his opinion, the appeal against the previous refusal that had been dismissed under the previous Local Plan was no longer a relevant planning consideration. Mr Norton requested Members approve the application in accordance with the officer's recommendation so that delivery could commence.

Having considered the application and there being no further discussion, it was

## **RESOLVED**

That permission be granted, subject to the following conditions:

1. a) Application for approval of any reserved matters must be made within three years of the date of this outline permission and then

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

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

2. Details relating to the layout, scale, appearance, and landscaping of the site (the "reserved matters"), shall be submitted to and approved by the Local Planning Authority before any development is commenced.

*Reason: To comply with Sections 91 and 92 of the 1990 Act.*

3. The development hereby permitted shall be completed in all respects strictly in accordance with Drawing No. 104/2021/101 P1, received 26 April 2021, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

4. In the event that contamination is found or suspected at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be completed in

accordance with a scheme to assess the nature and extent of the contamination on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons 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 scheme must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme must be carried out in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

*Reason: In the interest of potential contamination on the application site and ensuring safe development on suitable land.*

5. No other part of the development hereby permitted shall be commenced until the existing vehicular access has been improved, laid out and completed in all respects in accordance with DM01; and with an entrance width of 4.5m. Thereafter the access shall be retained in the specified form.

*Reason: In the interests of highway safety to ensure that the layout of the access is properly designed, constructed and provided before the development is commenced.*

6. The gradient of the vehicular access shall not be steeper than 1 in 20 for the first five metres measured from the nearside edge of the adjacent metalled carriageway.

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

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

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

8. Prior to the dwellings being first occupied, the vehicular access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details previously submitted to an approved in writing by the local planning authority.

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

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

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

10. Before the access is first used visibility splays shall be provided as shown on Drawing No. 104/2021/101 Rev. P1 and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

11. The use shall not commence until the area(s) within the site on dwg. no. OUT1001 Rev. A for the purposes of, manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

*Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety.*

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

*Reason: To promote sustainable transport choices.*

## **10 DC/21/0980/FUL - Peakhill Farm, Honey Pot Lane, Kelsale cum Carlton**

The Committee considered report ES/0761 giving details of planning permission being sought for a small touring caravan site for up to 10 caravans or campervans at Peakhill Farm, Kelsale. The application was before Committee as the Applicant was a close relative of a member of staff.

Members received a presentation showing the site location plan and proposed block plan together with a selection of photographs showing the site and its entrance and views in relation to the nearby public footpath.

The Senior Planner advised that the site was separate from the existing Caravan Club site which had been in operation for 10 years. The site would be accessed by an existing concrete farm drive and provide electric hook up facilities. The site was well drained so no hard standings were being proposed, therefore no additional run-off

would need to be considered. It was intended to open the site from Easter to the end of October and provide portable toilets and showers, with a waste disposal facility connected to an existing septic tank. If successful, the Applicant had confirmed that more permanent toilet facilities would be provided. Covid compliant protocols were in place for the existing Caravan Club visitors and the same procedures would be applied at the proposed campsite.

The Senior Planner confirmed it was a small scale tourist facility providing new tourist accommodation with little impact on the countryside. The Rights of Way Officer had made no objection. There would be no impact on highways or residential amenity and no adverse ecological impacts. Approval was therefore being recommended.

Members sought clarification on the opening times and whether the reference to Easter referred to March or April and if a new application would need to come to Committee for permanent WC/shower facilities. The Senior Planner advised that it was intended to capture visitors at Easter so opening times could commence from 1 March and she confirmed that a new planning application would be needed to provide permanent washroom facilities.

Members supported the proposal 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 plans and information submitted with the application received 01.03.21 and 11.03.21, 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 site shall only be used for a touring caravan site for up to 10 caravans/campervans between Easter and the end of October. No caravans/campervans or associated equipment/facilities shall be stored on the site during the closed season (between November and Easter).

*Reason: In the interests of visual and rural amenity.*

## **11 Enforcement Action - Case Update**

The Committee received report ES/0755 which summarised outstanding enforcement

cases sanctioned under delegates powers or through the Committee up to 22 April 2021. There were currently 13 such cases.

The Assistant Enforcement Officer updated Members with regard to Wissett Way in Lowestoft in that an invoice had been sent out to the owner and a charge had been place on the land. There being no specific questions, it was

**RESOLVED**

That the report concerning Outstanding Enforcement matters up to 22 April 2021 be received and noted.

**After the close of the meeting, the Chairman made the following announcement**

As it was the last Planning Committee North meeting that Liz Beighton would be attending in her role as Planning Development Manager, on behalf of the Committee, the Chairman thanked Liz for her work and advice over the last few years and wished her well in her new job.

The meeting concluded at 5.22pm.

.....  
Chairman

<b>Unconfirmed</b>
--------------------



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, Lowestoft, on **Tuesday, 8 June 2021 at 2.00pm**

**Members of the Committee present:**

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

**Other Members present:**

Councillor Peter Byatt

**Officers present:** Jamie Behling (Trainee Planner), Joe Blackmore (Principal Planner), Sarah Carter (Democratic Services Officer), Sarah Davis (Democratic Services Officer), Mia Glass (Assistant Enforcement Officer), Beth Hughes (Assistant Planner), Matt Makin (Democratic Services Officer), Iain Robertson (Senior Planner), Ben Woolnough (Planning Development Manager)

**Announcement**

The Chairman welcomed Ben Woolnough to his first PCN meeting in his new role as Planning Development Manager.

**1 Apologies for Absence and Substitutions**

Apologies for absence had been received from Councillors Bramley-Crawshaw and Rivett.

There were no substitutes.

**2 Declarations of Interest**

Councillor Ceresa declared a Pecuniary Interest in item 7 - DC/21/1823/FUL - 20 St Georges Road, Beccles, as she was the applicant. She advised that she would leave the room and take no part in discussions or voting on the item.

Councillor Cooper declared a Pecuniary Interest in item 8 - DC/21/1462/FUL - The Alders, Theberton, as he was related to the applicant. He advised that he would leave the room and take no part in discussions or voting on the item.

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

There were no declarations of lobbying.

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

The Committee considered report ES/0788 which summarised outstanding enforcement cases sanctioned under delegated powers or through the Committee up to 25 May 2021. There were currently 11 such cases.

The Assistant Enforcement Officer provided an update with regard to:

Top Street Martlesham – a site visit had taken place as required and the matter was now with the Council's Legal Department.

Dam Lane, Kessingland – a site visit had taken place to check on the lake compliance; none had been undertaken and further discussions were taking place with the Council's Legal Department. The Court case on 5 July related to the structures.

White Cottage, Woodbridge – a site visit confirmed compliance and the case was now closed.

Members questioned the timescales on some cases, one of which dated from 2013. At Saxonfields in Snape, there were differing dates of February and June 2021. The Assistant Enforcement Officer advised that whilst the enforcement notice had been served, it would not come into effect until 15 February after the 28 day appeal, with compliance by 15 June.

There being no further debate, it was

#### **RESOLVED**

That the report concerning Outstanding Enforcement matters be received and noted.

### **5 DC/21/1193/FUL - Common Edge, Farnham Road, Snape**

The Committee considered report ES/0792 which gave details of the planning application for a single storey Orangery extension on the rear of the property with roof terrace above and two two-storey extensions to the front and side of the dwelling to provide utility, study, dressing room, en-suite and fifth bedroom.

The application was before Members as the minded to decision was contrary to the Ward Members' recommendation to refuse due to concerns relating to design and residential amenity.

Members received a presentation showing the site location plan and aerial photograph, together with a plan giving an indication of the second planning application DS/21/1200/FUL which was to be considered under Agenda item 6. Members viewed the photographs of the existing dwelling and existing extensions to

the front and rear, trees on the boundary, and views looking towards the neighbouring property. Further slides showed the existing and proposed floor plans and elevations including the proposed single storey extension at the rear with roof terrace, and block plan.

The Planner commented on the material planning considerations and key issues and advised that the proposal was not considered to be overdevelopment due to the size of the plot. It was felt that noise would not be an issue due to the distance to the boundary and the fact that the property would remain a residential dwelling. The boundary was well screen by trees and the proposed privacy screen would be in place if the trees were cut back at some future date. Approval was being recommended subject to revised wording for condition 2 as detailed on the update sheet.

The Chairman invited questions.

Members sought clarification as to the height of the screen on the roof terrace. The Planner confirmed it was 1.8m adjoining the building reducing down to waist height towards the front of the terrace. If the trees were removed, then there would be some overlooking into the neighbour's garden. The Chairman proposed that the height of the whole screen should remain at 1.8m and that should be considered to be reasonable.

The Chairman invited the public speakers to address the Committee.

Mr R Rainger spoke as an objector and resident of the neighbouring property. He referred some papers having been amended with a different plan and drew attention to two specific images. Mr Rainger referred to paragraph 2.1 and the historic nature of the site with open outlook prior to the trees being planted. Paragraphs 7.1 and 7.2 made reference to the recent planting and dense vegetation which was overhanging the boundary. Such references made it look like the proposed extra development was acceptable because of that. The 7m barricade of conifers blocked light and being only 3m distant from his property would result in root damage. If the trees were removed, there would be no screening whatsoever. He referred to design, materials and finish to ensure a satisfactory appearance and visual amenity; none of that had been undertaken as previously agreed.

As the Applicant's Agent, Mr R Stewart advised that the proposal to extend the property was to provide better living accommodation and to allow the Applicant to work from home. The proposed extensions were in keeping with the existing property and its character and the painted claddings would echo the existing design. The proposal would not result in loss of privacy as the ground floor doors would be some 24m distant from the neighbour. The 1.8m high screen on the balcony would protect the neighbour. The plot extended to some 2,440sqm which was large enough for the proposed development and which was only 7% of the total site area. That was a similar density to the neighbouring plot of Christmas Cottage. Mr Stewart advised there would be no negative impact on current noise levels and the existing planting provided both an acoustic buffer and a privacy screen. The proposals were in keeping with existing dwelling.

Members questioned the fact that the Applicant had submitted two applications for

the extensions and cart lodge and not one. Mr Stewart explained that one was the householder extension and the other required more ground survey. They were to be judged at the same time; the tourist accommodation and it being a new dwelling was a full application not a householder application.

Comment was made that Members should see the second application and compare what they would both look like if both approved. The Planning Development Manager reminded the Committee that the earlier slide had showed the extensions and the location of the cart lodge. Each application should be considered on its own merits. Whilst the design was agreed to look satisfactory, some concern was expressed over the large development and the fact that car parking would be lost if the proposed cart lodge was built.

It was proposed and seconded to approve the application, subject to the screen on the balcony be 1.8m in height for its full length. This was agreed by the Agent 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 drawings P01 and P03 received 11/03/2021, P04a received 27/05/2021 and P05b and P06c received 09/06/2021 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

4. Prior to the hereby roof terrace being first used, a privacy screen shall be erected and retained at a height of 1.8 metres on the western edge of the roof terrace as shown on drawing P-06C and P-05b received 09/06/2021. If glass or plastic is chosen it shall have an obscuration of level 3 on the Pilkington obscured glazing range (or equivalent by an alternative manufacturer). This item shall thereafter be retained in its approved form.

*Reason: To avoid the possibility of unacceptable overlooking and loss of privacy to neighbouring property.*

## 6 DC/21/1200/FUL - Common Edge, Farnham Road, Snape

The Committee considered report ES/0793 which set out details of the planning application proposing one and a half storey three bay cart lodge with tourist accommodation at first floor level. The ground floor included two parking bays and one storage bay and the first floor comprised WC, dining/kitchen/living room, bedroom and en-suite.

Members viewed the aerial photograph, site location plan, proposed block plan, several photographs within the site and a photograph of the proposed siting of the cart lodge with tree screening behind. The proposed floor plans and elevations gave an indication of the parking and storage bays and also the accommodation being provided. The east elevation would have skylights only.

The Planner outlined the material planning considerations and key issues and drew particular attention to the following:

- Unlikely overlooking the neighbour due to the position of the cart lodge.
- Unlikely extra noise from tourism with guests arriving/leaving due to the fact that one double bedroom was being provided and outside space was not being provided.
- No over development; whilst it was a relatively big structure, the site was large.
- No objection from County Highways, with one condition being applied.
- Little visual impact due to vegetation and trees on the site.

The Planner confirmed that approval was being recommended subject to a RAMS payment which had now been received, and an amended condition 4 outlined in the update sheet.

The Chairman invited questions.

Members asked questions relating to:

- An assessment on contaminants.
- What other Highways conditions has been proposed.
- Residential buildings being extended forward of the original building line.
- If the size of the annex met minimum standards of space requirements.
- Provision of amenity space for the residents of the holiday accommodation in the cart lodge.
- Problems that might be created for the neighbours.

The Planner advised that there might be hydrocarbons contaminating the site from the petrol station next door; however, Environmental Health advised that the Applicant could remediate the site before any construction commenced. Highways had commented on providing a connection to recharge electric vehicles and suitable storage for building materials. The trees on site helped reduce any impact that might result from building in front of the main dwelling. He was not aware of any minimum space requirements for tourist accommodation and it was probable that people staying in the accommodation would go elsewhere for the use of outside space.

The Planning Development Manager advised that, whilst there would be dedicated parking, it was reasonable to use outside space in the surrounding area, similar to a bed and breakfast. It was not being conditioned to provide amenity space because part of the site was not being formally separated.

The Chairman invited the public speakers to address the Committee.

Mr R Rainger reminded Members that any development which was in front of the building line was not usually allowed and the emphasis on the trees providing suitable screening was unacceptable. Referring to paragraph 7.2 in the report, the proposed new tourist accommodation would be accessed by stairs only and not disability friendly. There would be impact on the neighbours and the slide showing a person silhouetted at the top of the stairs would give visitors unobstructed views into the neighbouring property. There would be additional noise from some six vehicles parking on the gravel drive being used by residents, employees and now tourists. Whilst the accommodation was proposing one small double bedroom, the elevations showed children and there was no provision of outside space. There should not be reliance on the tree screening to allow what was clearly overdevelopment.

The Applicant's Agent advised that the three-bay cart lodge was being located near the north east corner of the plot with plenty of screening. The proposal was in accordance with policy SCLP6.5 providing tourist accommodation and contributing to the local economy. The design was in keeping with existing. The proposed building would contribute positively towards screening the neighbouring garage. The west facing dormer windows were 30m from the neighbour and the staircase was set back. It was not overdevelopment as it would only increase the development to 9.6% of the entire site. In his opinion, one bedroomed tourist accommodation would only provide a limited increase in noise compared to the busy road and nearby garage. The proposal would offer a positive impact on Common Edge, existing properties and the local economy.

Members noted that all three Ward Councillors had objected to the proposal and so too had the Parish Council. There was uncertainty for the neighbours and it could be seen as over development. Some Members were not comfortable with the outside staircase and suggested that consideration be given to incorporating the staircase on the inside. Refusal was recommended.

An opposing view was that the proposal was located next to a busy garage and, going forward, provided tourist accommodation some distance from the nearest neighbour. The recommendation in the report for approval should be supported.

The Planning Development Manger reminded Members of the location of the staircase on the roadside of the proposed building and there could be the potential for overlooking in all directions. There might be the opportunity to provide the staircase on the dwelling side or enclose it with a 1.8m screen.

The proposal for refusal was then duly seconded and voted on, which was LOST.

A further proposal was made to defer a decision on the application, so that the design of the staircase could be reviewed and consideration could also be given to the

provision of cycle storage and outdoor amenity space. Deferral was duly seconded and it was

## **RESOLVED**

That a decision be deferred to allow further discussions to take place with the Applicant with regard to screening of staircase, provision of outdoor seating area and cycle storage.

*Note: Having declared a Pecuniary Interest in Agenda Item 7, Councillor Ceresa left the meeting at 3.08pm.*

### **7 DC/21/1823/FUL - 20 St Georges Road, Beccles**

The Committee considered report ES/0789 which gave details of the planning application for the removal of an existing garage, provision of a two-storey side extension to the property and provision of an annex in the rear garden. The application was before Committee as the Applicant was an East Suffolk Councillor.

The Senior Planner advised that whilst the site was within the Beccles Conservation Area, the property was not listed or making a positive contribution to the Conservation Area as many of its original features had been replaced with unsympathetic modern alternatives.

Members received a presentation which showed the site location plan, Conservation Area Boundary, photographs of the property and street scene, the size of the rear garden, existing and proposed layout and floor plans, and proposed elevations. The rear and front elevations and floor plan of the proposed annex were also displayed.

The Senior Planner explained the material planning considerations and key issues and drew particular attention to the relevant policies relating to design, which was acceptable, and impact on the Conservation Area which were none. County Highways had no objection; the loss of the garage was considered to be minimal as it was likely to be too small for modern day vehicles, and two parking spaces were being provided in addition to the available parking on the highway. The plot size was suitable for the proposals and it was intended the annex would be ancillary to the main dwelling. Approval was being recommended subject to revised wording for conditions 2 and 4 as detailed on the update sheet.

In response to a Member's question relating to annexes in neighbouring properties, the Senior Planner advised that other properties in the area had small outbuildings but no annexes. There was no separate access to the annex; there would be a pathway between the property and the boundary for access to the rear.

During the ensuing discussion, Members were of the opinion that the proposal would result in improvements to a not very attractive dwelling and the garden could satisfactorily accommodate the annex. Members were of the opinion that using the annexe as ancillary to the dwelling made the proposal acceptable 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 plan nos. 2697.20.1F and 3A; received 27 May 2021 and 2697.20.2A received on 14 April 2021, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

4. The use shall not commence until the area(s) within the site on plan no. 2697.20.1F for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

*Reason: To enable vehicles to park within the site reducing the requirement for on-street parking in the interests of highway safety.*

5. The residential annex hereby approved shall only be occupied and used as ancillary accommodation to the main dwelling known at the time of this decision as 20 St. Georges Road and shall at no time be subdivided from the curtilage of or used as an independent unit of residential accommodation separate from, 20 St. Georges Road.

*Reason: The building is not suitable for use as a separate residential unit due to its location on the site and lack of separate parking and curtilage area.*

**Note:** Councillor Ceresa re-joined the meeting at 3.21pm. At the same time, having declared a Pecuniary Interest in Agenda Item 8, Councillor Cooper left the meeting.

## 8 DC/21/1462/FUL - The Alders, Potters Street, Theberton

The Committee considered report ES/0790 giving details of the planning application for the removal of an existing storage barn and to erect a single storey extension which would join a proposed two storey extension at The Alders in Therberton. The

application was before Committee as the Applicant was a close relative of an East Suffolk Councillor.

Members received a presentation showing the site location plan, the siting of the property in relation to Theberton village and a selection of photographs showing the driveway, existing dwelling and barn to be demolished. The block plan showed the position of the proposed extension and both existing and proposed elevations and existing floor plan and proposed floor plans were displayed.

The Assistant Planner drew attention to the material planning considerations and key issues and confirmed that the proposals were in keeping with the relevant policies SCLP11.1 and SCLP11.2 in the Local Plan. She confirmed no comments had been received from the Environment Agency and due to the isolation of the property, there would be no impact on residential amenity. Approval with conditions was therefore being recommended.

Members raised no specific questions and following a proposal for approval 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 not be carried out other than in accordance with Site Plan and Drawings received on 24th March, 2021 ('OS MasterMap 1:1250 scale Site/Location Plan', 'OS MasterMap 1:250 scale Proposed Block/Layout Plan', 'Proposed Floor Plans & Elevations Drg No. Dwg.J2109.pp 1', 'Existing Floor Plans & Elevations Drg No. Dwg. J2109.ep').

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

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

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

4. The finished (ground) floor levels of the extension shall be no lower than ground floor levels in the existing dwellinghouse.

*Reason: to ensure the extension is no more vulnerable to flooding than the existing dwellinghouse, in accordance with Environment Agency standing advice.*

The meeting concluded at 3.26pm.

.....  
Chairman

<b>Unconfirmed</b>
--------------------



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, Lowestoft on **Tuesday 13 July 2021 at 1pm**

**Members of the Committee present:**

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

**Other Members present:**

**Officers present:** Katherine Abbott (Democratic Services Officer), Jamie Behling (Trainee Planner), Mark Brands (Planning Officer), Joe Blackmore (Principal Planner), Sarah Carter (Democratic Services Officer), Michelle Coupe (Senior Planner), Sarah Davis (Democratic Services Officer), Mia Glass (Assistant Enforcement Officer), Matt Makin (Democratic Services Officer), Ben Woolnough (Planning Development Manager)

**1 Apologies for Absence and Substitutions**

There were no Apologies for Absence.

**2 Declarations of Interest**

Councillor Ashdown declared a Local Non Pecuniary Interest with regard to item 7, Henham, in that the Applicant and he had both served on a Tourism Committee of Waveney District Council at the same time.

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

Councillor Cooper declared he had been lobbied in relation to item 5, Snape, and stated that he had acknowledged each but not responded.

**4 Enforcement Action - Case Update**

The Committee received report **ES/0835** by the Head of Planning and Coastal Management and which was presented by the Assistant Enforcement Officer. The report summarised the status of all outstanding enforcement cases where action had either been sanctioned under delegated powers, or through Committee, up to 24 June 2021 - at present, there were ten such cases. The Committee was advised, at the meeting, that the case on page 12 - land at Dam Lane, Kessingland - had proceeded to

Court in early July, been found guilty and subject to fine.

There being no questions on the report, the Chairman moved to the recommendation which was proposed, seconded and by unanimous vote it was

## **RESOLVED**

That the report concerning Outstanding Enforcement matters up to 24 June 2021 be received.

### **5 DC/21/1200/FUL - Common Edge, Farnham Road, Snape**

The Committee received a presentation by the Case Officer for the application for the erection of a one and a half storey three bay cart lodge and store with tourist accommodation at the first floor level with the front garden of Common Edge, Snape. The ground floor included two parking bays. The application was submitted in parallel with a full application for extensions to the same dwelling. The application had been presented to the Referral Panel on 25 May 2021 and had been referred to the Committee to enable debate on the new cart lodge and holiday accommodation and whether, or not, these might have an adverse impact on the residential amenity of the neighbouring properties, the visual amenity of the vicinity, and on the highway network. The application had been considered by the Committee at its meeting in June 2021 but had been deferred to enable the Case Officer to work with the applicants on amendments to the scheme which included screening on the side of the external stair and the provision of a seating area for visitors. The application was now recommended for approval, subject to conditions, as the scheme, as amended by revised plans, accorded with the Development Plan and was acceptable in terms of all relevant material planning considerations. As stated in the Update Sheet, the Committee noted that condition four (page 26) was to be re-worded to include a restriction that did not allow the occupation of the holiday accommodation for a continuous period of more than 56 days by one person or persons who were not related or working for the household.

The Chairman invited questions.

In response to a question from Councillor Pitchers regarding the revise condition four, the Case Officer stated that occupation for a continuous period of more than 56 days would be allowed if that person was a relative or someone who was working for the household.

Mr Charles Farrant, representative of the Parish Council, was invited to address the Committee. Mr Farrant referred to the Parish Council's written submission. He considered the application to be over-development, despite the size of the site, and was outside the settlement boundary. Mr Farrant said there was concern that this might set a precedent for expansion by default. There was, he said, a wish to protect the visual amenity of the vicinity and a view that traffic matters had not been fully considered; he referred to a curve in the road at the application site and to people often exceeding the 30mph limit. In particular, Mr Farrant emphasised the potential impact on the character of the vicinity. He also said that the tourist accommodation was on the first floor and accessed by stairs, therefore, there was no access for anyone with mobility issues and he suggested that tourist accommodation should be more

accessible.

There were no questions for Mr Farrant.

Mr Robert Stewart, the Applicant's Agent, was invited to address the Committee. With reference to concerns that neighbouring properties would be adversely impacted upon and overlooked, Mr Stewart stated that there were established evergreen trees which, visually, separated the two sites. He also said that two new dormer first floor dormer windows would face east over the front garden of Christmas Cottage; these were approximately 30m from the the neighbouring property and over 25m in height, as recommended by the Supplementary Planning Guidance. He added that the landing of the external staircase was at 25m height with medium height hedges/trees as a buffer. A privacy screen had been added to the external stairs. Mr Stewart said the neighbour was unlikely to be impacted by the development and that there would be no loss to light. Mr Stewart stated that the site was 2440m/sq and so one single dwelling was not, he suggested, over-development. He also said that the accommodation would have one double-bedroom and therefore, he suggested, there would be a negligible impact from noise. Mr Stewart said Highways had raised no concerns and that the tourist accommodation would make a contribution to the local economy.

There were no questions for Mr Stewart.

The Chairman invited Councillor Cooper, as Ward Member, to address the Committee. Councillor Cooper referred to his comments, as a consultee, recorded within the published report. He added that the plan indicated trees which, he said, was overgrown hedge and was, therefore incorrect; he suggested that, if cut back, this would make the proposed property much more visible and therefore impact on the visual amenity of the vicinity. Councillor Cooper said that the application had too many unaddressed planning matters.

Councillor Gee asked if there was assurance that the issues discussed at the meeting in June regarding overlooking had been sufficiently addressed. Councillor Ashdown referred to the privacy screen which had been added based on the Committee's comments.

The Chairman invited the Committee to debate.

Councillor Pitchers said the applicant had made the revisions which the Committee had sought. He said he would have welcomed disabled access at the property but acknowledged that this may not be practical. Councillor Brooks reminded the Committee that it had debated the application, at length, at the June meeting and that the applicant's developer had acted in response.

The Chairman moved to the recommendation. This was proposed by Councillor Pitchers, seconded by Councillor Brooks and by a majority vote carried.

## **RESOLVED**

That the application be APPROVED subject to the receipt of RAMS payment and subject to the following controlling conditions.

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 P02b and P03b received 15/06/2021, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

4. (Revised) The development hereby permitted annexe shall not be occupied or sold as a separate permanent dwelling but shall be used as a holiday let in connection with the use of the dwelling house to which it relates or for occupation by a relative, employee or parent of the householder or his/her spouse. The approved holiday unit(s) can be occupied as holiday accommodation but shall be restricted to a continuous period of 56 days by one person or persons who is not a relative, employee or parent of the householder or his/her spouse, within one calendar year. The owner shall maintain, and keep available for inspection at all reasonable times, an up-to-date register of lettings.

Reason: The development is not such that the local planning authority would be prepared to approve as a separate dwellinghouse in its own right and the proposed unit is suitable for holiday accommodation but not suitable for permanent, independent residential use

5. The use shall not commence until the area(s) within the site on dwg. no. P-02b for the purposes of Loading, Unloading, manoeuvring and parking of vehicles, cycle storage and electric vehicle infrastructure has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety

6. The vehicular access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway.

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

7. Prior to the commencement of development, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, investigation to include Hydrocarbons, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons 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. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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.

8. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared if found necessary and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

unacceptable risks to workers, neighbours and other offsite receptors.

9. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

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. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 7, and where

remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 8, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 9.

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

11. Prior to the hereby tourist accommodation first used, a privacy screen shall be erected and retained at a height of 1.7 metres from floor level, on the external staircase of the outbuilding as shown on drawing P-03b received 15/06/2021. It shall be erected using wooden angled slats in order to reduce the outlook of the staircase while allowing daylight

in. This item shall thereafter be retained in its approved form.

Reason: To avoid the possibility of unacceptable overlooking and loss of privacy to neighbouring properties.

Informatives:

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

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

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

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

CIL forms can be downloaded direct from the planning portal:

[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

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

## **6 DC/21/1470/FUL - Limosa, 3 Crespigny Road, Aldeburgh**

The Committee received a presentation by the Case Officer. The application sought planning permission for the erection of a first floor extension, alterations to the roof, minor adjustments to the fenestration and associated works. The application had been presented to the Referral Plan on 25 May 2021 and referred to the Committee to enable debate on the design of the extension and the impact on the character and appearance of the area. The Case Officer said the proposed development was

considered to be an interesting, contemporary design which would relate to the mixed character of the residential area. It was also considered to be acceptable in its relationship with surrounding properties. The Case Officer said the main works would be the raising of the existing pitched form roof by 300mm, with the material being replaced with a zinc roof finish, the formation of a box clad extension which would be flanked by the raised roof. He added that the box extension, sitting just off centre, would have a wedge profile - lower to the rear and higher to the fore - which would be higher than the ridgeline with prominent fenestration. The box extension would consist of vertical timber cladding and project from the principal elevation by 1.2m. The Case Officer advised that the non-statutory consultee comments within the report had omitted to reflect the response on the Chairman of the Planning Committee of the Aldeburgh Society - these were included within the update sheet.

There were no questions for the Officer.

The Chairman invited Mr Antony Johnson, Objector, to address the Committee. Mr Johnson said the area of Crespigny Road was a very quiet scene of bungalows and chalets with no other first floor developments. He stated that, originally, the property had been a two bedroom bungalow which had been altered to be a four bedroom bungalow, that an extension had then been added and then the application before the Committee for further extension. This was, he said, over-development. Mr Johnson said the proposal was out of keeping with the area and would set a precedence. He added that his property would lose its direct sunlight, particularly in the winter months. Mr Johnson referred to the comments of the Aldeburgh Society which he said were made by a non-elected group and that the Chairman did not live near the proposed development. Mr Johnson said the applicant had removed fencing to increase off-road parking. He added that the first floor bathroom would overlook his home and the window was not glazed.

There were no questions for Mr Johnson.

The Chairman invited Mr Nick Barber, the Applicant's Agent, to address the Committee.

Mr Barber said the proposal was for a property for holiday use and that the application would facilitate this. There was, he said, no change in the development's use. Mr Barber referred to the BRE guide on daylight testing and calculations for planning developments and said that for the application before the Committee this had indicated that there would be no impact. He added that the bathroom was above the neighbouring property and so there was no requirement to obscure the window. Mr Barber said the application complied with highway and parking requirements. He also stated that in Crespigny Road there was one other first floor property in addition to this one. Mr Barber said the Aldeburgh Society had unanimously supported the application and had seen it as appropriate, but exciting and radical. He suggested it would enhance the reputation of Aldeburgh as progressive in its architectural views and that it would be a good addition to the town.

The Chairman invited questions.

The Chairman asked why the bathroom window had not been obscured. Mr Barber

said that this could be obscured, but did add that it was above the height at which this was a requirement.

Councillor Cooper asked if the parking on the site, for a four/five bed roomed house, was considered to be sufficient. Mr Barber replied that, at the moment, there were two parking spaces plus a bicycle storage; he added that the parking allowance was in line with Highways requirements.

Councillor Gee asked if the Applicant would be living upstairs or if the bedrooms would be upstairs. The Case Officer said this was not indicated on the plans, but at 1.7m in height, over-looking would be mitigated. Mr Barber said the living accommodation would be on the first floor and looking at the brick wall opposite the premises. He added that the new and innovative design had not increased the footprint of the site.

There being no further questions, the Chairman moved to debate.

Councillor Cooper said that he considered the application to be over-development of a small site. Councillor Rivett said that the design was interesting but agreed that it was over-development and that the parking was insufficient for the proposed property. Councillor Pitchers liked the design which he said added to the street scene. Councillor Ceresa said that there was no evidence of the sunlight calculation and its impact.

The Case Officer said that, given the distance from the neighbouring property, there were no concerns about a negative impact on daylight. The Planning Development Manager said the BRE guide on daylight testing and calculations for planning developments was not expected to be undertaken for domestic dwellings but the Applicant had provided it and it had been professionally assessed by Officers.

The Chairman proposed that an additional condition be added to obscure the bathroom window with glazed glass. This was seconded by Councillor Pitchers. The Chairman moved to the recommendation which he proposed, was seconded by Councillor Pitchers and by a majority vote it was

## **RESOLVED**

That the application be APPROVED subject to the following conditions:

### 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 application form, design and access statement and drawings 1716 10, 1716 20 A received 25 March 2021.

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

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

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

visual amenity

4. The obscure glazed fixed shut windows on the first floor rear elevation as shown on drawing 1716 20 A shall be fitted and remain fitted with obscured glass, which shall have an obscurity of level 3 on the Pilkington Obscured Glazing range (or equivalent by an alternative manufacturer). These items shall thereafter be retained in their approved form.

Reason: To avoid the possibility of unacceptable loss of privacy to neighbouring properties.

Informatives:

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

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

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

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

CIL forms can be downloaded direct from the planning portal:

[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infra](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infra)

[structure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infra)

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

## **7 DC/21/0857/ARM - Ilium House, Henham Park Estate, Henham**

The Committee received a presentation by the Case Officer. The application was a Reserved Matters submission following the granting of outline planning permission for a new Hall within Henham Park, a Grade II listed Registered Park and Garden. The outline planning permission had been considered by the Planning Committee because the development was contrary to the Development Plan and the Committee's members had requested that any subsequent Reserved Matters application be presented to it for determination. The application's proposals for a new Hall sought to restore and enhance the listed historic parkland by the construction of a large, significant family home to replace the Hall that was demolished in 1953. The Case Officer described the proposed new Hall as restrained, in terms of scale, but a dramatic, contemporary focal point through its form and profile. The Committee was advised that no objections to the application had been received.

The Chairman invited questions for the Case Officer.

Councillor Cooper asked for clarity on the access to the property. The Case Officer displayed a slide which indicated the access; she added that this was the historic

approach.

The Chairman invited Mr Rous, the Applicant, to address the Committee.

Mr Rous said he was very keen to improve the landscape of Henham Park Estate which had been without a Hall since the old one was demolished in 1953. He said that the property within the application would be his family home. Mr Rous stated that the contemporary design was perhaps unusual for listed parkland but he was confident it would be a good and sculptural addition to the park.

There were no questions for Mr Rous; the Chairman moved to debate.

The Chairman welcomed the environmentally friendly ambitions of the application. Councillor Pitchers described the design as superb but hoped it would not be too incongruous in the parkland setting. Councillor Gee said she was disappointed in the design which she felt was too modern for the setting. Councillor Brambley-Crawshaw said it the perfect design for the 21st century and that it was not always appropriate to replica the styles of past eras. There was general support for an interesting and contemporary design.

The Chairman moved to the recommendation which was proposed, seconded and by majority vote it was

## **RESOLVED**

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

### Conditions:

1. The development hereby permitted shall be completed in all respects strictly in accordance with drawings 19-158-001E; 19-158-210; P-401;P402; P-403; P-404; P200; P201, received 22/02/21; and Design and Access Statement and Heritage Impact Assessment received 03/03/21;, 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.

2. A full specification of external materials shall be submitted to and approved in writing by the local planning authority prior to the commencement of development above ground level.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity and the preservation of heritage assets.

3. Prior to the commencement of development above ground level, details/detailed drawings of the following matters shall be submitted to the local planning authority for approval in writing:

- (i) representative doors and window/glazing detail;
- (ii) eaves, verges;
- (iii) rainwater disposal strategy
- (iv) external hard surfacing areas including steps
- (v) external lighting;

The approved details shall be implemented in their entirety before the unit is first

occupied.

Reason: To enable the Council to retain control over the external appearance of the development in the interests of visual amenity and preserving the character of heritage assets: the application did not include the necessary details for consideration.

4. The use shall not commence until the area(s) within the site on dwg. no. 19-158-210 for the purposes of Loading, Unloading, manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety Informatives:

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

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

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

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

CIL forms can be downloaded direct from the planning portal:

[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

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

3. The applicants attention is drawn to the necessity to comply with the conditions imposed on the outline planning consent.

## **8 DC/21/2305/FUL - Gun Hill Beach Cafe, Promenade, Southwold**

The Committee received a presentation by the Case Officer. The application was a retrospective one as the extension had been built. An extension had been added to the existing beach kiosk at the end of the promenade at Gun Hill. The application had been brought before the Committee as the site was located on land within the ownership of the Council. The extension had been built to improve the operational facilities to allow staff to work safely. The scale, form and appearance of the extension respected the character of the existing kiosk and was not considered to cause harm to the significance of the Conservation Area or the character of the Area of Outstanding Natural Beauty. The Committee was referred to the update sheet for additional comments and representations (four in support, 13 in objection) and to the concerns which had been raised about the application being retrospective, increased noise, loss of privacy to the beach huts, over-development, restricted access, increased cooking odours, noise from extraction and ventilation, and fire safety. The response by the applicant to these comments was also provided within the update sheet and the Committee was referred to it.

The Chairman invited questions of the Case Officer.

Councillor Rivett wished to clarify that it remained acceptable to consider the application, which was retrospective, but not described as such in the published report. It was confirmed that this was acceptable as the retention of the extension was being considered.

Councillor Pitchers commented that paragraph 3.2 of the report appeared to be in contradiction of the applicant's comments on the update sheet. The Case Officer said this had been clarified and the plans had been amended to say that the cooking area remained as it had been in the original kiosk and that the extension formed a servery. No additional extraction had been put in place and so it was unlikely that noise levels had increased.

The Chairman asked how long it might take for the applicant to complete a Coastal Erosion Vulnerability Assessment (CEVA). The Case Officer said it was underway and so, she hoped, would not take long to be submitted.

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

Mr Bryant said his family had, for seventy years, run two very successful businesses at Southwold with no complaints until, what he described as, a campaign by one family. Mr Bryant said the small extension had been built in 2020 because, in the summer, the temperature inside the kiosk had reached 40 degrees and two members of his staff had fainted. The extension had, he said enabled more natural airflow and increased the light within the structure. Mr Bryant wished to counter the comments made by those who had objected to the extension. He said that it was inaccurate to say access to the steps had been impaired as a one-way system was in place. He added that the servery was only for the collection of food and so there would not be lengthy queues and there was no cooking done in that part of the kiosk. Mr Bryant also said that access and use of the stand-pipe had not been impacted upon as this was sited some 50yards in the opposite direction. He said it was untrue to say noise from ventilation fans would increase - there had been one small fan in place for twenty years and no mechanical ventilation was proposed. Similarly, Mr Bryant said that odour from cooking would not increase because there were the same number of grills in the same locations - there was no proposal to increase these. Mr Bryant said the extension had improved the situation by increasing the flow of customers and minimising any congregating.

The Chairman invited questions.

Councillor Cooper asked for additional clarity about the handrail and the objectors' comments about this. Mr Bryant said the servery had increased the gap with the beach hut by 2/3ft and because the two picnic tables had been removed. He therefore said it was inaccurate to claim the extension was closer to the beach hut.

There being no further questions, the Chairman invited debate.

Councillor Ceresa said that retrospective applications were generally unwelcome. However, the extension fitted in to the area well and she noted that the Town Council

had raised no objections. Councillor Pitchers suggested a condition be added to state that no mechanical ventilation could be added to the kiosk. Mr Bryant said he was happy to have such a condition added but the Committee felt this was unnecessary as should there be any nuisance caused by noise or odours this would be dealt with by Environmental Health. Councillor Brambley-Crawshaw said the business offered a great amenity and added that it had been important for Mr Bryant to act swiftly to protect the safety of his staff.

It was agreed that the proposed condition regarding time limits be removed as this was a retrospective application.

The Chairman moved to the recommendation which was proposed, seconded and by unanimous vote it was

**RESOLVED**

That the application be APPROVED, subject to the submission of a Coastal Erosion Vulnerability Assessment (CEVA) and it being found acceptable in consultation with the Coastal Management Team, and the following controlling conditions.

Conditions:

1. The development hereby permitted shall be completed in all respects strictly in accordance with drawings PL570/03 received 19/05/21 and PL570/01 received 11/05/21, 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.

2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

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

The meeting concluded at 2:40pm

.....  
Chairman



## PLANNING COMMITTEE NORTH

**Title of Report:**

**East Suffolk Enforcement Action – Case Update**

**Meeting Date**

**14 September 2021**

**Report Author and Tel No**

**Mia Glass  
01502 523081**

Is the report Open or Exempt?

Open

## REPORT

The attached is a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action has either been sanctioned under delegated powers or through the Committee up until 31 August 2021. At present there are 9 such cases.

Information on all cases has been updated at the time of preparing the report such that the last bullet point in the status column shows the position at that time. Officers will provide a further verbal update should the situation have changed for any of the cases.

Members will note that where Enforcement action has been authorised the Councils Solicitor shall be instructed accordingly, but the speed of delivery of response may be affected by factors which are outside of the control of the Enforcement Service.

## RECOMMENDATION

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

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
EN08/0264 & ENF/2013/0191	15/01/2010	North	Pine Lodge Caravan Park, Hazels Lane, Hinton	Erection of a building and new vehicular access; Change of use of the land to a touring caravan site (Exemption Certificate revoked) and use of land for the site of a mobile home for gypsy/traveller use. Various unauthorised utility buildings for use on caravan site.	<ul style="list-style-type: none"> <li>• 15/10/2010 - EN served</li> <li>• 08/02/2010 - Appeal received</li> <li>• 10/11/2010 - Appeal dismissed</li> <li>• 25/06/2013 - Three Planning applications received</li> <li>• 06/11/2013 – The three applications refused at Planning Committee.</li> <li>• 13/12/2013 - Appeal Lodged</li> <li>• 21/03/2014 – EN’s served and become effective on 24/04/2014/ 04/07/2014 - Appeal Start date - Appeal to be dealt with by Hearing</li> <li>• 31/01/2015 – New planning appeal received for refusal of Application DC/13/3708</li> <li>• 03/02/2015 – Appeal Decision – Two notices quashed for the avoidance of doubt, two notices upheld. Compliance time on notice relating to mobile home has been extended from 12 months to 18 months.</li> <li>• 10/11/2015 – Informal hearing held</li> </ul>	30/09/2021

					<ul style="list-style-type: none"> <li>• 01/03/2016 – Planning Appeal dismissed</li> <li>• 04/08/2016 – Site re-visited three of four Notices have not been complied with.</li> <li>• Trial date set for 21/04/2017</li> <li>• Two charges relating to the mobile home, steps and hardstanding, the owner pleaded guilty to these to charges and was fined £1000 for failing to comply with the Enforcement Notice plus £600 in costs.</li> <li>• The Council has requested that the mobile home along with steps, hardstanding and access be removed by 16/06/2017.</li> <li>• 19/06/2017 – Site re-visited, no compliance with the Enforcement Notice.</li> <li>• 14/11/2017 – Full Injunction granted for the removal of the mobile home and steps.</li> <li>• 21/11/2017 – Mobile home and steps removed from site.</li> <li>• Review site regarding day block and access after decision notice released for enforcement notice served in connection with unauthorised occupancy /use of barn.</li> </ul>	
--	--	--	--	--	---	--

					<ul style="list-style-type: none"> <li>• 27/06/2018 – Compliance visit conducted to check on whether the 2010.</li> <li>• 06/07/2018 – Legal advice being sought.</li> <li>• 10/09/2018 – Site revisited to check for compliance with Notices.</li> <li>• 11/09/2018 – Case referred back to Legal Department for further action to be considered.</li> <li>• 11/10/2018 – Court hearing at the High Court in relation to the steps remain on the 2014 Enforcement Notice/ Injunction granted. Two months for compliance (11/12/2018).</li> <li>• 01/11/2018 – Court Hearing at the High Court in relation to the 2010 Enforcement Notice. Injunctive remedy sought. Verbal update to be given.</li> <li>• Injunction granted. Three months given for compliance with Enforcement Notices served in 2010.</li> <li>• 13/12/2018 – Site visit undertaken in regards to Injunction served for 2014 Notice. No compliance. Passed back to Legal for further action.</li> </ul>	
--	--	--	--	--	---	--

					<ul style="list-style-type: none"> <li>• 04/02/2019 –Site visit undertaken to check on compliance with Injunction served on 01/11/2018</li> <li>• 26/02/2019 – case passed to Legal for further action to be considered. Update to be given at Planning Committee</li> <li>• High Court hearing 27/03/2019, the case was adjourned until the 03/04/2019</li> <li>• 03/04/2019 - Officers attended the High Court, a warrant was issued due to non-attendance and failure to provide medical evidence explaining the non-attendance as was required in the Order of 27/03/2019.</li> <li>• 11/04/2019 – Officers returned to the High Court, the case was adjourned until 7 May 2019.</li> <li>• 07/05/2019 – Officers returned to the High Court. A three month suspended sentence for 12 months was given and the owner was required to comply with the Notices by 03/09/2019.</li> <li>• 05/09/2019 – Site visit undertaken; file passed to Legal Department for further action.</li> <li>• Court date arranged for 28/11/2019.</li> </ul>	
--	--	--	--	--	--	--

					<ul style="list-style-type: none"> <li>• 28/11/2019 - Officers returned to the High Court. A new three month suspended sentence for 12 months was given and the owner was required to comply in full with the Injunctions and the Order of the Judge by 31/01/2020</li> <li>• Site visited. Case currently with the Council's Legal Team for assessment.</li> <li>• Charging orders have been placed on the land to recover costs.</li> </ul>	
EN/09/0305	18/07/2013	South	Park Farm, Chapel Road, Bucklesham	Storage of caravans	<ul style="list-style-type: none"> <li>• Authorisation granted to serve Enforcement Notice.</li> <li>• 13/09/2013 -Enforcement Notice served.</li> <li>• 11/03/2014 – Appeal determined – EN upheld Compliance period extended to 4 months</li> <li>• 11/07/2014 – Final compliance date</li> <li>• 05/09/2014 – Planning application for change of use received</li> <li>• 21/07/2015 – Application to be reported to Planning Committee for determination</li> <li>• 14/09/2015 – site visited, caravans still in situ, letter sent to owner requesting their removal by 30/10/2015</li> <li>• 11/02/2016 – Site visited, caravans still in situ. Legal advice sought as</li> </ul>	July 2023

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>to further action.</p> <ul style="list-style-type: none"> <li>• 09/08/2016 – Site re-visited, some caravans re-moved but 20 still in situ. Advice to be sought.</li> <li>• Further enforcement action to be put on hold and site to be monitored</li> <li>• Review in January 2019</li> <li>• 29/01/2019 – Legal advice sought; letter sent to site owner.</li> <li>• 18/02/2019 – contact received from site owner.</li> <li>• 04/04/2019 – Further enforcement action to be placed on hold and monitored.</li> <li>• Review in April 2021.</li> <li>• 13/04/2021 – Letter sent to owner to establish current situation</li> <li>• Given until the end of June to either comply or supply the Council with any other information</li> <li>• Case being reviewed.</li> <li>• 22/05/2021 – contact received from site owner. Case reviewed</li> <li>• 06/07/2021 – Further enforcement action to be placed on hold and</li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					monitored. Review in two years.	
ENF/2014/0104	16/08/2016	South	Top Street, Martlesham	Storage of vehicles	<ul style="list-style-type: none"> <li>• 23/11/2016 – Authorisation granted to serve an Enforcement Notice</li> <li>• 22/03/2017 – Enforcement Notice served. Notice takes effect on 26/04/2017. Compliance period is 4 months.</li> <li>• 17/07/2017 – Enforcement Notice withdrawn and to be re-served</li> <li>• 11/10/2017 – Notice re-served, effective on 13/11/2017 – 3 months for compliance</li> <li>• 23/02/2018 – Site visited. No compliance with Enforcement Notice. Case to be referred to Legal Department for further action.</li> <li>• Notice withdrawn</li> <li>• 09/07/2018 – Notice reserved, compliance date 3 months from 06/08/2018 (expires 06/11/2018)</li> </ul>	30/09/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>• 01/10/2018 – PINS has refused to accept Appeal as received after the time limit.</li> <li>• Time for compliance is by 06/12/2018</li> <li>• Site visit to be completed after the 06/12/2018 to check for compliance with the Notice</li> <li>• 07/12/2018 – Site visit completed, no compliance, case passed to Legal for further action.</li> <li>• 17/01/2019 – Committee updated that Enforcement Notice has been withdrawn and will be re-served following advice from Counsel.</li> <li>• 21/02/2019 – Authorisation granted by Committee to serve an Enforcement Notice. Counsel has advised that the Council give 30 days for the site to be cleared before the Notice is served.</li> <li>• 01/04/2019 – Enforcement Notice served.</li> <li>• 28/05/2019 – Enforcement Appeal has been submitted to the Planning Inspectorate.</li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>• Start date has now been received, Statements are due by 12/12/2019.</li> <li>• Awaiting Planning Inspectorate Decision</li> <li>• Appeal Dismissed with variations. Compliance by 20 January 2021</li> <li>• Site visit due at end of January 2021.</li> <li>• 24/02/2021 – Visit conducted, some compliance, extension agreed until 24/05/2021</li> <li>• 03/06/2021 – site re visited, no compliance, case passed to Legal Department for further action to be considered.</li> <li>• Legal action being considered.</li> </ul>	
ENF/2016/0292	11/08/2016	South	Houseboat Friendship, New Quay Lane, Melton	Change of use of land	<ul style="list-style-type: none"> <li>• 11/08/2016 – Authorisation granted to serve Enforcement Notice with an 8 year compliance period.</li> <li>• Enforcement Notice to be drafted</li> <li>• Enforcement Notice served on 20/10/2016, Notice effective on 24/11/ 2016 – 8 year compliance period (expires 24/11/2024).</li> </ul>	24/11/2024

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2016/0016 /SIGN	21/07/2017	South	Homeland House, Ashboking Road, Swilland	Storage of mini buses and coaches	<ul style="list-style-type: none"> <li>• 21/07/2017 – Enforcement Notice served</li> <li>• Non compliance with Notice reported.</li> <li>• Correspondence sent to owner requiring compliance</li> <li>• Site visited - No compliance</li> <li>• 10/06/2021 – Case referred to Legal Department for further action to be taken.</li> <li>• <b>Legal action being considered.</b></li> </ul>	30/09/2021
ENF/2017/0170	21/07/2017	North	Land Adj to Oak Spring, The Street, Darsham	Installation on land of residential mobile home, erection of a structure, stationing of containers and portacabins	<ul style="list-style-type: none"> <li>• 16/11/2017 – Authorisation given to serve EN.</li> <li>• 22/02/2018 – EN issued. Notice comes into effect on 30/03/2018 and has a 4 month compliance period</li> <li>• Appeal submitted. Awaiting Start date</li> <li>• Appeal started, final comments due by 08/02/2019.</li> </ul>	30/09/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>• Waiting for decision from Planning Inspectorate.</li> <li>• 17/10/2019 – Appeal Decision issued by PINS. Enforcement Notice relating to the Use of the land quashed and to be re-issued as soon as possible, Notice relating to the operational development was upheld with an amendment.</li> <li>• 13/11/2019 – EN served in relation to the residential use of the site. Compliance by 13/04/2020</li> <li>• Site visited. Case conference to be held</li> <li>• Appeal received in relation to the EN for the residential use</li> <li>• Appeal started. Statement submitted for 16<sup>th</sup> June 2020</li> <li>• Awaiting Planning Inspectorate Decision</li> <li>• Appeal dismissed with some amendments. Compliance by 11/12/2020</li> <li>• Site visit to be undertaken after 11/12/20</li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>• Site visited, no compliance with Enforcement Notices, case passed to Legal Department for further action.</li> <li>• Further visit to be done on 25/03/2021.</li> <li>• Site visit completed, Notices not complied with, file passed to Legal services for further action.</li> </ul>	
ENF/2015/0279 /DEV	05/09/2018	North	Land at Dam Lane Kessingland	Erection of outbuildings and wooden jetties, fencing and gates over 1 metre adjacent to highway and engineering operations amounting to the formation of a lake and soil bunds.	<ul style="list-style-type: none"> <li>• Initial complaint logged by parish on 22/09/2015</li> <li>• Case was reopened following further information on the 08/12/2016/</li> <li>• Retrospective app received 01/03/2017.</li> <li>• Following delays in information requested, on 20/06/2018, Cate Buck, Senior Planning and Enforcement Officer, took over the case, she communicated and met with the owner on several occasions.</li> </ul>	30/09/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>• Notice sever by recorded delivery 05/09/2018.</li> <li>• Appeal has been submitted. Awaiting Start date.</li> <li>• Start letter received from the Planning Inspectorate. Statement due by 30/07/19.</li> <li>• Awaiting Planning Inspectorate Decision</li> <li>• Appeal dismissed. Compliance with both Notices by 05/08/2020</li> <li>• Further legal advice being sought in relation to the buildings and fencing. Extension of time given until 30/04/21 for removal of the lake and reverting the land back to agricultural use due to Licence being required for removal of protected species.</li> <li>• Court hearing in relation to structures and fencing/gates 03/03/2021</li> <li>• Case adjourned until 05/07/2021 for trial. Further</li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>visit due after 30/04/21 to check for compliance with steps relating to lake removal.</p> <ul style="list-style-type: none"> <li>• Further visit conducted on 04/05/2021 to check for compliance on Notice relating to the lake. No compliance. Case being reviewed.</li> <li>• 05/07/2021 – Court hearing, owner was found guilty of two charges and had already pleaded guilty to one offence. Fined £550 and £700 costs</li> <li>• 12/07/2021 – Letter sent to owner giving until the 10<sup>th</sup> August 2021 for the structures to be removed</li> <li>• <b>Site visited on 13/08/21 all structures removed from the site.</b></li> </ul>	
ENF/2018/0543 /DEV	24/05/2019	North	Land at North Denes Caravan Park The Ravine Lowestoft	Without planning permission operational development involving the laying of caravan bases, the construction of a roadway,	<ul style="list-style-type: none"> <li>• Temporary Stop Notice Served 02/05/2019 and ceases 30/05/2019</li> <li>• Enforcement Notice served 24/05/2019, comes into</li> </ul>	31/10/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
				<p>the installation of a pumping station with settlement tank and the laying out of pipe works in the course of which waste material have been excavated from the site and deposited on the surface.</p>	<p>effect on 28/06/2019</p> <ul style="list-style-type: none"> <li>• Stop Notice Served 25/05/2019 comes into effect 28/05/2019.</li> <li>• Appeal has been submitted. Awaiting Start date.</li> <li>• Appeal to be dealt with as a Hearing. Deadline for Statements 03/08/2020</li> <li>• Awaiting date of hearing from Planning Inspectorate.</li> <li>• Hearing date set for 02/02/2021.</li> <li>• Hearing adjourned until 09/03/2021</li> <li>• Hearing adjourned again until 21/04/2021 as was not completed on 09/03/2021.</li> <li>• Awaiting Decision</li> <li>• Appeal dismissed and partial costs to the Council</li> <li>• Compliance with Notice by 18/08/2021</li> <li>• <b>Extension of time granted for compliance until 31/10/21.</b></li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2018/0090 /DEV	10/12/2019	South	Dairy Farm Cottage, Sutton Hoo	Erection of a summer house	<ul style="list-style-type: none"> <li>• Enforcement Notice served 10/12/2019</li> <li>• Awaiting site visit to check on compliance</li> <li>• Site visit undertaken, summer house still in situ. Further action to be considered.</li> <li>• Property has now changed hands. Contact with new owner to be established.</li> <li>• Officers are now in contact with the new owners and are discussing a way forward.</li> <li>• Six weeks given for summerhouse, decking and steps to be removed.</li> <li>• New planning application has been submitted. Case on hold until determined.</li> <li>• Planning permission has been granted for retention of the decking element. Removal of summerhouse and steps have been conditioned.</li> <li>• Summerhouse to be removed by 10<sup>th</sup> June 2021</li> </ul>	30/09/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>• Site visit to be undertaken.</li> </ul>	

## Committee Report

**Planning Committee North – 14 September 2021**

**Application no** DC/19/1141/OUT

**Location**

Land To The West Of Copperwheat  
Avenue  
Reydon  
IP18 6YD

**Expiry date** 24 August 2021

**Application type** Outline Application

**Applicant** WM. Denny & Son Limited and Chartwell Industries

**Parish** Reydon

**Proposal** Outline Application - Development of up to 220 dwellings with associated open space

**Case Officer** Joe Blackmore, Principal Planner (Development Management)  
01394 444 733  
Joe.Blackmore@eastssuffolk.gov.uk

### 1. Summary

- 1.1 This application seeks outline planning permission for the development of up to 220 dwellings with associated open space. Details of access have been submitted for approval whilst appearance, landscaping, layout and scale are reserved matters for future determination.
- 1.2 East Suffolk Council (Waveney) Local Plan (March 2019) (“The Local Plan”) Policy WLP6.1 allocates 9.8 hectares of land west of Copperwheat Avenue, Reydon for the residential development of approximately 220 dwellings. The application site extends farther west to 12 hectares in total but includes the entirety of the allocated land and does not exceed the recommended number of dwellings.
- 1.3 Given the scale of the development proposal and the site area extending beyond the allocation, the application was brought direct to Committee for determination in March 2020, where members resolved to accept the officer recommendation of ‘Authority to

Approve', subject to a number of matters including the completion of a S106 Legal Agreement to secure the required planning obligations. The work on that S106 Agreement is now complete, and ready to be sealed and completed by the local planning authority immediately following planning committee and a resolution to approve. However, since the March 2020 planning committee meeting, the Reydon Neighbourhood Plan (RNP) has been formally made following referendum in May 2021. The RNP is now an adopted planning policy document, and that represents a material change in the Development Plan, relevant to the application site, compared to the Development Plan at the time of committee resolution to grant permission (where the RNP was at a relatively early stage of the plan-making process and a material consideration of only limited weight). That requires the application be brought back to Committee for consideration. The National Planning Policy Framework (NPPF) was also updated July 2021, and that represents a notable change to a key material consideration, also.

- 1.4 This report is an updated appraisal of the development proposal, giving full weight to the RNP, alongside The Local Plan, to present an updated recommendation. The proposed development is unchanged from that which was considered and approved by the Planning Committee (North) in March 2020.
- 1.5 As before, the proposed development is supported by officers as a sustainable form of development in accordance with the Development Plan as a whole, along with the recently revised NPPF. Whilst the extended site area beyond the allocated land is, technically, a departure from WLP6.1, it is one that would ultimately facilitate a more integrated and higher quality residential development in terms of, among other things, connectivity with the Public Right of Way network; provision of green infrastructure; provision of sustainable drainage features; and the overall low density of development. The proposal would deliver substantial public benefits that far outweigh any harm arising. The quantum of development, at up to 220 dwellings, accords with the plan-led approach to deliver sustainable housing growth in the Reydon and Southwold area.
- 1.6 Compared to the report and recommendation presented to members in March 2020, there are some notable updates that reflect the ongoing work with the applicant and their agent, in addition to the 'Made' status of the RNP which now forms part of the Development Plan.
- 1.7 The first of those updates is that officers have undertaken a HRA – Stage 2 Appropriate Assessment and consulted Natural England (NE) - NE consider that the proposed development will not have significant adverse impacts on designated habitat sites, and therefore raise no objections to the development proposal. In particular, Natural England agrees that there shall be no adverse impacts on European sites arising from recreational disturbance (and no other sources of impact are considered to apply). Therefore, having carried out an appropriate assessment and received a positive response from NE, officers consider that, pursuant to regulation 63 of the Conservation of Habitats and Species Regulations 2017, planning permission can be granted as there shall be no adverse impacts on the integrity of designated European sites.
- 1.8 A second update is that a full list of planning conditions is now detailed in section ten of this report, and these conditions have been agreed by the applicant. Alongside this, a S106 Legal Agreement has been fully drafted to cover the required planning obligations set out in Section Nine of this report.

- 1.9 The most significant update to the recommendation is in regard to recommended planning condition number 37, covering the principal residence restriction. As those members on Committee in March 2020 will likely recall, and as reflected in the minutes of that meeting (see Appendix 1 of this report), the emerging status of the RNP, at that time, and whether to apply a condition restricting the occupation of the proposed dwellings to only a person's principal residence – i.e., to prevent the dwellings becoming second homes, was a key issue in the Committee debate. At that time, officers were of the view that the RNP was at a relatively early stage in the plan-making process and that, therefore, no such condition should be applied to any permission granted. Members resolved to accept that officer recommendation, granting authority to approve. However, as the RNP was formally made in May 2021 following referendum, the RNP now carries full weight in the decision-taking process. The s.38(6) exercise of the Planning and Compulsory Purchase Act (2004) requires decision-taking to be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the East Suffolk (Waveney) Local Plan 2019 ("The Local Plan"), and any made Neighbourhood Plans relevant to a development proposal. The application site is wholly within the RNP plan area and thus the RNP, along with the Local Plan, is the starting point for decision-taking. These two Development Plan Documents work together to guide development proposals.
- 1.10 As set out above and in more detail in the planning considerations section of this report, officers have re-appraised the development proposal giving full weight to the RNP policies and have again reached the same conclusion that this proposal would accord with the Development Plan as a whole and that planning permission can be granted. However, a key part of the RNP is Policy 'RNP 4: Principal Residence Requirement' which sets out, among other things, that new open market housing, excluding replacement dwellings, will be supported only where there is a restriction to ensure its occupancy as a Principal Residence. Officers now recommend that the occupancy of the proposed dwellings be restricted by planning condition to prevent them becoming second homes, in accordance with RNP4. The precise wording of that condition is set out in section ten of this report (see condition number 37). The applicant has agreed to accept this condition, should members be minded to grant planning permission. Reydon Parish Council have also been re-consulted on this matter where they reiterate, amongst other things, their expectation of such a condition. Cllr David Beavan, as Ward Member, has responded with formal support for the application now that the principal residence restriction would apply.
- 1.11 Officers are seeking authority to approve the application with conditions, subject to the signing of a Section 106 legal agreement to secure the necessary obligations as recommended in section nine of this report.

## **2. Site description**

- 2.1 Reydon is a village and civil parish one mile northwest of Southwold, approximately two miles east of the A12 road. The village falls wholly within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB). The majority of built development in the village took place in the 19th and 20th centuries.
- 2.2 The application site is located on the western edge of Reydon, between Keens Lane to the south-west and Copperwheat Avenue to the north east. The site is on the gently sloping

farmland that extends up from the Wang and Blyth Valley to meet the slightly elevated plateau to the west of Reydon. It is a relatively open, arable farmland landscape with a network of large fields that are enclosed by intact hedgerows and hedgerow trees.

- 2.3 The land proposed for development comprises an irregular shaped agricultural field covering some 12 hectares, located adjacent existing residential developments at Copperwheat Avenue and The Crescents. The site is bounded by sports pitches and recreation fields to the north; residential properties to the north-east, east and south; and open countryside to the west. The site is partially enclosed by hedgerows and hedgerow trees.
- 2.4 There are public rights of way (PRoW) along the western and southern boundaries of the site, between the A1095 (Halesworth Road) and the B1126 (Wangford Road) to the west; and between Keens Lane and the B1126 (Wangford Road) to the south.
- 2.5 The B1126 is located approximately 100m east and north-east of the eastern boundary of the site, providing the main route southbound towards Southwold and extending northwards to the A12 at Wangford. Approximately two miles to the north-west of the site, off Copperwheat Avenue, is the B1126/A12 junction which forms a multi-give-way gap arrangement on the dual carriageway A12. This junction effectively forms a main gateway junction for Reydon and Wangford for strategic trips to/from the north.
- 2.6 The site does not include any designated or non-designated built heritage assets. However, the Grade II listed Gorse Lodge Farmhouse lies directly to the west of the site; and the Grade II\* listed Church of St Margaret lies to the north of the site, along Wangford Road.

### **3. Proposal**

- 3.1 The application seeks planning permission for the development of up to 220 dwellings with associated open space.
- 3.2 This application is made in outline with some matters reserved. Approval is sought for details of 'Access', whilst 'Appearance', 'Landscaping', 'Layout' and 'Scale' (hereafter referred to as the "Reserved Matters") are not to be determined as part of this application. Should outline planning permission be granted, these matters would be subject of further application(s) for approval of reserved matters before development could proceed.
- 3.3 In terms of access, the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) defines access, as:  
  
*"the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where "site" means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made".*
- 3.4 Thus, this application provides details of access in accordance with the above and is supported by a Transport Statement and Travel Plan that have been reviewed by the County Council Local Highways Authority in their role as statutory consultee.

- 3.5 Whilst this is an outline application with all matters (save for access) reserved for future determination, officers are mindful that the principle of development is largely established through the site allocation policy (WLP6.1). However, as part of the site also falls within the AONB and extends beyond the allocated land area under Policy WLP6.1, officers have worked extensively with the applicant's agent to establish development parameters and principles of design to fix certain aspects to guide any future reserved matters applications, should outline permission be granted, to ensure the acceptability of the scheme. Therefore, three key parameter plans have been submitted for approval:
- Movement and Access Parameter Plan
  - Massing and Scale Parameter Plan
  - Land Use and Green Infrastructure Plan
- 3.6 The Movement and Access Plan presents the primary vehicular and pedestrian access points via Copperwheat Avenue to the north and The Crescents to the east and associated route around the site as a designated parameter framework.
- 3.7 The proposed land use and green infrastructure parameter plan represents those areas of residential development; formal recreation/local equipped play area; drainage infrastructure; and accessible natural green space.
- 3.8 The proposed scale parameter plan fixes scale in different areas of the site in terms of low scale; medium scale; and mixed scale.
- 3.9 The detail of these plans will be assessed in the relevant analysis of this report. In addition to the parameter plans, the updated and revised Design and Access Statement (DAS) reflects the revised layout, parameter plans and integral design guidance.
- 3.10 A key plan submitted for consideration is the Parameter Plan: Movement and Access (Nov 2019). This plan identifies the two primary vehicle and pedestrian access points: one from Copperwheat Avenue in the northeast; and the second from The Crescents, to the east. This plan also demonstrates a new pedestrian access point on the southern boundary of the site, from the public right of way that runs west-to-east between Keens Lane and Wangford Road.
- 3.11 Although not fixed precisely at this stage, the parameter plan also indicates some potential additional pedestrian connections: a second connection on the southern boundary; one on the northern boundary between the site and the existing play area to the north; and three connections with the existing public right of way on the western site edge.
- 3.12 In terms of internal connectivity, final layout is a reserved matter so the precise, detailed internal routes and estate roads cannot be considered at this stage. However, the primary, central vehicular route through the site, connecting the two main points of vehicular access is detailed in the parameter plan and that will form the main spine route that any reserved matters layout has to be organised around.

#### 4. Consultations/comments

##### Comments/responses received prior to 10 March 2020 Planning Committee (North) meeting (as previously reported to Members)

- 4.1 In response to publication/consultation, 22 letters of objection to the application were received (including from Reydon Action Group for the Environment [RAGE], Southwold and Reydon Society [SRS] and also Ward Member Cllr David Beavan) that raise the following key considerations (inter alia):
- Contrary to policy WLP6.1, the relevant strategic site allocation in the recently adopted Local Plan.
  - It represents a further incursion into open countryside outside the Reydon settlement limits.
  - It represents further damage to the AONB.
  - It ignores the recommendations contained in the Settlement Fringe Landscape Sensitivity Study which was part of the evidence base commissioned by WDC for the new Local Plan.
  - This site is in an area of outstanding natural beauty. This designation should be respected; the land should not be built on but put to good use as farmland.
  - Additional footpaths linking into the existing pathway will give further opportunities for inconsiderate noise and anti-social behaviour that has already occurred in the area.
  - Additional traffic as a result of this proposal will just exacerbate the situation of an inadequate road infrastructure.
  - Proposal represents an overdevelopment in the size of the village.
  - Second access point will increase traffic on The Crescents.
  - Our infrastructure is already at capacity as is our sewerage system which has problems already.
  - Wildlife habitat will be destroyed.
  - The proposal will lead to lots of second homes.
  - To approve the application without a principal residence restriction would undermine the RNP.
  - Second home ownership is unbalancing the community and this scheme should provide houses lived-in by local people to meet the local need.
  - Surface water attenuation area is adjacent existing residential properties.
  - There is not a local need for this amount of housing.
  - The proposal would see the loss of productive agricultural land.
  - Concerned over safety of Keens Lane for pedestrians given increases in traffic and usage of that route.
  - Neighbourhood Plan (NP) Concern about the scale of this development as well as incursion into the AONB.
  - NP consultation identified very strong concern about the impact of the increasing proportion of second homes in Reydon.
  - SRS recommend refusal of this application unless a condition can be set to require that all the market housing on this development should be occupied as principal residences. If this is not possible, the application as it stands should be rejected, or deferred until the NP is adopted.

- SRS object to the application being for a bigger site than that allocated in the Waveney Local Plan (WLP). SRS are concerned that this would provide a lower density of housing and too many executive style homes.
- That said, SRS, along with the PC and NP Steering group, recognise that, as set out in the application, the larger site allows for the kind of landscaping within and in the edge of the site called for in the NP.
- Construction which will have a huge impact on the immediate neighbours, very strict conditions are needed.
- The proposed upgrade of footpath 2 to a bridleway required by SCC may not be deliverable and/or effective.
- The SCC requested conditions refers to the upgrading to a bridleway of Footpath 2 *within the site*; however, the proposed conditions in the Committee Report differ from those requested by SCC.
- The plans show the footpath is outside the application site, and therefore its upgrade cannot be relied upon unless it relates only the central section within the site.
- SCC recommended condition requires bridleway upgrade before occupation of any dwelling; however recommended condition in committee report is prior to occupation of the 101<sup>st</sup> dwelling.
- Phasing of development will be dependent on market conditions therefore it could be some time before the bridleway upgrade is delivered.
- The Habitats Regulation Assessment undertaken by officers will need to be re-considered.

Additional comments received after March PCN meeting, in response to notification that the application would be returning to PCN in August 2021

4.2 Ward Member, Cllr David Beavan, provided further formal comments (received 26 July 2021):

*“Please add my formal support to this submission. The housing crisis locally is deepening as AirBNB becomes an attractive alternative to private rentals.*

*We are being stopped by housing from building more affordable homes for local people to rent because of this impending development which is expected to supply the need. I sincerely hope that the homes will be affordable, unlike the current offering at the old hospital site of a shared ownership house at £125k down payment and rental and charges of £900 a month. Our AONB should be used for housing that is needed not second and holiday homes which are destroying our community.”*

## Consultees

### Consultee comments received since 10 March 2020 Planning Committee (North) meeting

Consultee	Date consulted	Date reply received
Reydon Parish Council		22 July 2021
<p><b>“SUBMISSION FROM REYDON PARISH COUNCIL TO ESC NORTH AREA PLANNING COMMITTEE: DC/19/1141/OUT – Land West of Copperwheat Avenue, Reydon ES/0328 AUGUST 2021</b></p> <p><b>1. REYDON NEIGHBOURHOOD PLAN HOUSING POLICIES RNP1 and RNP4</b></p> <ul style="list-style-type: none"><li>• <i>The Parish Council (PC) expects the Principal Residence policy (RNP4) from our “made” Neighbourhood Plan (NP) to be applied to this application if it is approved.</i></li><li>• <i>All the evidence presented to the PC, including the survey responses for the NP, show great concern among the community about the scale of this development. As a PC, however, we have accepted that more housing is needed both locally and, generally, in the district and that Reydon should take its share</i></li><li>• <i>However, we are concerned that this housing should meet our local needs – hence the Principal Residence requirement policy in our NP. This reflects a rise in second homes in Reydon to 25-30% (up from 7% in 2002) which is distorting the local housing market and pricing local people out of the market. This will be a continued pressure as the proportion of second homes in Southwold has now reached 60%.</i></li><li>• <i>Alongside this, policy RNP1 (Tenure Mix of Affordable Housing) must also be applied. This policy restricts new affordable housing to Affordable Rented and Shared Ownership housing. Both these categories of tenure are protected by the parish status as a Designated Protected Area which means that these forms of affordable housing will remain as such into the future and thus continue to be available to local people in housing need.</i></li><li>• <i>Policies RNP1 and RNP4 are key policies in our Neighbourhood Plan aimed at ensuring housing is available for local people and to maintain a sustainable community of mainly permanent residents.</i></li></ul> <p><b>OTHER RELEVANT POLICIES FROM REYDON NEIGHBOURHOOD PLAN</b></p> <ul style="list-style-type: none"><li>• <i>More broadly, our NP seeks to ensure Safe Access to and from new developments, Safe Walking and Cycling routes, improved Footpath Access to the countryside and Southwold and sets out key Design Principles. (Policies RNP6, RNP8, RNP9, RNP10).</i></li><li>• <i>The plans submitted with this application include significant detail which, by and large, complies with these policies and these are to be commended. We ask, therefore, that, if this application is approved, conditions are set to ensure these policies are applied fully.”</i></li></ul>		

Consultee	Date consulted	Date reply received
Natural England		20 April 2020
<p>Summary of comments:  <b>NO OBJECTION</b>  Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.  Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.</p> <p>European sites –</p> <ul style="list-style-type: none"> <li>- Benacre to Easton Bavents Special Protection Area (SPA)</li> <li>- Benacre to Easton Bavents Lagoons Special Area of Conservation (SAC)</li> <li>- Minsmere – Walberswick Ramsar Site</li> <li>- Minsmere – Walberswick SPA</li> <li>- Minsmere to Walberswick Heaths and Marshes SAC</li> </ul> <p>Natural England agrees with the conclusion of the appropriate assessment record that this proposal is not likely to result in an adverse effect on any international site from recreational disturbance effects.</p> <p>Site of Special Scientific Interest (SSSI)</p> <ul style="list-style-type: none"> <li>- Minsmere-Walberswick Heaths and Marshes SSSI</li> <li>- Pakefield to Easton Bavents SSSI</li> </ul> <p>Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.</p>		

**Consultee comments received prior to 10 March 2020 Planning Committee (North) meeting**

Consultee	Date consulted	Date reply received
Reydon Parish Council	4 April 2019	2 May 2019
<p><i>“Reydon Parish Council has carefully considered the Application for Outline Planning Permission for 220 houses on the land west of Copperwheat Avenue and wishes the following issues to be taken into account in any discussions with the applicant and in conditions to be imposed as part of any permission that the Council sees fit to grant.</i></p> <p><i>1. We recognise that the proposal is consistent with the newly adopted Local Plan for Waveney. Nonetheless, we must also reiterate the widespread concern of our residents that this development is too big, especially given the fact that it will require a major loss of AONB land. It certainly represents a major expansion of our village (double the growth seen in the last ten years) and as a Parish Council we see this as at the absolute limit of what can be accepted and sustained by our community. Underpinning this view is a concern about employment for the new residents. Some people may move here as they already work in Southwold or Reydon (but many of these will find the market housing out of reach, given the modest income from most local employment). However, most of the new residents will work elsewhere and will be forced to commute by car given the</i></p>		

*limited public transport options (see points 4,5 and 6 below).*

*2. That said, we welcome both the low density of this development and the real care that has been given to integrating the development into the countryside, using a range of local and Suffolk vernacular materials and design features, such as the weatherboarded housing closest to the countryside and the large landscaped areas around and within the development. These measures are consistent with the aims and policies in our emerging Neighbourhood Plan which we hope will be able to influence the detailed proposals which will be presented when a full application is submitted.*

*3. The application, very fairly, documents the considerable range of concerns raised by residents in the community consultation. However, these have only been responded to in some areas. As stated above, many residents remain highly concerned about the size of this development and, whilst we recognise that the new Local Plan has determined this issue, it is extremely important to our residents that their other concerns are addressed as fully as possible. We ask that Planning Officers review these concerns and work with the applicant to address them as appropriate.*

*4. A major issue, highlighted in the consultation, that needs to be explored further is the traffic impact. Residents are concerned about this, especially access to and from Wangford Road. However, apart from traffic calming within the proposed development and improvements to the A12 junction at Wangford, there is nothing in the proposals to address these concerns. In addition to the proposed pedestrian crossing by Jermyns Rd, we believe traffic calming measures are needed at the access points, possibly in the form of mini roundabouts.*

*5. We applaud the stated aims of plans for walking and cycling access to the development and the promotion of these modes of travel to reduce car use. However, the measures to achieve this are largely within the site but they will only work if measures around the village extend these into really useable and attractive routes. There is talk of a cycle route along the Wangford Road, for example, but this does not exist and it is unclear what or how this is proposed (if, indeed it is). If such a cycle route is feasible, it should be a condition of the outline approval and, depending on how it is achieved, could also help with the need for traffic calming measures (point 4).*

*6. In terms of access to the development, the application also refers to the bus services which pass along the Wangford Road. Recent experience with considerable reductions in the service linking Reydon with the rail service at Halesworth confirms that all our local bus services are at risk and may change or cease abruptly. This reinforces the need to make walking and cycling genuinely safe and easy options for local travel (around the village and to Southwold) and to ensure car traffic is well managed, with safe access to and from the development and speed reduction measures along the Wangford Road.*

*7. The housing mix is improved from the pre-application proposals and this is a welcome response to what was said by residents, particularly the addition of bungalows. However, there remain a significant number of four bedroom, mainly market, houses. These are likely to be out of the price range of those living or working locally and do not reflect the need identified in our emerging Neighbourhood Plan for a predominance of smaller 2-3 bedroom dwellings.*

*8. We welcome the extensive proposals for landscaping and provision of open spaces and trees and hedgerows within and around the development. In order to ensure that the screening edges of the proposal are effective at the start of occupation, we believe that the edge planting should be carried out prior to the beginning of construction and that this should be a condition of approval. In*

*relation to play spaces, we agree that two should be provided. However, the one to the north of the development is very close to the existing play area off Barn Close. We believe it would be better to extend this into the development and refurbish it rather than create a second separate play area.*

*We ask that these considerations are taken into account and reflected in the conditions of approval of this application.*

Consultee	Date consulted	Date reply received
Reydon Parish Council	12 December 2019	No response
Summary of comments: See response dated 02 May 2019.		

Consultee	Date consulted	Date reply received
Reydon Parish Council	12 December 2019	21 February 2020
<p>Summary of comments:</p> <p><i>DC/19/1141/OUT - 220 homes on land west of Copperwheat Avenue.</i></p> <p><i>Reydon PC would like this application to be determined by the Planning Committee and not by delegated powers as they are very concerned that these new dwellings should only be sold as principal residences, the number of second homes has grown dramatically recently and is already threatening the viability of the community.</i></p> <p><i>There is also inadequate provision in the plans for walkers and cyclists.</i></p> <p><i>Reydon's Neighbourhood Plan, which has reached Regulation 16 stage, includes Policy RNP - Principle residence requirement and Policy RNP 9 asks that all developments should include provision for safe walking and cycling which contribute to improved access to key areas in the village.</i></p> <p><i>Cllr O'Hear would like to attend the Planning Committee meeting to speak on RPC's behalf and, if possible, meet with the case officer ahead of the Planning Committee meeting in March to discuss these issues.</i></p>		

Consultee	Date consulted	Date reply received
Reydon Parish Council		09 March 2020
<p>Summary of comments:</p> <ul style="list-style-type: none"> <li><i>The Parish Council (PC) supports the case for applying the Principal Residence policy from our emerging Neighbourhood Plan (NP) which we do not consider is at an early stage as Reg 16 is the last stage before the Examination and Referendum.</i></li> </ul>		

- *All the evidence presented to the PC, including the survey responses for the NP, show great concern among the community about the scale of this development. As a PC, however, we have accepted that more housing is needed both locally and, generally, in the district and that Reydon should take its share.*
- *However, we are concerned that this housing should meet our local needs – hence the Principal Residence requirement policy in our draft NP. This reflects a rise in second homes in Reydon to 25-30% (up from 7% in 2002) which is distorting the local housing market and pricing local people out of the market. This will be a continued pressure as the proportion of second homes in Southwold has now reached 60%.*
- *We therefore urge the Committee to apply the draft NP policy on Principal Residence Requirement as a condition of this application. (attached below). Without this condition, as many as 40 of the market houses will become second homes and more over time. These houses will not contribute to the Local Plan's targets which are aimed at meeting the assessed housing needs of our resident population. This undermines the case for building in the AONB which is based on the assessed local need for housing.*
- *Alternatively, it could delay its decision until the outcome of the Examination of the NP. This would be a similar approach to that taken by the County Council in considering a planning application for a gravel pit in Reydon which has been deferred until the Mineral Local Plan is adopted.*
- *The NP also seeks to limit the forms of tenure of affordable housing to that of affordable rent and shared ownership only to ensure that the affordable housing can be retained in the long term. The affordable housing condition in this application is in line with current policy so that 25% will be shared equity. We believe it is possible to ensure that such housing remains available as shared equity in the long term by a planning condition and/or a covenant. We ask the Committee to place such a condition on the shared equity housing.*
- *More broadly, our draft NP seeks to ensure safe access to and from new developments, improved provision for walking and cycling to the countryside and to key locations in the village and in Southwold, good landscaping within developments and a sympathetic interface with the countryside. Absolutely essentially, we need adequate sewerage provision given current problems in areas of Reydon close to this major development site.*
- *As part of the sewerage provision, Anglia Water have proposed an attenuation tank under the nearby Jubilee Green in order to make the flow into the current system manageable. This system is already under strain and regularly backs up and sometimes floods. We are concerned that attenuation may not be an adequate solution. In addition, we do not believe that Jubilee Green, which has just been developed in a way that meets local need, should be disrupted. We, therefore ask the Committee to require that all the necessary additional sewerage infrastructure is provided within the development site and that the developer is required to contribute to improvements to the existing infrastructure adjacent to the site.*
- *All the other elements of infrastructure requirements and design principles in our draft NP have been addressed by the work of the Planning Officers in the Parameter plans etc.*
- *Therefore, if the Committee is minded to approve this application, we ask the Committee to satisfy itself that the conditions ensure that the subsequent application for Full Planning Permission (ie to deal with reserved matters) is required to comply in full to the spirit and detail of these plans.*
- *We ask you to set maximum possible requirements for these aspects of the scheme and also to require adequate funding (CIL and/or S106 or equivalent) for safe access, traffic*

calming, walking and cycling improvements from the site to key places etc.

- Finally, we also ask that you ensure the edge landscaping is undertaken in full at or prior the commencement of work so that it has time to establish before building is complete and that the construction plans mitigate the serious effects that will be felt by those living on the access roads in particular.

**Draft Reydon Neighbourhood Plan (Reg 16 stage) Policy RNP 4: Principal Residence Requirement:**

*Due to the impact on the local housing market of the continued uncontrolled growth of dwellings used for holiday accommodation (as second or holiday homes) new open market housing, excluding replacement dwellings, will be supported only where there is a restriction to ensure its occupancy as a Principal Residence. Sufficient guarantee must be provided of such occupancy restriction through the imposition of a planning condition or legal agreement. New unrestricted second homes will not be supported at any time.*

***Principal Residences are defined as those occupied as the residents' sole or main residence, where the residents spend the majority of their time when not working away from home. The condition on new open market homes will require that they are occupied only as the primary (principal) residence of those persons entitled to occupy them. Occupiers of homes with a Principal Residence condition will be required to keep proof that they are meeting the obligation or condition and be obliged to provide this proof if/when East Suffolk Council requests this information.***

***Proof of Principal residence is via verifiable evidence which could include, for example (but not limited to), residents being registered on the local electoral register and being registered for and attending local services (such as healthcare, schools etc).***

*Reydon Parish Council asks the ESC Planning Committee to apply the bold section of the draft NP Policy to the market housing in the development proposed for the land west of Copperwheat Avenue.*

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	4 April 2019	15 April 2019
Summary of comments: Holding objection for further information.		

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	4 April 2019	12 April 2019
Summary of comments: Holding objection; Geophysical survey of site required to inform response.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	4 April 2019	17 April 2019
Summary of comments: Holding objection for further information.		

Consultee	Date consulted	Date reply received
Suffolk County - Rights Of Way	4 April 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Suffolk County - Minerals And Waste	4 April 2019	23 April 2019
Summary of comments: No objections; condition recommended.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	4 April 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Natural England	4 April 2019	30 July 2019
Summary of comments: Undertake an HRA - Stage 2: Appropriate Assessment and re-consult Natural England on package of mitigation including Suffolk RAMS contribution.		

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	12 December 2019	23 December 2019
Summary of comments: No objections; recommended conditions to follow.  <u>Revised comments received 24 February 2020 in respect of public rights of way matters:</u>		

*“Further to my response dated 24/01/2020, the following amendments to the Public Rights of Way (PROW) element of the response are required:*

*The previous SCC PROW comments/ S106 requirements (shown overleaf for reference) should be replaced by the following recommended conditions:*

*Condition: No part of the development shall be commenced until details of improvements (including widening of the useable width and surfacing) to Footpath 2 within the site have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety prior to occupation.*

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

*Condition: No dwelling shall be occupied until Footpath 2 within the site has been converted to a public bridleway.*

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

*A extract of a plan showing Footpath 2 is shown overleaf (ref: E-445/002/0 on plan).”*

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	12 December 2019	12 December 2019
Summary of comments: No objections; conditions recommended.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	12 December 2019	23 December 2019
Summary of comments: Recommend approval.		

Consultee	Date consulted	Date reply received
Suffolk County - Rights Of Way	12 December 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Suffolk County - Minerals And Waste	12 December 2019	No response
Summary of comments: See comments dated 23 April 2019.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	12 December 2019	No response

Summary of comments:  
No comments received.

Consultee	Date consulted	Date reply received
Natural England	12 December 2019	No response

Summary of comments:  
See final comments dated 20 April 2020.

Consultee	Date consulted	Date reply received
Historic England	12 December 2019	16 December 2019

Summary of comments:  
No comments to make on the application.

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	13 September 2019	13 September 2019

Summary of comments:  
No objections, conditions recommended.

Consultee	Date consulted	Date reply received
Suffolk Coasts and Heaths Project	4 April 2019	12 April 2019

Summary of comments:  
No comments beyond those made as part of the Local Plan examination process.

Consultee	Date consulted	Date reply received
Mr Nick Newton	4 April 2019	2 January 2020
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	4 April 2019	14 January 2020
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
WDC Environmental Health - Contaminated Land	4 April 2019	16 April 2019
Summary of comments: No objections; conditions recommended.		

Consultee	Date consulted	Date reply received
Planning Policy (Internal)	4 April 2019	3 May 2019
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
WDC - Drainage And Coast Protection	4 April 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	4 April 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Police - Alan Keely Crime Reduction Beccles Police Station	4 April 2019	9 April 2019
Summary of comments: No objections. Development seems to include a lot of good measures. Further advice given for detailed design.		

Consultee	Date consulted	Date reply received
Suffolk County Council Section 106 Officer	4 April 2019	23 April 2019
Summary of comments: No objections; conditions, obligations and CIL contributions advice given.		

Consultee	Date consulted	Date reply received
Disability Forum	4 April 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	4 April 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
WDC - Housing	4 April 2019	20 May 2019
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	9 April 2019	9 April 2019
Summary of comments: No objections; advice given.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology (Internal)	13 May 2019	5 June 2019
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
Suffolk Coasts And Heaths Project	12 December 2019	No response
Summary of comments: See comments dated 28 August 2019.		

Consultee	Date consulted	Date reply received
Landscape Team (Internal)	12 December 2019	No response
Summary of comments: Internal response, see report.		

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	12 December 2019	No response
Summary of comments: Internal response, see report.		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	12 December 2019	17 December 2019
Summary of comments: Refer to previous comments.		

Consultee	Date consulted	Date reply received
Planning Policy (Internal)	12 December 2019	No response
Summary of comments: Internal response, see report.		

Consultee	Date consulted	Date reply received
WDC - Drainage And Coast Protection	12 December 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	12 December 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Police - Alan Keely Crime Reduction Beccles Police Station	12 December 2019	No response
Summary of comments: See response dated 09 April 2019.		

Consultee	Date consulted	Date reply received
Suffolk County Council Section 106 Officer	12 December 2019	16 December 2019
Summary of comments: No objections; conditions, obligations and CIL contributions advice given.		

Consultee	Date consulted	Date reply received
Disability Forum	12 December 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	12 December 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Housing Development Team (Internal)	12 December 2019	No response
Summary of comments: Internal response, see report.		

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	12 December 2019	No response
Summary of comments: See response dated 09 April 2019.		

Consultee	Date consulted	Date reply received
Southwold And Reydon Society	12 December 2019	No response
Summary of comments: See comments received 28.10.2019.		

Consultee	Date consulted	Date reply received
Southwold And Reydon Society	28 October 2019	28 October 2019
Summary of comments: Object to the application, primarily due to site area going beyond allocation policy WLP6.1.  See full response on public access page.		

## 5. Publicity

The application has been the subject of the following press advertisement:

<b>Category</b>	<b>Published</b>	<b>Expiry</b>	<b>Publication</b>
Major Application	12 April 2019	8 May 2019	Beccles and Bungay Journal
<b>Category</b>	<b>Published</b>	<b>Expiry</b>	<b>Publication</b>
Public Right of Way Affected	12 April 2019	8 May 2019	Lowestoft Journal

## Site notices

General Site Notice

Reason for site notice: Major Application; Contrary to Development Plan; Affects Setting of Listed Building; In the Vicinity of Public Right of Way  
Date posted: 18 April 2019  
Expiry date: 14 May 2019

## 6. Planning policy

National Planning Policy Framework 2021 (NPPF)

National Design Guide (2019)

National Model Design Code (2021)

Building for a Healthy Life (BHL)

East Suffolk Council Historic Environment Supplementary Planning Document

WLP1.1 - Scale and Location of Growth (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP1.2 - Settlement Boundaries (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP1.3 - Infrastructure (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP6.1 - Land West of Copperwheat Avenue, Reydon (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.1 - Housing Mix (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.2 - Affordable Housing (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.3 - Self Build and Custom Build (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.21 - Sustainable Transport (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.24 - Flood Risk (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.26 - Relocation and Replacement of Development Affected by Coastal Erosion (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.28 - Sustainable Construction (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.30 - Design of Open Spaces (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.31 - Lifetime Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.32 - Housing Density and Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.34 - Biodiversity and Geodiversity (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.35 - Landscape Character (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.37 - Historic Environment (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.40 - Archaeology (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

RNP1: Tenure Mix of Affordable Housing (Reydon Neighbourhood Plan, 'Made' May 2021)

RNP4: Principal Residence Requirement (Reydon Neighbourhood Plan, 'Made' May 2021)

RNP5: Maintaining Protection of the Countryside round the Village (Reydon Neighbourhood Plan, 'Made' May 2021)

RNP6: Improving Public Rights of Way and access to the Countryside from new Developments (Reydon Neighbourhood Plan, 'Made' May 2021)

RNP8: Safe Access To and From New Developments (Reydon Neighbourhood Plan, 'Made' May 2021)

RNP9: Safe Walking and Cycling Routes (Reydon Neighbourhood Plan, 'Made' May 2021)

RNP10: Reydon Neighbourhood Design Principles (Reydon Neighbourhood Plan, 'Made' May 2021)

## **7. Planning considerations**

### Planning Policy Background

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, determination must be made in accordance with the plan unless material considerations indicate otherwise. The relevant planning policies are set out in section six of this report.
- 7.2 The Development Plan comprises the East Suffolk (Waveney) Local Plan 2019 ("The Local Plan"), and the Reydon Neighbourhood Plan (RNP) which was made in May 2021 following referendum. When this application was previously considered by the Planning Committee

(North) in March 2020, the RNP was in draft and at a relatively early stage in the plan-making process. Thus, the 'made' status of the RNP is an important change in the Development Plan since that previous Committee meeting, and the relevant policies of the RNP must now be given full weight along with the relevant policies of The Local Plan.

### Principle of Development

- 7.3 The Local Plan was adopted in March 2019 and sets the Council's development vision for the period up to 2036. The spatial strategy (policies WLP1.1 and WLP1.2) identifies the amount of growth to be delivered over the plan period and where that growth should be. New housing, in particular, should be delivered in sustainable locations. As part of that spatial strategy, the Southwold and Reydon area is expected to deliver approximately 4% of housing growth in the Waveney Local Plan area. The main policy to deliver that housing growth is WLP6.1 (Land West of Copperwheat Avenue, Reydon) which allocates 9.8 hectares of land for a residential development of approximately 220 dwellings.
- 7.4 The application site includes the 9.8 hectares of allocated land under policy WLP6.1; thus, the principle of residential development on that allocated land is set by the adopted Local Plan which has been through the scrutiny of examination and found to be sound. Of note is that the proposed application site extends to some 12 hectares, going beyond the allocated area by some 2.2 hectares - to include the strip of land running between the allocated land in the east and the existing field boundary and public right of way (PRoW) to the west. The inclusion of that additional land beyond the allocation means that, technically, the proposal is not strictly in accordance with the Local Plan spatial strategy and policy WLP6.1.
- 7.5 The first point to make is that the proposed quantum of development accords with the policy WLP6.1 objective to deliver a residential development of approximately 220 dwellings. In that sense, the departure from the policy is in terms of the site area, rather than the quantum of development. A criterion of WLP6.1 is also to achieve a lower density of development (approximately 25 dwellings per hectare) which would be more achievable on the proposed, larger application site when compared to the allocated land.
- 7.6 In terms of the acceptability of developing land farther west than the allocated land, that largely comes down to detailed assessment of a number of factors to be addressed within this report. However, the starting point is that officers consider the proposal, in principle, meets the broader objectives of the Local Plan spatial strategy and policy WLP6.1 to deliver a residential development of approximately 220 dwellings in Reydon, on land west of Copperwheat Avenue. It is acknowledged though that the 12 hectare site area goes beyond the 9.8 hectares of allocated land and that represents a policy conflict that will need to be considered carefully by the decision-taker although as explained in this report officer's view remains that this does not affect the overall recommendation that planning permission should be granted.

### Highways Safety and Sustainable Transport

- 7.7 Policy WLP8.21 promotes sustainable transport, which also includes development that is safe in highways terms. The NPPF sets out (inter alia) that:

Paragraph 110 - *“it should be ensured that... (b) safe and suitable access to the site can be achieved for all users”*; and

Paragraph 111 - *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

7.8 Policy RNP 8 (Safe Access To and From New Developments) sets out that:

*“New developments should demonstrate the way in which they can safely be accommodated within the capacity of the local highways network. Where necessary, new developments should incorporate more than one point of access. Developments that would cause an unacceptable impact on the capacity or safety of the local highway network will not be supported.”*

7.9 Policy RNP 9 (Safe Walking and Cycling Routes) sets out that:

*“Where practicable, all developments, other than householder proposals, should include provision for safe cycling and walking routes on site and to and from the development (including pedestrian crossings of main roads where appropriate), and contribute to improved walking and cycling access to key places in the village (such as Reydon Primary School, the Sole Bay Health Centre, village shops), to the countryside and to the facilities and shops in Southwold.”*

7.10 Site Allocation policy WLP6.1 provides site specific criteria in relation to transport and highways matters:

- “A Transport Assessment and Travel Plan should be submitted with any planning application.
- Development will include improvements to The Crescents as well as a pedestrian crossing of Wangford Road to be defined through a Transport Assessment.”

7.11 A Transport Assessment and Travel Plan (both revised during the course of the application) have been submitted and reviewed by the County Council Highways Authority (SCC Highways) in their role as a statutory consultee. SCC Highways are satisfied with the proposals and recommend any planning permission granted is subject to their suggested conditions and obligations.

7.12 The proposal incorporates two points of vehicular access: an extension of Copperwheat Avenue southwards into the area proposed for residential development; and on the eastern boundary, an access from The Crescents. These two vehicular accesses would include footway provision for pedestrian access to-and-from the site, connecting with existing footways. As part of the footway works, improved pram crossings would be undertaken on the junction bellmouth at Farmland Close (off Copperwheat Avenue); and also, on both sides of The Crescents.

7.13 The proposals as originally submitted indicated that the access from Copperwheat Avenue would be the primary access (serving approximately 2/3rds of the development) whilst the access from The Crescents would be a secondary access for the remaining 1/3<sup>rd</sup>. This traffic distribution would have been difficult to control at outline stage but, in any event, the result

of that indicative proposal was to, in effect, sever the southern third of the site from the northern two-thirds. Officers considered this poor design that would prevent an integrated and cohesive site layout. The updated parameter plan (movement and access) establishes a primary vehicle route through the site connecting the two access points which will allow for a more equally distributed pattern flow between the two access points. The Highways Authority are satisfied with this approach and officers consider that the result is a better distribution of traffic, and it will lead to a more integrated layout. By implementing two access points the issue of emergency access is also resolved ensuring there should always be a point of access to the site available.

- 7.14 In addition to points of vehicular and pedestrian access to the site, the proposal also includes details of a new pedestrian crossing on Wangford Road immediately to the north of the Jermyns Road/Wangford Road junction which will form the main route to/from the primary school and the site. This would be in the form of a zebra crossing. New road markings (denoting 'SLOW') would be undertaken on the highway to the south side of the zebra crossing and farther north on Wangford Road. Footway widening (to 1.8m) is also proposed between The Crescents and Jermyns Road, on the west side of Wangford Road.
- 7.15 A system of shuttle working is also proposed on the local section of Wangford Road to attenuate traffic speeds. This is a system that restricts the movement of the traffic to alternate one-way operation along the road in order to reduce traffic speeds.
- 7.16 The off-site highway works proposed would need to be secured by planning condition and the applicant entering into a Section 278 agreement with the Highways Authority to undertake the works.
- 7.17 The Transport Statement also assesses the potential trip demands arising from the proposed development and, on account of its proximity to the site, also assesses the likely operational performance of the B1126 Wangford Road/A1095 Halesworth Road junction against existing 2018 background traffic flows. Additionally, the potential traffic impact of the proposals on the B1126/A12 junction is also considered.
- 7.18 In terms of impact on the wider highway network, the Transport Statement concludes (paragraph 5.16):

*“The PICADY traffic modelling undertaken herein demonstrates the B1126 Wangford Road/A1095 Halesworth Road junction and B1126/A12 crossroads will provide ample capacity, and even under full development loadings at future year assessment 2023 no arm of each junction is shown to be operating above 50% of theoretical capacity. The additional levels of demand arising from the proposed scheme show that the free-flow of traffic at these junctions will not be significantly compromised. While it is noted that there may be alternative methods for the distribution of development-generated traffic onto the network, in reality traffic capacity is not a significant issue in this case.”*

- 7.19 Officers are satisfied that the local highway network is capable of absorbing the traffic generation from this proposal. At the points where Copperwheat Avenue and The Crescents feed onto Wangford Road, the visibility in both directions is acceptable and suitable to serve the increased traffic flows arising from the development proposal.

- 7.20 Whilst the detailed assessment of the traffic generation indicates the highway network can accommodate the proposed development, it would still generate a significant number of additional vehicle movements in the area. There are identified accident cluster sites to the north and south of the site. The A12/B1126 Wangford junction is among the most significant junction cluster sites in the county with 10 recorded injury accidents in the last 5 years. Furthermore, development traffic heading south would use the A1095 and its junction with the A12. In the last 5 years there have been 5 recorded injury accidents at the A12/A1095 junction and 15 recorded injury accidents on the A1095 (which would be considered a linear cluster site). Subsequently, in order to make the development acceptable, a Section 106 financial contribution is required to help mitigate the impact of the development on the above cluster sites. A contribution of £250 per dwelling (£55,000) is required by the Highway Authority to contribute towards Road Safety Engineering schemes at the above locations. The applicant has agreed to this financial contribution to mitigate impacts arising directly from the development.
- 7.21 In addition to the main points of vehicle and pedestrian access detailed in full and described above, the site offers the opportunity to provide multiple points of pedestrian connectivity with the existing public right of way network.
- 7.22 PRoW number 1 (E-445/001/0) runs north-south along the western edge of the site. PRoW number 2 (E-445/002/0) runs west-east along the southern edge of the site, and within the site for a considerable stretch. The Movement and Access parameter plan indicates the potential for four points of pedestrian access to these PRoW's. The precise location of those pedestrian access points and the manner in which they will be designed and integrated into the layout would need to be secured by planning condition and through the submission of reserved matters applications. However, the potential for the site to provide those pedestrian connections is an important part of the masterplan principles for the site and creating an integrated layout that promotes walking and cycling.
- 7.23 Part of the initial recommendation made by the County Council Highways Authority and Rights of Way Team was planning obligations to secure a developer contribution to fund upgrade works to PRoW No.1 on the western boundary to make this route a bridleway that would provide a legal cycle route for residents to access the church to the north, and Halesworth Road to the south. Officers accepted that recommendation, but the County Council advised, prior to the January committee meeting, that the upgrades to the PRoW would not actually be deliverable due to (previously unknown) issues around third party land ownership; the legal width of the PRoW adjacent Laurel Farm; and the need for an access creation agreement to enable upgrades to the southern extent of the PRoW (Keens Lane).
- 7.24 Since those revised comments were received, officers have liaised with the County Council in order to understand the revised position in terms of public rights of way matters. The agreed position, reflected in the County Council Highways Authority comments (received 24 February 2020), is that any improvement and upgrades should focus on PRoW number 2, to the south. This PRoW runs partly through the southern part of the application site, and then the stretch between the site and Wangford Road to the east/northeast is also in the applicant's ownership. Therefore, the majority of Footpath 2 is in the applicant's control, save for a small stretch to the west where it connects to Keens Lane. The legal width of this PRoW is more than sufficient to allow for extensive widening and surface upgrades to make this route suitable for future adoption as a bridleway and therefore for use as a cycle route.

As existing, this route is heavily overgrown and narrow, limiting two-way pedestrian traffic along it. This is an important route enabling access to Wangford Road and the local services nearby in the village centre; therefore, officers consider that upgrades to this route are desirable and will improve the connectivity of the site. In doing so a loop would also be created where pedestrians and cyclists can easily connect from Kingfisher Crescent to Wangford and back again.

- 7.25 Whilst upgrades to PRoW number 1 on the west would also be of benefit, following further consultation with the County Council, officers are of the view that such works are not deliverable. However, the proposal will still provide for multiple pedestrian connections to that western PRoW which will enable excellent connectivity with the existing right of way network. This would accord with the objectives of Policy RNP 6 (Improving Public Rights of Way and access to the Countryside from new Developments), which requires that new developments should protect and, where appropriate, enhance the Public Rights of Way network through the provision of new connections to the Public Rights of Way network, new or extended routes, or other improvements. RNP6 also requires that new or extended routes should be planned to avoid disturbance to protected habitats.
- 7.26 Based on the revised County Council position, and for the reasons set out above, officers recommend planning conditions be applied to any permission in order to secure upgrades to the PRoW number 2.
- 7.27 To the northeast corner of the site, there is potential for a new pedestrian connection from the development into the existing play area at Barn Close. This would need to be secured and delivered through condition and reserved matters applications as a further means of integrating the development into the existing built context.

Reydon benefits from a number of services and facilities that are proximate to the application site with approximate travel distances from Copperwheat Avenue presented in the list below:

- Bus Stop (approx. 130m to the North)
- Day Nursery (approx. 400m to the South East)
- Primary School (approx. 400m to the South East)
- Reydon Pharmacy (approx. 500m to the South)
- Recreation Ground (approx. 550m to the East)
- Reydon Village Store (approx. 600m to the East)
- Village Hall (approx. 0.7 miles to the South East)
- Londis (approx. 0.8 miles to the South East)

- 7.28 Local services, facilities and public transport options are within readily achievable walking and cycling distance of the site. The towns of Southwold and Lowestoft are accessible from the site via public transport.
- 7.29 The nearest bus stop to the site is located on Wangford Road, some 30m from Copperwheat Avenue. From there Southwold Town Council Southwold Shuttle service provide a service between Southwold – Reydon - Southwold for journeys hourly with two time changes throughout the day. The approximate journey time from the site to Southwold, Kings Head via bus is 15 minutes.

- 7.30 The nearest major bus stop to the site is located on Green Lane approximately 200m north from Copperwheat Avenue. From there Border Bus service 146 provides a service between Southwold – Pakefield – Beccles – Norwich hourly, with an increased service at every half hour between 09:05 and 11:35.
- 7.31 The existing road network and points of site access are not compatible with facilitating bus access directly into the application site. Therefore, the approach with this proposal is to promote use of these two existing bus stops. Part of that strategy is improvements to the footway through to Wangford Road by the junction with Jermyns Road, as set out earlier in this section. However, a second part of the strategy is to secure a developer contribution to fund improvements to these two bus stops. The applicant has agreed to this which will need to be secured by S106 agreement.
- 7.32 The application also includes a Travel Plan that has two key objectives:
- Positively and effectively encourage the use of more sustainable and healthy travel modes such as walking, cycling and public transport by future residents of the scheme;
  - Minimise the use of travel modes that have the highest environmental and traffic impact, such as single-occupancy trips by fossil-fuel motor vehicles, especially where other alternatives are available.
- 7.33 The Travel Plan includes a number of measures to promote sustainable modes of transport and, to ensure that those measures are implemented, an index linked Travel Plan Contribution, payable to Suffolk County Council, needs to be secured through a Section 106 Agreement. This will ensure the Travel plan is implemented in accordance with the Suffolk County Council Travel Plan Guidance closer to the time the site will be occupied.

#### Conclusions on Highways Matters and Sustainable Transport

- 7.34 The application site is well-related to the existing settlement and the facilities therein that are accessible by walking and cycling. The proposal includes a number of off-site highway works, and improvement to the southern PRoW that will not only offset the impacts of the development, but also deliver improvements that will benefit both existing and new residents. The proposed site will integrate well into the existing footway and PRoW network, and the travel plan measures to be implemented will promote sustainable modes of transport.
- 7.35 The means of vehicle and pedestrian access to-and-from the site, detailed in this application, are acceptable to officers and the County Highways Authority. Officers therefore consider that the development proposal meets the sustainable transport objectives of the NPPF; Local Plan policies WLP6.1 and WLP8.21; and RNP policies RNP6, RNP8 and RNP9.

#### Landscape and Visual Impact

- 7.36 The site falls wholly within the Suffolk Coasts and Heaths AONB, a designation that affords the highest level of landscape protection under UK planning law. Therefore, consideration of likely impacts on landscape character and visual amenity are of prime importance. The

majority of the site has been accepted for development under the Local Plan examination process. On that basis, it is now essential to understand whether the development proposals allow the described new residential area to be integrated into the local landscape without causing significant adverse harm. This is the key element for consideration.

Policy RNP 5 (Maintaining Protection of the Countryside Around the Village) sets out that development outside the settlement boundary should protect and where possible enhance the natural beauty and special qualities of the Suffolk Coasts and Heaths Area of Outstanding Natural Beauty in accordance with Policy WLP 8.35 of the adopted Waveney Local Plan. RNP5 also identifies the most-valued areas of the countryside where development should generally be avoided; however, the application site does not fall within one of those designated areas set out in the RNP appendix maps.

7.37 An important consideration is the findings of the Great Yarmouth and Waveney Settlement Fringe Landscape Sensitivity Study. This concluded that the land to the north and west of Reydon overall has a Low Landscape Capacity to receive development based on its Low Landscape Sensitivity rating, but Very High Landscape Value because of its AONB and Heritage Coast status.

7.38 Low Landscape Sensitivity is defined as:

The landscape is assessed as having few distinctive features and characteristics that provide continuity/time depth, and typically has limited visibility due to apparent landforms and intermittent tree cover.

7.39 Low Landscape Capacity is defined thus:

The landscape is assessed as having high landscape sensitivity and high landscape value. Large or medium-scale new development is likely to erode the positive key features and characteristics of the landscape which are desirable to safeguard in line with relevant national/local planning policy objectives. Taking into account site-specific constraints, there may be potential to accommodate some small-scale development in specific locations within the landscape with lower landscape sensitivity, subject to appropriate siting, design and landscaping mitigation.

7.40 It should be understood that this development Capacity assessment is for a much more extensive area than just the site that is the subject of the current application, and also the subject site falls outside the Heritage Coast boundary.

7.41 Landscape features that are considered to contribute to landscape sensitivity include historic field boundaries, the historic field boundary pattern especially on the western edge of the setting area, and small wooded copses. The current application site is contained within the existing field boundaries and no trees or hedgerows are scheduled for removal. In other words, although the Landscape Sensitivity Study is acknowledged, it should be understood that the application site itself does not have the key sensitive landscape characteristics that are noted in the report, and where they exist around the margins, they are not at risk. The application notes the visually sensitive edge along its western margins, and this is accommodated in the proposed site layout and parameter plans with open space shown along this western sector, and no built residential development proposed that will prejudice the health of retained mature trees around the site edges.

7.42 The Waveney Local Plan Inspector recorded his findings on the inclusion of this site in the allocations plan as follows:

*"Although the site is an agricultural field it is surrounded on two and a half sides by existing residential development. Moreover, the topography of the area means that it would not appear as an obvious or strident protrusion of development into the surrounding countryside. Bearing in mind the landscaping which is required by policy WLP6.1, I envisage that development of the site would be likely to cause only limited harm to the landscape and scenic beauty of the AONB."*

7.43 Policy WLP6.1 states (inter alia) that:

- Development should respect the character of the surrounding Area of Outstanding Natural Beauty. This includes planting trees and hedges to the west of the site and limiting the height of new dwellings to no more than two storeys.
- A landscaping scheme should be prepared to integrate the site within the landscape.
- Development should retain existing trees and hedgerows that line the edge of the site.

7.44 This proposal involves development of land to the west of the existing western settlement boundary of Reydon. As such the development site is bounded by the existing settlement edge to the east and also to the south, as well as partially to the north. Apart from the southern site boundary, these existing settlement edges sharply abut the open farmed landscape and present a somewhat visually harsh interface with the open landscape. The proposed development layout - enclosed as it is on two sides and partially on a third - makes proper reference to the sensitive western edge of its extent by including an undeveloped open space landscape corridor along its western boundary. This is not intended to be a solid barrier of vegetation and it will allow both views out for some of the residents of adjacent houses, as well as glimpsed views in from the surrounding landscape, but it will contain much of the visual impact of the new development from views to the west; views still from within the AONB. Planting will need to be typical of the local prevailing landscape character and will largely comprise native hedge and tree species to supplement the existing vegetation. Elsewhere within the development, a relatively low housing density will allow the inclusion of internal open green spaces (including a large central open green space) which will include tree planting which will further reduce the visual impact of the new housing. Views of St Margaret's Church are retained from the central open space which reinforces visual links with the surrounding landscape. It is also proposed that the eastern boundary be well planted with trees which, together with the SUDS drainage swale in the NE sector of the site, will help to break up the overall built up area of Reydon. A central East/West swale further breaks down the new built up area. The eventual success of these open spaces and their associated new planting will depend a lot on their respective planting details, but provided that these pay due regard to the prevailing surrounding landscape character, officers are satisfied that the overall landscape and visual impact of this proposal will not create any significant landscape or visual impacts on the surrounding sensitive landscape of the AONB. That said, it is duly acknowledged that the change from open farmland to residential development is a significant landscape impact in its own right, but that issue was given due consideration at the examination stage of the planning process, and the Local Plan Inspector did not raise any undue concerns in this regard.

- 7.45 In the event of planning permission being granted, any finalised development layout will need to pay due regard to the root zones of all surrounding mature trees that fringe the site and whose root zones extend into the site. Where this occurs, these root zones must be given full protection during the construction stages of the development, and full accordance should be given to the guidance contained in BS5837:2012 - Trees in Relation to Design, Demolition and Construction. Such matters will need to be confirmed at Reserved Matters stage, as will details of the landscape proposals.
- 7.46 For the reasons given, officers consider that the proposed development will not have any significant adverse landscape or visual impacts on the surrounding sensitive landscape of the AONB. The site area extending beyond the allocation is not considered to result in additional impact on the protected AONB landscape beyond development of only the allocated land. The land use and green infrastructure parameter plan establishes a 'green' western edge to the development - and one could argue that the western site edge aligning with the existing field boundary (and PRoW) represents a logical edge to the site that utilises a natural landscape feature, rather than artificially restricting the width of the site. For the reasons given, the proposal accords with the objectives of Policy RNP 5 (Maintaining Protection of the Countryside Around the Village), WLP8.35 (Landscape Character), and paragraph 176 of the NPPF, which gives great weight to the conservation and enhancement of landscape and scenic beauty in the Areas of Outstanding Natural Beauty.
- 7.47 Some local objections to the scheme set out that there are not exceptional circumstances to justify this proposed major development in the AONB. The majority of the application site is allocated for the development of 220 homes, and with decision-taking being accordance with the Development Plan, the principle of major housing development in this location is established through the site allocation, and that principle cannot be set aside using paragraph 177 of the NPPF. In any case, for the reasons set out, the proposal would not have any significant adverse landscape or visual impacts on the surrounding sensitive landscape of the AONB or any such impact that should prejudice approval of these proposals.

#### Design Considerations

- 7.48 Allocation policy WLP6.1 provides criteria on how development of the site should come forward. Policies WLP8.29, 8.30, 8.31 and 8.32 also provide broader design guidance.

Policy RNP 10 (Reydon Neighbourhood Design Principles) sets out that:

*New development should take account of the following design principles as appropriate to their scale and use:*

- a. The location, scale and design standard of all new development should retain or enhance the character and setting of the village;*
- b. New buildings should be highly energy efficient, meeting or exceeding government policy for national technical standards and those required by Local Plan policy WLP 8.28;*
- c. New dwellings should be modest in character and reflect historical Suffolk countryside styles and/or the features and colours of the landscape in their design but without creating a pastiche approach;*
- d. New developments should include sympathetic use of tree and hedge planting to soften their impact and include green areas and use of hedging and trees within the built area;*

*e. Development proposals should incorporate into their design features which maintain or, if possible, provide gains to biodiversity. Landscaping and planting should encourage wildlife, connect to and enhance wider ecological networks, including nectar-rich planting for a variety of pollinating insects and provision for nesting birds such as swifts. Divisions between gardens, such as walls and fences, should be designed to enable movement of species such as hedgehogs between gardens and green spaces. Existing ecological networks should be retained.*

7.49 NPPF Chapter 12 sets out how well-designed places can be achieved:

- High quality design is a key aspect of sustainable development (para. 126);
- *"Planning decisions should ensure that developments:*
- *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."* (para. 130), and
- *"Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design<sup>52</sup>, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to: a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings."* (para. 134).

7.50 This application is made with details of appearance, landscaping, layout and scale reserved for future determination. However, the Design and Access Statement (DAS) has been updated since its original submission to reflect the revised layout and integral design guidance which has come about since officer engagement with the agent. The purpose of the revisions was to ensure that a more site-responsive layout reflecting contextual attributes was embedded in any consent by which to guide future development of the site and, specifically, any subsequent application to approve Reserved Matters. These attributes included views, edges, potential routes and broad character areas including open spaces.

7.51 In respect of the Design and Access Statement, officers can provide commentary on some of its individual, key sections:

#### Contextual assessment

7.52 This section of the DAS provides a well-considered overview of the site's surroundings at the north-western edge of Reydon. It includes a summary of the settlement's physical development over several centuries and illustrates how its form has arisen from the aggregation of three historic dispersed but co-located hamlets. These have merged over time and have been significantly extended in the second half of the twentieth century to form the present-day settlement. As such, therefore, the area lacks the attributes of other kinds of historic settlement in terms of a single village nucleus - the church, the green or the marketplace - or a planned form (some of which elsewhere originate in the 13th century, for example). It is fair to describe the settlement's typology as formed of historic hamlet clusters with infilled development between, providing distinct character areas. It is interesting but not at all unusual that the village has migrated away from its parish church (Reydon St Margaret's) which is now in a semi-isolated position to the north-west.

7.53 The DAS also provides a good overview of relevant and key attributes of the settlement including movement, facilities and open spaces. In respect of key facilities such as the school, health centre, village hall and shops, these are dispersed rather than nucleated, reflecting the true village pattern. They are all, however, eminently accessible from the application site on foot. The DAS also shows that the site is potentially well connected into the village through existing vehicular and pedestrian connections along the eastern and northern boundaries and via public footpaths to the western and southern boundaries.

7.54 Officers welcome that the DAS provides an analysis of what it calls the materiality of Reydon and includes reference to the AONB unit's colour guidance. The DAS identifies the dominant local building typologies and the broad variety of materials and colour palette associated with the local residential character. It is fair to say that what is characteristic in Reydon is the lack of a uniform architectural style, typology, colour or material choice. What is consistent, however, is scale - never more than two or two-and-a-half storeys - and semi-urban character. Reydon does not enjoy a traditional Suffolk village character, and this reflects the majority of its development being 19th and 20th centuries.

7.55 The contextual analysis of the DAS could have benefited from greater depth including the identification of key views and characterisation of the site's edges. These aspects now contribute to the site layout but appeared to do so to a lesser degree at submission stage. However, the contextual analysis does demonstrate that the application site is an excellent choice for development in terms of its very good connectivity; its adjacency to matching residential uses; its close proximity to key facilities; its accessibility to attractive surrounding landscape of AONB quality; and its scale, by which officers mean that, although a large site relative to the settlement, it is not disproportionately large. The application site lacks constraints in terms of integral features (trees or tree groups, ponds, historic structures etc) or significant topography and this means that external features (edge conditions and axial or vista views) should be used as organising elements in any layout.

7.56 The aerial sketch perspective on page 25 is an excellent illustration of the potential that this site has to offer an attractive, integrated and intelligent layout. Any final design, of course,

may not look like this but, as an illustration of how this number of dwellings can be laid out in a site-responsive way, officers judge this to set an acceptably good standard for future guidance.

### Place-Shaping Principles

- 7.57 The Place-Shaping Principles set out from page 26 form a coherent and clear narrative on the key influences and design derivations that are used to provide for a place-making layout. These include: treatment of the site's edges where they abut the countryside and existing built form; creation of new accessible open space and connections to it and through it to surrounding routes/spaces; views to St Margaret's church which form an organising axis to a key area of the layout; multiple access points to connect the layout outwards; and the facilitation of aspect and view within and without the site to create overlooked, attractive and safe spaces. Officers judge that these are all key contributors to a well-considered illustrative layout and have been correctly identified here and positively applied. Any subsequent layout submitted at reserved matters stage must apply the same degree of consideration to ensure officer support and its success.

### Principles of Design

- 7.58 The elaborated design principles on page 36 are eminently supportable and should be made to form the basis of any future detailed design. They are somewhat generic in the sense that they could be applied to most kinds of layout but are, nonetheless, supportable for that.
- 7.59 The vehicular movement strategy that supports the related Parameter Plan (which is discussed below) is sound. The looped connection of the two separate and well-spaced site entrances will ensure a well distributed pattern of vehicles throughout the site and which itself is a key organising feature of the layout. It should also be an attractive route to use, possibly linking - as suggested here - the built areas with a large central open space. The other strategies described and illustrated in this section are useful in exemplifying and amplifying a selected design approach based on the preceding Design Principles. This is not necessarily the only way of designing development at this site, of course, but they do highlight key considerations and an acceptable approach.

### Shaping the Character

- 7.60 In respect of the section on Shaping the Character (p48ff), officers consider that the criteria articulated here constitute specific and sound guidance on how a scheme can be detailed that responds to differing site conditions e.g. along the countryside edge; in the centre of the layout; where it abuts existing residential development.
- 7.61 The precedent/exemplar images are useful, and they are helpfully cited for future reference; and the illustration sketches provide a general impression of how a development may appear. They probably do little other than illustrate that the development will maintain and extend the semi-urban character of Reydon but that is entirely appropriate.
- 7.62 Officers were heavily involved in articulating these headings and criteria and judge it important that they are embedded in any permission, such that they benchmark any future detailed application in respect of detailed design quality. The recommended conditions

detail how that would be achieved to require reserved matters detail accords with these key elements of the DAS.

#### Parameter plans

- 7.63 The Movement and Access Parameter Plan identifies fixed access points for pedestrians and vehicles; the determining position of the vehicle route through the site that links the two existing access points north and east; suggested pedestrian access points; and rights of way. Officers judge that these parameters are correctly identified and are in suitable positions.
- 7.64 The Massing and Scale Parameter Plan identifies approximate site areas of development and their associated massing and scale. It fixes a key gradient of density (in effect) across the site such that it is densest close to existing built form along the eastern boundary; least so along the southern edge adjacent the existing low scale dwellings; and mixed scale everywhere else which can allow for very low density along the countryside edge and a rather higher density around the central green open space, for example (or not, subject to a future designer's preference). In this way, this plan builds in an important level of flexibility whilst fixing a scheme that will respect its neighbours in terms of massing and scale.
- 7.65 The Land Use and Green Infrastructure Plan fixes areas of built development and those reserved for green (and blue) infrastructure. To be clear, all of the allocated site (including the additional westernmost area included within this application) represents a development site. Whether the site is developed for housing and/or developed for green open space, it is development. Green open space as part of a housing development is not undeveloped land and it is not countryside either, in terms of use or character. Green open space should not be considered to be some kind of countryside buffer that gets transposed into useless swathes of green edge when really it should be spatially dispersed within and part of the built layout. That is why officers are satisfied that, through negotiation, the final parameter plans and design principles move away from that included at the time of submission and have significantly improved along the lines described above. One of those changes relates to the location of the equipped play area, which policy WLP6.1 promotes as being on the northern edge of the site and adjoining the existing play area at Barn Close, with a further (smaller) play area to the southern end of the site. Whilst in theory those policy objectives make some sense, in practice when considering illustrative layouts and associated parameter plans, it became clear that such locations of play space would not integrate well into a site layout. One of the requirements in the preamble to WLP6.1 is that the play space on the site should be *“designed and located so as to be overlooked by surrounding properties to provide natural surveillance and be well landscaped to create an attractive space”*. The parameter plan that fixes that main area of play space within a central location, enclosed by built residential development – and linked to the southern and western PRow by green corridors – will ensure the play area is integrated into the layout; well surveilled; and easily accessible to both new and existing residents. Thus, whilst there is some conflict with WLP6.1 in terms of the location of the play space, it would exceed the minimum size requirements set down in the policy and meet all the other objectives of achieving high quality design. Officers are therefore satisfied that the Land Use and Green Infrastructure Plan sets appropriate parameters for the site to guide detailed reserved matters proposals.

## Conclusions on Design

7.66 For the reasons given above, officers consider that the parameter plans, in addition to the design principles within the DAS, demonstrate that the site can be developed in a way that will deliver a high-quality residential development in accordance with WLP6.1 and the design objectives of the Local Plan, NPPF, and RNP10 of the Reydon Neighbourhood Plan. It will also provide areas of open space on site in accordance with WLP1.3 and WLP8.30 of the Local Plan. For an outline application, officers consider that an appropriate balance has been struck between providing comfort to the decision-taker that a high-quality design will be delivered, whilst at the same time not stifling designer creativity at reserved matters stage. The effort that has been made to fix certain elements of the design approach to guide reserved matters applications also should provide assurance that the site area extending farther west, beyond the allocation, is not just acceptable - but actually allows for any final development design to better integrate into its built and landscape context. In making this assessment, officers have had clear regard to the 2021, updated NPPF, and its aspirations for beautiful buildings and places (amongst other things); the National Design Guide; National Model Design Code; and Building for a Healthy Life. It is considered that the scheme meets those high-quality design objectives and is a good example of how a major housing development can be brought forward with good design embedded in an outline scheme to ensure a high-quality outcome at future reserved matters stage.

### Heritage Considerations

7.67 The Planning (Listed Buildings and Conservation Areas) Act 1990 ("The Act") sets out, in section 66, the statutory duty of decision-takers in respect of listed buildings:

*"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

7.68 This statutory requirement is reflected in the objectives of Local Plan policy WLP8.37 and also chapter 16 of the NPPF which sets out (inter alia):

- That heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance (para. 189);
- That applicants should describe the significance of any heritage assets affected, including any contribution made by their setting (para. 194);
- That great weight should be given to the conservation of heritage asset's and, the more significant the asset, the greater the weight should be (para. 199);
- That any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification; and
- That where harm would arise, it must be properly weighed against the public benefits of the development (paras. 201 & 202).

7.69 The applicant has provided a Heritage Impact Assessment (HIA) that meets the requirements of NPPF paragraph 194. Historic England have also been consulted on the application but have no comments to make on the application. In considering heritage matters, Officers have had regard to East Suffolk Council's Historic Environment SPD (adopted June 2021).

- 7.70 There are two listed buildings, the setting of which are affected by this development proposal. These are the Grade II listed Gorse Lodge Farm close to the south-west corner of the site; and the Grade II\* St Margaret's Church at some distance from the north-west corner of the site but linked to it by a public footpath.

#### Gorse Lodge Farm

- 7.71 The farmhouse (now two dwellings) is mid-17th century in origin and is timber-framed with a pantiled roof and two storeys and attic. It originated as a typical 3-cell vernacular Suffolk farmhouse and has some attractive features that contribute to its special interest including chamfered beams and a sawtooth stack. Its principal elevation does appear to face away from the development site which implies that its historic association with it in terms of ownership and use may be relatively limited. Nonetheless, the development site does form part of the wider landscape setting to the farmhouse that contributes generally and importantly to the farmhouse's significance and loss of part of that setting will erode its contribution and harm its significance, thereby.
- 7.72 Officers agree with the submitted Heritage Statement that this harm will be less than substantial but will need to be given great weight by the decision-taker and weighed against the public benefits of the development proposal, pursuant to the NPPF paragraph 196 balancing exercise. The minor setback in the area of built development adjacent the farmhouse (as shown on the Land Use and Green Infrastructure parameter plan) offers some potential mitigation and complies with a criterion of WLP6.1 to limit the impact upon the setting of Gorse Lodge; however, it does not balance out the overall loss of the farmed landscape in this area of the farmhouse's setting. The farmed landscape will still be apparent to the immediate north, west and south of the farmhouse, such that the current proposal is not some kind of development 'tipping point', in the view of officers.

#### Reydon St Margaret's Church

- 7.73 In respect of the parish church of St Margaret's, this building derives its significance from its medieval origins albeit with much Victorian restoration. It now stands semi-isolated from Reydon which appears to have migrated from it some time ago. Modern development along Wangford Road is having an encroaching effect which could be styled as a reclaiming effect, such that the church may yet end up being part of the village, once again. Thus, whilst it is arguable that the application site forms part of the landscape setting to the church, once developed it will only have the effect of bringing Reydon back somewhat closer to its parish church. Such an outcome is one about which officers have no particular concerns.
- 7.74 Most medieval churches are relatively modern buildings that occupy the sites of what started off as private manorial chapels following the Anglo-Saxon Conversion of the seventh century. Thus, these sites predate their current buildings by as much as six or seven centuries - time enough for villages to migrate away from these fixed sites towards better transport routes or interconnections (early medieval buildings were portable and of limited lifespan). Perhaps that is what happened in Reydon.

#### Conclusions on Listed Building Impact

- 7.75 To a large extent the Council (and Planning Inspectorate) has already considered and accepted the principle of residential development of the majority of the site within the

setting of these listed buildings through the adoption of site allocation policy WLP6.1. In any event, officers have considered the outline proposals, inclusive of parameter plans and illustrative layout plans, and consider that the harm to the significance of proximate listed buildings is limited to a low level of less than substantial harm to the significance of Gorse Lodge Farmhouse. That harm, even though low, will need to be given great weight in the balance by the decision-taker and properly weighed against the public benefits that would accrue from this development proposal. For the purposes of the officer recommendation, that planning balance is set out in the concluding section of this report.

#### Archaeology

- 7.76 This site is situated in an area of archaeological potential recorded on the County Historic Environment Record. It is located on the edge of Reydon Common which was a focus for medieval activity, and findspots of medieval date have been recorded around the proposed development area. Various cropmark sites have been identified in the vicinity and archaeological investigations to the west defined archaeological remains of prehistoric date. A geophysical survey of the development area, carried out during the determination period, has identified a number of anomalies which are likely to be archaeological in origin. However, this site has never been the subject of systematic below ground archaeological investigation and there is high potential for previously unidentified archaeological remains to be present. The proposed development would cause significant ground disturbance that has potential to damage or destroy any below ground heritage assets that exist.
- 7.77 There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 205), any permission granted should be the subject of planning conditions to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed. With conditions, the archaeological impact would be acceptable in accordance with the NPPF and policy WLP8.40 (Archaeology) of the Local Plan.

#### Affordable Housing, Housing Mix and Self-Build

- 7.78 Policy WLP8.2 (Affordable Housing) of the Local Plan sets out the Council's strategy to deliver affordable homes over the plan period in accordance with the NPPF. The Southwold and Reydon area is the most viable of the Waveney plan area and therefore developments can provide 40% of the site as affordable housing. This is a requirement of the policy and applicable to the application site. Policy RNP1 (Tenure Mix of Affordable Housing) sets out that any development providing Affordable Housing must contain at least 50% of Affordable Housing for affordable rent and the remainder to be Shared Ownership housing; the exact proportion shall be agreed at the time of the planning application to reflect the current assessment of housing need.
- 7.79 The Council's Housing Team has provided guidance on the appropriate mix for this development proposal, which would provide 88 affordable homes. The breakdown of those 88 homes is tabled below, and such provision would need to be secured by a S106 legal agreement.

Table: Affordable Housing Mix			% of 44 total Shared ownership and Shared Equity	
No. of Bedrooms	House Type	% of 44 total Affordable rent	Shared Ownership %	Shared Equity %
1 bed	Flat	48%		
1 bed	Bungalows	7%		
2 bed	Bungalows	20%		
2 bed	House	25%		
1 bed	Flat		50%	
2 bed	House			27%
3 bed	House			22%

7.80 The affordable housing provision set out above is a policy compliant mix and a public benefit of this scheme that should carry substantial weight in the balance.

7.81 The scheme accords with RNP1 - providing 50% of the affordable homes as affordable rented properties. The remaining 50% are split between shared ownership and shared equity in order to meet the need identified by the Council's Housing Team.

7.82 Policy WLP8.3 of the Local Plan requires that developments of 100 or more dwellings will be expected to provide a minimum of 5% self or custom build properties on site through the provision of serviced plots. A provision of 11 self-build plots would be secured as an obligation in the S106 legal agreement in accordance with the policy.

7.83 88 of the dwellings would be affordable homes, with the tenure controlled by S106 legal agreement. A further 11 self-build plots, and 7 plots set aside to provide a relocation/replacement option for development affected by coastal erosion, would also be controlled by S106 legal agreement. Thus, over 100 of the proposed dwellings would be controlled in terms of their occupancy.

7.84 Policy RNP4 of the Neighbourhood Plan covers the Principal Residence Requirement, setting out that:

*“New open market housing, excluding replacement dwellings, will be supported only where there is a restriction to ensure its occupancy as a Principal Residence. Sufficient guarantee must be provided of such occupancy restriction through the imposition of a planning condition or legal agreement. New unrestricted second homes will not be supported at any time.*

*Principal Residences are defined as those occupied as the residents' sole or main residence, where the residents spend the majority of their time when not working away from home. The condition on new open market homes will require that they are occupied only as the primary (principal) residence of those persons entitled to occupy them. Occupiers of homes with a Principal Residence condition will be required to keep proof that they are meeting the obligation or condition and be obliged to provide this proof if/when East Suffolk Council requests this information.*

*Proof of Principal residence is via verifiable evidence which could include, for example (but not limited to), residents being registered on the local electoral register and being registered for and attending local services (such as healthcare, schools etc)."*

- 7.85 As the RNP has now been formally made, the policies therein are to be given full weight when determining this application. When the application was considered by the Planning Committee (North) in March 2020, the RNP was at a relatively early stage of the plan-making process whereby its policies were only given limited weight by officers. Given that the RNP now forms part of the Development Plan, policy RNP4 – and its requirement for a principal residence restriction – applies in the case of all new housing development, unless material considerations indicate otherwise.
- 7.86 The applicant has agreed to a Principal Residence Restriction being applied to the development, by condition, in the event planning permission is granted. This would accord with the RNP and also addresses a key concern set out previously by Reydon Parish Council.

#### Relocation and Replacement of Development Affected by Coastal Erosion

- 7.87 Policy WLP8.26 relates to the 'Relocation and Replacement of Development Affected by Coastal Erosion' and identifies that a significant number of residential properties are at risk from coastal erosion within the next 100 years, and that a small number of properties at Easton Bavents are at the most imminent risk with a number of properties already being lost to erosion over the last 5 years. It is a key objective of the Local Plan, in accordance with the NPPF, to make provision for development that needs to be relocated from the coastal change management areas.
- 7.88 Under allocation policy WLP6.1, there is a unique opportunity to set aside land for the relocation of properties at risk (or already lost) from coastal erosion to a sustainable location. One of the criteria of the policy is that seven plots (equal to those which have been lost since 2011) should be set aside for relocation. Owners of properties at risk from erosion are not obliged to take on these plots. However, if they are not taken up after a period of five years following the completion of the development then the plots can be made available for the provision of affordable housing.
- 7.89 Securing the seven plots for this purpose is set out in detail in the final draft S106 legal agreement. This obligation has involved significant work between officers and the applicant team to ensure that this significant public benefit of the development proposal is delivered through any grant of planning permission. The obligation, summarised, is as follows:
- Before the Occupation of 75% of the Market Housing Units the Owners will provide a means of vehicular and pedestrian access to base course level and all available services to the boundary of the Coastal Erosion Re-location Plots in accordance with the plans and specifications to be approved by the Council;
  - Thereafter once the Coastal Erosion Re-location Plots have been laid out to the reasonable satisfaction of the Council they shall be conveyed by the Owners to the Council together with all necessary rights and easements for the consideration of £1.00 (one pound);
  - The Council shall make available the Coastal Erosion Re-location Plots to Eligible Coastal Residents for the consideration of £1.00 (one pound) for a minimum period of 5 years from the date of the transfer;

- In the event a Coastal Erosion Re-location Plot is conveyed to an Eligible Coastal Resident (hereinafter defined as ‘the First Transfer’) and that plot is subsequently sold within 10 years of the date of the First Transfer, an Overage Clause would apply as follows: set out in paragraphs 3.65.1 to 3.65.5 will apply:
  - If a Coastal Erosion Re-location Plot is sold within 5 years of the First Transfer the Sum equal to 50% of the Sale Price minus Build Costs will be paid to the Council;
  - If a Coastal Erosion Re-location Plot is sold between 5 years and 6 years of the First Transfer a Sum equal to 40% of the Sale Price minus Build Costs will be paid to the Council;
  - If a Coastal Erosion Re-location Plot is sold between 6 years and 7 years of the First Transfer a Sum equal to 30% of the Sale Price minus Build Costs will be paid to the Council;
  - If a Coastal Erosion Re-location Plot is sold between 7 years and 8 years of the First Transfer a Sum equal to 20% of the Sale Price minus Build Costs will be paid to the Council;
  - If a Coastal Erosion Re-location Plot is sold between 8 years and 10 years of the First Transfer a Sum equal to 10% of the Sale Price minus Build Costs will be paid to the Council;
- The Owners and the Council hereby agree that if after 5 years there is no interest in the relevant Coastal Erosion Re-location Plot then the provisions of paragraph 3 to this Schedule 3 shall cease to apply to the relevant Coastal Erosion Re-location Plot and such plot shall be utilised for Affordable Housing free from any encumbrance or provision contained within this paragraph 3.

7.90 The agreed position with the applicant, where the obligation would require the land to be transferred to East Suffolk Council, will ensure that the Council retain control over this land and can ensure it is properly made available to eligible residents and at a price (£1.00) that will make the prospect of bringing forward a relocation dwelling much more achievable. Officers have worked with colleagues at Coastal Protection East on this particular matter, and the applicant’s cooperation to help deliver this public benefit should be commended. Providing land, within an allocated housing site, to residents affected by coastal erosion as a means of relocation would be a first for this Council and would deliver on key objectives of the Planning and Coastal Management Service to support adaptation to erosion. The opportunity to provide a relocation opportunity to residential property owners affected by coastal erosion is a significant public benefit of this scheme and meets a key objective of policies WLP6.1 and WLP8.26.

#### Residential Amenity and Response to Publication/Consultation

7.91 Policy WLP8.29 (Design) of the Local Plan promotes development that integrates well into its context in terms of neighbour amenity and living conditions. There are objections to the proposals from a number of local residents; Reydon and Southwold Society; and Reydon Action Group for the Environment (RAGE). Reydon Parish Council made a representation on the application but do not formally object – and actually comment in their opening remarks that the proposal is consistent with the newly adopted Local Plan, whilst going on to raise points for consideration. Further comments made by the Parish Council refer to the policy requirements of the RNP.

- 7.92 When considering an outline application with details of access in full, and all other matters reserved for future determination, it is difficult to comment on precise impacts from built development within the site and how any new dwellings will relate to the adjacent environment. However, at a site area of 12 hectares, the proposed 220 dwellings would be a very low density of under 20 dwellings per hectare; for reference, allocation policy WLP6.1 promotes a density of approximately 25 dwellings per hectare. Such a low density of development – and as demonstrated on the illustrative layout – provides ample scope to develop the site in a manner that will not result in unacceptable losses of light and privacy to neighbouring residents due to separation distances; intervening existing vegetation; and areas of proposed landscaping and site drainage features.
- 7.93 As part of the parameter plans, a Massing and Scale plan has been provided and fixes a key gradient of density (in effect) across the site such that it is densest close to existing built form along the eastern boundary; least so along the southern edge adjacent the existing low scale dwellings; and mixed scale everywhere else which can allow for very low density along the countryside edge and a rather higher density around the central green open space, for example. This provides parameters and a degree of control that any detailed design is respectful of neighbouring residential uses at reserved matters stage.
- 7.94 Undoubtedly the proposal will turn agricultural land into a residential development and for some adjacent properties that represents a significant change in outlook, and a source of some of the objections received. Whilst that change is acknowledged by officers, it should be noted that the majority of the site is allocated in the Local Plan for housing development and therefore the adopted Local Plan accepts, in principle, that change in outlook. In any event, change does not represent harm to living conditions and officers consider that a well-designed, comprehensive development of the site will not appear out-of-character in this edge of settlement location. Whilst the appearance of the site will change, there will be benefits to existing, adjacent residents from improved connections through the site to existing and improved public rights of way, in addition to significant areas of accessible green open space within the site, and equipped area for play that can all be utilised by existing residents. Off-site highway works and bus stop improvements will again be of benefit to existing residents.
- 7.95 The proposed means of vehicle access into the site will of course generate traffic on Copperwheat Avenue and The Crescents. Those routes are suitable for the development traffic generation which is not likely to be so significant and adverse to justify refusal of the application. Reydon is a residential environment, and the site will form part of that, with the associated traffic and activity on the site being appropriate for that context. It is not considered that the proposal will generate significantly adverse impact in terms of noise and disturbance once complete and occupied.
- 7.96 In the construction phase there is potential for local disruption and therefore conditions to secure a construction management plan would be essential to control and reduce those impacts as far as is practically possible.
- 7.97 For the reasons given, officers consider that the proposal, in outline, does not raise significant amenity concerns. Construction impacts could be mitigated through planning conditions, and the low density of development – informed through the massing and scale parameter plan – provides ample scope for reserved matters proposals to detail a

development scheme that is respectful of the neighbouring residential environment. There is thus no conflict with the amenity objectives of WLP8.29.

### Ecology and the Natural Environment

- 7.98 The application is supported by an Ecology Assessment report (Hopkins Ecology, February 2019) and the conclusions and proposed mitigation measures identified are broadly satisfactory to officers. Mitigation and enhancement measures identified in the ecological assessment report should be secured, with construction mitigation measures forming part of a Construction Environment Management Plan (CEMP) and operational mitigation, management and enhancement measures as part of a Landscape and Ecology Management Plan (LEMP). These should ensure that the final development secures significant ecological enhancements as part of its design in accordance with the objectives of WLP8.34 (Biodiversity and Geodiversity).
- 7.99 The Conservation of Habitats and Species Regulations 2017 (“Habitats Regulations”) lays down the legislation on the conservation of natural habitats and of wild fauna and flora. The Habitats Regulations require the competent authority (in this instance, the Council) to determine whether the development is likely to have a significant effect on the interest features of European sites protected under the legislation and, if there would be, to carry out an Appropriate Assessment of the implications of the proposal for the site’s conservation objectives in accordance with the regulations. The applicant has provided a ‘shadow’ Habitats Regulations Assessment to inform such an assessment and Natural England have also been consulted in their statutory role.
- 7.100 The application site is located within 13km of the following European sites:
- Minsmere – Walberswick Ramsar Site
  - Minsmere – Walberswick SPA
  - Minsmere to Walberswick Heaths and Marshes SAC
  - Benacre to East Bavents SPA
  - Benacre to East Bavents Lagoons SAC
- 7.101 The proposed development is not within 200m of those sites and is therefore not likely to directly impact upon the interest features of these European sites through habitat loss, physical damage etc. However, the emerging Suffolk Recreational Avoidance Mitigation Strategy (RAMS) sets out that new residential development within a 13km zone of influence (ZOI) of European sites is likely to have a significant effect – when considered either alone or in combination with other new housing - on the interest features of those sites through increased recreational pressure in terms of dog walking, water sports, hiking etc. Natural England recommend that a suitable per-dwelling financial contribution to RAMS is sought to offset such recreational impacts. That is secured through the S106 legal agreement as agreed by the applicant and their consultant Ecologist. The S106 agreement is ready to complete by the local planning authority immediately following resolution to grant.
- 7.102 The ‘shadow’ HRA submitted by the applicant provides an assessment of the recreational impacts of the development proposal, and further to input from the Council’s own Ecologist, an addendum to the HRA was submitted to further inform officers’ assessment of the proposals. The ‘shadow’ HRA concludes that mitigation included with the development will avoid an adverse impact on the integrity of the identified designated sites. This mitigation includes the provision of an onsite circular walking route of 1.4km and connections to

existing offsite walking areas. The Shadow HRA recognises the importance of dog walkers as key users of high value nature sites (paragraph 3.7) and specifically identifies the on-site greenspace as being of high quality. Based on Natural England guidance, the 2.7km distance for walking routes is not a recommendation rather it is the average distance of a daily dog walk: some walk further than this, others walk less. An on-site walking route around the periphery of a roughly square plot is only feasible on a site with an area at least 45ha. The scheme masterplan does allow ready access to blocks of on-site greenspace and all residents will be within the 400-500m distance which most dog walkers will walk for greenspace access. In conjunction with off-site routes the available walking routes through greenspace and farmland will be substantially greater than the mean quoted distance of 2.7km. This assessment of walking route provision is accepted by officers and will provide new residents with walking routes that limit recreational usage of European sites within the 13km zone.

- 7.103 Officers have undertaken a stage 2 HRA – Appropriate Assessment that concludes, for the reasons given – and with a per-dwelling contribution to the Suffolk RAMS – that the development would not result in adverse effects on the integrity of the aforementioned European sites. Natural England have considered this and concur, raising no objections in their final consultation response. Officers are content that the proposal is acceptable in this regard in accordance with WLP8.34 (Biodiversity and Geodiversity).

#### Flood Risk and Surface Water Drainage

- 7.104 Local Plan Policy WLP8.24 sets out that new housing development will not be permitted in high-risk flood areas.

- 7.105 Chapter 14 of the National Planning Policy Framework (NPPF) sets out planning for flood risk:

- Development should be directed away from areas at highest risk (para. 162).
- Local planning authorities should ensure that flood risk is not increased elsewhere, and applications should be supported by a site-specific flood-risk assessment. Development proposals in higher risk areas should demonstrate that:
  - Within the site development is directed to the lowest risk areas;
  - The development is appropriately flood resilient and resistant;
  - The development incorporates sustainable drainage systems;
  - Any residual risk can be safely managed; and
  - Safe access and escape routes are provided. (para. 167)
- Major developments should incorporate sustainable drainage systems (para. 169).

- 7.106 The policy approach at a national and local level generally, therefore, is to make developments safe for all future occupiers through appropriate siting and design; and then ensure no adverse local impacts arising from the development through ensuring that development sites are well-designed incorporating sustainable drainage systems.

- 7.107 The application site is located in environment agency flood zone 1 (the lowest risk area) and therefore sequentially preferable for residential development, hence the allocation within the Local Plan.

- 7.108 In terms of surface water drainage, the outline proposals demonstrate that the development can be properly drained. The main strategy across the site is the utilisation of a swale corridor to benefit the dispersal of surface water, with an attenuation basin in the north-eastern area of the site (the low point) to accommodate the safe holding of water in an extreme weather event. As an outline application with all matters (save for access) reserved, this is an indicative strategy although one that has been reviewed extensively by the Local Lead Flood Authority (LLFA) at the County Council.
- 7.109 It should be noted that whilst the precise, technical details of the drainage strategy would come forward as part of reserved matters applications, the 'Land Use and Green Infrastructure' parameter plan supporting this application sets the locations of the primary drainage attenuation basin (wetland park); and also the secondary drainage attenuation (swale corridor) as key aspects of the proposal. Therefore, the main elements of the drainage strategy would be fixed through a grant of outline planning permission with conditions requiring the development to be in accordance with the approved parameter plans, offering clarity on where key drainage features would be located and how any built layout would need to be organised around those features.
- 7.110 The LLFA recommend approval of the application subject to conditions securing the precise drainage strategy concurrent with reserved matters applications, and longer term ensuring its delivery and maintenance for the lifetime of the development.
- 7.111 The proposal accords with the flood risk prevention/limitation objectives of the NPPF and policy WLP8.24.

#### Other Matters

- 7.112 A criterion of WLP6.1 is that any planning application is supported by evidence which assesses the quantity and quality of sand and gravel resources within the site in order to determine whether it is practical to make use of resources on site. This has been provided and the County Council Minerals and Waste Planning Team consulted. The geotechnical site investigation report prepared by RPS Consulting Services Ltd is considered appropriate to assess the sand and gravel resources within the site. It identifies that the material throughout the site is variable, however the county council consider there is material on site that could be used in the construction of the development. A condition would need to be applied accordingly.
- 7.113 The Council's Environmental Protection Team has requested further ground contamination investigation through a phase II survey. This – along with any required remediation works – should be secured by condition, should planning permission be granted.
- 7.114 In terms of foul drainage, the applicant has engaged with Anglian Water regarding connections to the sewerage network from the proposed development. The existing network requires upgrades to facilitate the development proposal, but through that pre-application engagement, Anglian Water has identified potential mitigation solutions to provide capacity within the foul water network to take the proposed flows from the site. That will need to be progressed with the infrastructure provider outside the planning process, but it has been demonstrated that the necessary infrastructure upgrades can be achieved to facilitate the development proposal.

## Public Benefits of the Proposed Development

7.115 The proposed development would deliver significant public benefits including (inter alia):

- Up to 220 homes in a sustainable location as part of the plan-led approach to growth in the District;
- 88 affordable homes;
- Economic benefit in the short-to-medium term through creation of jobs in the construction industry;
- Long term benefit to facilities/services in Reydon and Southwold from new resident spend in the economy;
- Seven plots to be made available for property owners whose properties are at risk (or already lost) to coastal erosion in the locality;
- Up to 11 plots to be made available for 'self-build' homes;
- Improvements to the public right of way on the southern edge of the site, providing better connectivity between Kingfisher Crescent and Wangford Road;
- Substantial areas of green infrastructure and equipped play space for new and existing residents;
- Improved connections to the existing network of public rights of way to the south and west of the site;
- Improvement works to local bus stops;
- Footway improvements along Wangford Road; and
- A new pedestrian crossing on Wangford Road.

## **8. Conclusion**

- 8.1 Officers consider that the proposed development accords with the plan-led approach to deliver housing growth in the Reydon and Southwold area, delivering substantial public benefits as set out above. The extended site area beyond the allocated land is somewhat of a departure from WLP6.1 but one that, ultimately, will facilitate a more integrated and higher quality residential development in terms of, among other things, connectivity with the Public Right of Way network; provision of green infrastructure; provision of sustainable drainage features; and the overall density of development appropriate for the site location within the Suffolk Coast and Heaths AONB.
- 8.2 The proposals demonstrate that the site can be developed in a way that will deliver a high-quality residential development in accordance with WLP6.1 and the design objectives of the Local Plan, RNP, and NPPF. The effort that has been made to fix certain elements of the design approach to guide any future reserved matters applications should provide assurance that the site area extending farther west, beyond the allocation, is not just acceptable - but actually allows for any final development proposal to better integrate into its built and landscape context. This is particularly important in the AONB and should be supported as an example of how a major housing development can be brought forward in this context.
- 8.3 It is acknowledged that the proposal will see agricultural land change to a residential development of the site, and that is not supported by some local residents. Those concerns raised have been given due consideration by officers but do not, in the balance, indicate

that planning permission be refused. Many of the matters raised can be addressed either through appropriate planning conditions or proper consideration of detailed design at reserved matters stage.

- 8.4 The proposal would give rise to a low level of less than substantial harm to the significance of the grade II listed Gorse Lodge Farmhouse. That harm, even though low, will need to be given great weight in the balance by the decision-taker and properly weighed against the public benefits. However, officers consider that this proposal delivers numerous and substantial public benefits that would significantly and demonstrably outweigh any harm that would arise.
- 8.5 The proposal is considered to represent sustainable development in accordance with the objectives of the National Planning Policy Framework (2021) and the Development Plan as a whole. There are no significant, or unacceptable environmental impacts arising from the proposals. There are also substantial public benefits that would otherwise justify approval as detailed above. Planning permission can therefore be granted.

## **9. Recommendation**

9.1 **AUTHORITY TO APPROVE** with conditions (as set out in section 10), and subject to the completion of a S106 Legal Agreement to secure the following obligations:

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

## **10. Conditions:**

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

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

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

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

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

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

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

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

The site wide Phasing Plan shall be implemented as approved.

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

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

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

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

Reason: The site is located within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty and therefore in order to secure high-quality design and properly mitigate landscape and visual impact, it is essential to establish development parameters to guide future

reserved matters application, in accordance with the design and landscape objectives of Local Plan policies WLP8.29 (Design) and WLP8.35 (Landscape Character).

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

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

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

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

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

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

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

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

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

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

Thereafter the accesses shall be retained in the approved form.

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

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

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

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

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

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

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

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

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

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

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

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

15. As part of each reserved matters application for layout, details of the areas to be provided for the loading, unloading, manoeuvring and parking of vehicles shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose unless otherwise approved by the Local Planning Authority.

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

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

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

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

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

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

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

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

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

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

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

- a. Dimensioned plans and drawings of the surface water drainage scheme;
- b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to  $Q_{bar}$  or 2l/s/ha for all events up to the critical 1 in 100 year rainfall event including climate change as specified in the FRA;
- d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
- e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- f. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- g. Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:
  - i. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-
    1. Temporary drainage systems

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

The scheme shall be fully implemented as approved.

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

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

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

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

The intrusive investigation(s) shall include:

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

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

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

22. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission on a phase, shall take place on that phase until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA for that phase. The RMS must include, but is not limited to:
- details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
  - an explanation, including justification, for the selection of the proposed remediation methodology(ies);
  - proposed remediation objectives and remediation criteria; and
  - proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.

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

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

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

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

24. A validation report for a phase must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development on that phase. The validation report must include, but is not limited to:
- results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
  - evidence that any RMS approved in pursuance of conditions appended to this consent has been carried out competently, effectively and in its entirety; and
  - evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

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

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

be dealt with and obtained written approval from the Local Planning Authority for that phase. The remediation strategy shall be implemented as approved.

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

26. No development shall take place, including any works of demolition on a phase, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority for that phase. The Statement shall provide for:
- o the parking of vehicles of site operatives and visitors;
  - o loading and unloading of plant and materials;
  - o storage of plant and materials used in constructing the development;
  - o the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - o wheel washing facilities;
  - o measures to control the emission of dust and dirt during construction;
  - o a scheme for recycling/disposing of waste resulting from demolition and construction works; and
  - o delivery, demolition and construction working hours.

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

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

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

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

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

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

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

(a) a plan showing the location of, and allocating a reference number to, each existing tree on, or adjacent to, the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree;

(b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, details of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;

(c) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;

(d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, [within the crown spread of any retained tree or of any tree on land adjacent to the site] [within a distance from any retained tree, or any tree on land adjacent to the site, equivalent to half the height of that tree];

(e) details of the specification and position of fencing [and of any other measures to be taken] for the protection of any retained tree from damage before or during the course of development.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Reason: In the interests of fire safety.

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

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

#### **11. Informatives:**

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

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

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

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

CIL forms can be downloaded direct from the planning portal:

[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

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

3. Informative from Suffolk County Council Archaeological Service:

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

I would be pleased to offer guidance on the archaeological work required and, in our role as advisor to East Suffolk Council, the Conservation Team of SCC Archaeological Service will, on

request of the applicant, provide a specification for the archaeological work required at this site. In this case, an archaeological evaluation will be required to establish the potential of the site, before approval of layout and drainage under reserved matters, and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation. We would strongly advise that evaluation is undertaken at the earliest opportunity.

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

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

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

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

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

## **Appendices**

Appendix A: Planning Committee North Meeting Minutes (10 March 2020)

Appendix B: Report (DC/19/1141/OUT) for March 2020 Planning Committee North Meeting

Appendix C: March 2020 Planning Committee North Update Sheet

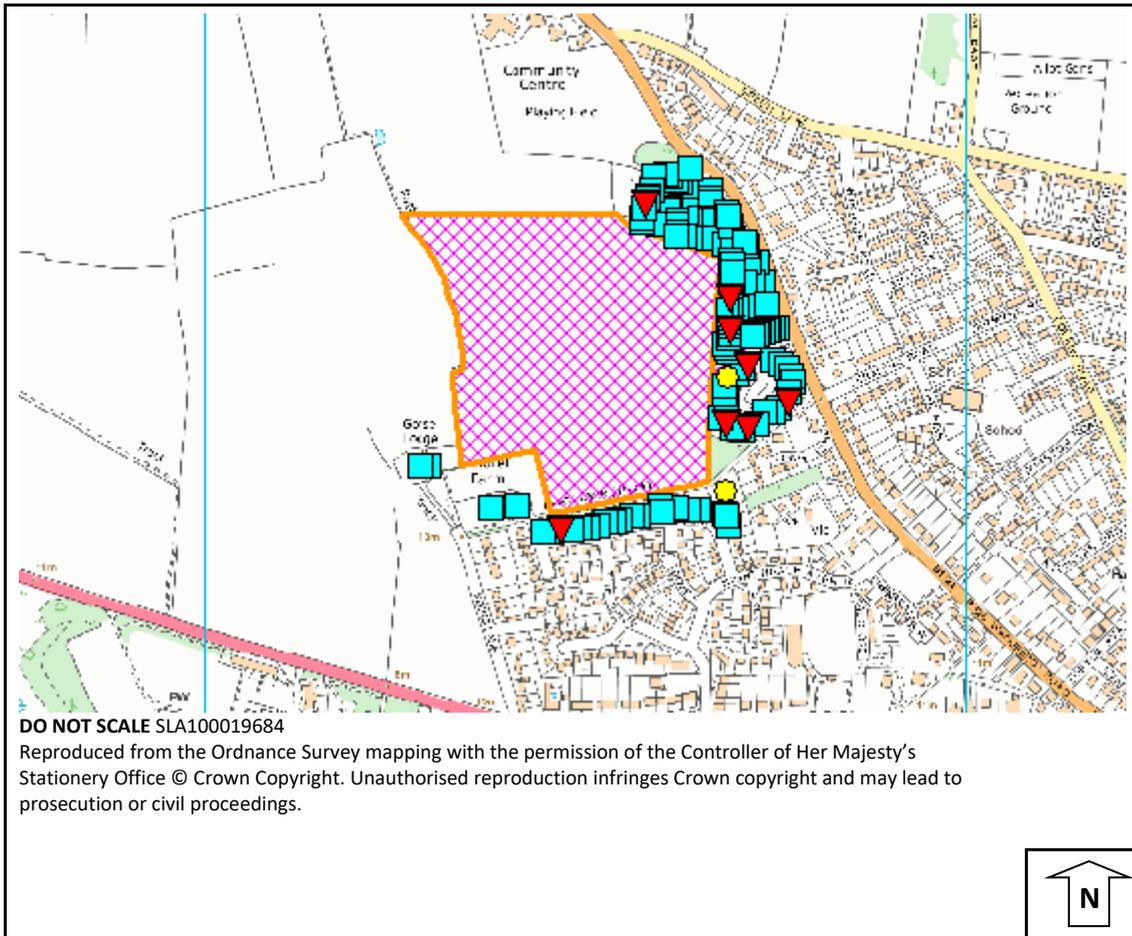
## **Background Papers**

See application reference DC/19/1141/OUT at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=POEXALQXIQE00>

Link to Local Plan Policy WLP6.1: [Local Plan - East Suffolk Council - Waveney Local Plan \(Adopted March 2019\) - East Suffolk Council, Strategic Planning Consultations \(inconsult.uk\)](#)

Link to Reydon Neighbourhood Plan: [RNP-Made-Plan-April-2021-FINAL-v1.pdf \(eastsuffolk.gov.uk\)](#)

# Map



## Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support

**Confirmed**



Agenda Item 6

ES/0852

Minutes of a Meeting of the **Planning Committee North** held in the Conference Room,  
Riverside, on **Tuesday, 10 March 2020 at 2.00 pm**

**Members of the Committee present:**

Councillor Paul Ashdown, Councillor Jocelyn Bond, Councillor Norman Brooks, Councillor Jenny Ceresa, Councillor Linda Coulam, Councillor Graham Elliott, Councillor Andree Gee, Councillor Malcolm Pitchers, Councillor Craig Rivett

**Other Members present:**

Councillor David Beavan, Councillor Tony Cooper, Councillor David Ritchie

**Officers present:**

Liz Beighton (Planning Development Manager), Joe Blackmore (Development Management Team Leader - North), Chris Green (Senior Planning and Enforcement Officer), Matt Makin (Democratic Services Officer), Iain Robertson (Area Planning and Enforcement Officer), Melanie Van Der Pieterman (Area Planning and Enforcement Officer), Debby Wicks (Assistant Planning Officer)

---

**Announcements**

The Chairman opened the meeting and announced that he was re-ordering the agenda in order to bring forward items with public speaking. He advised that item 8 would be heard after item 5 and before item 6.

*Councillor Rivett arrived at this point of the meeting (2.02 pm).*

**1 Apologies for Absence and Substitutions**

There were no apologies for absence.

**2 Declarations of Interest**

Councillor Ashdown declared an interested in item 7 of the agenda as he was acquainted with the applicants. He clarified that the applicants were not close personal friends and that he had consulted the Monitoring Officer regarding this interest, who had advised him that this interest was neither a Local Non-Pecuniary Interest nor a Disclosable Pecuniary Interest.

Councillor Ashdown also declared a Local Non-Pecuniary Interest in item 8 of the agenda as his wife was a member of Oulton Broad Parish Council. He advised that he would leave the Conference Room for the duration of the item and the meeting would be chaired by the Vice-Chairman.

Councillor Brooks declared an interest in item 7 of the agenda as he was acquainted with the applicants.

Councillor Elliott declared a Local Non-Pecuniary Interest in item 7 of the agenda as Ward Member for Barnby.

Councillor Gee declared a Local Non-Pecuniary Interest in item 8 of the agenda as Ward Member for Oulton Broad.

Councillor Rivett declared an interest in item 7 of the agenda as he was acquainted with the applicants.

Liz Beighton, the Council's Planning Development Manager, declared an interest in item 5 of the agenda as she had previously worked with the applicant's agent.

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

Councillors Ashdown, Ceresa, Bond, Brooks, Coulam, Elliott, Gee, Pitchers and Rivett all declared that they had been lobbied via letters and email on item 7 of the agenda.

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

The Committee received report **ES/0327** of the Head of Planning and Coastal Management. The report was a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers. At the time the report was written there were 18 such cases.

The Chairman confirmed that the report would be taken as read and invited questions to the officers.

A member of the Committee sought an update on the Woods Meadow Development. The Planning Development Manager stated that she would liaise with the Principal Planning Officer (Major Projects) and would circulate an update on the site to the Committee via email.

### **RESOLVED**

That the report concerning Outstanding Enforcement matters up to 24 February 2020 be received and noted.

### **5 DC/19/1141/OUT - Land to the West of Copperwheat Avenue, Reydon**

The Committee received report **ES/0328** of the Head of Planning and Coastal Management, which related to planning application DC/19/1141/OUT.

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

East Suffolk Council (Waveney) Local Plan Policy WLP6.1 allocated 9.8 hectares of land west of Copperwheat Avenue, Reydon for the residential development of approximately 220 dwellings.

The application site extended farther west to 12 hectares in total but included the entirety of the allocated land.

Given the scale of the development proposal and the site area extending beyond the allocation, the application had been brought direct to the Committee for determination.

The Committee received a presentation on the application from the Development Management Team Leader. The site's location was outlined, and it was noted that the entire site sat within the Suffolk Coasts and Heaths Area of Outstanding Natural Beauty (AONB).

An aerial photograph of the site from 2010 was displayed. The Development Management Team Leader acknowledged the age of the photograph and advised that it allowed the Committee to appreciate the site in context to Reydon.

Access to the site would be via Copperwheat Avenue to the north and The Crescents to the east. The proximity of the site to two listed buildings, one Grade II and the other Grade II\*, was highlighted. The site's relationship to Wangford Road and community amenities and facilities was demonstrated.

A map was displayed that outlined the land allocated for development against the application site, showing the area of the site that extended beyond the allocation. The Committee was advised that land north of the site was playing fields.

The Development Management Team Leader provided another map, that demonstrated the site's relationship with existing public rights of way and how the site would connect to neighbouring residential areas.

Photographs of the site were displayed that detailed various views in and out of the site and highlighted where access to the site would be located.

The site access details were provided, including movement within the site and any pedestrian and cycle connections. A parameter plan was also displayed; the Development Management Team Leader advised that this would be conditioned, and any reserved matters application would need to be in accordance with this. The parameter plan detailed how the site would connect to existing routes and indicated how pedestrian access may connect to the site.

The Development Management Team Leader considered that the proposals provided potential for the site to link up with the existing rights of way network and would provide connection through to the children's play area to the north at Barn Close.

The proposed highways access works were also detailed. The footpath on Wangford Road would be widened and traffic calming measures would be installed to mitigate the increase in traffic. There would also be a series of footpath and bell mouth works to Copperwheat Avenue and The Crescents.

Regarding the site's location within the AONB, the Development Management Team Leader noted the requirement to protect the AONB as a designated landscape, but that the site was allocated in the Local Plan.

Further photographs of the site were displayed to demonstrate the public right of way on the western edge of the site.

The development parameters for the site were outlined, which detailed how the land would be used and also the green infrastructure that would be contained within the site. The Development Management Team Leader stated that this information had been sought with the support of the applicant's agent to detail how the development could look, in order to provide clarity to the Committee.

The information highlighted residential development areas, recreational areas, drainage attenuation, accessible natural green space, and the site's road network. Development parameters for massing and scale of buildings and the spread of low, medium and mixed scale buildings was also supplied.

The Committee was in receipt of an extract from the Design Access Statement regarding defining character areas for the site and the design principles for those areas.

An illustrative masterplan of the site was displayed to demonstrate how the development might come forward in accordance with the parameters supplied.

The Development Management Team Leader noted coastal erosion in the area, particularly at Easton Bavents, and outlined that seven plots on the site would be secured by legal agreement for those residents who needed to relocate due to coastal erosion.

The key issues were summarised as the principle of development, access and connectivity, landscape and visual impact, the design of the development, residential amenity, heritage considerations, ecology and European sites, affordable housing, self-build and coastal relocation opportunity, and the public benefits of the development proposal, as set out in the report.

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

The Chairman invited questions to the officers.

A member of the Committee sought clarity on what weight the draft Reydon Neighbourhood Plan could be given when determining the application. The Development Management Team Leader confirmed that it was a material consideration and that officer advice was that the draft plan was at an early stage in the plan-making process, and therefore could only be given very limited weight.

In response to a question regarding cycle connections, the Development Management Team Leader displayed the plan that outlined these and confirmed that there would be cycle links to and from both Copperwheat Avenue and The Crescent. He added that the route at the southern edge of the site was recommended to be upgraded to a bridleway as the land was in the applicant's ownership. This was detailed in conditions 11 and 12 of the recommendations.

A member of the Committee questioned the acceptability of the site encroaching beyond the allocated site and further into the AONB. The Development Management Team Leader noted that this question had been asked of the applicant when the scheme was submitted, and the applicant's response had given good reasons for doing so. To not extend the site would have

created a 'ransom strip' of land on the western edge between the allocated site boundary and the public right of way. By extending the site, the applicant intended to join up to a natural boundary and integrate the site into the natural landscape features.

The Development Management Team Leader noted the reasons for the allocation in the AONB given by the Planning Inspector during the Local Plan. He added that extending the site beyond the allocated area would give the applicant an opportunity to provide considerably larger areas of green space, incorporate drainage of a positive design, and achieve a better level of density.

It was confirmed that Historic England had responded to the consultation and advised that it had no comments to make.

A member of the Committee highlighted that the draft Reydon Neighbourhood Plan had been through the Regulation 14 consultation process and was now proceeding into the Regulation 16 consultation process. He noted that no concerns had been highlighted at the Regulation 14 stage and queried the officer advice that the plan was considered to be at an early stage of the plan-making process, as he considered it to be at a more advanced stage.

The Development Management Team Leader acknowledged the work done by the Reydon Neighbourhood Plan Steering Group, but said that whilst it may appear to those involved that the draft Neighbourhood Plan was advanced, that actually the stages of plan-making were set out in the National Planning Policy Framework (NPPF) and by case law. He advised that on that basis the Neighbourhood Plan was at an early stage. He advised the Committee that the period of Regulation 16 consultation for this plan had opened on 27 February 2020 and would end on 9 April 2020; the plan would then be subject to inspection by the Planning Inspectorate (the PINS), during which time further comments or changes could be made, and would then be subject to a referendum before being made. He also noted that there were outstanding objections to the draft plan which reduced the weight that could be given to the policies in the Neighbourhood Plan.

The same member of the Committee asked if the approval of this scheme would negate the draft Reydon Neighbourhood Plan and queried if the application was being determined prematurely.

The Planning Development Manager referred to paragraph 50 of the NPPF, which stated that *"Refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination; or - in the case of a neighbourhood plan - before the end of the local planning authority publicity period on the draft plan. [...]"*. The Planning Development Manager advised the Committee that as the draft neighbourhood plan was still within this publicity period, the application had to be determined in accordance with the NPPF and the Local Plan.

The member of the Committee referred to paragraph 49 of the NPPF and stated that he considered the plan to be at an advanced stage and therefore the application could be considered premature.

In response to a question regarding the time frame for completion of the Reydon Neighbourhood Plan, the Planning Development Manager advised that there were no firm timescales at that time and that these would be set by the current consultation period and any

modifications that could be made to the plan. She considered that the neighbourhood plan would not be in place until the end of 2020 or early 2021.

A member of the Committee asked what the impact would be on the setting of Gorse Lodge, which neighboured the application site. The Development Management Team Leader noted that Gorse Lodge was enclosed by a strong hedgerow and a tree field boundary and it could be argued that its primary setting was more to the north, west and south. He acknowledged that the development would have some impact on Gorse Lodge's setting and said that this harm had to be weighed against the benefits of the proposal.

Another member of the Committee sought additional detail on the affordable housing that would be provided. The Development Management Team Leader confirmed that 88 dwellings, 40% of the total number proposed, would be affordable housing units that would be controlled through a Section 106 agreement. There would also be 11 plots reserved for self-build, either by individuals or a custom build, and seven plots reserved for coastal erosion relocation. The Committee was advised that, if these seven plots were not taken up, they would become part of the affordable housing provision and increase the number of affordable housing units to 95.

The Development Management Team Leader outlined how the self-build plots would be reserved as such and confirmed how they would not be able to be sold on immediately after development. The Planning Development Manager said that the plots would not be able to be sold on for three years; the detail of this would be included in the Section 106 agreement and owners would need to register to self-build and meet the requirements of doing so.

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

Mr Burnett advised that he was Chairman of the Southwold and Reydon Society and was speaking on behalf of the society, which objected to the application. He added that he was a resident of Reydon and was involved in the development of the Reydon Neighbourhood Plan.

Mr Burnett said that a consultation of residents had shown that there was concern over the scale of the development, which would double the housing built in Reydon in the last ten years, and its incursion into the AONB. Mr Burnett said that there was also concern that a number of the properties would be bought as second homes and would price local people out of the market.

Mr Burnett confirmed that the Southwold and Reydon Society supported new homes in Reydon that would not be used as second homes or holiday lets. He said the society sought refusal of the application unless a condition was added to ensure that homes were sold as principal residences, as per the clause in the draft Reydon Neighbourhood Plan. Mr Burnett considered that without such a condition, an estimated 30% of the new properties would become second homes and therefore the development would not meet Reydon's housing needs.

The Southwold and Reydon Society was also concerned about the extension of the site further into the AONB as it would undermine the area.

Mr Burnett requested that if the Committee did not resolve to refuse the application, that it defer the application until the Reydon Neighbourhood Plan was adopted later in 2020. The Southwold and Reydon Society was concerned that the development did not provide the

required density of housing needed on the site and would provide the wrong style of dwellings and sought the application of the Local Plan's housing mix policy to the proposal.

Mr Burnett also expressed the concerns regarding the development's impact on the landscape and wanted to see its compliance with the related policies of the draft Reydon Neighbourhood Plan set out in any conditions. Mr Burnett anticipated that the scale of the development would have a significant impact on neighbouring properties and sought strict conditions to minimise this.

The Chairman invited questions to Mr Burnett.

Mr Burnett said it was hoped that the Reydon Neighbourhood Plan referendum would take place in October 2020.

When asked about the principal aim of the Reydon Neighbourhood Plan, Mr Burnett said that it was to preserve and enhance the village as a whole and mediate the effect of development as much as possible.

The Chairman invited Mr O'Hear, representing Reydon Parish Council, to address the Committee.

Mr O'Hear explained that he was also the Chairman of the Reydon Neighbourhood Plan Steering Group and wanted to make a case for the application of the principal residence clause in the draft plan. He said that it was expected that the plan would be examined by the PINS in May 2020 and considered it to be at a later stage of development than had been suggested by planning officers.

Mr O'Hear said that Reydon Parish Council accepted the allocation as set out in the Local Plan but was concerned about the impact of the development on the local community. He was of the view that there would be an additional impact because of the number of dwellings that would become second homes.

The issue with second homes in Southwold was highlighted by Mr O'Hear; he stated that this issue was now spreading into Reydon. Mr O'Hear noted that the allocation in the Local Plan was based on an objectively assessed housing need and that the development would not meet that housing need. He considered that new housing should be restricted to people who will occupy the homes as principal residences.

The Parish Council was of the opinion that the determination of the application should be delayed until the Reydon Neighbourhood Plan was made; Mr O'Hear cited a similar case where Suffolk County Council, as the Local Planning Authority for mineral and waste development, had deferred an application related to a local gravel pit. Mr O'Hear said that if the application was not deferred, it should be refused; he considered that this would be a disappointment as the scheme had many positive aspects.

Specific concerns regarding sewerage were highlighted by Mr O'Hear; he said that it was inappropriate for the attenuation tank to be located elsewhere and should be within the development site. He also considered that the developer should contribute to improvements to the local sewerage network.

Mr O'Hear was not confident that the conditions in the recommendation were strong enough and was concerned that if the outline application was approved, details could be amended at a reserved matters stage.

The Chairman invited questions to Mr O'Hear.

Mr O'Hear confirmed that Reydon Parish Council did not object to the extension into the AONB beyond the allocated site. The Parish Council had accepted the allocation in the Local Plan and considered the extension would improve the area. He said that the Parish Council was seeking a deferment of the application until the Reydon Neighbourhood Plan was made.

Mr O'Hear said that Reydon Parish Council was not seeking a restriction to only sell the dwellings to local residents but wanted to see them occupied as principal residences.

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

Mr Clarke thanked officers for the comprehensive report. He also thanked both Reydon Parish Council and the Southwold and Reydon Society for their co-operation during the development of the proposed scheme.

Mr Clarke explained that development of the scheme began in September 2017 following the call for sites to be included in the then draft Waveney Local Plan. He noted that the site was retained in the Local Plan during the plan-making process and allocated in the made document, and the application was made following this as a principle of development had been established.

Regarding the extension of the application site beyond the boundary of the allocated site, Mr Clarke said that this had occurred in order to avoid creating an isolated area of land that could not be developed and also to ensure that the site better integrated with the surrounding countryside. Mr Clarke added that the larger site would also allow for a better masterplan to be created.

The Committee was advised that the application had been submitted in 2019 and that since then, the applicant had worked with officers to finesse the proposals and develop the scheme that was before the Committee. Mr Clarke said that approximately 50% of the development would be given over to affordable housing and self-build and considered that the Council therefore would control the fate of over half of the site. He added that the value of the Community Infrastructure Levy (CIL) that would be gained from the development would be £223 per square metre.

Mr Clarke urged the Committee to approve the application.

The Chairman invited questions to Mr Clarke.

A member of the Committee sought Mr Clarke's comments on the request from objectors for a principal residency clause. Mr Clarke reiterated his earlier point that he considered the Council would have control over the tenure of a significant number of the dwellings and stated that the applicant did not want a rigid condition included that was not supported by established planning policy.

In response to a question regarding the selection of a Registered Provider for the affordable housing, Mr Clarke said that the applicant did not see themselves as being singularly responsible for who would occupy those dwellings.

The Chairman invited Councillor Beavan, Ward Member for Reydon, to address the Committee.

Councillor Beavan referred to his earlier letter to members of the Committee regarding the application. He said that he had initially supported the application until it became apparent that some of the houses would be sold as second homes. Councillor Beavan noted Paragraph 48 of the NPPF, which he had cited in his letter, which stated that weight could be given to relevant policies in emerging plans according to the stage of preparation of the emerging plan.

Councillor Beavan also cited Paragraph 50 of the NPPF, which allowed weight to be given to an emerging plan when approval of an application would prejudice the plan-making process; Councillor Beavan considered that approving the application would negate the Reydon Neighbourhood Plan, particularly its principal residency clause. Councillor Beavan cited the case in Rendlesham in 2014 where the emerging neighbourhood plan there was given weight in the appeal determination.

The allocation of the site in the Local Plan was acknowledged by Councillor Beavan. He said that given the number of second homes in Southwold and Reydon, the former having the most in the country, more second homes on this site would mean that the allocated site would not be able to contribute towards meeting the Council's commitment to developing more housing.

Councillor Beavan referred to Paragraph 7 of the NPPF, which stated that the purpose of the planning system is to contribute to the achievement of sustainable development. He submitted that as the development stood, it did not contribute to sustainable development. He considered that the local communities of Southwold and Reydon were under threat and cited a letter he had received from a constituent who was the only permanent resident in his block of flats.

There being no questions to Councillor Beavan, the Chairman invited further questions to the officers.

A member of the Committee asked if a condition restricting the dwellings as principal residences could be attached to any planning permission. The Planning Development Manager advised against this as there was no established policy in either the East Suffolk (Waveney) Local Plan or the NPPF to support it. She reiterated that there was clear advice from officers that the Reydon Neighbourhood Plan was not at an advanced enough stage of development for its principal residence clause to be given significant weight when determining this application, noting that if the condition was appealed against it was likely that this would be upheld by the PINS.

The member of the Committee queried if the application could be deferred until such time that the Reydon Neighbourhood Plan was made. The Planning Development Manager said that as there was no firm time frame for the making of the Reydon Neighbourhood Plan, to do so would give the applicant the opportunity to appeal to the PINS on the grounds of non-determination, given there would be no timescale for approval. She noted that this would take control away from the Council, as the Local Planning Authority, to determine what was approved on the site.

Another member of the Committee asked what weight would be given to the Reydon Neighbourhood Plan at appeal, should the application be refused, as it would be at a more advanced stage. The Development Management Team Leader said that the weight given to the neighbourhood plan would be based on its state at the time of the appeal determination.

The Development Management Team Leader read an extract from the Planning Inspector's report on the site, where the Inspector had identified the need for housing in the area, the absence of feasible alternatives outside the AONB, the relatively high level of affordable housing which can viably be provided on the site, and the limited harm to the AONB.

The Committee was advised by the Development Management Team Leader that the draft Reydon Neighbourhood Plan explicitly referred to the Local Plan requiring 40% proportion of affordable housing on major developments in Southwold and Reydon, and that this policy was justified on the basis of its rigorous assessment of the economic viability of a 50% affordable housing proportion. He advised the Committee that the restriction of dwellings for principal residences would completely change the viability of the proposal, and would like make provision of 40% affordable housing unviable.

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

A member of the Committee considered that it was interesting that Reydon Parish Council had considered the development to be acceptable but had asked the Committee to delay or refuse the application. He acknowledged that the development was acceptable and that its extension beyond the allocated site boundary would result in a scheme that would fit in better with its surrounding. He considered the primary concern to be the lack of a principal residency clause; he noted it was the driving force of the draft Reydon Neighbourhood Plan and had been modelled on a similar policy in the St Ives Neighbourhood Plan that had been scrutinised in the plan-making process and made by Cornwall Council.

The member of the Committee was of the view that the application should be either deferred or refused on the grounds that it undermined the plan-making process for the Reydon Neighbourhood Plan. He reiterated his view that the neighbourhood plan was at an advanced stage of the plan-making process.

Another member of the Committee was concerned that the application would fill the allocated site in advance of the making of the Reydon Neighbourhood Plan and before its principal residency clause could be taken into consideration. He was also concerned that the viability of the development could be affected if units could not be sold as second homes. The member of the Committee expressed sympathy with the view of residents and said he was opposed to more second homes and not the number of dwellings proposed. He considered that the Ward Member had made his point adequately and that tourism should not be at the expense of local people. He also noted that there was no guarantee on who would purchase the affordable housing and if those units would be made available to local people.

It was the view of a member of the Committee that the determination of the application should not be rushed. She said that she was appalled by the impact of tourism on Southwold's community feel and the impact of second homes in the area. She considered that this issue would spread to Reydon and that planning policies should be in place to prevent this issue occurring. The member of the Committee acknowledged the acceptability of the scheme but

was minded to vote to refuse in order prevent the second homes issue in the area from escalating.

Several members of the Committee said that they appreciated the concerns raised and weighed this against the positive aspects of the development, namely affordable housing mix and the positive density that would be sympathetic to the area. A member of the Committee noted the officer advice against deferring the application without a clear timescale for the making of the Reydon Neighbourhood Plan and the risk of a refusal being open to challenge at appeal, and said that on balance the Committee should accept the proposal before it. Another member of the Committee expressed concern that restrictions on properties for principal residency would result in empty properties in the area, noting issues elsewhere in the district where properties had remained vacant.

It was confirmed to the Committee that conditions could not later be attached at the approval of reserved matters that would impact details agreed at the outline stage.

A member of the Committee recommended that the application be refused. The Chairman reminded the Committee that a recommendation to delegate authority to approve to the Head of Planning and Coastal Management was before it, and that this recommendation needed to be considered before any alternative recommendation.

The Chairman moved to the recommendation, as set out in the report, and sought a proposer and seconder.

The recommendation was proposed by Councillor Rivett and seconded by Councillor Ceresa. There were four votes in favour, four votes against, and one member of the Committee abstained from voting.

As there an equal number of votes for and against, the Chairman exercised his casting vote and it was

## **RESOLVED**

That **AUTHORITY TO APPROVE** planning permission be delegated to the Head of Planning and Coastal Management with conditions (including but not limited to those below), subject to securing agreement from Natural England on the conclusions of the HRA – Stage 2 Appropriate Assessment; and subject to the completion of a Section 106 Legal Agreement to secure obligations (including but not limited to):

- Provision of 88 affordable dwellings;
- Provision of seven plots as part of relocation offer for properties lost/at risk to coastal erosion;
- 5% of the residential development as self-build plots;
- Per-dwelling contribution to the Suffolk RAMS;
- Provision and long term management of public open space;

- Financial contribution to fund secondary school transport;
- Financial contribution to fund improvement works to local bus stops; and
- Financial contribution to fund road safety engineering schemes at local accident cluster sites.

Conditions:

1. Approval of the details of the siting, design and external appearance of the buildings, and the landscaping of the site (hereinafter called "the reserved matters") 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.*

2. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

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

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

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

The site wide Phasing Plan shall be implemented as approved.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thereafter the accesses shall be retained in the approved form.

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

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

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

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

11. No part of the development shall be commenced until details of improvements (including widening of the useable width and surfacing) to Footpath 2, within the southern

section of the site, have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety in accordance with the trigger point identified in the approved phasing plan under condition 3.

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

12. Prior to occupation of the 101st dwelling, Footpath 2 shall be converted to a public bridleway.

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

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

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

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

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

15. As part of each reserved matters application for layout, details of the areas to be provided for the loading, unloading, manoeuvring and parking of vehicles shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose unless otherwise approved by the Local Planning Authority.

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

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

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

17. No development shall take place within 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 policy WLP8.40 of the Local Plan.*

18. 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 17 and the provision made for analysis, publication and dissemination of results and archive deposition.

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

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

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

- a. Dimensioned plans and drawings of the surface water drainage scheme;
- b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;

c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to  $Q_{bar}$  or 2l/s/ha for all events up to the critical 1 in 100 year rainfall event including climate change as specified in the FRA;

d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;

e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;

f. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;g. Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

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

1. Temporary drainage systems

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

3. Measures for managing any on or offsite flood risk associated with construction

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

The scheme shall be fully implemented as approved.

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

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

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

21. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) 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.

The intrusive investigation(s) shall include:

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

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

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

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

22. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, 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.*

23. Prior to any occupation or use of the approved development the RMS approved under condition 22 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.*

24. 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.*

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

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

26. No development shall take place, including any works of demolition, until a Construction Method Statement 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.*

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

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

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

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

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

(a) a plan showing the location of, and allocating a reference number to, each existing tree on, or adjacent to, the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree;

(b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, details of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;

(c) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;

(d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, [within the crown spread of any retained tree or of any tree on land adjacent to the site] [within a distance from any retained tree, or any tree on land adjacent to the site, equivalent to half the height of that tree];

(e) details of the specification and position of fencing [and of any other measures to be taken] for the protection of any retained tree from damage before or during the course of development.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- a Construction Environment Management Plan (CEMP) detailing construction mitigation measures; and

- an Ecology Management Plan (EMP) detailing operational mitigation, management and enhancement measures as part of the final detailed design.

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

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

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

*Reason: In the interests of fire safety.*

*Following the conclusion of this item, the Chairman adjourned the meeting for a short break. The meeting was adjourned at 3.30 pm and reconvened at 3.35 pm.*

## **8 DC/19/4826/FUL - 14 Moyes Road, Lowestoft**

*Councillor Ashdown, the Committee's Chairman, had declared an interest in this item and therefore left the Conference Room for its duration. Councillor Ceresa, the Committee's Vice-Chairman, chaired the meeting for the duration of the item.*

The Committee received report **ES/0331** of the Head of Planning and Coastal Management, which related to planning application DC/19/4826/FUL.

The application concerned a proposed single storey rear extension and conversion of the loft including dormer windows to the front and rear and a new first floor side gable window. The application was presented to the Referral Panel on 11 February 2020 where Members agreed to refer the application to the Committee for determination.

The Committee received a presentation on the application from the Assistant Planning Officer. The site's location was outlined, and the Committee was shown aerial views of the site.

Drawings of the existing and proposed floor plans were displayed.

The Assistant Planning Officer noted that Oulton Broad Parish Council had objected to the application and considered it to be overdevelopment. The Parish Council was also concerned about the impact on parking in Moyes Road. This was contrary to the officer's recommendation of approval.

It was confirmed that the application was compliant with highway standards.

The Committee was in receipt of the existing and proposed elevations for the application.

The Assistant Planning Officer advised that a neighbour had objected to the application on the grounds of noise and disturbance during the construction phase; the objection had not been made on loss of light.

The Committee was given details of the elements of the development that could be completed under permitted development rights (pdrs) and the elements that required planning permission.

The proposed front dormer window was not considered by officers to be prominent and was described as recessing behind the two buildings to the north of the site.

Photographs of the site were displayed that showed the front of the dwelling, the view to the north up Moyes Road, view of the site looking towards 12 Moyes Road, the front drive looking north, the rear of the property where the extension would be located, the view towards north, a view showing the neighbouring property on the south side, the view towards the rear of the garden, and the view towards the rear of 12 Moyes Road from the proposed site.

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

The Acting Chairman invited questions to the officers.

It was confirmed that the length of the extension would be 4.5 metres.

A member of the Committee asked if the extension would cause any loss of light to neighbouring properties. The Assistant Planning Officer stated that a small shadowing effect would be caused for 12 Moyes Road, but that overshadowing was already caused by an existing brick wall.

The Acting Chairman invited Mr Keller, representing Oulton Broad Parish Council, to address the Committee.

Mr Keller noted that turning into Moyes Road from Hall Road was very tight and there was significant on-street parking in the area. Mr Keller said that increasing the size of the dwelling to a four-bedroom property would increase the number of cars associated with it. He also considered that the site appeared to be a small area of space for what was proposed.

There being no questions to Mr Keller the Acting Chairman invited Councillor Gee, Ward Member for Oulton Broad, to address the Committee.

Councillor Gee was concerned that the application would double the size of the dwelling. She considered that on the images displayed the host dwelling looked smaller than its neighbour and that this could be an optical illusion. Councillor Gee agreed with Oulton Broad Parish Council's concerns about access to Moyes Road from Hall Road and the size of the extension, but was not opposed to the application in principle.

There being no questions to Councillor Gee, the Acting Chairman invited further questions to the officers.

The Assistant Planning Officer clarified that the front dormer windows required planning permission and the remainder of the development could be undertaken through permitted development rights, subject to the prior notification procedure and where there was not a material objection from a neighbour; it was confirmed that no material objections had been made.

It was confirmed that there had been no requirement to consult the Highways Authority on the application.

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

Councillor Pitchers stated that he knew the area well and said that vehicles travelled through Moyes Road infrequently. He acknowledged that parking for a nearby shop took place on Moyes Road but did not consider it was used as a regular through route. He proposed the recommendation, as set out in the report.

Councillor Rivett seconded Councillor Pitcher's proposal. He said that he was also familiar with the area and that his concerns regarding how much the development would extend into the garden had been addressed, noting the different mix of housing styles in the street.

The Chairman moved to the recommendation, as set out in the report.

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

## **RESOLVED**

That planning permission be **APPROVED** subject to the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Drawing no. 19/185/01 Rev B received 16th December 2019, 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 to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

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

Informatives:

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

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

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

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

CIL forms can be downloaded direct from the planning portal:

[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

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

*Following the conclusion of this item, Councillor Ashdown returned to the Conference Room and resumed the Chair.*

## **6 DC/19/4450/FUL - Hubbards Barn, Hubbards Hill, Peasenhall**

The Committee received report **ES/0329** of the Head of Planning and Coastal Management, which related to planning application DC/19/4450/FUL.

The application was for the change of use from B1 (Office use) to C3 (dwelling house) at Hubbards Barn, Peasenhall, including provision of a single storey rear extension.

Hubbards Barn had previously been used as office accommodation for V-M Orthotics. The business had since relocated to Halesworth Business Centre leaving the building vacant. Planning permission was granted in 2019 for the change of use of the building to a holiday let unit. This permission had not been implemented but remained extant.

The site was in an isolated location where special justification is required for residential dwellings as highlighted in paragraph 79 of the National Planning Policy Framework (NPPF) and the Council's adopted spatial strategy policies.

The application was before the Committee as the Referral Panel had considered that it was necessary for Elected Members to consider the loss of the employment use.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer. The site's location was outlined; the site was located approximately one mile north-west of Peasenhall.

The Area Planning and Enforcement Officer outlined the history of the site. The building was formally an isolated field barn and in 2010 planning permission was granted to convert this to a holiday let; this consent was not implemented. In 2011 a further application was made to convert it for B1 (office use). The consent in 2011 removed the permitted development rights that would have allowed the barn to be converted to C3 (dwelling house). Planning permission was granted in 2018 for an extension to the building in order to increase office space.

Photographs of the site from several different angles were displayed to the Committee, to highlight its prominent location in the countryside.

The Committee was in receipt of the existing and proposed elevations for the site.

The premises had been marketed for B1 use since April 2019 at an asking price of £500,000, with an overage uplift stopping point, and there had been minimal interest in the site. It was noted that the marketing strategy did not comply with the emerging East Suffolk (Suffolk Coastal) Local Plan.

The Area Planning and Enforcement Officer referred to information from the applicant contained within the update sheet, which had been published on 9 March 2020. The information related to suggested changes to the marketing strategy, which the Committee was advised could not be considered.

Late representations had also been received from Councillor Burroughes, Ward Member for the application, who supported the recommendation of officers.

The key issues were summarised as the planning history, the loss of employment premises, the suitability of the marketing strategy, and the impact on the landscape character.

The Chairman invited questions to the officers.

A member of the Committee noted clutter on the site and asked about the removal of pdrs. The Area Planning and Enforcement Officer confirmed that pdrs could be removed for the outbuildings, but this would not circumvent general clutter on the site.

The Area Planning and Enforcement Officer said that had the site still been in agricultural use, the barn building could have been converted for dwelling house use. He confirmed that the site was no longer in agricultural use.

A member of the Committee asked about employment site losses in nearby settlements. It was noted that sites had been lost in Aldeburgh. The Planning Development Manager highlighted that the application site was disjointed from the Peasenhall settlement area and was defined as a site in the countryside.

In response to a question regarding the changing of the marketing strategy suggested, the Planning Development Manager advised that the applicant would need to agree a marketing strategy with the Council in advance which included a realistic value of the property, which would require the applicant to complete a marketing analysis.

The Planning Development Manager, replying to a question regarding the impact of any marketing strategy change, advised that changes could generate more interest in the site as there was a need for rural employment usage and holiday lets in the area.

The Vice-Chairman stated that she had been able to find the property for sale on a website and it was being advertised at a lower price to that in the marketing strategy. The Area Planning and Enforcement Officer noted that despite the increase in office space, the business that had been occupying the building had required more space which had necessitated the move to Halesworth.

A member of the Committee asked what the difference would be between an isolated employment site and an isolated residential dwelling. The Planning Development Manager highlighted the difference in local and national planning policies between employment sites and residential sites in the countryside.

It was confirmed that the extant planning permission for a holiday let on the site supported policies in the existing Suffolk Coastal Local Plan that encouraged tourism to the west of the A12.

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

Members of the Committee noted the loss of employment sites in the area and the need for them. They supported the officer's recommendation to refuse planning permission.

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

On the proposition of Councillor Bond, seconded by Councillor Rivett it was by unanimous vote

## **RESOLVED**

That planning permission be **REFUSED** for the following reasons:

1. Consent is sought for the change of use of the premises from B1 (Office) use to a single residential dwelling. The applicant has failed to demonstrate that there is no current or long-term demand for the continued use of the premises for employment purposes. This should be demonstrated by a marketing strategy that should first be agreed with the LPA or in accordance with the Council's guidance. The marketing that has been carried out is not sufficient and the proposal would therefore be contrary to the aims of Policy DM10 "Protection of Employment sites" and SP7 "Economic development in rural areas" of the East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (Adopted July 2013).
2. The garden curtilage proposed is excessive in size and fails to preserve rural landscape character. The introduction of a residential curtilage of this size would have a harmful impact on the character of the countryside and would fail to protect or enhance the special qualities and local distinctiveness of the area contrary to the aims of Policies DM13 "Conversion and re-use of redundant buildings in the countryside" and SP15 "Landscape and Townscape" of the East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (Adopted July 2013).
3. The development falls within the 13km protection zone of European Designated Sites. As set out in the emerging Suffolk Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) Local policy DM27 seeks to support the Article 6(3) of the Habitats Directive where proposals that would cause a direct or indirect adverse effect (alone or combined with other plans or projects) to the integrity of internationally and nationally designated areas will not be permitted unless prevention, mitigation and where appropriate compensation measures are provided such that net impacts are reduced to a level below which the impacts no longer outweigh the benefits of development, the applicant has failed to submit relevant information in relation to potential disturbance caused by additional visitors to the European Designated Sites, or that there would be no harm or adverse impact, as such no screening assessment has been undertaken which is contrary to the 2017 Regulations which as a result the proposals are considered contrary to Policy DM27 "Biodiversity and Geodiversity" of the East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (Adopted July 2013) and Section 15 of the NPPF.

## 7 DC/19/4684/FUL - Plot Arboretum, Mill Lane, Barnby

The Committee received report **ES/0330** of the Head of Planning and Coastal Management, which related to planning application DC/19/4684/FUL.

The planning application was for the construction of a dwelling house and garaging. The proposal followed an earlier refusal of a previous application on scale and had been referred to the Committee by the Referral Panel to enable it to be fully considered by Elected Members.

The Committee received a presentation on the application from the Senior Planning and Enforcement Officer. The site's location was outlined, and the Committee was made aware of the property boundary, site boundary and the boundary of an adjacent site where planning permission for development had been renewed. The Senior Planning and Enforcement Officer explained that this application had been delayed pending the outcome of the renewal application on the adjacent site.

Several photographs of the site were displayed which showed various views in and out of the site. The Committee's attention was drawn to the high hedgerows on Mill Lane.

*Councillor Rivett left the Conference Room at this point (4.08 pm).*

Further site photographs were displayed that demonstrated the change in level across the site.

The Senior Planning and Enforcement Officer noted the acceptable separation distance between the application site and the adjacent site as well as the mitigation provided by the hedgerow.

The approved site plan for the adjacent site was displayed as well as the site plan and floor plans for the application to be determined. The Committee was assured that vehicles would be able to manoeuvre in and out of the parking area.

*Councillor Rivett returned to the Conference Room at this point (4.10 pm).*

The key issues were summarised as highway access, context and character, and scale.

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

The Chairman invited questions to the officers.

The Senior Planning and Enforcement Officer confirmed to the Committee that the highways conditions were achievable.

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

Councillor Brooks said that he was familiar with the area and was content with the application, considering to be well designed. He proposed the recommendations as set out in the report. Councillor Pitchers seconded this proposal.

The Chairman moved to the recommendation as set out in the report.

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

## **RESOLVED**

That planning permission be **APPROVED** with conditions; including the agreement of setting out level details, the removal of permitted rights and for agreement as to hedge reinstatement.

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 2463.19.3D received 15 January 2020, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety. An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. Where remediation is necessary a detailed remediation method statement (RMS) must be prepared and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.

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

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

4. No other part of the development shall be commenced until the new vehicular access has been laid out and completed in all respects in accordance with Drawing No DM01; with an entrance width of 3.0 metres (as shown within Drawing No. 2463.19.3D) and has been made available for use. Thereafter the access shall be retained in the specified form.

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

5. The gradient of the vehicular access shall not be steeper than 1 in 20 for the first five metres measured from the nearside edge of the adjacent metalled carriageway.

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

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

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

7. Prior to the dwelling hereby permitted being first occupied, the vehicular access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.

*Reason: To secure appropriate improvements to the vehicular access in the interests of highway safety.* 8. Before the access is first used visibility splays shall be provided as shown on Drawing No. 2463.19.3D with an X dimension of 2.4 metres and a Y dimension of 57 metres (North East of the access) and 86 metres (South West of the access) and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

9. The use shall not commence until the area(s) within the site shown on Drawing No. 2463.19.3D for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

10. The areas to be provided for storage of Refuse/Recycling bins as shown on Drawing No. 2463.19.3D shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

11. Before site levels are established details of the setting out of the slab top level for the lower level floor shall be submitted in writing to and agreed in writing by the Local Planning Authority, the works shall accord to the agreed levels.

*Reason: The impacts of the proposal in terms of scale are mitigated by the relative levels of the highway and lower ground floor, so further detail is required to ensure outcomes match the submitted proposal in this regard.*

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2015 (or any order revoking and reenacting that Order) (with or without modification), no building or structure permitted by Classes A (extensions or alterations), B (changes to the roof) or E (buildings or enclosures within the curtilage of the house) of Schedule 2 Part 1 of the Order shall be erected without the submission of a formal planning application and the granting of planning permission by the Local Planning Authority.

*Reason: To secure a properly planned development.*

13. Before occupation or construction of hard surfaces around the site, further details of the hedge replanting indicated on the drawings shall be submitted in writing to the Local Planning Authority and subsequently agreed by the LPA. These details shall include centres for planting the laurel replacement hedge, details of ground preparation, a schedule of the time when the work is to be carried out and details of maintenance. Any plants which die within the first five years following planting shall be replaced to the satisfaction of the Local Planning Authority.

*Reason: To ensure the street-scene benefits of the mature hedging is retained.*

Informatives:

1. 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 customer services contact number is 0345 606 6171 and Information regarding dropped kerbs is available at <https://www.suffolk.gov.uk/roads-and-transport/parking/apply-andpay-for-a-dropped-kerb/>

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.

2. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority. The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended). If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of any size or convenience retail, your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to [CIL@eastsuffolk.gov.uk](mailto:CIL@eastsuffolk.gov.uk)

A CIL commencement Notice (CIL Form 6) must be submitted at least 24 hours prior to the commencement date. The consequences of not submitting CIL Forms can result in the

loss of payment by instalments, surcharges and other CIL enforcement action. CIL forms can be downloaded direct from the planning portal:

[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

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

## **9 DC/20/0272/AND - The Marina Customer Service Centre, Marina, Lowestoft**

The Committee received report **ES/0332** of the Head of Planning and Coastal Management, which related to planning application DC/20/0272/AND.

The application sought advertisement consent for the installation of new East Suffolk Council logo signage at a high level to the existing Marina building.

The application was before the Committee as the applicant was East Suffolk Council, and the land to which the application related was owned by the Council.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer. The site's location was outlined, and an aerial photograph of the site was displayed.

Photographs of the site were displayed, and it was outlined to the Committee where the signage would be installed.

The existing and proposed elevations were provided.

The key issues were summarised as public safety, amenity, and visual impact.

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

The Chairman invited questions to the officers.

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

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

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

### **RESOLVED**

That planning permission be **APPROVED** with standard advertisement conditions as below and the following conditions:

1. This consent shall be for a period of five years.

*Reason: As required by the Town and Country (Control of Advertisement) Regulations in force at this time.*

2. All advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

*Reason: As required by the Town and Country (Control of Advertisement) Regulations in force at this time.*

3. Any hoarding or similar structure, or any sign, placard, board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the Local Planning Authority.

*Reason: as required by the Town and Country (Control of Advertisements) Regulations in force at this time.*

4. Where any advertisement is required under these Regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority.

*Reason: As required by the Town and Country (Control of Advertisement) Regulations in force at this time.*

5. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign or so as otherwise to render hazardous the use of any highway.

*Reason: In the interests of road safety and the amenities of the area.*

Informatives:

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

The meeting concluded at 4:17 pm

.....  
Chairman

## Committee Report

**Planning Committee** – 10 March 2020

**Application no** DC/19/1141/OUT

**Location**

Land To The West Of Copperwheat  
Avenue  
Reydon  
IP18 6YD

**Expiry date** 24 June 2019

**Application type** Outline Application

**Applicant** WM. Denny & Son Limited and Chartwell Industries

**Parish** Reydon

**Proposal** Outline Application - Development of up to 220 dwellings with associated open space

**Case Officer** Joe Blackmore, Development Management Team Leader (North Area)  
01394 444 733  
[Joe.Blackmore@eastsoffolk.gov.uk](mailto:Joe.Blackmore@eastsoffolk.gov.uk)

### 1. Summary

- 1.1 This application seeks outline planning permission for the development of up to 220 dwellings with associated open space. Details of access have been submitted for approval whilst appearance, landscaping, layout and scale are reserved matters for future determination.
- 1.2 East Suffolk Council (Waveney) Local Plan Policy WLP6.1 allocates 9.8 hectares of land west of Copperwheat Avenue, Reydon for the residential development of approximately 220 dwellings. The application site extends farther west to 12 hectares in total but includes the entirety of the allocated land.
- 1.3 Given the scale of the development proposal and the site area extending beyond the allocation, the application has been brought direct to committee for determination.
- 1.4 The extended site area beyond the allocated land is a departure from the Local Plan, but one that would ultimately facilitate a more integrated and higher quality residential development

in terms of, among other things, connectivity with the Public Right of Way network; provision of green infrastructure; provision of sustainable drainage features; and the overall low density of development.

- 1.5 The proposal would deliver substantial public benefits that far outweigh any harms arising. The quantum of development, at up to 220 dwellings, accords with the plan-led approach to deliver sustainable housing growth in the Reydon and Southwold area. The proposal is thus in accordance with the Local Plan and NPPF, when taken as a whole.
- 1.6 Officers are seeking authority to approve the application with conditions, subject to the completion of a Section 106 legal agreement to secure the necessary obligations.

## **2. Site description**

- 2.1 Reydon is a village and civil parish one mile northwest of Southwold, approximately two miles east of the A12 road. The village falls wholly within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB). The majority of built development in the village took place in the 19th and 20th centuries.
- 2.2 The application site is located on the western edge of Reydon, between Keens Lane to the south-west and Copperwheat Avenue to the north east. The site is on the gently sloping farmland that extends up from the Wang and Blyth Valley to meet the slightly elevated plateau to the west of Reydon. It is a relatively open, arable farmland landscape with a network of large fields that are enclosed by intact hedgerows and hedgerow trees.
- 2.3 The land proposed for development comprises an irregular shaped agricultural field covering some 12 hectares, located adjacent existing residential developments at Copperwheat Avenue and The Crescents. The site is bounded by sports pitches and recreation fields to the north; residential properties to the north-east, east and south; and open countryside to the west. The site is partially enclosed by hedgerows and hedgerow trees.
- 2.4 There are public rights of way (PRoW) along the western and southern boundaries of the site, between the A1095 (Halesworth Road) and the B1126 (Wangford Road) to the west; and between Keens Lane and the B1126 (Wangford Road) to the south.
- 2.5 The B1126 is located approximately 100m east and north-east of the eastern boundary of the site, providing the main route southbound towards Southwold and extending northwards to the A12 at Wangford. Approximately two miles to the north-west of the site, off Copperwheat Avenue, is the B1126/A12 junction which forms a multi-give-way gap arrangement on the dual carriageway A12. This junction effectively forms a main gateway junction for Reydon and Wangford for strategic trips to/from the north.
- 2.6 The site does not include any designated or non-designated built heritage assets. However, the Grade II listed Gorse Lodge Farmhouse lies directly to the west of the site; and the Grade II\* listed Church of St Margaret lies to the north of the site, along Wangford Road.

### 3. Proposal

- 3.1 The application seeks planning permission for the development of up to 220 dwellings with associated open space.
- 3.2 This application is made in outline with some matters reserved. Approval is sought for details of 'Access', whilst 'Appearance', 'Landscaping', 'Layout' and 'Scale' (hereafter referred to as the "Reserved Matters") are not to be determined as part of this application. Should outline planning permission be granted, these matters would be subject of further application(s) for approval of reserved matters before development could proceed.
- 3.3 In terms of access, the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) defines access, as:
- "the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where "site" means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made".*
- 3.4 Thus, this application provides details of access in accordance with the above and is supported by a Transport Statement and Travel Plan that have been reviewed by the County Council Local Highways Authority in their role as statutory consultee.
- 3.5 Whilst this is an outline application with all matters (save for access) reserved for future determination, officers are mindful that the principle of development is largely established through the site allocation policy (WLP6.1). The site also falls within the AONB and extends beyond the allocated land area. On that basis, officers have worked extensively with the applicant's agent to establish development parameters and principles of design to fix certain aspects to guide any future reserved matters applications, should outline permission be granted. Therefore, three key parameter plans have been submitted for approval:
- Movement and Access Parameter Plan
  - Massing and Scale Parameter Plan
  - Land Use and Green Infrastructure Plan
- 3.6 The Movement and Access Plan presents the primary vehicular and pedestrian access points via Copperwheat Avenue to the north and The Crescents to the east and associated route around the site as a designated parameter framework.
- 3.7 The proposed land use and green infrastructure parameter plan represents those areas of residential development; formal recreation/local equipped play area; drainage infrastructure; and accessible natural green space.
- 3.8 The proposed scale parameter plan fixes scale in different areas of the site in terms of low scale; medium scale; and mixed scale.
- 3.9 The detail of these plans will be assessed in the relevant analysis of this report. In addition to the parameter plans, the updated and revised Design and Access Statement (DAS) reflects the revised layout, parameter plans and integral design guidance.

- 3.10 A key plan submitted for consideration is the Parameter Plan: Movement and Access (Nov 2019). This plan identifies the two primary vehicle and pedestrian access points: one from Copperwheat Avenue in the northeast; and the second from The Crescents, to the east. This plan also demonstrates a new pedestrian access point on the southern boundary of the site, from the public right of way that runs west-to-east between Keens Lane and Wangford Road.
- 3.11 Although not fixed precisely at this stage, the parameter plan also indicates some potential additional pedestrian connections: a second connection on the southern boundary; one on the northern boundary between the site and the existing play area to the north; and three connections with the existing public right of way on the western site edge.
- 3.12 In terms of internal connectivity, final layout is a reserved matter so the precise, detailed internal routes and estate roads cannot be considered at this stage. However, the primary, central vehicular route through the site, connecting the two main points of vehicular access is detailed in the parameter plan and that will form the main spine route that any reserved matters layout has to be organised around.

#### **4. Consultations/comments**

- 4.1 In response to publication/consultation, 18 letters of objection to the application have been received that raise the following key considerations (inter alia):
- Contrary to policy WLP6.1, the relevant strategic site allocation in the recently adopted Local Plan.
  - It represents a further incursion into open countryside outside the Reydon settlement limits.
  - It represents further damage to the AONB.
  - It ignores the recommendations contained in the Settlement Fringe Landscape Sensitivity Study which was part of the evidence base commissioned by WDC for the new Local Plan.
  - This site is in an area of outstanding natural beauty. This designation should be respected; the land should not be built on but put to good use as farmland.
  - Additional footpaths linking into the existing pathway will give further opportunities for inconsiderate noise and anti-social behaviour that has already occurred in the area.
  - Additional traffic as a result of this proposal will just exacerbate the situation of an inadequate road infrastructure.
  - Proposal represents an overdevelopment in the size of the village.
  - Second access point will increase traffic on The Crescents.
  - Our infrastructure is already at capacity as is our sewerage system which has problems already.
  - Wildlife habitat will be destroyed.
  - The proposal will lead to lots of second homes.
  - Surface water attenuation area is adjacent existing residential properties.
  - There is not a local need for this amount of housing.
  - The proposal would see the loss of productive agricultural land.
  - Concerned over safety of Keens Lane for pedestrians given increases in traffic and usage of that route.

**Consultees**  
**Reydon Parish Council**

Consultee	Date consulted	Date reply received
Reydon Parish Council	4 April 2019	2 May 2019

*“Reydon Parish Council has carefully considered the Application for Outline Planning Permission for 220 houses on the land west of Copperwheat Avenue and wishes the following issues to be taken into account in any discussions with the applicant and in conditions to be imposed as part of any permission that the Council sees fit to grant.*

*1. We recognise that the proposal is consistent with the newly adopted Local Plan for Waveney. Nonetheless, we must also reiterate the widespread concern of our residents that this development is too big, especially given the fact that it will require a major loss of AONB land. It certainly represents a major expansion of our village (double the growth seen in the last ten years) and as a Parish Council we see this as at the absolute limit of what can be accepted and sustained by our community. Underpinning this view is a concern about employment for the new residents. Some people may move here as they already work in Southwold or Reydon (but many of these will find the market housing out of reach, given the modest income from most local employment). However, most of the new residents will work elsewhere and will be forced to commute by car given the limited public transport options (see points 4,5 and 6 below).*

*2. That said, we welcome both the low density of this development and the real care that has been given to integrating the development into the countryside, using a range of local and Suffolk vernacular materials and design features, such as the weatherboarded housing closest to the countryside and the large landscaped areas around and within the development. These measures are consistent with the aims and policies in our emerging Neighbourhood Plan which we hope will be able to influence the detailed proposals which will be presented when a full application is submitted.*

*3. The application, very fairly, documents the considerable range of concerns raised by residents in the community consultation. However, these have only been responded to in some areas. As stated above, many residents remain highly concerned about the size of this development and, whilst we recognise that the new Local Plan has determined this issue, it is extremely important to our residents that their other concerns are addressed as fully as possible. We ask that Planning Officers review these concerns and work with the applicant to address them as appropriate.*

*4. A major issue, highlighted in the consultation, that needs to be explored further is the traffic impact. Residents are concerned about this, especially access to and from Wangford Road. However, apart from traffic calming within the proposed development and improvements to the*

*A12 junction at Wangford, there is nothing in the proposals to address these concerns. In addition to the proposed pedestrian crossing by Jermyns Rd, we believe traffic calming measures are needed at the access points, possibly in the form of mini roundabouts.*

5. We applaud the stated aims of plans for walking and cycling access to the development and the promotion of these modes of travel to reduce car use. However, the measures to achieve this are largely within the site but they will only work if measures around the village extend these into really useable and attractive routes. There is talk of a cycle route along the Wangford Road, for example, but this does not exist and it is unclear what or how this is proposed (if, indeed it is). If such a cycle route is feasible, it should be a condition of the outline approval and, depending on how it is achieved, could also help with the need for traffic calming measures (point 4).

6. In terms of access to the development, the application also refers to the bus services which pass along the Wangford Road. Recent experience with considerable reductions in the service linking Reydon with the rail service at Halesworth confirms that all our local bus services are at risk and may change or cease abruptly. This reinforces the need to make walking and cycling genuinely safe and easy options for local travel (around the village and to Southwold) and to ensure car traffic is well managed, with safe access to and from the development and speed reduction measures along the Wangford Road.

7. The housing mix is improved from the pre-application proposals and this is a welcome response to what was said by residents, particularly the addition of bungalows. However, there remain a significant number of four bedroom, mainly market, houses. These are likely to be out of the price range of those living or working locally and do not reflect the need identified in our emerging Neighbourhood Plan for a predominance of smaller 2-3 bedroom dwellings.

8. We welcome the extensive proposals for landscaping and provision of open spaces and trees and hedgerows within and around the development. In order to ensure that the screening edges of the proposal are effective at the start of occupation, we believe that the edge planting should be carried out prior to the beginning of construction and that this should be a condition of approval. In relation to play spaces, we agree that two should be provided. However, the one to the north of the development is very close to the existing play area off Barn Close. We believe it would be better to extend this into the development and refurbish it rather than create a second separate play area.

We ask that these considerations are taken into account and reflected in the conditions of approval of this application.

Consultee	Date consulted	Date reply received
Reydon Parish Council	12 December 2019	No response
Summary of comments: See response dated 02 May 2019.		

Consultee	Date consulted	Date reply received
Reydon Parish Council	12 December 2019	21 February 2020
Summary of comments:		

DC/19/1141/OUT - 220 homes on land west of Copperwheat Avenue.

Reydon PC would like this application to be determined by the Planning Committee and not by delegated powers as they are very concerned that these new dwellings should only be sold as principal residences, the number of second homes has grown dramatically recently and is already threatening the viability of the community.

There is also inadequate provision in the plans for walkers and cyclists.

Reydon's Neighbourhood Plan, which has reached Regulation 16 stage, includes Policy RNP - Principle residence requirement and Policy RNP 9 asks that all developments should include provision for safe walking and cycling which contribute to improved access to key areas in the village.

Cllr O'Hear would like to attend the Planning Committee meeting to speak on RPC's behalf and, if possible, meet with the case officer ahead of the Planning Committee meeting in March to discuss these issues.

### Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	4 April 2019	15 April 2019

Summary of comments:  
Holding objection for further information.

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	4 April 2019	12 April 2019

Summary of comments:  
Holding objection; Geophysical survey of site required to inform response.

Consultee	Date consulted	Date reply received
SCC Flooding Authority	4 April 2019	17 April 2019

Summary of comments:  
Holding objection for further information.

Consultee	Date consulted	Date reply received
Suffolk County - Rights Of Way	4 April 2019	No response

Summary of comments:  
No comments received.

Consultee	Date consulted	Date reply received
Suffolk County - Minerals And Waste	4 April 2019	23 April 2019
Summary of comments: No objections; condition recommended.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	4 April 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Natural England	4 April 2019	30 July 2019
Summary of comments: Undertake an HRA - Stage 2: Appropriate Assessment and re-consult Natural England on package of mitigation including Suffolk RAMS contribution.		

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	12 December 2019	23 December 2019
Summary of comments: No objections; recommended conditions to follow.		
<u>Revised comments received 24 February 2020 in respect of public rights of way matters:</u>		
<i>“Further to my response dated 24/01/2020, the following amendments to the Public Rights of Way (PROW) element of the response are required:</i>		
<i>The previous SCC PROW comments/ S106 requirements (shown overleaf for reference) should be replaced by the following recommended conditions:</i>		
<i>Condition: No part of the development shall be commenced until details of improvements (including widening of the useable width and surfacing) to Footpath 2 within the site have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety prior to occupation.</i>		
<i>Reason: To ensure that the necessary improvements are designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of sustainable travel and recreational benefit.</i>		

*Condition: No dwelling shall be occupied until Footpath 2 within the site has been converted to a public bridleway.*

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

*A extract of a plan showing Footpath 2 is shown overleaf (ref: E-445/002/0 on plan)."*

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	12 December 2019	12 December 2019
Summary of comments: No objections; conditions recommended.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	12 December 2019	23 December 2019
Summary of comments: Recommend approval.		

Consultee	Date consulted	Date reply received
Suffolk County - Rights Of Way	12 December 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Suffolk County - Minerals And Waste	12 December 2019	No response
Summary of comments: See comments dated 23 April 2019.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	12 December 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Natural England	12 December 2019	No response
Summary of comments: See comments dated 30 July 2019.		

Consultee	Date consulted	Date reply received
Historic England	12 December 2019	16 December 2019
Summary of comments: No comments to make on the application.		

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	13 September 2019	13 September 2019
Summary of comments: No objections, conditions recommended.		

#### **Non statutory consultees**

Consultee	Date consulted	Date reply received
Suffolk Coasts and Heaths Project	4 April 2019	12 April 2019
Summary of comments: No comments beyond those made as part of the Local Plan examination process.		

Consultee	Date consulted	Date reply received
Mr Nick Newton	4 April 2019	2 January 2020
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	4 April 2019	14 January 2020
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
WDC Environmental Health - Contaminated Land	4 April 2019	16 April 2019
Summary of comments: No objections; conditions recommended.		

Consultee	Date consulted	Date reply received
Planning Policy (Internal)	4 April 2019	3 May 2019
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
WDC - Drainage And Coast Protection	4 April 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	4 April 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Police - Alan Keely Crime Reduction Beccles Police Station	4 April 2019	9 April 2019
Summary of comments: No objections. Development seems to include a lot of good measures. Further advice given for detailed design.		

Consultee	Date consulted	Date reply received
Suffolk County Council Section 106 Officer	4 April 2019	23 April 2019
Summary of comments: No objections; conditions, obligations and CIL contributions advice given.		

Consultee	Date consulted	Date reply received
Disability Forum	4 April 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	4 April 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
WDC - Housing	4 April 2019	20 May 2019
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	9 April 2019	9 April 2019
Summary of comments: No objections; advice given.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology (Internal)	13 May 2019	5 June 2019
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
Suffolk Coasts And Heaths Project	12 December 2019	No response
Summary of comments: See comments dated 28 August 2019.		

Consultee	Date consulted	Date reply received
Landscape Team (Internal)	12 December 2019	No response

Summary of comments:  
Internal response, see report.

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	12 December 2019	No response

Summary of comments:  
Internal response, see report.

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	12 December 2019	17 December 2019

Summary of comments:  
Refer to previous comments.

Consultee	Date consulted	Date reply received
Planning Policy (Internal)	12 December 2019	No response

Summary of comments:  
Internal response, see report.

Consultee	Date consulted	Date reply received
WDC - Drainage And Coast Protection	12 December 2019	No response

Summary of comments:  
No comments received.

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	12 December 2019	No response

Summary of comments:  
No comments received.

Consultee	Date consulted	Date reply received
Police - Alan Keely Crime Reduction Beccles Police Station	12 December 2019	No response

Summary of comments:  
See response dated 09 April 2019.

Consultee	Date consulted	Date reply received
Suffolk County Council Section 106 Officer	12 December 2019	16 December 2019
Summary of comments: No objections; conditions, obligations and CIL contributions advice given.		

Consultee	Date consulted	Date reply received
Disability Forum	12 December 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	12 December 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Housing Development Team (Internal)	12 December 2019	No response
Summary of comments: Internal response, see report.		

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	12 December 2019	No response
Summary of comments: See response dated 09 April 2019.		

Consultee	Date consulted	Date reply received
Southwold And Reydon Society	12 December 2019	No response
Summary of comments: See comments received 28.10.2019.		

Consultee	Date consulted	Date reply received
Southwold And Reydon Society	28 October 2019	28 October 2019

Summary of comments:

Object to the application, primarily due to site area going beyond allocation policy WLP6.1.

See full response on public access page.

## 5. Publicity

The application has been the subject of the following press advertisement:

<b>Category</b>	<b>Published</b>	<b>Expiry</b>	<b>Publication</b>
Major Application	12 April 2019	8 May 2019	Beccles and Bungay Journal

<b>Category</b>	<b>Published</b>	<b>Expiry</b>	<b>Publication</b>
Public Right of Way Affected	12 April 2019	8 May 2019	Lowestoft Journal

## Site notices

General Site Notice

Reason for site notice: Major Application; Contrary to Development Plan; Affects Setting of Listed Building; In the Vicinity of Public Right of Way  
Date posted: 18 April 2019  
Expiry date: 14 May 2019

## 6. Planning policy

National Planning Policy Framework (2019)

WLP1.1 - Scale and Location of Growth (East Suffolk Council - Waveney Local Plan (March 2019))

WLP1.2 - Settlement Boundaries (East Suffolk Council - Waveney Local Plan (March 2019))

WLP6.1 - Land West of Copperwheat Avenue, Reydon (East Suffolk Council - Waveney Local Plan (March 2019))

WLP8.1 - Housing Mix (East Suffolk Council - Waveney Local Plan (March 2019))

WLP8.2 - Affordable Housing (East Suffolk Council - Waveney Local Plan (March 2019))

WLP8.3 - Self Build and Custom Build (East Suffolk Council - Waveney Local Plan (March 2019))

WLP8.21 - Sustainable Transport (East Suffolk Council - Waveney Local Plan (March 2019))

WLP8.24 - Flood Risk (East Suffolk Council - Waveney Local Plan (March 2019))

- WLP8.26 - Relocation and Replacement of Development Affected by Coastal Erosion (East Suffolk Council - Waveney Local Plan (March 2019))
- WLP8.28 - Sustainable Construction (East Suffolk Council - Waveney Local Plan (March 2019))
- WLP8.29 - Design (East Suffolk Council - Waveney Local Plan (March 2019))
- WLP8.30 - Design of Open Spaces (East Suffolk Council - Waveney Local Plan (March 2019))
- WLP8.31 - Lifetime Design (East Suffolk Council - Waveney Local Plan (March 2019))
- WLP8.32 - Housing Density and Design (East Suffolk Council - Waveney Local Plan (March 2019))
- WLP8.34 - Biodiversity and Geodiversity (East Suffolk Council - Waveney Local Plan (March 2019))
- WLP8.35 - Landscape Character (East Suffolk Council - Waveney Local Plan (March 2019))
- WLP8.37 - Historic Environment (East Suffolk Council - Waveney Local Plan (March 2019))
- WLP8.40 - Archaeology (East Suffolk Council - Waveney Local Plan (March 2019))

## **7. Planning considerations**

### Planning Policy Background

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, determination must be made in accordance with the plan unless material considerations indicate otherwise. The relevant planning policies are set out in section six of this report.
- 7.2 The Reydon Neighbourhood Plan (RNP) is currently in Final (Submission) Draft and, at the time of writing this report, yet to be subject to public consultation through regulation 16 stage. Thus, the RNP is at a very early stage in the plan-making process. The policies in the RNP are potentially subject to modification as a result of public consultation and later examination process; therefore, very little weight can be given to the RNP at this stage. Where particularly relevant, emerging policies of the RNP will be considered in this report.

### Principle of Development

- 7.3 The Local Plan was adopted in March 2019 and sets the Council's development vision for the period up to 2036. The spatial strategy (policies WLP1.1 and WLP1.2) identifies the amount of growth to be delivered over the plan period and where that growth should be. New housing, in particular, should be delivered in sustainable locations. As part of that spatial strategy, the Southwold and Reydon area is expected to deliver approximately 4% of housing growth in the Waveney Local Plan area. The main policy to deliver that housing growth is

WLP6.1 (Land West of Copperwheat Avenue, Reydon) which allocates 9.8 hectares of land for a residential development of approximately 220 dwellings.

- 7.4 The application site includes the 9.8 hectares of allocated land under policy WLP6.1; thus, the principle of residential development on that allocated land is set by the adopted Local Plan which has been through the scrutiny of examination and found to be sound. Of note is that the proposed application site extends to some 12 hectares, going beyond the allocated area by some 2.2 hectares - to include the strip of land running between the allocated land in the east and the existing field boundary and public right of way (PRoW) to the west. The inclusion of that additional land beyond the allocation means that, technically, the proposal is not strictly in accordance with the Local Plan spatial strategy and policy WLP6.1 - and therefore has been advertised as a Departure from the Local Plan.
- 7.5 The first point to make is that the proposed quantum of development accords with the policy WLP6.1 objective to deliver a residential development of approximately 220 dwellings. In that sense, the departure from the policy is in terms of the site area, rather than the quantum of development. A criterion of WLP6.1 is also to achieve a lower density of development (approximately 25 dwellings per hectare) which would be more achievable on the proposed, larger application site when compared to the allocated land.
- 7.6 In terms of the acceptability of developing land farther west than the allocated land, that largely comes down to detailed assessment of a number of factors to be addressed within this report. However, the starting point is that officers consider the proposal, in principle, meets the broader objectives of the Local Plan spatial strategy and policy WLP6.1 to deliver a residential development of approximately 220 dwellings in Reydon, on land west of Copperwheat Avenue. It is acknowledged though that the 12 hectare site area goes beyond the 9.8 hectares of allocated land and that represents a policy conflict that will need to be weighed in the balance by the decision-taker.

#### Highways Safety and Sustainable Transport

- 7.7 Policy WLP8.21 promotes sustainable transport in accordance with the NPPF, which sets out (inter alia) that:

Paragraph 108 - *“it should be ensured that... (b) safe and suitable access to the site can be achieved for all users”*; and

Paragraph 109 - *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

- 7.8 Site Allocation policy WLP6.1 provides site specific criteria in relation to transport and highways matters:

- “A Transport Assessment and Travel Plan should be submitted with any planning application.
- Development will include improvements to The Crescents as well as a pedestrian crossing of Wangford Road to be defined through a Transport Assessment.”

- 7.9 A Transport Assessment and Travel Plan (both revised during the course of the application) have been submitted and reviewed by the County Council Highways Authority (SCC Highways) in their role as a statutory consultee. SCC Highways are satisfied with the proposals and recommend any planning permission granted is subject to their suggested conditions and obligations.
- 7.10 The proposal incorporates two points of vehicular access: an extension of Copperwheat Avenue southwards into the area proposed for residential development; and on the eastern boundary, an access from The Crescents. These two vehicular accesses would include footway provision for pedestrian access to-and-from the site, connecting with existing footways. As part of the footway works, improved pram crossings would be undertaken on the junction bellmouth at Farmland Close (off Copperwheat Avenue); and also, on both sides of The Crescents.
- 7.11 The proposals as originally submitted indicated that the access from Copperwheat Avenue would be the primary access (serving approximately 2/3rds of the development) whilst the access from The Crescents would be a secondary access for the remaining 1/3<sup>rd</sup>. This traffic distribution would have been difficult to control at outline stage but, in any event, the result of that indicative proposal was to, in effect, sever the southern third of the site from the northern two-thirds. Officers considered this poor design that would prevent an integrated and cohesive site layout. The updated parameter plan (movement and access) establishes a primary vehicle route through the site connecting the two access points which will allow for a more equally distributed pattern flow between the two access points. The Highways Authority are satisfied with this approach and officers consider that the result is a better distribution of traffic and it will lead to a more integrated layout. By implementing two access points the issue of emergency access is also resolved ensuring there should always be a point of access to the site available.
- 7.12 In addition to points of vehicular and pedestrian access to the site, the proposal also includes details of a new pedestrian crossing on Wangford Road immediately to the north of the Jermyns Road/Wangford Road junction which will form the main route to/from the primary school and the site. This would be in the form of a zebra crossing. New road markings (denoting 'SLOW') would be undertaken on the highway to the south side of the zebra crossing and farther north on Wangford Road. Footway widening (to 1.8m) is also proposed between The Crescents and Jermyns Road, on the west side of Wangford Road.
- 7.13 A system of shuttle working is also proposed on the local section of Wangford Road to attenuate traffic speeds. This is a system that restricts the movement of the traffic to alternate one-way operation along the road in order to reduce traffic speeds.
- 7.14 The off-site highway works proposed would need to be secured by planning condition and the applicant entering into a Section 278 agreement with the Highways Authority to undertake the works.
- 7.15 The Transport Statement also assesses the potential trip demands arising from the proposed development and, on account of its proximity to the site, also assesses the likely operational performance of the B1126 Wangford Road/A1095 Halesworth Road junction against existing 2018 background traffic flows. Additionally, the potential traffic impact of the proposals on the B1126/A12 junction is also considered.

7.16 In terms of impact on the wider highway network, the Transport Statement concludes (paragraph 5.16):

*“The PICADY traffic modelling undertaken herein demonstrates the B1126 Wangford Road/A1095 Halesworth Road junction and B1126/A12 crossroads will provide ample capacity, and even under full development loadings at future year assessment 2023 no arm of each junction is shown to be operating above 50% of theoretical capacity. The additional levels of demand arising from the proposed scheme show that the free-flow of traffic at these junctions will not be significantly compromised. While it is noted that there may be alternative methods for the distribution of development-generated traffic onto the network, in reality traffic capacity is not a significant issue in this case.”*

7.17 Officers are satisfied that the local highway network is capable of absorbing the traffic generation from this proposal. At the points where Copperwheat Avenue and The Crescents feed onto Wangford Road, the visibility in both directions is acceptable and suitable to serve the increased traffic flows arising from the development proposal.

7.18 Whilst the detailed assessment of the traffic generation indicates the highway network can accommodate the proposed development, it would still generate a significant number of additional vehicle movements in the area. There are identified accident cluster sites to the north and south of the site. The A12/B1126 Wangford junction is among the most significant junction cluster sites in the county with 10 recorded injury accidents in the last 5 years. Furthermore, development traffic heading south would use the A1095 and its junction with the A12. In the last 5 years there have been 5 recorded injury accidents at the A12/A1095 junction and 15 recorded injury accidents on the A1095 (which would be considered a linear cluster site). Subsequently, in order to make the development acceptable, a Section 106 financial contribution is required to help mitigate the impact of the development on the above cluster sites. A contribution of £250 per dwelling (£55,000) is required by the Highway Authority to contribute towards Road Safety Engineering schemes at the above locations. The applicant has agreed to this financial contribution to mitigate impacts arising directly from the development.

7.19 In addition to the main points of vehicle and pedestrian access detailed in full and described above, the site offers the opportunity to provide multiple points of pedestrian connectivity with the existing public right of way network.

7.20 PRoW number 1 (E-445/001/0) runs north-south along the western edge of the site. PRoW number 2 (E-445/002/0) runs west-east along the southern edge of the site, and within the site for a considerable stretch. The Movement and Access parameter plan indicates the potential for four points of pedestrian access to these PRoW's. The precise location of those pedestrian access points and the manner in which they will be designed and integrated into the layout would need to be secured by planning condition and through the submission of reserved matters applications. However, the potential for the site to provide those pedestrian connections is an important part of the masterplan principles for the site and creating an integrated layout that promotes walking and cycling.

7.21 Part of the initial recommendation made by the County Council Highways Authority and Rights of Way Team was planning obligations to secure a developer contribution to fund upgrade works to PRoW No.1 on the western boundary to make this route a bridleway that

would provide a legal cycle route for residents to access the church to the north, and Halesworth Road to the south. Officers accepted that recommendation but the County Council advised, prior to the January committee meeting, that the upgrades to the PRoW would not actually be deliverable due to (previously unknown) issues around third party land ownership; the legal width of the PRoW adjacent Laurel Farm; and the need for an access creation agreement to enable upgrades to the southern extent of the PRoW (Keens Lane). Since those revised comments were received, officers have liaised with the County Council in order to understand the revised position in terms of public rights of way matters. The agreed position, reflected in the County Council Highways Authority comments (received 24 February 2020), is that any improvement and upgrades should focus on PRoW number 2, to the south. This PRoW runs through the southern part of the application site and is therefore in the applicant's control. The legal width of this PRoW is more than sufficient to allow for extensive widening and surface upgrades to make this route suitable for future adoption as a bridleway and therefore for use as a cycle route. As existing, this route is heavily overgrown and narrow, limiting two-way pedestrian traffic along it. This is an important route enabling access to Wangford Road and the local services nearby; therefore, officers consider that upgrades to this route are desirable and will improve the connectivity of the site. Whilst upgrades to PRoW number 1 on the west would also be of benefit, following further consultation with the County Council, officers are of the view that such works are not deliverable. However, the proposal will still provide for multiple pedestrian connections to that western PRoW which will enable excellent connectivity with the existing right of way network.

7.22 Based on the revised County Council position, and for the reasons set out above, officers recommend planning conditions be applied to any permission in order to secure upgrades to the southern PRoW within the site.

7.23 To the northeast corner of the site, there is potential for a new pedestrian connection from the development into the existing play area at Barn Close. This would need to be secured and delivered through condition and reserved matters applications as a further means of integrating the development into the existing built context.

7.24 Reydon benefits from a number of services and facilities that are proximate to the application site with approximate travel distances from Copperwheat Avenue presented in the list below:

- Bus Stop (approx. 130m to the North)
- Day Nursery (approx. 400m to the South East)
- Primary School (approx. 400m to the South East)
- Reydon Pharmacy (approx. 500m to the South)
- Recreation Ground (approx. 550m to the East)
- Reydon Village Store (approx. 600m to the East)
- Village Hall (approx. 0.7 miles to the South East)
- Londis (approx. 0.8 miles to the South East)

7.25 Local services, facilities and public transport options are within readily achievable walking and cycling distance of the site. The towns of Southwold and Lowestoft are accessible from the site via public transport.

7.26 The nearest bus stop to the site is located on Wangford Road, some 30m from Copperwheat Avenue. From there Southwold Town Council Southwold Shuttle service provide a service between Southwold – Reydon - Southwold for journeys hourly with two time changes

throughout the day. The approximate journey time from the site to Southwold, Kings Head via bus is 15 minutes.

- 7.27 The nearest major bus stop to the site is located on Green Lane approximately 200m north from Copperwheat Avenue. From there Border Bus service 146 provides a service between Southwold – Pakefield – Beccles – Norwich hourly, with an increased service at every half hour between 09:05 and 11:35.
- 7.28 The existing road network and points of site access are not compatible with facilitating bus access directly into the application site. Therefore, the approach with this proposal is to promote use of these two existing bus stops. Part of that strategy is improvements to the footway through to Wangford Road by the junction with Jermyns Road, as set out earlier in this section. However, a second part of the strategy is to secure a developer contribution to fund improvements to these two bus stops. The applicant has agreed to this which will need to be secured by S106 agreement.
- 7.29 The application also includes a Travel Plan that has two key objectives:
- Positively and effectively encourage the use of more sustainable and healthy travel modes such as walking, cycling and public transport by future residents of the scheme;
  - Minimise the use of travel modes that have the highest environmental and traffic impact, such as single-occupancy trips by fossil-fuel motor vehicles, especially where other alternatives are available.
- 7.30 The Travel Plan includes a number of measures to promote sustainable modes of transport and, to ensure that those measures are implemented, an index linked Travel Plan Contribution, payable to Suffolk County Council, needs to be secured through a Section 106 Agreement. This will ensure the Travel plan is implemented in accordance with the Suffolk County Council Travel Plan Guidance closer to the time the site will be occupied.

#### Conclusions on Highways Matters and Sustainable Transport

- 7.31 The application site is well-related to the existing settlement and the facilities therein that are accessible by walking and cycling. The proposal includes a number of off-site highway works, and improvement to the southern PRoW that will not only offset the impacts of the development, but also deliver improvements that will benefit both existing and new residents. The proposed site will integrate well into the existing footway and PRoW network, and the travel plan measures to be implemented will promote sustainable modes of transport.
- 7.32 The means of vehicle and pedestrian access to-and-from the site, detailed in this application, are acceptable to officers and the County Highways Authority. Officers therefore consider that the development proposal meets the sustainable transport objectives of the NPPF and Local Plan policies WLP6.1 and WLP8.21.

#### Landscape and Visual Impact

- 7.33 The site falls wholly within the Suffolk Coasts and Heaths AONB, a designation that affords the highest level of landscape protection under UK planning law. Therefore, consideration of

likely impacts on landscape character and visual amenity are of prime importance. The majority of the site has been accepted for development under the Local Plan examination process. On that basis, it is now essential to understand whether the development proposals allow the described new residential area to be integrated into the local landscape without causing significant adverse harm. This is the key element for consideration.

7.34 An important consideration is the findings of the Great Yarmouth and Waveney Settlement Fringe Landscape Sensitivity Study. This concluded that the land to the north and west of Reydon overall has a Low Landscape Capacity to receive development based on its Low Landscape Sensitivity rating, but Very High Landscape Value because of its AONB and Heritage Coast status.

7.35 Low Landscape Sensitivity is defined as:

The landscape is assessed as having few distinctive features and characteristics that provide continuity/time depth, and typically has limited visibility due to apparent landforms and intermittent tree cover.

7.36 Low Landscape Capacity is defined thus:

The landscape is assessed as having high landscape sensitivity and high landscape value. Large or medium-scale new development is likely to erode the positive key features and characteristics of the landscape which are desirable to safeguard in line with relevant national/local planning policy objectives. Taking into account site-specific constraints, there may be potential to accommodate some small-scale development in specific locations within the landscape with lower landscape sensitivity, subject to appropriate siting, design and landscaping mitigation.

7.37 It should be understood that this development Capacity assessment is for a much more extensive area than just the site that is the subject of the current application, and also the subject site falls outside the Heritage Coast boundary.

7.38 Landscape features that are considered to contribute to landscape sensitivity include historic field boundaries, the historic field boundary pattern especially on the western edge of the setting area, and small wooded copses. The current application site is contained within the existing field boundaries and no trees or hedgerows are scheduled for removal. In other words, although the Landscape Sensitivity Study is acknowledged, it should be understood that the application site itself does not have the key sensitive landscape characteristics that are noted in the report, and where they exist around the margins, they are not at risk. The application notes the visually sensitive edge along its western margins, and this is accommodated in the proposed site layout and parameter plans with open space shown along this western sector, and no built residential development proposed that will prejudice the health of retained mature trees around the site edges.

7.39 The Waveney Local Plan Inspector recorded his findings on the inclusion of this site in the allocations plan as follows:

*"Although the site is an agricultural field it is surrounded on two and a half sides by existing residential development. Moreover, the topography of the area means that it would not appear as an obvious or strident protrusion of development into the surrounding countryside.*

*Bearing in mind the landscaping which is required by policy WLP6.1, I envisage that development of the site would be likely to cause only limited harm to the landscape and scenic beauty of the AONB."*

7.40 Policy WLP6.1 states (inter alia) that:

- Development should respect the character of the surrounding Area of Outstanding Natural Beauty. This includes planting trees and hedges to the west of the site and limiting the height of new dwellings to no more than two storeys.
- A landscaping scheme should be prepared to integrate the site within the landscape.
- Development should retain existing trees and hedgerows that line the edge of the site.

7.41 This proposal involves development of land to the west of the existing western settlement boundary of Reydon. As such the development site is bounded by the existing settlement edge to the east and also to the south, as well as partially to the north. Apart from the southern site boundary, these existing settlement edges sharply abut the open farmed landscape and present a somewhat visually harsh interface with the open landscape. The proposed development layout - enclosed as it is on two sides and partially on a third - makes proper reference to the sensitive western edge of its extent by including an undeveloped open space landscape corridor along its western boundary. This is not intended to be a solid barrier of vegetation and it will allow both views out for some of the residents of adjacent houses, as well as glimpsed views in from the surrounding landscape, but it will contain much of the visual impact of the new development from views to the west; views still from within the AONB. Planting will need to be typical of the local prevailing landscape character and will largely comprise native hedge and tree species to supplement the existing vegetation. Elsewhere within the development, a relatively low housing density will allow the inclusion of internal open green spaces (including a large central open green space) which will include tree planting which will further reduce the visual impact of the new housing. Views of St Margaret's Church are retained from the central open space which reinforces visual links with the surrounding landscape. It is also proposed that the eastern boundary be well planted with trees which, together with the SUDS drainage swale in the NE sector of the site, will help to break up the overall built up area of Reydon. A central East/West swale further breaks down the new built up area. The eventual success of these open spaces and their associated new planting will depend a lot on their respective planting details, but provided that these pay due regard to the prevailing surrounding landscape character, officers are satisfied that the overall landscape and visual impact of this proposal will not create any significant landscape or visual impacts on the surrounding sensitive landscape of the AONB. That said, it is duly acknowledged that the change from open farmland to residential development is a significant landscape impact in its own right, but that issue was given due consideration at the examination stage of the planning process, and the Local Plan Inspector did not raise any undue concerns in this regard.

7.42 In the event of planning permission being granted, any finalised development layout will need to pay due regard to the root zones of all surrounding mature trees that fringe the site and whose root zones extend into the site. Where this occurs, these root zones must be given full protection during the construction stages of the development, and full accordance should be given to the guidance contained in BS5837:2012 - Trees in Relation to Design, Demolition and Construction. Such matters will need to be confirmed at Reserved Matters stage, as will details of the landscape proposals.

7.43 For the reasons given, officers consider that the proposed development will not have any significant adverse landscape or visual impacts on the surrounding sensitive landscape of the AONB. The site area extending beyond the allocation is not considered to result in additional impact on the protected AONB landscape beyond development of only the allocated land. The land use and green infrastructure parameter plan establishes a 'green' western edge to the development - and one could argue that the western site edge aligning with the existing field boundary (and PRoW) represents a logical edge to the site that utilises a natural landscape feature, rather than artificially restricting the width of the site. For the reasons given, the proposal accords with the objectives of WLP8.35 (Landscape Character) and paragraph 172 of the NPPF, which gives great weight to the conservation and enhancement of landscape and scenic beauty in the Areas of Outstanding Natural Beauty.

### Design Considerations

7.44 Allocation policy WLP6.1 provides criteria on how development of the site should come forward. Policies WLP8.29, 8.30, 8.31 and 8.32 also provide broader design guidance.

7.45 NPPF Chapter 12 sets out how well-designed places can be achieved:

- Good design is a key aspect of sustainable development (para. 124);
- *"Planning decisions should ensure that developments:*
- *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."* (para. 127), and
- *"Planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development"* (para. 130).

7.46 This application is made with details of appearance, landscaping, layout and scale reserved for future determination. However, the Design and Access Statement (DAS) has been updated

since its original submission to reflect the revised layout and integral design guidance which has come about since officer engagement with the agent. The purpose of the revisions was to ensure that a more site-responsive layout reflecting contextual attributes was embedded in any consent by which to guide future development of the site and, specifically, any subsequent application to approve Reserved Matters. These attributes included views, edges, potential routes and broad character areas including open spaces.

- 7.47 In respect of the Design and Access Statement, officers can provide commentary on some of its individual, key sections:

#### Contextual assessment

- 7.48 This section of the DAS provides a well-considered overview of the site's surroundings at the north-western edge of Reydon. It includes a summary of the settlement's physical development over several centuries and illustrates how its form has arisen from the aggregation of three historic dispersed but co-located hamlets. These have merged over time and have been significantly extended in the second half of the twentieth century to form the present-day settlement. As such, therefore, the area lacks the attributes of other kinds of historic settlement in terms of a single village nucleus - the church, the green or the marketplace - or a planned form (some of which elsewhere originate in the 13th century, for example). It is fair to describe the settlement's typology as formed of historic hamlet clusters with infilled development between, providing distinct character areas. It is interesting but not at all unusual that the village has migrated away from its parish church (Reydon St Margaret's) which is now in a semi-isolated position to the north-west.
- 7.49 The DAS also provides a good overview of relevant and key attributes of the settlement including movement, facilities and open spaces. In respect of key facilities such as the school, health centre, village hall and shops, these are dispersed rather than nucleated, reflecting the true village pattern. They are all, however, eminently accessible from the application site on foot. The DAS also shows that the site is potentially well connected into the village through existing vehicular and pedestrian connections along the eastern and northern boundaries and via public footpaths to the western and southern boundaries.
- 7.50 Officers welcome that the DAS provides an analysis of what it calls the materiality of Reydon and includes reference to the AONB unit's colour guidance. The DAS identifies the dominant local building typologies and the broad variety of materials and colour palette associated with the local residential character. It is fair to say that what is characteristic in Reydon is the lack of a uniform architectural style, typology, colour or material choice. What is consistent, however, is scale - never more than two or two-and-a-half storeys - and semi-urban character. Reydon does not enjoy a traditional Suffolk village character and this reflects the majority of its development being 19th and 20th centuries.
- 7.51 The contextual analysis of the DAS could have benefited from greater depth including the identification of key views and characterisation of the site's edges. These aspects now contribute to the site layout but appeared to do so to a lesser degree at submission stage. However, the contextual analysis does demonstrate that the application site is an excellent choice for development in terms of its very good connectivity; its adjacency to matching residential uses; its close proximity to key facilities; its accessibility to attractive surrounding landscape of AONB quality; and its scale, by which officers mean that, although a large site relative to the settlement, it is not disproportionately large. The application site lacks

constraints in terms of integral features (trees or tree groups, ponds, historic structures etc) or significant topography and this means that external features (edge conditions and axial or vista views) should be used as organising elements in any layout.

- 7.52 The aerial sketch perspective on page 25 is an excellent illustration of the potential that this site has to offer an attractive, integrated and intelligent layout. Any final design, of course, may not look like this but, as an illustration of how this number of dwellings can be laid out in a site-responsive way, officers judge this to set an acceptably good standard for future guidance.

#### Place-Shaping Principles

- 7.53 The Place-Shaping Principles set out from page 26 form a coherent and clear narrative on the key influences and design derivations that are used to provide for a place-making layout. These include: treatment of the site's edges where they abut the countryside and existing built form; creation of new accessible open space and connections to it and through it to surrounding routes/spaces; views to St Margaret's church which form an organising axis to a key area of the layout; multiple access points to connect the layout outwards; and the facilitation of aspect and view within and without the site to create overlooked, attractive and safe spaces. Officers judge that these are all key contributors to a well-considered illustrative layout and have been correctly identified here and positively applied. Any subsequent layout submitted at reserved matters stage must apply the same degree of consideration to ensure officer support and its success.

#### Principles of Design

- 7.54 The elaborated design principles on page 36 are eminently supportable and should be made to form the basis of any future detailed design. They are somewhat generic in the sense that they could be applied to most kinds of layout but are, nonetheless, supportable for that.
- 7.55 The vehicular movement strategy that supports the related Parameter Plan (which is discussed below) is sound. The looped connection of the two separate and well-spaced site entrances will ensure a well distributed pattern of vehicles throughout the site and which itself is a key organising feature of the layout. It should also be an attractive route to use, possibly linking - as suggested here - the built areas with a large central open space. The other strategies described and illustrated in this section are useful in exemplifying and amplifying a selected design approach based on the preceding Design Principles. This is not necessarily the only way of designing development at this site, of course, but they do highlight key considerations and an acceptable approach.

#### Shaping the Character

- 7.56 In respect of the section on Shaping the Character (p48ff), officers consider that the criteria articulated here constitute specific and sound guidance on how a scheme can be detailed that responds to differing site conditions e.g. along the countryside edge; in the centre of the layout; where it abuts existing residential development.
- 7.57 The precedent/exemplar images are useful, and they are helpfully cited for future reference; and the illustration sketches provide a general impression of how a development may appear.

They probably do little other than illustrate that the development will maintain and extend the semi-urban character of Reydon but that is entirely appropriate.

- 7.58 Officers were heavily involved in articulating these headings and criteria and judge it important that they are embedded in any permission, such that they benchmark any future detailed application in respect of detailed design quality. The recommended conditions detail how that would be achieved to require reserved matters detail accords with these key elements of the DAS.

#### Parameter plans

- 7.59 The Movement and Access Parameter Plan identifies fixed access points for pedestrians and vehicles; the determining position of the vehicle route through the site that links the two existing access points north and east; suggested pedestrian access points; and rights of way. Officers judge that these parameters are correctly identified and are in suitable positions.
- 7.60 The Massing and Scale Parameter Plan identifies approximate site areas of development and their associated massing and scale. It fixes a key gradient of density (in effect) across the site such that it is densest close to existing built form along the eastern boundary; least so along the southern edge adjacent the existing low scale dwellings; and mixed scale everywhere else which can allow for very low density along the countryside edge and a rather higher density around the central green open space, for example (or not, subject to a future designer's preference). In this way, this plan builds in an important level of flexibility whilst fixing a scheme that will respect its neighbours in terms of massing and scale.
- 7.61 The Land Use and Green Infrastructure Plan fixes areas of built development and those reserved for green (and blue) infrastructure. To be clear, all of the allocated site (including the additional westernmost area included within this application) represents a development site. Whether the site is developed for housing and/or developed for green open space, it is development. Green open space as part of a housing development is not undeveloped land and it is not countryside either, in terms of use or character. Green open space should not be considered to be some kind of countryside buffer that gets transposed into useless swathes of green edge when really it should be spatially dispersed within and part of the built layout. That is why officers are satisfied that, through negotiation, the final parameter plans and design principles move away from that included at the time of submission and have significantly improved along the lines described above. One of those changes relates to the location of the equipped play area, which policy WLP6.1 promotes as being on the northern edge of the site and adjoining the existing play area at Barn Close, with a further (smaller) play area to the southern end of the site. Whilst in theory those policy objectives make some sense, in practice when considering illustrative layouts and associated parameter plans, it became clear that such locations of play space would not integrate well into a site layout. One of the requirements in the preamble to WLP6.1 is that the play space on the site should be *“designed and located so as to be overlooked by surrounding properties to provide natural surveillance and be well landscaped to create an attractive space”*. The parameter plan that fixes that main area of play space within a central location, enclosed by built residential development – and linked to the southern and western PRoW by green corridors – will ensure the play area is integrated into the layout; well surveilled; and easily accessible to both new and existing residents. Thus, whilst there is some conflict with WLP6.1 in terms of the location of the play space, it would exceed the minimum size requirements set down in the policy and meet all the other objectives of achieving high quality design. Officers are therefore satisfied

that the Land Use and Green Infrastructure Plan sets appropriate parameters for the site to guide detailed reserved matters proposals.

### Conclusions on Design

- 7.62 For the reasons given above, officers consider that the parameter plans, in addition to the design principles within the DAS, demonstrate that the site can be developed in a way that will deliver a high-quality residential development in accordance with WLP6.1 and the design objectives of the Local Plan and NPPF. For an outline application, officers consider that an appropriate balance has been struck between providing comfort to the decision-taker that a high-quality design will be delivered, whilst at the same time not stifling designer creativity at reserved matters stage. The effort that has been made to fix certain elements of the design approach to guide reserved matters applications also should provide assurance that the site area extending farther west, beyond the allocation, is not just acceptable - but actually allows for any final development design to better integrate into its built and landscape context.

### Heritage Considerations

- 7.63 The Planning (Listed Buildings and Conservation Areas) Act 1990 ("The Act") sets out, in section 66, the statutory duty of decision-takers in respect of listed buildings:

*"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

- 7.64 This statutory requirement is reflected in the objectives of Local Plan policy WLP8.37 and also chapter 16 of the NPPF which sets out (inter alia):

- That heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance (para. 184);
- That applicants should describe the significance of any heritage assets affected, including any contribution made by their setting (para. 189);
- That great weight should be given to the conservation of heritage asset's and, the more significant the asset, the greater the weight should be (para. 193);
- That any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification; and
- That where harm would arise, it must be properly weighed against the public benefits of the development (paras. 195 &196).

- 7.65 The applicant has provided a Heritage Impact Assessment (HIA) that meets the requirements of NPPF paragraph 189. Historic England have also been consulted on the application but have no comments to make on the application.

- 7.66 There are two listed buildings, the setting of which are affected by this development proposal. These are the Grade II listed Gorse Lodge Farm close to the south-west corner of the site; and the Grade II\* St Margaret's Church at some distance from the north-west corner of the site but linked to it by a public footpath.

## Gorse Lodge Farm

- 7.67 The farmhouse (now two dwellings) is mid-17th century in origin and is timber-framed with a pantiled roof and two storeys and attic. It originated as a typical 3-cell vernacular Suffolk farmhouse and has some attractive features that contribute to its special interest including chamfered beams and a sawtooth stack. Its principal elevation does appear to face away from the development site which implies that its historic association with it in terms of ownership and use may be relatively limited. Nonetheless, the development site does form part of the wider landscape setting to the farmhouse that contributes generally and importantly to the farmhouse's significance and loss of part of that setting will erode its contribution and harm its significance, thereby.
- 7.68 Officers agree with the submitted Heritage Statement that this harm will be less than substantial but will need to be given great weight by the decision-taker and weighed against the public benefits of the development proposal, pursuant to the NPPF paragraph 196 balancing exercise. The minor setback in the area of built development adjacent the farmhouse (as shown on the Land Use and Green Infrastructure parameter plan) offers some potential mitigation and complies with a criterion of WLP6.1 to limit the impact upon the setting of Gorse Lodge; however, it does not balance out the overall loss of the farmed landscape in this area of the farmhouse's setting. The farmed landscape will still be apparent to the immediate north, west and south of the farmhouse, such that the current proposal is not some kind of development 'tipping point', in the view of officers.

## Reydon St Margaret's Church

- 7.69 In respect of the parish church of St Margaret's, this building derives its significance from its medieval origins albeit with much Victorian restoration. It now stands semi-isolated from Reydon which appears to have migrated from it some time ago. Modern development along Wangford Road is having an encroaching effect which could be styled as a reclaiming effect, such that the church may yet end up being part of the village, once again. Thus, whilst it is arguable that the application site forms part of the landscape setting to the church, once developed it will only have the effect of bringing Reydon back somewhat closer to its parish church. Such an outcome is one about which officers have no particular concerns.
- 7.70 Most medieval churches are relatively modern buildings that occupy the sites of what started off as private manorial chapels following the Anglo-Saxon Conversion of the seventh century. Thus, these sites predate their current buildings by as much as six or seven centuries - time enough for villages to migrate away from these fixed sites towards better transport routes or interconnections (early medieval buildings were portable and of limited lifespan). Perhaps that is what happened in Reydon.

## Conclusions on Listed Building Impact

- 7.71 To a large extent the Council (and Planning Inspectorate) has already considered and accepted the principle of residential development of the majority of the site within the setting of these listed buildings through the adoption of site allocation policy WLP6.1. In any event, officers have considered the outline proposals, inclusive of parameter plans and illustrative layout plans, and consider that the harm to the significance of proximate listed buildings is limited to a low level of less than substantial harm to the significance of Gorse Lodge Farmhouse. That harm, even though low, will need to be given great weight in the balance by the decision-

taker and properly weighed against the public benefits that would accrue from this development proposal. For the purposes of the officer recommendation, that planning balance is set out in the concluding section of this report.

#### Archaeology

- 7.72 This site is situated in an area of archaeological potential recorded on the County Historic Environment Record. It is located on the edge of Reydon Common which was a focus for medieval activity, and findspots of medieval date have been recorded around the proposed development area. Various cropmark sites have been identified in the vicinity and archaeological investigations to the west defined archaeological remains of prehistoric date. A geophysical survey of the development area, carried out during the determination period, has identified a number of anomalies which are likely to be archaeological in origin. However, this site has never been the subject of systematic below ground archaeological investigation and there is high potential for previously unidentified archaeological remains to be present. The proposed development would cause significant ground disturbance that has potential to damage or destroy any below ground heritage assets that exist.
- 7.73 There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 199), any permission granted should be the subject of planning conditions to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed. With conditions, the archaeological impact would be acceptable in accordance with the NPPF and policy WLP8.40 (Archaeology) of the Local Plan.

#### Affordable Housing, Housing Mix and Self-Build

- 7.74 Policy WLP8.2 (Affordable Housing) of the Local Plan sets out the Council’s strategy to deliver affordable homes over the plan period in accordance with the NPPF. The Southwold and Reydon area is the most viable of the Waveney plan area and therefore developments can provide 40% of the site as affordable housing. This is a requirement of the policy and applicable to the application site.
- 7.75 The Council’s Housing Team has provided guidance on the appropriate mix for this development proposal, which would provide 88 affordable homes. The breakdown of those 88 homes is tabled below, and such provision would need to be secured by a S106 legal agreement.

Table: Affordable Housing Mix			% of 44 total Shared ownership and Shared Equity	
No. of Bedrooms	House Type	% of 44 total Affordable rent	Shared Ownership %	Shared Equity %
1 bed	Flat	48%		
1 bed	Bungalows	7%		
2 bed	Bungalows	20%		
2 bed	House	25%		
1 bed	Flat		50%	
2 bed	House			27%
3 bed	House			22%

- 7.76 The affordable housing provision set out above is a policy compliant mix and a public benefit of this scheme that should carry substantial weight in the balance.
- 7.77 Although of very limited weight at this stage, Policy RNP 1: Tenure Mix of Affordable Housing of the Reydon Neighbourhood Plan provides guidance on affordable housing mix and the proposal broadly accords with the policy objectives.
- 7.78 Policy WLP8.3 of the Local Plan requires that developments of 100 or more dwellings will be expected to provide a minimum of 5% self or custom build properties on site through the provision of serviced plots. A provision of 11 self-build plots is proposed to form part of the S106 legal agreement in accordance with the policy.
- 7.79 Some local concern relates to the potential for the new dwellings to become second homes. The RNP, in its draft form, includes Policy RNP 4: Principal Residence Requirement; this policy requires that new market housing be restricted to ensure its occupancy is as a principal residence. There is no requirement for such a restriction in the adopted Local Plan and site allocation policy WLP6.1
- 7.80 The first point is that 88 of the dwellings would be affordable homes, with the tenure controlled by S106 legal agreement. A further 11 self-build plots, and 7 plots set aside to provide a relocation/replacement option for development affected by coastal erosion, would also be controlled by S106 legal agreement. Thus, over 100 of the proposed dwellings would be controlled in terms of their occupancy.
- 7.81 Whilst the ambitions of the RNP are noted, the neighbourhood plan is at such an early stage in the plan-making process that the principal residence requirements of the draft policy cannot be given any significant weight in the determination of this application. Officers consider that the proposal accords with the objectives of the adopted Local Plan and the NPPF in respect of housing mix and affordable housing provision. To impose a principal residence requirement on the site would not be based on adopted planning policy.

#### Relocation and Replacement of Development Affected by Coastal Erosion

- 7.82 Policy WLP8.26 relates to the 'Relocation and Replacement of Development Affected by Coastal Erosion' and identifies that a significant number of residential properties are at risk from coastal erosion within the next 100 years, and that a small number of properties at Easton Barents are at the most imminent risk with a number of properties already being lost to erosion over the last 5 years. It is a key objective of the Local Plan, in accordance with the NPPF, to make provision for development that needs to be relocated from the coastal change management areas.
- 7.83 Under allocation policy WLP6.1, there is a unique opportunity to set aside land for the relocation of properties at risk (or already lost) from coastal erosion to a sustainable location. One of the criteria of the policy is that seven plots (equal to those which have been lost since 2011) should be set aside for relocation. Owners of properties at risk from erosion are not obliged to take on these plots. However, if they are not taken up after a period of five years following the completion of the development then the plots can be made available for the provision of affordable housing.

- 7.84 Securing the seven plots for this purpose would need to be through a S106 legal agreement, should outline permission be granted. Officers consider that the opportunity to provide a relocation opportunity to residential property owners affected by coastal erosion is a significant public benefit of this scheme and meets a key objective of policies WLP6.1 and WLP8.26.

#### Residential Amenity and Response to Publication/Consultation

- 7.85 Policy WLP8.29 (Design) of the Local Plan promotes development that integrates well into its context in terms of neighbour amenity and living conditions. There are objections to the proposals from a number of local residents; Reydon and Southwold Society; and Reydon Action Group for the Environment (RAGE). Reydon Parish Council made a representation on the application but do not formally object – and actually comment in their opening remarks that the proposal is consistent with the newly adopted Local Plan, whilst going on to raise points for consideration. Further comments made by the Parish Council refer to the policy requirements of the RNP.
- 7.86 When considering an outline application with details of access in full, and all other matters reserved for future determination, it is difficult to comment on precise impacts from built development within the site and how any new dwellings will relate to the adjacent environment. However, at a site area of 12 hectares, the proposed 220 dwellings would be a very low density of under 20 dwellings per hectare; for reference, allocation policy WLP6.1 promotes a density of approximately 25 dwellings per hectare. Such a low density of development – and as demonstrated on the illustrative layout – provides ample scope to develop the site in a manner that will not result in unacceptable losses of light and privacy to neighbouring residents due to separation distances; intervening existing vegetation; and areas of proposed landscaping and site drainage features.
- 7.87 As part of the parameter plans, a Massing and Scale plan has been provided and fixes a key gradient of density (in effect) across the site such that it is densest close to existing built form along the eastern boundary; least so along the southern edge adjacent the existing low scale dwellings; and mixed scale everywhere else which can allow for very low density along the countryside edge and a rather higher density around the central green open space, for example. This provides parameters and a degree of control that any detailed design is respectful of neighbouring residential uses at reserved matters stage.
- 7.88 Undoubtedly the proposal will turn agricultural land into a residential development and for some adjacent properties that represents a significant change in outlook, and a source of some of the objections received. Whilst that change is acknowledged by officers, it should be noted that the majority of the site is allocated in the Local Plan for housing development and therefore the adopted Local Plan accepts, in principle, that change in outlook. In any event, change does not represent harm to living conditions and officers consider that a well-designed, comprehensive development of the site will not appear out-of-character in this edge of settlement location. Whilst the appearance of the site will change, there will be benefits to existing, adjacent residents from improved connections through the site to existing and improved public rights of way, in addition to significant areas of accessible green open space within the site, and equipped area for play that can all be utilised by existing residents. Off-site highway works and bus stop improvements will again be of benefit to existing residents.

- 7.89 The proposed means of vehicle access into the site will of course generate traffic on Copperwheat Avenue and The Crescents. Those routes are suitable for the development traffic generation which is not likely to be so significant and adverse to justify refusal of the application. Reydon is a residential environment and the site will form part of that, with the associated traffic and activity on the site being appropriate for that context. It is not considered that the proposal will generate significantly adverse impact in terms of noise and disturbance one complete and occupied.
- 7.90 In the construction phase there is potential for local disruption and therefore conditions to secure a construction management plan would be essential to control and reduce those impacts as far as is practically possible.
- 7.91 For the reasons given, officers consider that the proposal, in outline, does not raise significant amenity concerns. Construction impacts could be mitigated through planning conditions, and the low density of development – informed through the massing and scale parameter plan – provides ample scope for reserved matters proposals to detail a development scheme that is respectful of the neighbouring residential environment. There is thus no conflict with the amenity objectives of WLP8.29.

#### Ecology and the Natural Environment

- 7.92 The application is supported by an Ecology Assessment report (Hopkins Ecology, February 2019) and the conclusions and proposed mitigation measures identified are broadly satisfactory to officers. Mitigation and enhancement measures identified in the ecological assessment report should be secured, with construction mitigation measures forming part of a Construction Environment Management Plan (CEMP) and operational mitigation, management and enhancement measures as part of a Landscape and Ecology Management Plan (LEMP). These should ensure that the final development secures significant ecological enhancements as part of its design in accordance with the objectives of WLP8.34 (Biodiversity and Geodiversity).
- 7.93 The Conservation of Habitats and Species Regulations 2017 (“Habitats Regulations”) lays down the legislation on the conservation of natural habitats and of wild fauna and flora. The Habitats Regulations require the competent authority (in this instance, the Council) to determine whether the development is likely to have a significant effect on the interest features of European sites protected under the legislation and, if there would be, to carry out an Appropriate Assessment of the implications of the proposal for the site’s conservation objectives in accordance with the regulations. The applicant has provided a ‘shadow’ Habitats Regulations Assessment to inform such an assessment and Natural England have also been consulted in their statutory role.
- 7.94 The application site is located within 13km of the following European sites:
- Minsmere – Walberswick Ramsar Site
  - Minsmere – Walberswick SPA
  - Minsmere to Walberswick Heaths and Marshes SAC
  - Benacre to East Bavents SPA
  - Benacre to East Bavents Lagoons SAC

- 7.95 The proposed development is not within 200m of those sites and is therefore not likely to directly impact upon the interest features of these European sites through habitat loss, physical damage etc. However, the emerging Suffolk Recreational Avoidance Mitigation Strategy (RAMS) sets out that new residential development within a 13km zone of influence (ZOI) of European sites is likely to have a significant effect – when considered either alone or in combination with other new housing - on the interest features of those sites through increased recreational pressure in terms of dog walking, water sports, hiking etc. Natural England recommend that a suitable per-dwelling financial contribution to RAMS is sought to offset such recreational impacts. That would need to be secured through a S106 legal agreement and this has been agreed by the applicant and their consultant Ecologist.
- 7.96 The 'shadow' HRA submitted by the applicant provides an assessment of the recreational impacts of the development proposal, and further to input from the Council's own Ecologist, an addendum to the HRA was submitted to further inform officers' assessment of the proposals. The 'shadow' HRA concludes that mitigation included with the development will avoid an adverse impact on the integrity of the identified designated sites. This mitigation includes the provision of an onsite circular walking route of 1.4km and connections to existing offsite walking areas. The Shadow HRA recognises the importance of dog walkers as key users of high value nature sites (paragraph 3.7) and specifically identifies the on-site greenspace as being of high quality. Based on Natural England guidance, the 2.7km distance for walking routes is not a recommendation rather it is the average distance of a daily dog walk: some walk further than this, others walk less. An on-site walking route around the periphery of a roughly square plot is only feasible on a site with an area at least 45ha. The scheme masterplan does allow ready access to blocks of on-site greenspace and all residents will be within the 400-500m distance which most dog walkers will walk for greenspace access. In conjunction with off-site routes the available walking routes through greenspace and farmland will be substantially greater than the mean quoted distance of 2.7km. This assessment of walking route provision is accepted by officers and will provide new residents with walking routes that limit recreational usage of European sites within the 13km zone.
- 7.97 Officers have undertaken a stage 2 HRA – Appropriate Assessment that concludes, for the reasons given – and with a per-dwelling contribution to the Suffolk RAMS – that the development would not result in likely significant effects on the integrity of the aforementioned European sites. Natural England will be consulted on the Appropriate Assessment undertaken as is required, and officers will work to secure a positive response from Natural England to the HRA Appropriate Assessment of the scheme. Officers are content that the proposal is acceptable in this regard in accordance with WLP8.34 (Biodiversity and Geodiversity).

#### Flood Risk and Surface Water Drainage

- 7.98 Local Plan Policy WLP8.24 sets out that new housing development will not be permitted in high risk flood areas.
- 7.99 Chapter 14 of the National Planning Policy Framework (NPPF) sets out planning for flood risk:
- Development should be directed away from areas at highest risk (para. 155).

- Local planning authorities should ensure that flood risk is not increased elsewhere, and applications should be supported by a site-specific flood-risk assessment. Development proposals in higher risk areas should demonstrate that:
  - Within the site development is directed to the lowest risk areas;
  - The development is appropriately flood resilient and resistant;
  - The development incorporates sustainable drainage systems;
  - Any residual risk can be safely managed; and
  - Safe access and escape routes are provided. (para. 163)
- Major developments should incorporate sustainable drainage systems (para. 165).

7.100 The policy approach at a national and local level generally, therefore, is to make developments safe for all future occupiers through appropriate siting and design; and then ensure no adverse local impacts arising from the development through ensuring that development sites are well-designed incorporating sustainable drainage systems.

7.101 The application site is located in environment agency flood zone 1 (the lowest risk area) and therefore sequentially preferable for residential development, hence the allocation within the Local Plan.

7.102 In terms of surface water drainage, the outline proposals demonstrate that the development can be properly drained. The main strategy across the site is the utilisation of a swale corridor to benefit the dispersal of surface water, with an attenuation basin in the north-eastern area of the site (the low point) to accommodate the safe holding of water in an extreme weather event. As an outline application with all matters (save for access) reserved, this is an indicative strategy although one that has been reviewed extensively by the Local Lead Flood Authority (LLFA) at the County Council.

7.103 It should be noted that whilst the precise, technical details of the drainage strategy would come forward as part of reserved matters applications, the 'Land Use and Green Infrastructure' parameter plan supporting this application sets the locations of the primary drainage attenuation basin (wetland park); and also the secondary drainage attenuation (swale corridor) as key aspects of the proposal. Therefore the main elements of the drainage strategy would be fixed through a grant of outline planning permission with conditions requiring the development to be in accordance with the approved parameter plans, offering clarity on where key drainage features would be located and how any built layout would need to be organised around those features.

7.104 The LLFA recommend approval of the application subject to conditions securing the precise drainage strategy concurrent with reserved matters applications, and longer term ensuring its delivery and maintenance for the lifetime of the development.

7.105 The proposal accords with the flood risk prevention/limitation objectives of the NPPF and policy WLP8.24.

#### Other Matters

7.106 A criterion of WLP6.1 is that any planning application is supported by evidence which assesses the quantity and quality of sand and gravel resources within the site in order to determine whether it is practical to make use of resources on site. This has been provided and the County

Council Minerals and Waste Planning Team consulted. The geotechnical site investigation report prepared by RPS Consulting Services Ltd is considered appropriate to assess the sand and gravel resources within the site. It identifies that the material throughout the site is variable, however the county council consider there is material on site that could be used in the construction of the development. A condition would need to be applied accordingly.

- 7.107 The Council's Environmental Protection Team has requested further ground contamination investigation through a phase II survey. This – along with any required remediation works – should be secured by condition, should planning permission be granted.
- 7.108 In terms of foul drainage, the applicant has engaged with Anglian Water regarding connections to the sewerage network from the proposed development. The existing network requires upgrades to facilitate the development proposal, but through that pre-application engagement, Anglian Water has identified potential mitigation solutions to provide capacity within the foul water network to take the proposed flows from the site. That will need to be progressed with the infrastructure provider outside the planning process, but it has been demonstrated that the necessary infrastructure upgrades can be achieved to facilitate the development proposal.

#### Public Benefits of the Proposed Development

- 7.109 The proposed development would deliver significant public benefits including (inter alia):
- Up to 220 homes in a sustainable location as part of the plan-led approach to growth in the District;
  - 88 affordable homes;
  - Economic benefit in the short-to-medium term through creation of jobs in the construction industry;
  - Long term benefit to facilities/services in Reydon and Southwold from new resident spend in the economy;
  - Seven plots to be made available for property owners whose properties are at risk (or already lost) to coastal erosion in the locality;
  - Up to 11 plots to be made available for 'self-build' homes;
  - Improvements to the public right of way on the southern edge of the site, providing better connectivity between Kingfisher Crescent and Wangford Road;
  - Substantial areas of green infrastructure and equipped play space for new and existing residents;
  - Improved connections to the existing network of public rights of way to the south and west of the site;
  - Improvement works to local bus stops;
  - Footway improvements along Wangford Road; and
  - A new pedestrian crossing on Wangford Road.

## **8 Conclusion**

- 8.1 Officers consider that the proposed development accords with the plan-led approach to deliver housing growth in the Reydon and Southwold area, delivering substantial public benefits as set out above. The extended site area beyond the allocated land is a departure

from WLP6.1 but one that, ultimately, will facilitate a more integrated and higher quality residential development in terms of, among other things, connectivity with the Public Right of Way network; provision of green infrastructure; provision of sustainable drainage features; and the overall density of development appropriate for the site location within the Suffolk Coast and Heaths AONB.

- 8.2 Officers consider that the proposals demonstrate that the site can be developed in a way that will deliver a high-quality residential development in accordance with WLP6.1 and the design objectives of the Local Plan and NPPF. The effort that has been made to fix certain elements of the design approach to guide any future reserved matters applications should provide assurance that the site area extending farther west, beyond the allocation, is not just acceptable - but actually allows for any final development proposal to better integrate into its built and landscape context.
- 8.3 It is acknowledged that the proposal will transform agricultural land into a residential development of the site, and that is not supported by some local residents. Those concerns raised have been given due consideration by officers but do not, in the balance, indicate that planning permission be refused. Many of the matters raised can be addressed either through appropriate planning conditions or proper consideration of detailed design at reserved matters stage.
- 8.4 The proposal would give rise to a low level of less than substantial harm to the significance of the grade II listed Gorse Lodge Farmhouse. That harm, even though low, will need to be given great weight in the balance by the decision-taker and properly weighed against the public benefits. However, officers consider that this proposal delivers numerous and substantial public benefits that would significantly and demonstrably outweigh any harm that would arise.
- 8.5 The proposal is considered to represent sustainable development in accordance with the objectives of the National Planning Policy Framework and the adopted Local Plan. The application is therefore favourably recommended.

## **9 Recommendation**

- 9.1 **AUTHORITY TO APPROVE** with conditions (including but not limited to those in section 10), subject to securing agreement from Natural England on the conclusions of the HRA – Stage 2 Appropriate Assessment;

and subject to the completion of a S106 Legal Agreement to secure obligations (including but not limited to):

- Provision of 88 affordable dwellings;
- Provision of seven plots as part of relocation offer for properties lost/at risk to coastal erosion;
- 5% of the residential development as self-build plots;
- Per-dwelling contribution to the Suffolk RAMS;
- Provision and long term management of public open space;
- Financial contribution to fund secondary school transport;
- Financial contribution to fund improvement works to local bus stops; and

- Financial contribution to fund road safety engineering schemes at local accident cluster sites.

## 10 Conditions:

1. 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") 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.

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

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

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

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

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

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

The site wide Phasing Plan shall be implemented as approved.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thereafter the accesses shall be retained in the approved form.

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

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

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

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

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

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

12. Prior to occupation of the 101st dwelling, Footpath 2 shall be converted to a public bridleway.

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

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

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

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

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

15. As part of each reserved matters application for layout, details of the areas to be provided for the loading, unloading, manoeuvring and parking of vehicles shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose unless otherwise approved by the Local Planning Authority.

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

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

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

17. No development shall take place within 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 policy WLP8.40 of the Local Plan.

18. 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 17 and the provision made for analysis, publication and dissemination of results and archive deposition.

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

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

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

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

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

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

1. Temporary drainage systems
2. Measures for managing pollution / water quality and protecting controlled waters and watercourses
3. Measures for managing any on or offsite flood risk associated with construction

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

The scheme shall be fully implemented as approved.

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

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

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

21. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) 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.

The intrusive investigation(s) shall include:

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

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

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

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

22. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, 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.

23. Prior to any occupation or use of the approved development the RMS approved under condition 22 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.

24. 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.

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

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

26. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
- o the parking of vehicles of site operatives and visitors;
  - o loading and unloading of plant and materials;
  - o storage of plant and materials used in constructing the development;
  - o the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - o wheel washing facilities;
  - o measures to control the emission of dust and dirt during construction;
  - o a scheme for recycling/disposing of waste resulting from demolition and construction works;
- and
- o delivery, demolition and construction working hours.

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

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

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

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

28. As part of each reserved matters application for landscaping, a plan indicating the positions, design, height, materials and type of boundary treatment to be erected shall be submitted to

and agreed by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved scheme before the building to which it relates is occupied.

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

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

(a) a plan showing the location of, and allocating a reference number to, each existing tree on, or adjacent to, the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree;

(b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, details of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;

(c) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;

(d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, [within the crown spread of any retained tree or of any tree on land adjacent to the site] [within a distance from any retained tree, or any tree on land adjacent to the site, equivalent to half the height of that tree];

(e) details of the specification and position of fencing [and of any other measures to be taken] for the protection of any retained tree from damage before or during the course of development.

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

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

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

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

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

31. As part of reserved matters applications for appearance, layout and scale, details shall be submitted to the Local Planning Authority for approval demonstrating how 40% of the proposed dwellings shall be designed to meet requirement M4(2) of Part M of the Building

Regulations for accessible and adaptable dwellings. The development shall thereafter be carried out in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

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

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

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

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

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

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

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

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

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

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

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

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

Reason: In the interests of fire safety.

## **11 Informatives:**

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

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

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

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

CIL forms can be downloaded direct from the planning portal:

[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

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

3. Informative from Suffolk County Council Archaeological Service:

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

I would be pleased to offer guidance on the archaeological work required and, in our role as advisor to East Suffolk Council, the Conservation Team of SCC Archaeological Service will, on

request of the applicant, provide a specification for the archaeological work required at this site. In this case, an archaeological evaluation will be required to establish the potential of the site, before approval of layout and drainage under reserved matters, and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation. We would strongly advise that evaluation is undertaken at the earliest opportunity.

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

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

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

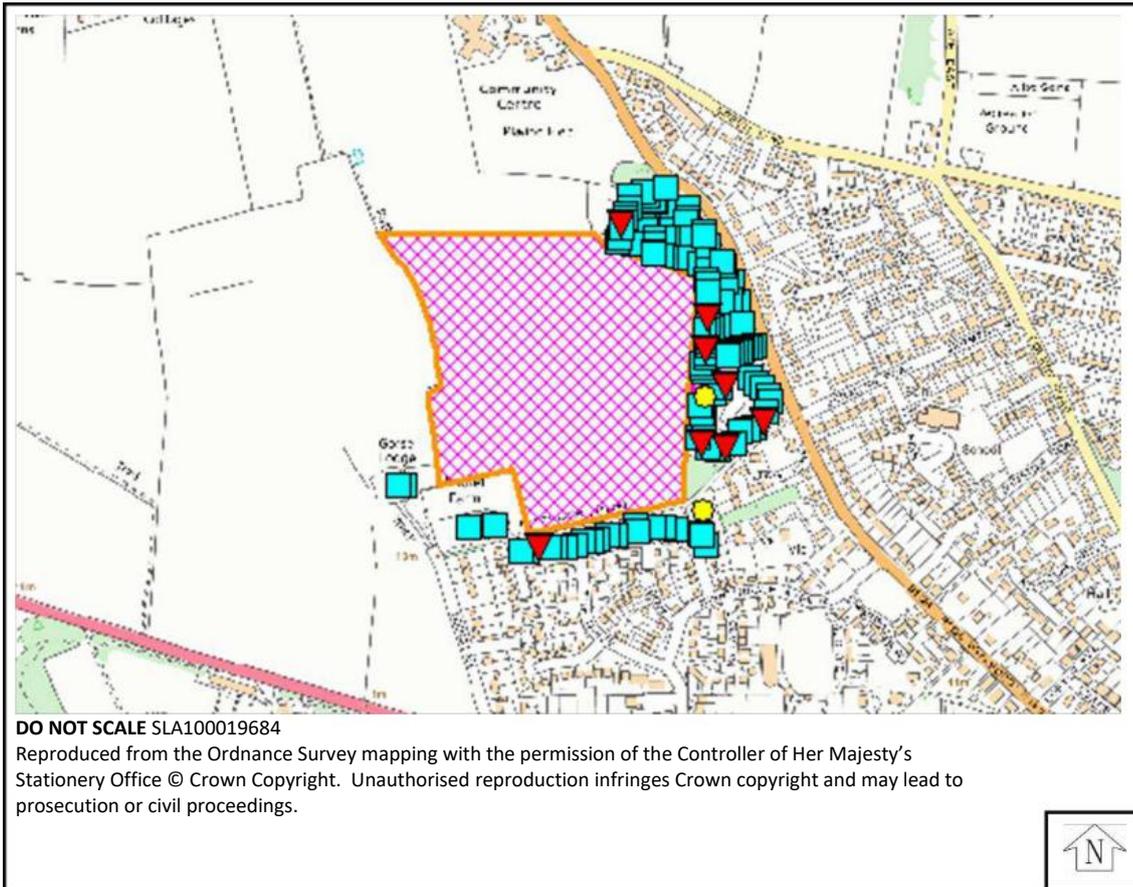
The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety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

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

## **Background information**

See application reference DC/19/1141/OUT at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=POEXALQXIQE00>

# Map



## Key



Notified, no comments received



Objection



Representation



Support

**NORTH PLANNING COMMITTEE - UPDATE SHEET****10 March 2020**

**Item 5 – DC/19/1141/OUT – Outline Application – Development of up to 220 dwellings with associated open space on Land to the West of Copperwheat Avenue, Reydon, Suffolk, IP18 6YD.**

**Further Responses to Publication/Consultation****Reydon Parish Council (received 08 March 2020):**

- *“The Parish Council (PC) supports the case for applying the Principal Residence policy from our emerging Neighbourhood Plan (NP) which we do not consider is at an early stage as Reg 16 is the last stage before the Examination and Referendum.*
- *All the evidence presented to the PC, including the survey responses for the NP, show great concern among the community about the scale of this development. As a PC, however, we have accepted that more housing is needed both locally and, generally, in the district and that Reydon should take its share.*
- *However, we are concerned that this housing should meet our local needs – hence the Principal Residence requirement policy in our draft NP. This reflects a rise in second homes in Reydon to 25-30% (up from 7% in 2002) which is distorting the local housing market and pricing local people out of the market. This will be a continued pressure as the proportion of second homes in Southwold has now reached 60%.*
- *We therefore urge the Committee to apply the draft NP policy on Principal Residence Requirement as a condition of this application. (attached below). Without this condition, as many as 40 of the market houses will become second homes and more over time. These houses will not contribute to the Local Plan’s targets which are aimed at meeting the assessed housing needs of our resident population. This undermines the case for building in the AONB which is based on the assessed local need for housing.*
- *Alternatively, it could delay its decision until the outcome of the Examination of the NP. This would be a similar approach to that taken by the County Council in considering a planning application for a gravel pit in Reydon which has been deferred until the Mineral Local Plan is adopted.*
- *The NP also seeks to limit the forms of tenure of affordable housing to that of affordable rent and shared ownership only to ensure that the affordable housing can be retained in the long term. The affordable housing condition in this application is in line with current policy so that 25% will be shared equity. We believe it is possible to ensure that such housing remains available as shared equity in the long term by a planning condition and/or a covenant. We ask the Committee to place such a condition on the shared equity housing.*
- *More broadly, our draft NP seeks to ensure safe access to and from new developments, improved provision for walking and cycling to the countryside and to key locations in the village and in Southwold, good landscaping within developments and a sympathetic interface with the countryside. Absolutely*

LEGAL ADDRESS East Suffolk House, Station Road, Melton, Woodbridge IP12 1RT

DX: 41400 Woodbridge

POSTAL ADDRESS Riverside, 4 Canning Road, Lowestoft NR33 0EQ

DX: 41220 Lowestoft

essentially, we need adequate sewerage provision given current problems in areas of Reydon close to this major development site.

- As part of the sewerage provision, Anglia Water have proposed an attenuation tank under the nearby Jubilee Green in order to make the flow into the current system manageable. This system is already under strain and regularly backs up and sometimes floods. We are concerned that attenuation may not be an adequate solution. In addition, we do not believe that Jubilee Green, which has just been developed in a way that meets local need, should be disrupted. We, therefore ask the Committee to require that all the necessary additional sewerage infrastructure is provided within the development site and that the developer is required to contribute to improvements to the existing infrastructure adjacent to the site.
- All the other elements of infrastructure requirements and design principles in our draft NP have been addressed by the work of the Planning Officers in the Parameter plans etc.
- Therefore, if the Committee is minded to approve this application, we ask the Committee to satisfy itself that the conditions ensure that the subsequent application for Full Planning Permission (ie to deal with reserved matters) is required to comply in full to the spirit and detail of these plans.
- We ask you to set maximum possible requirements for these aspects of the scheme and also to require adequate funding (CIL and/or S106 or equivalent) for safe access, traffic calming, walking and cycling improvements from the site to key places etc.
- Finally, we also ask that you ensure the edge landscaping is undertaken in full at or prior the commencement of work so that it has time to establish before building is complete and that the construction plans mitigate the serious effects that will be felt by those living on the access roads in particular.

**Draft Reydon Neighbourhood Plan (Reg 16 stage) Policy RNP 4: Principal Residence Requirement:**

*Due to the impact on the local housing market of the continued uncontrolled growth of dwellings used for holiday accommodation (as second or holiday homes) new open market housing, excluding replacement dwellings, will be supported only where there is a restriction to ensure its occupancy as a Principal Residence. Sufficient guarantee must be provided of such occupancy restriction through the imposition of a planning condition or legal agreement. New unrestricted second homes will not be supported at any time.*

***Principal Residences are defined as those occupied as the residents' sole or main residence, where the residents spend the majority of their time when not working away from home. The condition on new open market homes will require that they are occupied only as the primary (principal) residence of those persons entitled to occupy them. Occupiers of homes with a Principal Residence condition will be required to keep proof that they are meeting the obligation or condition and be obliged to provide this proof if/when East Suffolk Council requests this information.***

***Proof of Principal residence is via verifiable evidence which could include, for example (but not limited to), residents being registered on the local electoral register and being registered for and attending local services (such as healthcare, schools etc).***

*Reydon Parish Council asks the ESC Planning Committee to apply the bold section of the draft NP Policy to the market housing in the development proposed for the land west of Copperwheat Avenue."*

CLlr David Beavan (comments received 03 March 2020):

*"I know we get a lot of paperwork, but please bear with me.*

*The Copperwheat development plan for Reydon comes up next Tuesday. There is great concern in my ward that this will negate our neighbourhood plan that goes to referendum this year. We are fighting the tide of second homes which we fear will destroy our communities.*

*I was initially in favour of this project, agreeing with the Local Plan that we need to sacrifice some countryside to build "houses for local people". I was falsely reassured that the developers would not sell to second homeowners – following the generosity and community spirit of two other local landowners at Duncans Place and Green Lane. Unfortunately this is not now the case, and the landowners are not prepared to limit their selling price by restricting the sales.*

*I therefore argue that this application is premature in relation to the Reydon Neighbourhood Plan, specifically its residency clause which says that new builds must be for residents only.*

#### *National Planning Policy Framework*

*Paragraph 48 says, "Local planning authorities may give weight to relevant policies in emerging plans according to:*

*a) the stage of preparation of the emerging plan"*

*The Reydon Neighbourhood Plan is in regulation 16 consultation with ESC now.*

*The officers describe the plan as "at a very early stage" in section 7.2 on the agenda. I disagree. A steering committee started converting the Village Plan more than two years ago. Since then there have been drop ins, a full village survey and reg 14 public consultation on the pre-submission draft. The final plan has now been submitted and is open for representations to ESC until April 9th, when it goes to the examiner and then a referendum this year.*

*Philip O'Hear of Reydon PC agrees with me, "I agree completely. In fact all those being consulted at Reg 16 were consulted at Reg 14 stage and changes made to reflect their advice. It would be very surprising if Reg 16 throws up any need for significant change. At every stage RPC has worked with WDC/ESC Planning Policy Team and much of the wording of the proposed RNP Policies reflects their advice, including the use of the St Ives wording in the Principal Residence policy.*

*We believe RNP is both robust and sound, that it reflects the clear wishes of the community and is a good example of localism at work, and it will be approved at the Examination and endorsed in the referendum."*

#### *National Planning Policy Framework (cont. par 48)*

*b) "the extent to which there are unresolved objections to relevant policies "*

*The survey returned 95% support for the residency clause despite the sample including 12% non-residents.*

*Para 49 goes on to describe when an application may be refused on grounds of prematurity*

*"a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan;" These 220 homes are to meet the need*

for local homes until 2036. So for the whole period of the neighbourhood plan 2019 to 2036, the residence clause will not apply.

Para 50 states another precondition “permission for the development concerned would prejudice the outcome of the plan-making process.” The residency clause would become inoperable.

### *Reydon Neighbourhood Plan*

Second homes have doubled in Reydon to 30% since 2010, catching up with Southwold’s 60%. In the last year alone the number of holiday lets registered as businesses has increased from 42 to 54.

#### *P5 “3.6 THE NEED FOR A NEIGHBOURHOOD PLAN*

*“The popularity of Southwold as a holiday and retirement destination has put pressure on Reydon. Southwold, because of its location and geography, cannot expand. But the proximity of Reydon to Southwold encourages tourists and retirees to look to Reydon to satisfy their need for holiday lets and second homes. This is pricing local residents out of the market and putting at risk the current vibrant community. A neighbourhood plan is needed to control these pressures and to plan for sustainable growth.”*

*P7 “In 2018, only five houses in Reydon (out of 40) were sold for under £200,000. The commercial housing market, therefore, is increasingly beyond the reach of many with a strong local connection but with only a modest income.”*

*In both recent Reydon market housing developments at St George’s and Shearwater Way, houses are on the market for £400k and 50% are second homes.*

#### *Policy RNP 3: Principal Residence Requirement:*

*“Due to the impact on the local housing market of the continued uncontrolled growth of dwellings used for holiday accommodation (as second or holiday homes) new open market housing, excluding replacement dwellings, will be supported only where there is a restriction to ensure its occupancy as a Principal Residence.”*

*The central purpose of the neighbourhood plan is to restrict new holiday lets and second homes. Allowing this development to pre-empt the residency clause will defeat this central purpose as the residency clause will not apply, The reduced density will also lead to more four bedroom houses in a rural setting designed for the £500k plus second home market.*

### *Waveney Local plan WLP6.1*

*“The main strategy for Southwold and Reydon is to allocate more housing to increase the range of affordable homes in the area whilst protecting the sensitive built, historic and natural environment... Reydon has limited scope to expand as it is within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty.” p132*

*These 220 homes with existing commitments will provide for housing need to 2036.*

*“6.9 There is a high number second homes within Southwold and Reydon. One of the key objectives behind this allocation is to increase the provision of housing and in particular affordable housing to allow more people who work in the area to live in the area. “*

*The purpose of the Waveney Plan is to supply enough housing for future local needs. If the houses go to second homeowners, local need will not be satisfied. More AONB countryside will have to be sacrificed for the second homers. Where will it end?*

*Second home buyers push market prices above what local people can afford. The house price to earnings ratio is 15 to 1 in Reydon. Ironically this development will make affordable housing at 80% market value less affordable.*

#### *Rendlesham 2014 Precedent*

*There is a precedent where Suffolk Coastal did not give planning to a development because of an emerging Neighbourhood Plan. An application to build houses on a site that the emerging neighbourhood plan wanted to keep for the community was rejected on appeal in November 2014.*

*“This is the second formal stage of the NP making process. The pre-submission draft plan is therefore a material consideration for planning applications”- officers report to SCDC planning committee 20th August 2014 from SCDC statement of case to the appeal on C/12/2408.*

*The inspector said that the emerging Neighbourhood Plan, which was at an earlier stage than Reydon’s, passed all tests of being substantial, prejudicial to the NP and at an advanced stage.*

*Par 122 he concludes “As a result, the proposal is premature to the emerging RNP ...These matters attract significant weight against the proposal”*

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/407485/Angel\\_Theatre\\_Suffolk\\_2218507.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/407485/Angel_Theatre_Suffolk_2218507.pdf)

#### *Conclusion*

*I welcome that there will 88 affordable homes in this development, but this is not enough for 16 years growth and I do wonder if viability issues may be raised further down the line. People are angry that we are sacrificing our countryside to build houses that will not be lived in – and what does that do for our climate change emergency?*

*Surely, we should respect the wishes of local people clearly expressed through their neighbourhood plan, otherwise we are fomenting a divided society, and eventually a loss of our community.*

*I am happy to answer any queries – davidbeavan@live.com.*

*Thank you for reading this,*

*Yours*

*Cllr David Beavan, ward member”*

### Natural England (received 26 February 2020):

Natural England (NE) advises that further information is required to determine the recreational disturbance impacts of this development. This has been submitted by the applicant and officers will continue to liaise with NE, pursuant to the recommendation in the committee report to secure NE agreement to the proposed development and conclusions of the Habitat Regulations Assessment: Appropriate Assessment prior to any grant of planning permission.

### Third Party Representations

Further letters of objection have been submitted by a local resident, the Southwold and Reydon Society (SRS), and Reydon Action Group for the Environment (RAGE). The full comments are viewable on the planning applications public access page; however, the key concerns raised (inter alia) are summarised as follows:

- Neighbourhood Plan (NP) Concern about the scale of this development as well as incursion into the AONB.
- NP consultation identified very strong concern about the impact of the increasing proportion of second homes in Reydon.
- SRS recommend refusal of this application unless a condition can be set to require that all the market housing on this development should be occupied as principal residences. If this is not possible, the application as it stands should be rejected, or deferred until the NP is adopted.
- SRS object to the application being for a bigger site than that allocated in the Waveney Local Plan (WLP). SRS are concerned that this would provide a lower density of housing and too many executive style homes.
- That said, SRS, along with the PC and NP Steering group, recognise that, as set out in the application, the larger site allows for the kind of landscaping within and in the edge of the site called for in the NP.
- Construction which will have a huge impact on the immediate neighbours, very strict conditions are needed.
- The proposed upgrade of footpath 2 to a bridleway required by SCC may not be deliverable and/or effective.
- The SCC requested conditions refers to the upgrading to a bridleway of Footpath 2 *within the site*; however, the proposed conditions in the Committee Report differ from those requested by SCC.
- The plans show the footpath is outside the application site, and therefore its upgrade cannot be relied upon unless it relates only the central section within the site.
- SCC recommended condition requires bridleway upgrade before occupation of any dwelling; however recommended condition in committee report is prior to occupation of the 101<sup>st</sup> dwelling.
- Phasing of development will be dependent on market conditions therefore it could be some time before the bridleway upgrade is delivered.
- The Habitats Regulation Assessment undertaken by officers will need to be re-considered.

**Item 6 – DC/19/4450/FUL – Change of use from B1 (Office use) to C3 (dwelling house) including provision of a single storey rear extension at Hubbards Barn, Hubbards Hill, Peasenhall, Saxmundham, Suffolk, IP17 2LA**

The applicant is unable to attend planning committee and would like the following points to be considered in response to the content of the Committee Report prepared for presentation to the Committee (please see the planning public access page for full text of email and accompanying attachments):

- Do not agree with the introduction of policies that have allowed the conversion of totally inappropriate, albeit redundant agricultural buildings to dwellings.
- No need to advertise agricultural buildings to an alternative use, could the same apply to Hubbards Barn?
- Planning application was previously refused Ref: DC/17/3527/FUL, for a traditional agricultural cart lodge style building to be used for storage. If approved the necessary, space to allow V-M Orthotics to grow would have been achieved and would still be operating from Hubbards Barn.
- An application for change of use from business to holiday accommodation including a single storey rear extension was approved Ref: DC/19/0145/FUL (Copy on I@W). This was found not to be economically viable.
- Conversion to holiday accommodation would only provide part time work for one cleaner, and part time work for one maintenance person. The cleaning and maintenance would be carried out by members of the Vander-Molen family.
- Pre-Application Planning Advice, relating to the change of use B1 business to C3 residential class 0, part 3, the advice received, (copy on I@W), made no reference of the need to market Hubbards Barn for a period of 12 months.
- Marketed by Clarke and Simpson, Chartered Surveyors and Estate Agents, since April 2019 at £495,000. There has been very little interest. Recently offered to remove overage and reduce price to £470,000.
- Submission of a revised O-S site plan, 1:1250 scale to show a dramatic reduction in garden curtilage outlined in red, with the land that goes with Hubbards Barn outlined in blue, retained as grassland suitable for livestock grazing.
- RAMS payment was paid in relation to ref: DC/19/0145/FUL, it is assumed that this contribution can be transferred to a new planning permission, should Committee Members grant planning permission for change of use to a dwelling.

## Committee Report

Planning Committee North – 14 September 2021

Application no DC/20/2917/FUL

**Location**

Easton Farm (Main Barn)  
Easton Lane  
Easton Bavents  
Southwold  
Suffolk  
IP18 6ST

**Expiry date** 28 September 2020

**Application type** Full Application

**Applicant** Easton Bavents Ltd

**Parish** Reydon

**Proposal** Conversion of barn structure to 2 No dwellinghouses comprising installation of sewage package treatment plants and associated landscaping. Erection of 2 No. associated detached cartlodge garage structures.

**Case Officer** Joe Blackmore  
01394 444 733  
[Joe.Blackmore@eastssuffolk.gov.uk](mailto:Joe.Blackmore@eastssuffolk.gov.uk)

### 1. Summary

- 1.1 This application seeks planning permission for the conversion of a barn into two dwellings, along with associated works, at Easton Farm, Easton Bavents.
- 1.2 The proposed development is considered to be acceptable in accordance with the Development Plan as a whole, and the NPPF, whereby permission can be granted. This is because the scheme would re-use and preserve a heritage asset in a manner both consistent with its conservation and also its sensitive AONB location.
- 1.3 Officers recommend approval, but without a principal residence restriction (by condition) being applied to any permission granted. This is because of the unique nature of the scheme, and that such a condition is not considered appropriate in this instance for reasons

that are detailed in this report. Granting permission without such a condition would be contrary to comments from Reydon Parish Council, who recommend approval, but draw particular attention to the Principal Residence Requirement of Policy RNP4. For that reason, the application was considered by the referral panel who referred the application to Planning Committee (North) for determination.

## **2. Site description**

- 2.1 The application site is located in the countryside to the northeast of Reydon and Southwold, within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB) and Heritage Coast. Easton Farm is some 200 metres east of the B1127, and accessed from an unmade road, Easton Lane - which loops down to the south, linking to the car park north of Southwold pier.
- 2.2 The application site is within the farmstead, which comprises a modern agricultural barn and farmhouse (to the north); two large poultry units (to the west); and then the group of barns subject of this application and also a tandem application (DC/20/3183/FUL). The barns front and have direct access from the lane for vehicles and pedestrians.
- 2.3 The barn subject of this application is the 'West Barn' and comprises linked elements running in a north/south and east/west orientation. To the immediate east is the access track to the farmhouse to the northeast. The west barn is disused and constructed of timber frame and red brick with a red clay pantile roof. The Main Barn, to the east, is proposed for residential conversion under DC/20/3183/FUL.

## **3. Proposal**

- 3.1 The proposed development is the conversion of the west barn into two dwellings, with hard/soft landscaping, new detached cartlodge/garages and associated works (including package sewage treatment plants etc.).
- 3.2 The application is supported by a Structural Appraisal. The appraisal is detailed and sets out that the overall condition of the west barn is reasonable and, with recommended repairs and limited re-building, the conversion of the west barn is structurally viable.
- 3.3 The conversion would utilise the existing plan form and natural east/west divide between the two main elements. The western element is a L-shaped barn, organised around a courtyard garden, with four bedrooms of accommodation in the north/south block, and the main living accommodation in the easterly projecting wing. It would be accessed from the western side (adjacent the poultry sheds).
- 3.4 The eastern element is a U-shaped barn, again organised around a courtyard garden, accessed from the east via the existing farmhouse access. The main living accommodation would be in the north/south block, with five bedrooms contained in the two easterly projecting wings.
- 3.5 Both dwellings would have triple cartlodge/garages to the north with additional parking areas adjacent.

#### 4. Consultations/comments

4.1 No third-party representations received.

##### Parish/Town Council

Consultee	Date consulted	Date reply received
Reydon Parish Council	7 August 2020	26 August 2020
<p><i>“The Planning Committee of Reydon Parish Council has considered this application and wishes to recommend approval, subject to the following requirements of our Neighbourhood plan which has now received a Decision Statement which requires that significant weight should be given to its provisions in determining applications. In particular, we would draw your attention to:</i></p> <p><i>Policy RNP 5, Principal Residence Requirement. These new dwellings should be occupied as Principal residences;</i></p> <p><i>Policy RNP 10, Design Principles. The design of this barn conversion meets the spirit of this policy and enhances the character and setting of the village. We would ask that the detailed permission, if granted, also requires compliance with sections (b) - energy efficiency - (d) - tree and hedge planting - and (e) - biodiversity - of this policy.”</i></p>		

##### Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	7 August 2020	28 August 2020
<p>Summary of comments: No objections. Conditions recommended.</p>		

Consultee	Date consulted	Date reply received
Natural England	28 August 2020	9 September 2020
<p>SUMMARY OF NATURAL ENGLAND'S ADVICE</p> <p>NO OBJECTION</p> <p>Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.</p>		

## Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	7 August 2020	4 September 2020

Summary of comments:

Conditions required to secure appropriate investigation and, where necessary, remediation of ground contamination.

Noise Survey required to assess impact of adjacent farm buildings on occupiers of the dwellings.

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	7 August 2020	No response

Summary of comments:

No comments received.

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	7 August 2020	No response

Summary of comments:

No comments received.

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	7 August 2020	No response

Summary of comments:

No comments received.

Consultee	Date consulted	Date reply received
East Suffolk Ecology	28 August 2020	5 October 2020

Summary of comments:

No objections. Conditions recommended and requirement for RAMS contributions on a per-dwelling basis.

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	28 August 2020	No response

Summary of comments:

Recommendation

The proposal appears to be a sensitive scheme, in as such that the form of the barns is retained with the domestic character often a result of conversion have been minimised by treatment of window openings and containing ancillary elements being within the enclosed areas between the wings.

I have no objection to the barns being converted. However, I am of the view that if possible the conversion should be contained within the existing envelope rather than the addition of a garage block.

(Full comments viewable on public access page).

Consultee	Date consulted	Date reply received
SCC Coasts And Heaths Project	28 August 2020	18 September 2020

Summary of comments:

No objections.

Advice given on need for conditions in respect of landscaping and site lighting, should the LPA grant permission.

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	28 August 2020	10 September 2020

Summary of comments:

This site is a derelict farm building up a farm track away from main road, the existing building is in various stages of collapse. Around the existing building is a mix of Bramble, Elder and Ivy, with a small Goat Willow growing inside the animal pen area of the building.

On the opposite side of the track facing the building is a well-managed native hedgerow predominately Hawthorn. There are no tree issues with this proposal but we would like to see a decent landscaping scheme incorporating native hedges.

## 5. Planning policy

National Planning Policy Framework 2021 (NPPF)

WLP1.1 - Scale and Location of Growth (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP1.2 - Settlement Boundaries (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.7 - Small Scale Residential Development in the Countryside (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.11 - Conversion of Rural Buildings to Residential Use (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.21 - Sustainable Transport (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.25 - Coastal Change Management Area (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.34 - Biodiversity and Geodiversity (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.35 - Landscape Character (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.38 - Non-Designated Heritage Assets (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

RNP4: Principal Residence Requirement (Reydon Neighbourhood Plan, 'Made' May 2021)

RNP8: Safe Access To and From New Developments (Reydon Neighbourhood Plan, 'Made' May 2021)

RNP5: Maintaining Protection of the Countryside round the Village (Reydon Neighbourhood Plan, 'Made' May 2021)

RNP10: Reydon Neighbourhood Design Principles (Reydon Neighbourhood Plan, 'Made' May 2021)

## **6. Planning considerations**

### Policy Background

6.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires decision-taking to be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the East Suffolk (Waveney) Local Plan 2019 ("The Local Plan") and the Reydon Neighbourhood Plan ("The RNP"), which was made in May 2021. The relevant policies are listed in the Planning Policy section above.

### Principle of Development

6.2 The Local Plan spatial strategy allows for some limited residential development in the countryside in certain circumstances including where it would involve the re-use/conversion of a rural building. Policy WLP8.11 sets out that:

*"The conversion of redundant rural buildings in the Countryside to residential use will be permitted where it secures or safeguards a heritage asset or:*

*The building is locally distinctive and of architectural merit;*

*The conversion requires only minimal alteration;*

*The design maintains or enhances the structure, form and character of the rural building;*

*The creation of a residential curtilage does not have a harmful effect on the character of the countryside or settlement;*

*The conversion enhances the immediate setting of the area;*

*The site is served by an appropriate existing access; and*

*The development when considered cumulatively with other developments in the Countryside would not result in a level of development which would be contrary to the strategy outlined in Policies WLP1.1 and WLP7.1."*

- 6.3 The general approach is to support the retention/re-use of architecturally and historically valuable rural buildings which become redundant or disused. This reflects objectives also in the NPPF where residential conversions can enhance their immediate setting; although, that would relate more to isolated locations which the application site is not, given there is a well-established pattern of some agricultural and residential development on Easton Lane.

#### Heritage Value of the Barns

- 6.4 The barn complex is not listed and not associated with any adjacent listed building, such as an associated listed farmhouse. However, they are of some age and appear to be of some historic value. These barns together with some of the adjacent ones, form a farmstead within the landscape which is characteristic of the East Suffolk countryside and sit within the AONB.
- 6.5 The Design, Access & Planning Statement states:  
*"From the historical maps we can see that Barn 1 is dated to 2 stages, the West part being pre 1884 and possibly early 1800's and the East part being 1884 to 1904. Barn 2 is clearly an older building and the timber frame and details hint to a late 1600 to early 1700 origin. Barn 3 can also be dated from 1884 to 1904."* (Page 5).
- 6.6 Looking at the information contained in the structural survey, the main barn appears to have retained elements of historic framing to both walls and roof structure. Of particular interest is the double level curved bracing to the roof structure where the midstreys connect.
- 6.7 The information as to the historic significance of the structures is relatively brief and there is no heritage statement which assesses the historic significance of the range in detail. However, the Council's Senior Design and Conservation Officer has considered the application and advises that, based on the information available, the buildings subject of this application would be considered to be Non-Designated Heritage Assets (NDHAs). This follows an assessment of the buildings against the criteria set out in the Local Plan for identifying a NDHA. It is concluded the buildings meet the following criteria:
- Aesthetic value - the building or structure, through its intrinsic design value derived from local styles, materials, workmanship or any other distinctive local characteristic,

will exhibit a positive external appearance in the streetscene, village or townscape or landscape.

- Group value - the buildings or structures will have a coherent design or historic functional relationship as a group.
- Representativeness - the building or structure will survive as a good quality representative of a particular historical or architectural trend or settlement pattern; or be part of the legacy of a particular individual, architect or designer, architectural or artistic movement, company or group in the past.

6.8 Accordingly, the buildings are NDHAs where the retention through conversion to a viable use is supported by the Local Plan spatial strategy and policy WLP8.11. It then turns to assessment of detailed matters and other relevant Development Plan policies.

#### Design and Landscape & Visual Impact

6.9 The site is located wholly within the Suffolk Coast & Heaths Area of Outstanding Natural Beauty. Officers have considered the proposal with clear regard to relevant national and local policies, and due regard to the statutory purpose of AONB designation which is to conserve and enhance natural beauty. Development proposals located within this area should seek to contribute positively to the purposes of the AONB designation and meet the relevant policy objectives of the Suffolk Coast & Heaths AONB Management Plan 2018-2023. The proposal should also have regard to paragraphs 174 and 176 of the revised (2021) NPPF.

6.10 The site is located in the Estate Sandlands Landscape Character Type (LCT) (SCC). The conversion and expansion of farmsteads for residential uses is recognised as a key force for change within this LCT. However, this scheme would bring a redundant and derelict barn back into use which is supported by policy WLP8.11 and objective LUW2 in the Suffolk Coast & Heaths AONB Management Plan 2018-2023.

6.11 The choice of materials and colour proposed are appropriate within the Estates Sandlands LCT. They reflect information on materials in the SCC Guidance Note for this LCT and also reflect the colour palette suggested in the AONB Guidance for the selection and use of colour in Development document for the Estates Sandlands LCT. This sensitive use of materials and colour will help ensure that the barns sit sympathetically within this part of the AONB which is an objective of policy WLP8.35.

6.12 The site is visually well contained from the north by roadside hedges growing along the B1127 and by the other buildings making up the Easton Farm complex. West Barn is more visible from the south from the B1127 as the hedges are less dense, but it is viewed as part of the farm complex from this aspect.

6.13 The Council's Arboriculture and Landscape Team raise no objections to the application, and the Suffolk Coast and Heaths AONB unit have no objections; both parties recommend conditions on landscaping and site lighting, should permission be granted.

6.14 Officers consider that the proposed development is a sensitive scheme, in that the form of the barns is retained with the domestic character arising from conversion likely to be minimised by treatment of window openings and containing ancillary elements within the enclosed areas between the wings. The detached cartlodge/garages would ideally be

incorporated into existing buildings, but the scale and position of those elements means they will sit comfortably to the north of the conversion and be read as part of the complex.

- 6.15 For the reasons given, the proposed development would be a high-quality design that enhances its setting in the AONB and retains and sensitively converts a NDHA. This meets the objectives of RNP10, WLP8.11, WLP8.29, WLP8.35 and WLP8.38, in addition to the design and AONB objectives of the NPPF.

#### Residential Amenity

- 6.16 The proposed development is far enough removed from existing residential properties that there would not be significant impact on local living conditions. The two dwellings proposed would relate acceptably to each other whereby the standard of amenity would be acceptable. Likewise, this proposal would relate acceptably to the proposed residential conversion to the east (subject of DC/20/3183/FUL).
- 6.17 The main amenity issue is the proximity of the large poultry houses to the proposed development. Officers made clear to the applicant that, if these poultry houses remain, unrestricted, then that would not be compatible with an adjacent residential use. Officers encouraged a programme of demolition of those buildings because they are clearly of some age and not suitable for modern agriculture; however, the applicants have elected to provide a draft unilateral undertaking (legal agreement) which sets out that, subject to the implementation of any planning permission granted, the poultry houses will not be used for the keeping of livestock. This effectively makes the buildings redundant unless they could be re-purposed for some agricultural storage or similar. Officers are satisfied that any amenity impacts from odour, pollution, and noise (arising from poultry rearing) would be obviated by this legal restriction. The presence of large agricultural buildings near to residential properties would not be atypical for the district, nor the site context whereby there is a pattern of a farmstead and associated residential development. The visual appearance of the poultry houses may deter potential purchasers of the converted barns, but in planning terms there would not be adverse amenity impacts arising just from their physical presence; it is the use that matters, and the legal agreement would ensure that is acceptable. The requested Noise Assessment (by ESC Environmental Protection) is not required given the restriction that would be imposed on the poultry units, and that the rest of the farmstead activity to the north is quite low-key and unlikely to generate significant impact.
- 6.18 With a unilateral undertaking completed prior to decision, the scheme is acceptable in amenity terms in accordance with WLP8.29 and WLP8.11.

#### Ecology

- 6.19 Given the proximity of development to the boundary of the Pakefield to Easton Bavents SSSI, Natural England were consulted on the application; Natural England consider that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
- 6.20 The Council's own ecologist has reviewed the scheme (including the Ecology Report [MHE Consulting, September 2020]) and raises no objections subject to a number of conditions securing: development in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecology Report; no

vegetation removal during bird nesting season; lighting strategy to be agreed and implemented as approved; and development to only commence where (if required) a licence has been issued by Natural England pursuant to The Conservation of Habitats and Species Regulations (2017) (as amended) authorising the specified development to go ahead.

- 6.21 The site also brings about two dwellings in a location close to designated habitats (European) sites whereby the Suffolk Coast Recreational Avoidance Mitigation Strategy (RAMS) seeks per-dwelling financial contributions to mitigate recreational impacts arising. The applicant has agreed to provide this via S106, and this would be secured prior to any grant of permission.
- 6.22 With conditions and obligations as listed above, the development would be acceptable in ecological terms in accordance with the NPPF and WLP8.34.

#### Highways Safety, Parking and Sustainable Transport

- 6.23 The rural site location means that occupiers of the development will be largely reliant on private car, but that can be acceptable in a rural context where housing is delivered via conversion projects. Easton Lane is a well-established access onto the B1127, and the additional traffic generated from this proposal (and linked application DC/20/3183/FUL) is unlikely to have any adverse impacts on highways safety. The County Highways Authority raise no objections to the application. The proposal would provide ample car parking and safe access onto Easton Lane. For those reasons, the scheme is acceptable in accordance with WLP8.21 and RNP8.

#### Principal Residence Restriction Policy RNP4

- 6.24 Reydon Parish Council support the application but have drawn attention to the requirements of Neighbourhood Plan Policy RNP4, which sets out that new open market housing, excluding replacement dwellings, will be supported only where there is a restriction to ensure its occupancy as a Principal Residence, and new unrestricted second homes will not be supported.

- 6.25 Paragraph 3.6 of the RNP sets out the need for a Neighbourhood Plan:

*“The popularity of Southwold as a holiday and retirement destination has put pressure on Reydon. Southwold, because of its location and geography, cannot expand. But the proximity of Reydon to Southwold encourages tourists and retirees to look to Reydon to satisfy their need for holiday lets and second homes. This is pricing local residents out of the market and putting at risk the current vibrant community. A neighbourhood plan is needed to control these pressures and to plan for sustainable growth.”*

- 6.26 That overarching vision for the RNP translates into Policy RNP4 (Principal Residence Requirement), which states:

*“New open market housing, excluding replacement dwellings, will be supported only where there is a restriction to ensure its occupancy as a Principal Residence. Sufficient guarantee must be provided of such occupancy restriction through the imposition of a planning condition or legal agreement. New unrestricted second homes will not be supported at any*

*time. Principal Residences are defined as those occupied as the residents' sole or main residence, where the residents spend the majority of their time when not working away from home. The condition on new open market homes will require that they are occupied only as the primary (principal) residence of those persons entitled to occupy them. Occupiers of homes with a Principal Residence condition will be required to keep proof that they are meeting the obligation or condition and be obliged to provide this proof if/when East Suffolk Council requests this information. Proof of Principal residence is via verifiable evidence which could include, for example (but not limited to), residents being registered on the local electoral register and being registered for and attending local services (such as healthcare, schools etc)."*

- 6.27 RNP4 does not specifically mention conversion projects, which are quite different to new build residential development - in viability terms conversions are not exempt from VAT (a point the applicant has made), and oftentimes there is a stronger planning position of support for good conversion schemes where a heritage building is retained and preserved. The applicant has contacted Reydon Parish Council and the Local Ward Member to seek support for their scheme without the Principal Residence Restriction. The Parish Council have maintained that the policy applies, although they acknowledge that ultimately it rests with the LPA to decide on the application of planning policies to a specific application. Whilst the Ward Member, Cllr Beavan, has not made a formal representation of objection, Cllr Beavan in email correspondence with the applicant and Parish Council has objected to a grant of permission without a Principal Residence Restriction.
- 6.28 Officers have considered the policy position and also the unique circumstances of the proposal, which is the conversion of a heritage asset in accordance with WLP8.11. It is also relevant that the applicant has lost properties and land to the eroding cliff to the east and, whilst these new dwellings would not be replacements for those properties lost, a benefit of the proposal is that it would help the applicant with their ongoing work to adapt to the significant erosion at Easton Bavents. For those reasons, officers do not consider a Principal Residence Restriction to be appropriate for this particular case, and a condition of restriction is not necessary to make the development acceptable in planning terms.

#### Other Matters

- 6.29 The site is close to the Coastal Change Management Area, but outside that designation and therefore unlikely to be vulnerable to coastal erosion in the medium to long term.
- 6.30 The application is supported by limited ground contamination investigation, therefore if permission is granted then the full suite of conditions to secure ground investigation, remediation, and validation (where appropriate) should be applied.

### **7. Conclusion**

- 7.1 The proposed development is deemed to be in accordance with the Development Plan, when considered as a whole. The conversion of a rural NDHA building to a use consistent with its conservation, bringing about an enhancement of the appearance of the site within its AONB location, is a development outcome supported by the Local Plan and RNP. The lack of a principal residence restriction (by condition if permission granted) represents a conflict with specific policy RNP4, but not with the Development Plan as a whole. Whilst the objectives of RNP4 are acknowledged and clearly applicable to all new build housing

development, it is not clear that this should automatically be applied to the conversion of an existing building where the LPA would encourage and support conversion to safeguard a NDHA. There would be benefits from the scheme in terms of short-term construction jobs and future spend by residents in the local economy - and it is also acknowledged that the conversion scheme(s) would support the applicant's work to adapt and respond to the impacts of erosion in this area that resulted in their terrace of cottages being demolished in recent years.

- 7.2 There are no adverse impacts arising from this development proposal, and the consultation responses received highlight where conditions should be applied, and those are recommended, where appropriate. There are no material considerations of any significant weight to indicate for a decision other than approval.

## **8. Recommendation**

- 8.1 Authority to Approve; subject to the conditions recommended below and the completion of a S106 Legal Agreement to secure RAMS contribution, and restriction of the poultry houses to prevent the keeping of livestock.

## **9. Conditions:**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans/drawings (received 04 August 2020):

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

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

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

3. No development shall commence until details of the materials to be used in the external surfaces of the approved development have been submitted to and approved in writing by the Local Planning Authority (LPA). These details shall, as a minimum, include the following: roof tiles/covering; cladding and brickwork (including type, bond etc); windows and doors; rainwater goods; and external flues.

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

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

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

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

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

Reason: To ensure that nesting birds are protected

6. No external lighting shall be installed unless a "lighting design strategy for biodiversity" has been submitted to and approved in writing by the local planning authority. The strategy shall:
  - a) identify those areas/features on site that are particularly sensitive for biodiversity likely to be impacted by lighting and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
  - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

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

7. The development shall not in any circumstances commence unless the local planning authority has been provided with either:
  - a) a licence issued by Natural England pursuant to The Conservation of Habitats and Species Regulations (2017) (as amended) authorising the specified development to go ahead

or demonstration that the appropriate Natural England Class Licence is in place to allow works to commence; or

b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified development will require a licence.

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

8. The use shall not commence until the area(s) within the site shown on Drawing No. 06 Rev. B for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

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

a) A desk study and site reconnaissance, including:

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

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

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

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

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

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

10. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:
- details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
  - an explanation, including justification, for the selection of the proposed remediation methodology(ies);
  - proposed remediation objectives and remediation criteria; and
  - proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.
- The RMS must be prepared by a competent person and conform to current guidance and best practice, including CLR11.

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

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

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

12. A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to:
- results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
  - evidence that any RMS approved in pursuance of conditions appended to this consent has been carried out competently, effectively and in its entirety; and
  - evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

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

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

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

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

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

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

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

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

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

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

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

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

**Informatives:**

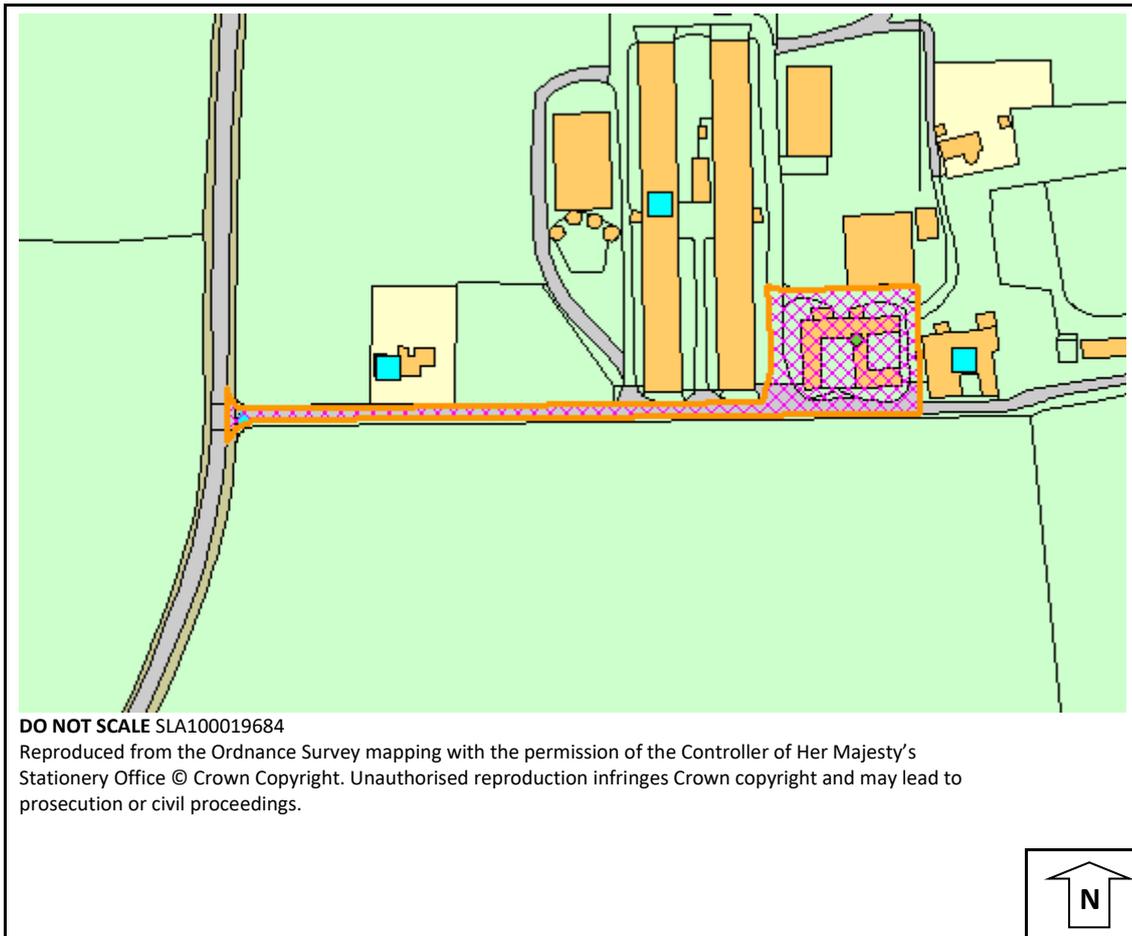
1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. The applicant is advised that this planning permission allows the development of conversion to a C3 (Dwellinghouses) use. Given the size and scale of the permitted dwellings, their use for short-term holiday letting accommodation could amount to a material change of use requiring further planning permission from the Local Planning Authority.

**Background Papers**

See application reference DC/20/2917/FUL on [Public Access](#)

Link to Reydon Neighbourhood Plan: <https://www.eastsuffolk.gov.uk/planning/neighbourhood-planning/neighbourhood-plans-in-the-area/reydon-neighbourhood-plan/>

## Map



### Key



Notified, no comments received



Objection



Representation



Support

## Committee Report

Planning Committee North – 14 September 2021

Application no DC/20/3183/FUL

**Location**

Easton Farm (Main Barn)  
Easton Lane  
Easton Bavents  
Southwold  
Suffolk  
IP18 6ST

**Expiry date** 13 October 2020

**Application type** Full Application

**Applicant** Easton Bavents Ltd

**Parish** Reydon

**Proposal** Conversion of barn structure to dwellinghouse comprising installation of sewage package treatment plant and associated landscaping. Erection of detached cartlodge garage structure.

**Case Officer** Joe Blackmore  
01394 444 733  
[Joe.Blackmore@eastsoffolk.gov.uk](mailto:Joe.Blackmore@eastsoffolk.gov.uk)

### 1. Summary

- 1.1 This application seeks planning permission for the conversion of a barn into a single dwelling along with associated works, at Easton Farm, Easton Bavents.
- 1.2 The proposed development is considered to be acceptable in accordance with the Development Plan as a whole, and the NPPF, whereby permission can be granted. This is because the scheme would re-use and preserve a heritage asset in a manner both consistent with its conservation and also its sensitive AONB location.
- 1.3 Officers recommend approval, but without a principal residence restriction (by condition) being applied to any permission granted. This is because of the unique nature of the scheme, and that such a condition is not considered appropriate in this instance for reasons that are detailed in this report. Granting permission without such a condition would be

contrary to comments from Reydon Parish Council, who recommend approval, but draw particular attention to the Principal Residence Requirement of Policy RNP4. For that reason, the application was considered by the referral panel who referred the application to Planning Committee (North) for determination.

## **2. Site description**

- 2.1 The application site is located in the countryside to the northeast of Reydon and Southwold, within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB) and Heritage Coast. Easton Farm is some 200 metres east of the B1127, and accessed from an unmade road, Easton Lane - which loops down to the south, linking to the car park north of Southwold pier.
- 2.2 The application site is within the farmstead, which comprises a modern agricultural barn and farmhouse (to the north); two large poultry units (to the west); and then the group of barns subject of this application and also a tandem application (DC/20/2917/FUL). The barns front and have direct access from the lane for vehicles and pedestrians.
- 2.3 The barn subject of this application is the 'Main Barn' which has a U-shaped plan form with the main block aligned on an east-west axis. It is a double height timber framed Suffolk Barn with adjoining single storey wings/annexes forming a traditional farmyard. To the immediate west is the access track to the farmhouse to the north. To the western side of that track is the 'West Barn' which is proposed for conversion to two dwellings under DC/20/2917/FUL.

## **3. Proposal**

- 3.1 The proposed development is the conversion of the main barn into a single dwelling, with hard/soft landscaping, new detached cartlodge/garage and associated works (including package sewage treatment plants etc.).
- 3.2 The application is supported by a Structural Appraisal. The appraisal is detailed and sets out that the overall condition of the main barn is good (the east and west wings in reasonable condition) and, with recommended repairs and limited re-building, the conversion of the barn is structurally viable.
- 3.3 Linked elements of little historic value, in a poor state of repair, would be demolished to facilitate the conversion of structurally sound elements of historic value.
- 3.4 The conversion would utilise the existing U-shaped plan form to organise the accommodation around a central courtyard garden. The converted barn would have seven bedrooms, with accommodation on the first floor and in the roof space of the main block; the east and west wings would provide only ground floor accommodation, being single storey in scale.
- 3.5 The dwelling would be accessed from Easton Lane, via the existing farmhouse access, and to the north of the dwelling would be a large parking area with triple cartlodge/garage.

#### 4. Consultations/comments

4.1 No third-party representations received.

##### Parish/Town Council

Consultee	Date consulted	Date reply received
Reydon Parish Council	24 August 2020	15 September 2020
<p><i>“RPC is generally supportive of diversification of farm enterprises and conversion of disused barns to other purposes such as residential. However, this proposal is for a new dwelling and it should meet the requirement of Reydon Neighbourhood Plan Policy RNP4 which will only support new open market housing where it is restricted to occupancy as a principal residence. The Neighbourhood Plan has received a Decision Notice and thus should be given significant weight in determination of applications. We ask, therefore, that this policy should be applied to this development or that the applicant should be asked to revise the proposal ( which is for a dwelling with seven bedrooms) so that it can meet this requirement.”</i></p>		

##### Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	24 August 2020	11 September 2020
<p>Summary of comments: No objections. Conditions recommended.</p>		

Consultee	Date consulted	Date reply received
Natural England	28 August 2020	11 September 2020
<p>Summary of comments: <i>This development falls within the 13 km 'zone of influence' for the Minsmere to Walberswick Heaths &amp; Marshes Special Area of Conservation (SAC), Minsmere - Walberswick Special Protection Area (SPA), as set out in the emerging Suffolk Recreational Disturbance Avoidance and Mitigation Strategy ('RAMS'). It is anticipated that new housing development in this area is 'likely to have a significant effect', when considered either alone or in combination, upon the interest features of European Sites due to the risk of increased recreational pressure caused by that development. As such, we advise that a suitable contribution to the emerging Suffolk RAMS should be sought from this residential development whilst ensuring that the delivery of the RAMS remains viable. If this does not occur in the interim period then the per house tariff in the adopted RAMS will need to be increased to ensure the RAMs is adequately funded. We therefore advise that you should not grant permission until such time as the implementation of this measure has been secured.</i></p>		

## Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Ecology	N/A	5 October 2020

Summary of comments:  
No objections. Conditions recommended and requirement for RAMS contributions on a per-dwelling basis.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	24 August 2020	26 August 2020

Summary of comments:  
Conditions required to secure appropriate investigation and, where necessary, remediation of ground contamination.

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	24 August 2020	No response

Summary of comments:  
No comments received.

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	24 August 2020	No response

Summary of comments:  
No comments received.

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	N/A	2 September 2020

Summary of comments:  
Advice on building regulations matters provided.

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	28 August 2020	10 September 2020

Summary of comments:  
This site is a derelict farm building up a farm track away from main road, the existing building is in various stages of collapse. Around the existing building is a mix of Bramble, Elder and Ivy, there is a

Fig growing up beside the left hand corner of the building.  
 On the opposite side of the track facing the building is a well-managed native hedgerow predominately Hawthorn.  
 There are no tree issues with this proposal but we would like to see a decent landscaping scheme incorporating native hedges.

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	28 August 2020	5 October 2020

Summary of comments:  
 Recommendation

The proposal appears to be a sensitive scheme, in as such that the form of the barns is retained with the domestic character often a result of conversion have been minimised by treatment of window openings and containing ancillary elements being within the enclosed areas between the wings.

I have no objection to the barns being converted. However, I am of the view that if possible the conversion should be contained within the existing envelope rather than the addition of a garage block.

(Full comments viewable on public access page).

Consultee	Date consulted	Date reply received
SCC Coasts And Heaths Project	28 August 2020	18 September 2020

Summary of comments:  
 No objections.

Advice given on need for conditions in respect of landscaping and site lighting, should the LPA grant permission.

## 5. Planning policy

National Planning Policy Framework 2021 (NPPF)

WLP1.1 - Scale and Location of Growth (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP1.2 - Settlement Boundaries (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.7 - Small Scale Residential Development in the Countryside (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.11 - Conversion of Rural Buildings to Residential Use (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.21 - Sustainable Transport (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.34 - Biodiversity and Geodiversity (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.35 - Landscape Character (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.38 - Non-Designated Heritage Assets (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

RNP4: Principal Residence Requirement (Reydon Neighbourhood Plan, 'Made' May 2021)

RNP8: Safe Access To and From New Developments (Reydon Neighbourhood Plan, 'Made' May 2021)

RNP5: Maintaining Protection of the Countryside round the Village (Reydon Neighbourhood Plan, 'Made' May 2021)

RNP10: Reydon Neighbourhood Design Principles (Reydon Neighbourhood Plan, 'Made' May 2021)

## **6. Planning considerations**

### Policy Background

6.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires decision-taking to be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the East Suffolk (Waveney) Local Plan 2019 ("The Local Plan") and the Reydon Neighbourhood Plan ("The RNP"), which was made in May 2021. The relevant policies are listed in the Planning Policy section above.

### Principle of Development

6.2 The Local Plan spatial strategy allows for some limited residential development in the countryside in certain circumstances including where it would involve the re-use/conversion of a rural building. Policy WLP8.11 sets out that:

*"The conversion of redundant rural buildings in the Countryside to residential use will be permitted where it secures or safeguards a heritage asset or:*

*The building is locally distinctive and of architectural merit;*

*The conversion requires only minimal alteration;*

*The design maintains or enhances the structure, form and character of the rural building;*

*The creation of a residential curtilage does not have a harmful effect on the character of the countryside or settlement;*

*The conversion enhances the immediate setting of the area;*

*The site is served by an appropriate existing access; and*

*The development when considered cumulatively with other developments in the Countryside would not result in a level of development which would be contrary to the strategy outlined in Policies WLP1.1 and WLP7.1."*

- 6.3 The general approach is to support the retention/re-use of architecturally and historically valuable rural buildings which become redundant or disused. This reflects objectives also in the NPPF where residential conversions can enhance their immediate setting; although, that would relate more to isolated locations which the application site is not, given there is a well-established pattern of some agricultural and residential development on Easton Lane.

#### Heritage Value of the Barns

- 6.4 The barn complex is not listed and not associated with any adjacent listed building, such as an associated listed farmhouse. However, they are of some age and appear to be of some historic value. These barns together with some of the adjacent ones, form a farmstead within the landscape which is characteristic of the East Suffolk countryside and sit within the AONB.

- 6.5 The Design, Access & Planning Statement states:

*"From the historical maps we can see that Barn 1 is dated to 2 stages, the West part being pre 1884 and possibly early 1800's and the East part being 1884 to 1904. Barn 2 is clearly an older building and the timber frame and details hint to a late 1600 to early 1700 origin. Barn 3 can also be dated from 1884 to 1904." (Page 5).*

- 6.6 Looking at the information contained in the structural survey, the main barn appears to have retained elements of historic framing to both walls and roof structure. Of particular interest is the double level curved bracing to the roof structure where the midstreys connect.
- 6.7 The information as to the historic significance of the structures is relatively brief and there is no heritage statement which assesses the historic significance of the range in detail. However, the Council's Senior Design and Conservation Officer has considered the application and advises that, based on the information available, the buildings subject of this application would be considered to be Non-Designated Heritage Assets (NDHAs). This follows an assessment of the buildings against the criteria set out in the Local Plan for identifying a NDHA. It is concluded the buildings meet the following criteria:
- Aesthetic value - the building or structure, through its intrinsic design value derived from local styles, materials, workmanship or any other distinctive local characteristic, will exhibit a positive external appearance in the streetscene, village or townscape or landscape.
  - Group value - the buildings or structures will have a coherent design or historic functional relationship as a group.

- Representativeness - the building or structure will survive as a good quality representative of a particular historical or architectural trend or settlement pattern; or be part of the legacy of a particular individual, architect or designer, architectural or artistic movement, company or group in the past.
- 6.8 Accordingly, the buildings are NDHAs where the retention through conversion to a viable use is supported by the Local Plan spatial strategy and policy WLP8.11. It then turns to assessment of detailed matters and other relevant Development Plan policies.

#### Design and Landscape & Visual Impact

- 6.9 The site is located wholly within the Suffolk Coast & Heaths Area of Outstanding Natural Beauty. Officers have considered the proposal with clear regard to relevant national and local policies, and due regard to the statutory purpose of AONB designation which is to conserve and enhance natural beauty. Development proposals located within this area should seek to contribute positively to the purposes of the AONB designation and meet the relevant policy objectives of the
- 6.10 Suffolk Coast & Heaths AONB Management Plan 2018-2023. The proposal should also have regard to paragraphs 174 and 176 of the revised (2021) NPPF.
- 6.11 The site is located in the Estate Sandlands Landscape Character Type (LCT) (SCC). The conversion and expansion of farmsteads for residential uses is recognised as a key force for change within this LCT. However, this scheme would bring a redundant and derelict barn back into use which is supported by policy WLP8.11 and objective LUW2 in the Suffolk Coast & Heaths AONB Management Plan 2018-2023.
- 6.12 The choice of materials and colour proposed are appropriate within the Estates Sandlands LCT. They reflect information on materials in the SCC Guidance Note for this LCT and also reflect the colour palette suggested in the AONB Guidance for the selection and use of colour in Development document for the Estates Sandlands LCT. This sensitive use of materials and colour will help ensure that the barns sit sympathetically within this part of the AONB which is an objective of policy WLP8.35.
- 6.13 The site is visually well contained from the north by roadside hedges growing along the B1127 and by the other buildings making up the Easton Farm complex. Main Barn is more prominent in the landscape given its height, but it reads as part of the overall farm complex as a traditional agricultural building.
- 6.14 The Council's Arboriculture and Landscape Team raise no objections to the application, and the Suffolk Coast and Heaths AONB unit have no objections; both parties recommend conditions on landscaping and site lighting, should permission be granted.
- 6.15 Officers consider that the proposed development is a sensitive scheme, in that the form of the barns is retained with the domestic character arising from conversion likely to be minimised by treatment of window openings and containing ancillary elements within the enclosed areas between the wings. The detached cartlodge/garage would ideally be incorporated into existing buildings, but the scale and position of those elements means they will sit comfortably to the north of the conversion and be read as part of the complex.

- 6.16 For the reasons given, the proposed development would be a high-quality design that enhances its setting in the AONB and retains and sensitively converts a NDHA. This meets the objectives of RNP10, WLP8.11, WLP8.29, WLP8.35 and WLP8.38, in addition to the design and AONB objectives of the NPPF.

#### Residential Amenity

- 6.17 The proposed development is far enough removed from existing residential properties that there would not be significant impact on local living conditions. The proposed dwelling would relate acceptably to the two dwellings, to the west, proposed under DC/20/2917/FUL. First floor side fenestration in the Main Barn is located on the eastern side, and all other upper floor glazing gives views primarily to the north and south, so the two dwellings to the west would not be overlooked by this proposal.
- 6.18 The main amenity issue is the proximity of the large poultry houses to the proposed development. Whilst far more important in respect of the conversion scheme for the West Barn, the poultry houses are still close enough to the Main Barn that Officers made clear to the applicant that, if these poultry houses were to remain, unrestricted, then that would not be compatible with the proposed residential use. Officers encouraged a programme of demolition of those buildings because they are clearly of some age and not suitable for modern agriculture; however, the applicants have elected to provide a draft unilateral undertaking (legal agreement) which sets out that, subject to the implementation of any planning permission granted, the poultry houses will not be used for the keeping of livestock. This effectively makes the buildings redundant unless they could be re-purposed for some agricultural storage or similar. Officers are satisfied that any amenity impacts from odour, pollution, and noise (arising from poultry rearing) would be obviated by this legal restriction. The presence of large agricultural buildings near to residential properties would not be atypical for the district, nor the site context whereby there is a pattern of a farmstead and associated residential development. The visual appearance of the poultry houses may deter potential purchasers of the converted barn, but in planning terms there would not be adverse amenity impacts arising just from their physical presence nearby; it is the use that matters, and the legal agreement would ensure that is acceptable. The rest of the farmstead activity to the north is quite low-key and unlikely to generate significant impact.
- 6.19 With a unilateral undertaking completed prior to decision, the scheme is acceptable in amenity terms in accordance with WLP8.29 and WLP8.11.

#### Ecology

- 6.20 Given the proximity of development to the boundary of the Pakefield to Easton Bavents SSSI, Natural England were consulted on the application; Natural England consider that the proposed development will not have significant adverse impacts on the SSSI. They have highlighted, however, that the site brings about a new dwelling in a location close to designated habitats (European) sites whereby the Suffolk Coast Recreational Avoidance Mitigation Strategy (RAMS) seeks per-dwelling financial contributions to mitigate recreational impacts arising. The applicant has agreed to provide this via S106, and this would be secured prior to any grant of permission. This would allow for Appropriate

Assessment under the Habitats Regulations (2017) to be passed, and the same applies for the tandem application DC/20/2917/FUL.

- 6.21 The Council's own ecologist has reviewed the scheme (including the Ecology Report [MHE Consulting, September 2020]) and raises no objections subject to a number of conditions securing: development in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecology Report; no vegetation removal during bird nesting season; lighting strategy to be agreed and implemented as approved; and development to only commence where (if required) a licence has been issued by Natural England pursuant to The Conservation of Habitats and Species Regulations (2017) (as amended) authorising the specified development to go ahead.
- 6.22 With conditions and obligations as listed above, the development would be acceptable in ecological terms in accordance with the NPPF and WLP8.34.

#### Highways Safety, Parking and Sustainable Transport

- 6.23 The rural site location means that occupiers of the development will be largely reliant on private car, but that can be acceptable in a rural context where housing is delivered via conversion projects. Easton Lane is a well-established access onto the B1127, and the additional traffic generated from this proposal (and linked application DC/20/2917/FUL) is unlikely to have any adverse impacts on highways safety. The County Highways Authority raise no objections to the application. The proposal would provide ample car parking and safe access onto Easton Lane. For those reasons, the scheme is acceptable in accordance with WLP8.21 and RNP8.

#### Principal Residence Restriction Policy RNP4

- 6.24 Reydon Parish Council have drawn attention to the requirements of RNP4, which sets out that new open market housing, excluding replacement dwellings, will be supported only where there is a restriction to ensure its occupancy as a Principal Residence, and new unrestricted second homes will not be supported.

- 6.25 Paragraph 3.6 of the RNP sets out the need for a Neighbourhood Plan:

*“The popularity of Southwold as a holiday and retirement destination has put pressure on Reydon. Southwold, because of its location and geography, cannot expand. But the proximity of Reydon to Southwold encourages tourists and retirees to look to Reydon to satisfy their need for holiday lets and second homes. This is pricing local residents out of the market and putting at risk the current vibrant community. A neighbourhood plan is needed to control these pressures and to plan for sustainable growth.”*

- 6.26 That overarching vision for the RNP translates into Policy RNP4 (Principal Residence Requirement), which states:

*“New open market housing, excluding replacement dwellings, will be supported only where there is a restriction to ensure its occupancy as a Principal Residence. Sufficient guarantee must be provided of such occupancy restriction through the imposition of a planning condition or legal agreement. New unrestricted second homes will not be supported at any*

*time. Principal Residences are defined as those occupied as the residents' sole or main residence, where the residents spend the majority of their time when not working away from home. The condition on new open market homes will require that they are occupied only as the primary (principal) residence of those persons entitled to occupy them. Occupiers of homes with a Principal Residence condition will be required to keep proof that they are meeting the obligation or condition and be obliged to provide this proof if/when East Suffolk Council requests this information. Proof of Principal residence is via verifiable evidence which could include, for example (but not limited to), residents being registered on the local electoral register and being registered for and attending local services (such as healthcare, schools etc)."*

- 6.27 RNP4 does not specifically mention conversion projects, which are quite different to new build residential development - in viability terms conversions are not exempt from VAT (a point the applicant has made), and oftentimes there is a stronger planning position of support for good conversion schemes where a heritage building is retained and preserved. The applicant has contacted Reydon Parish Council and the Local Ward Member to seek support for their scheme without the Principal Residence Restriction. The Parish Council have maintained that the policy applies, although they acknowledge that ultimately it rests with the LPA to decide on the application of planning policies to a specific application. Whilst the Ward Member, Cllr Beavan, has not made a formal representation of objection, Cllr Beavan in email correspondence with the applicant and Parish Council has objected to a grant of permission without a Principal Residence Restriction.
- 6.28 Officers have considered the policy position and also the unique circumstances of the proposal, which is the conversion of a heritage asset in accordance with WLP8.11. It is also relevant that the applicant has lost properties and land to the eroding cliff to the east and, whilst the new dwelling would not be a replacement for those properties lost, a benefit of the proposal is that it would help the applicant with their ongoing work to adapt to the significant erosion at Easton Bavents. For those reasons, officers do not consider a Principal Residence Restriction to be appropriate for this particular case, and a condition of restriction is not necessary to make the development acceptable in planning terms.

#### Other Matters

- 6.29 The site is close to the Coastal Change Management Area, but outside that designation and therefore unlikely to be vulnerable to coastal erosion in the medium to long term.
- 6.30 The application is supported by limited ground contamination investigation, therefore if permission is granted then the full suite of conditions to secure investigation, remediation and validation (where appropriate) should be applied.

## **7. Conclusion**

- 7.1 The proposed development is deemed to be in accordance with the Development Plan, when considered as a whole. The conversion of a rural NDHA building to a use consistent with its conservation, bringing about an enhancement of the appearance of the site within its AONB location, is a development outcome supported by the Local Plan and RNP. The lack of a principal residence restriction (by condition) represents a conflict with specific policy RNP4, but not with the Development Plan as a whole. Whilst the objectives of RNP4 are

acknowledged and clearly applicable to all new build housing development, it is not clear that this should automatically be applied to the conversion of an existing building where the LPA would encourage and support conversion to safeguard a NDHA. There would be benefits from the scheme in terms of short-term construction jobs and future spend by residents in the local economy - and it is also acknowledged that the conversion scheme(s) would support the applicant's work to adapt and respond to the impacts of erosion in this area that resulted in their terrace of cottages being demolished in recent years.

- 7.2 There are no adverse impacts arising from this development proposal, and the consultation responses received highlight where conditions should be applied, and those are recommended, where appropriate. There are no material considerations of any significant weight to indicate for a decision other than approval.

## **8. Recommendation**

- 8.1 Authority to Approve; subject to the conditions recommended below and the completion of a S106 Legal Agreement to secure RAMS contribution, and restriction of the poultry houses to prevent the keeping of livestock.

## **9. Conditions:**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans/drawings (received 19 August 2020):

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

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

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

3. No development shall commence until details of the materials to be used in the external surfaces of the approved development have been submitted to and approved in writing by the Local Planning Authority (LPA). These details shall, as a minimum, include the following: roof tiles/covering; cladding and brickwork (including type, bond etc); windows and doors; rainwater goods; and external flues.

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

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

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

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

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

Reason: To ensure that nesting birds are protected

6. No external lighting shall be installed unless a "lighting design strategy for biodiversity" has been submitted to and approved in writing by the local planning authority. The strategy shall:
  - a) identify those areas/features on site that are particularly sensitive for biodiversity likely to be impacted by lighting and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
  - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

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

7. The development shall not in any circumstances commence unless the local planning authority has been provided with either:
  - a) a licence issued by Natural England pursuant to The Conservation of Habitats and Species Regulations (2017) (as amended) authorising the specified development to go ahead

or demonstration that the appropriate Natural England Class Licence is in place to allow works to commence; or

b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified development will require a licence.

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

8. The use shall not commence until the area(s) within the site shown on Drawing No. 08 Rev. B for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

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

a) A desk study and site reconnaissance, including:

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

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

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

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

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

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

10. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:
- details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
  - an explanation, including justification, for the selection of the proposed remediation methodology(ies);
  - proposed remediation objectives and remediation criteria; and
  - proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.
- The RMS must be prepared by a competent person and conform to current guidance and best practice, including CLR11.

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

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

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

12. A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to:
- results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
  - evidence that any RMS approved in pursuance of conditions appended to this consent has been carried out competently, effectively and in its entirety; and
  - evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

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

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

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

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

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

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

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

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

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

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

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

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

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

**Informatives:**

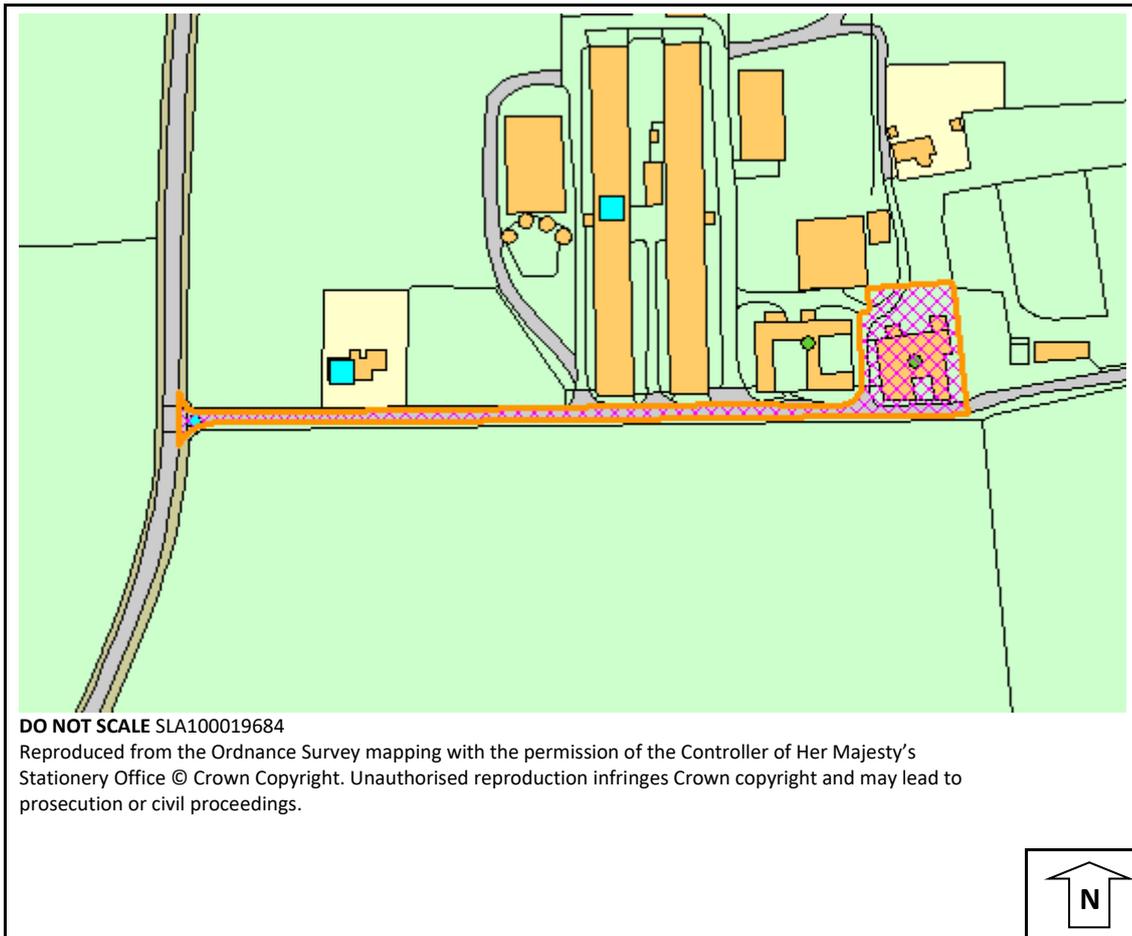
1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. The applicant is advised that this planning permission allows the development of conversion to a C3 (Dwellinghouses) use. Given the size and scale of the permitted dwellings, their use for short-term holiday letting accommodation could amount to a material change of use requiring further planning permission from the Local Planning Authority.

**Background Papers**

See application reference DC/20/3183/FUL on [Public Access](#)

Link to Reydon Neighbourhood Plan: <https://www.eastsuffolk.gov.uk/planning/neighbourhood-planning/neighbourhood-plans-in-the-area/reydon-neighbourhood-plan/>

## Map



### Key



Notified, no comments received



Objection



Representation



Support

## Committee Report

**Planning Committee North** - 14 September 2021

**Application no** DC/21/1166/FUL

**Location**

Land Off  
South Close  
Leiston  
Suffolk

**Expiry date** 8 June 2021  
**Application type** Full Application  
**Applicant** Flagship Housing Group Limited

**Parish** Leiston Cum Sizewell

**Proposal** Construction of 10no. dwellings with associated access, infrastructure, garden sheds and landscaping, and demolition of garages

**Case Officer** Steve Milligan  
07867 158060  
[steve.milligan@eastsuffolk.gov.uk](mailto:steve.milligan@eastsuffolk.gov.uk)

### 1. Summary

- 1.1 This application seeks full planning permission for the development of 10 dwellings and associated infrastructure on land off South Close, Leiston.
- 1.2 The site lies within the physical limits of Leiston as defined within the Leiston Neighbourhood Plan.

#### The Case for Development

- 1.3 The site lies within a sustainable location where policy Neighbourhood Plan policy P1 states that development proposals will be supported subject to compliance with other policies in the development plan.
- 1.4 The site is an existing garage court associated with an estate dating from the mid-20th century and contains 48 garages. These have however not been in use since 2011.

Neighbourhood Plan policy TM4 requires any redevelopment of communal parking garages to provide alternative and equivalent parking space.

- 1.5 In this instance, the scheme provides 8 visitor spaces, in addition to the parking serving the 10 dwellings. This is less than 48 garages on site but is considered to adequately provide for the level of recent use of the parking court. The application is therefore considered to be an acceptable departure from the Development Plan (Policy TM4).
- 1.6 Overall, the design of the development is considered to be acceptable and in conformity with the requirements of Development Plan. The development will provide 10 affordable dwellings and will deliver an acceptable mix of house types, sizes and designs whilst providing a high-quality environment.
- 1.7 The principle of residential development on the site is accepted and the proposal is an acceptable departure from the Neighbourhood Plan policy TM4.

#### Reason for Committee

- 1.8 This application is referred direct to the Planning Committee by the Head of Planning and Coastal Management under the terms of the Scheme of Delegation as the development is a departure from the Development Plan.

#### Recommendation

- 1.9 Officers are seeking authority to approve the application with conditions, subject to the completion of a Section 106 legal agreement to secure the necessary obligations.

## **2. Site description**

- 2.1 The application site is 0.329 hectares in area and comprises a former communal parking court with two blocks of single-storey garages for cars and hard surfacing and areas of grass surrounding these buildings. The site has accesses onto South Close and Quakers Way.
- 2.2 The garages (48 in total) were last used in 2011 and the site has been largely vacant since, with security fencing installed around much of the site including the garage blocks. There is a detached single garage building used by the residents of 56 Seaward Avenue, which has been vacant since 2017.
- 2.3 The site is bounded by residential properties to the north and east. To the north of the site is two storey houses and their rear curtilages, on Seaward Avenue and South Close. No 3 South Close lies immediately to the north. To the east are a pair of semi-detached two-storey houses known as Quakers Cottages, and the curtilage to 2 Quakers Cottage. To the south is Quakers Way, a cul-de-sac with two-storey houses on the opposite side, which is used as a drop off area for Alde Valley Academy. To the west is South Close also with two-storey houses on the opposite side. At the west of the site, near the corner of South Close and Quakers Way, there is a single-storey building which comprises three dwellings, Nos 9 and 11 South Close and 49 Garrett Crescent. The application site bounds three sides of its curtilage.

- 2.4 The town centre is approximately 400 metres to the northwest. Alde Valley Academy lies 50m to the east, on the other side of Quakers Cottages; the Leiston Primary School is approximately 180m to the northeast, and the Leiston Leisure Centre is approx. 150m to the southeast.
- 2.5 The site and the surrounding area is generally level, although there is a slight fall south to north from Quakers Way.
- 2.6 The site has an open boundary to Quakers Way and South Close. Otherwise, the site bounds private residential curtilages, and domestic fencing and hedges form these boundaries. Within the site there are several open areas laid to grass. A number of trees exist along the north and east boundaries, as well as a mature Lime tree on the northern side of 9 South Close.
- 2.7 An application for the erection of 8 dwellings on the site was submitted in 2010 (ref C10/3246/FUL) which was withdrawn.

### **3. Proposal**

- 3.1 This application seeks full planning consent for the development of 10no. dwellings, together with associated landscaping, garden sheds, infrastructure and access.
- 3.2 All ten dwellings will be affordable homes, to be secured by section 106 agreement. The ten residential units comprise:
- 6 no. 1-bed single-storey houses / bungalows [plot nos. 5 to 10 inclusive], and
  - 4 no. 2-bed two-storey houses [plot nos. 1 to 4 inclusive].
- 3.3 The dwellings will comprise six buildings: Plots 1 and 2 form a pair of semi-detached houses; Plots 3, 4 and 5 form a row of two houses and a bungalow at one end; Plots 6, 7 and 8 are detached bungalows; and Plots 9 and 10 form a pair of semi-detached bungalows.
- 3.4 Each dwelling will have a detached timber shed (each with a ground footprint of 2m by 2m) to provide secure bicycle and equipment storage.
- 3.5 All existing buildings and structures on the site will be demolished.
- 3.6 The dwellings will be heated with Air Source Heat Pumps.
- 3.7 The application is supported by following documents:
- Application and CIL forms
  - Survey by SJ Geomatics
  - Architectural Package, including Location and Site Plans, Proposed Elevations and Floor Plans, and CGI, by Ashenden Architecture
  - Design and Access Statement by Ashenden Architecture
  - Arboricultural Impact Assessment, including Tree Protection Plan, by A T Coombes Associates
  - Ecological Report by Norfolk Wildlife Services

- Flood Risk Assessment & Drainage Strategy, and Foul & Surface Water Drainage
- Strategy Plan, by Rossi Long
- Preliminary Ground Investigation by A F Howland Associates
- Parking Note prepared by Rossi Long
- Rolec WallPod:EV Ready specification
- Vaillant aroTHERM air source heat pump specifications
- Planning Statement by La Ronde Wright Limited
- Obligations (s. 106) statement.

3.8 The application has been amended two times since submission and been subject to re-consultation. Additional information has been received in relation to surface water drainage and a noise report in respect of the air source heat pumps. There have been changes to the layout to address highways matters, which has included changes to the access onto South Close; revised position of plots 1 and 2; and retention of the lime tree adjacent to 9 South Close.

#### 4. Consultations/comments

4.1 Thirteen (13) representations have been received in objection to the proposed development, raising the following key considerations (inter alia):

- There is not adequate replacement provision for the parking which will be displaced. The properties in Seaward Avenue park to the rear. These properties are unable to park on street to the front.
- The proposal is contrary to Neighbourhood Plan policy TM4 which requires "Any redevelopment of communal parking garages must provide alternative and equivalent parking space."
- The proposal will result in loss of tree of significant value to the amenity of the area.
- The properties to south of 3 South Close will have a deeper plan so that they will be built forward and to the rear of No 3 with resultant significant impact upon light, outlook, sunlight and privacy. Amended plans result in property closer to No 3 with greater impact upon amenity.
- The displaced parking will affect the safety of school traffic in Quakers Way and Seaward Avenue.

#### 5. Consultees

##### Parish/Town Council

Consultee	Date consulted	Date reply received
Leiston-cum-Sizewell Town Council	16 March 2021	7 April 2021
Summary of comments: <i>Councillors acknowledged the breach in the Neighbourhood Plan regarding this site but noted 8 visitor parking spaces had been provided within the development for people to use.</i>		

*Councillors were disappointed regarding the loss of a tree and the green space but felt the development would enhance the area overall. Therefore Leiston Town Council recommend approval.*

### Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	16 March 2021	19 April 2021
Summary of comments: SCC as LHA recommends a holding objection until such time as it can be demonstrated that safe and suitable access can be achieved for all users		

### Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Drainage Board	21 June 2021	21 June 2021
Summary of comments: Please that a drainage strategy reliant on infiltration is likely to be achievable on the proposed development. If for any reason a strategy wholly reliant on infiltration does not prove viable and a surface water discharge is proposed to a watercourse then we request that this be in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), resultantly we recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible.		

Consultee	Date consulted	Date reply received
Ward Councillor	6 April 2021	6 April 2021
Summary of comments: concern at loss of light and overlooking of 3 South Close. Loss of green space and trees. Concern at ground conditions in western part of site given report submitted with application in 2010.		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	16 March 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	16 March 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	16 March 2021	6 April 2021
Summary of comments: The loss of the mature lime tree from the site is regrettable and, as recognised in the ecological report, will result in a minor negative impact on local biodiversity. As well as the mitigation for the loss of the lime tree, the ecological report identifies the need for other small scale biodiversity mitigation and enhancement measures. These should be made a condition of planning permission. RAMS payment is required and must be secured prior to the application being determined.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	16 March 2021	14 April 2021
Summary of comments: No objections in principle to the proposed development, however there are concerns at noise impact of air source heat pumps on neighbouring properties. Noise report recommended.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	16 March 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	16 March 2021	26 March 2021
Summary of comments: The delivery of affordable homes is a corporate priority and will be required on all schemes over 10 dwellings. This application has been put forward by Flagship Housing Association, a housing partner of the Council to deliver a scheme of 10 affordable homes for rent. The scheme consists of 6x1 bed bungalows (including 1 M4(3) fully wheelchair accessible property plus 4x2 bed houses. These homes will help meet the need for family and level access living for local residents.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	16 March 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	16 March 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Disability Forum	16 March 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk CIL	16 March 2021	17 March 2021
Summary of comments: Affordable housing relief may be granted for any on site affordable housing where the criteria in the CIL Regulations is met.		

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	16 March 2021	8 April 2021
Summary of comments: Contributions for library provision and early years will be sought through CIL.		

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	16 March 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Natural England	16 March 2021	18 March 2021

Summary of comments:

A suitable contribution to the emerging Suffolk RAMS should be sought from this residential development whilst ensuring that the delivery of the RAMS remains viable.

Consultee	Date consulted	Date reply received
SUSTRANS	16 March 2021	No response

Summary of comments:

No comments received.

Consultee	Date consulted	Date reply received
Waste Management Services - East Suffolk Norse	16 March 2021	No response

Summary of comments:

No comments received.

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	6 April 2021	20 April 2021

Summary of comments:

The proposals require the removal of one Category B tree (Lime) adjacent to the entrance to the site. This removal is regrettable as this tree had the potential to contribute to local landscape amenity for many years to come.

### Re-consultation consultees

Consultee	Date consulted	Date reply received
East Suffolk CIL	9 July 2021	No response

Summary of comments:

Internal - no comments received.

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	9 July 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Disability Forum	9 July 2021	12 July 2021
Summary of comments: The Suffolk Coastal Disability Forum has no additional comments to make.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	9 July 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	9 July 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Natural England	9 July 2021	16 July 2021
Summary of comments: We advise that you should not grant permission until such time the implementation of RAMS measure has been secured.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	9 July 2021	26 July 2021
Summary of comments: Provided that a 10 dB reduction for screening attenuation is achieved as predicted at some existing dwellings, then the requirements of the permitted development noise guidance should be achieved and I have no further comments or recommendations at this stage.		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	9 July 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	9 July 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Leiston-cum-Sizewell Town Council	9 July 2021	4 August 2021
Summary of comments: Councillors noted the changes to the application and recommend approval.		

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	9 July 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	9 July 2021	27 July 2021
Summary of comments: No further comments to make in respect of the re-consultation		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	9 July 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	9 July 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
SCC Highways Department	9 July 2021	20 August 2021
Summary of comments: The improved layout, including improved inter-visibility to the direct access on to South Close means that the highway authority is able to lift its holding objection subject to the imposition of conditions: details of layout/access onto Quakers Lane; visibility splays; means to prevent discharge of surface water onto the highway; parking/manoeuvring; electric vehicle charging; refuse/recycling.		

Consultee	Date consulted	Date reply received
SUSTRANS	9 July 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	9 July 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	9 July 2021	26 July 2021
Summary of comments: Internal - comments incorporated into report.		

Consultee	Date consulted	Date reply received
Ward Councillor	9 July 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Waste Management Services - East Suffolk Norse	9 July 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Drainage Board	9 July 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk CIL	25 May 2021	25 May 2021
Summary of comments: Internal.		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	25 May 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Disability Forum	25 May 2021	28 May 2021
Summary of comments: We think the applicant should be clear in respect of whether all the dwellings will meet Part M4(2) and therefore be accessible and adaptable, and that one bungalow does actually meet Part M4(3) of the Building Regulations. All bathrooms look small & could be difficult to navigate for a wheelchair user.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	25 May 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	25 May 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Natural England	25 May 2021	28 May 2021
Summary of comments: Natural England has previously requested further information on this proposal in our letter dated 17 March 2021.  The information is still needed by Natural England to determine the significance of impacts on designated sites. Without this information Natural England may need to object to the proposal.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	25 May 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	25 May 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	25 May 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Leiston-cum-Sizewell Town Council	25 May 2021	2 June 2021
Summary of comments: Further to our previous recommendation, Leiston Town Council recommend approval.		

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	25 May 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	25 May 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	25 May 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	25 May 2021	4 June 2021
Summary of comments: We have reviewed the submitted documents and we recommend approval of this application subject to conditions regarding implementation of FRA/Drainage Strategy; details of drainage infrastructure and construction surface water management.		

Consultee	Date consulted	Date reply received
SCC Highways Department	25 May 2021	17 June 2021
Summary of comments: The Highways Authority recommends that permission be refused as the development, as currently proposed, would likely result in an unacceptable impact on highway safety due to the sub-standard inter-visibility that appears to be achievable at the northern access junction onto South Close.		

(Officer Note: see final comments received 20 August 2021).

Consultee	Date consulted	Date reply received
SUSTRANS	25 May 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	25 May 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	25 May 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Ward Councillor	25 May 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Waste Management Services - East Suffolk Norse	25 May 2021	No response
Summary of comments: No comments received.		

## 6. Publicity

The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Departure	25 March 2021	15 April 2021	East Anglian Daily Times

## 7. Site notices

General Site Notice	Reason for site notice: Major Application; Contrary to Development Plan Date posted: 24 March 2021 Expiry date: 14 April 2021
General Site Notice	Reason for site notice: Major Application Date posted: 24 March 2021 Expiry date: 14 April 2021

## 8. Planning policy

SCLP5.10 - Affordable Housing on Residential Developments (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP7.2 - Parking Proposals and Standards (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP9.2 - Sustainable Construction (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP9.5 - Flood Risk (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP9.6 - Sustainable Drainage Systems (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

PL1 - Leiston Town Physical Limits Boundary (Leiston Neighbourhood Plan - 'Made' March 2017)

H2 - Housing Mix (Leiston Neighbourhood Plan - 'Made' March 2017)

H3 - Residential Density and Design (Leiston Neighbourhood Plan - 'Made' March 2017)

LG2 - Greens and Verges (Leiston Neighbourhood Plan - 'Made' March 2017)

TM3 - Residential Parking Standards (Leiston Neighbourhood Plan - 'Made' March 2017)

TM4 - Parking Garages (Leiston Neighbourhood Plan - 'Made' March 2017)

FL1 - Addressing Localised Flooding Matters (Leiston Neighbourhood Plan - 'Made' March 2017)

National Planning Policy Framework 2021 (NPPF)

## 9. Planning considerations

- 9.1 Under section 38(6) of the Planning and Compulsory Purchase Act 2004, all planning decisions are to be taken in accordance with the Development Plan unless material considerations indicate otherwise. The relevant Development Plan policies are set out above.
- 9.2 The site is located within the settlement or "physical limits" boundary of Leiston, as defined by both the Local Plan and the Neighbourhood Plan. The settlement hierarchy under policy SCLP3.2 of the Local Plan categorises Leiston as a Market Town. The site is not covered by any other designation of the Local Plan and is not an allocated site by either Plan.
- 9.3 Policy SCLP3.3 of the Local Plan states that *"New development within defined settlement boundaries will be acceptable in principle, subject to consideration of other relevant policies of the development plan"*. Policy PL1 of the Neighbourhood Plan also states that *"The development of Leiston town shall be focused within the physical limits boundary."*
- 9.4 The site is also brownfield or previously developed land, and its re-use is supported by the NPPF.
- 9.5 The principle of residential development, of the scale proposed, is therefore established. The site is a sustainable location, by virtue of its location within the town.
- 9.6 The site is however an existing parking court where Neighbourhood Plan POLICY TM4: PARKING GARAGES states:
- "Any redevelopment of communal parking garages must provide alternative and equivalent parking space.  
Alternative parking/storage provision will be required to meet the following criteria:  
o the scale of the alternative site must be of an equivalent scale to the existing parking provision; and  
o the location of the alternative provision must be in very close proximity to the existing site and must be accessible by car."*
- 9.7 Car parking spaces to be provided within the site as part of the scheme are a total of 14no. allocated spaces for residents of the ten proposed dwellings - 2no. for each 2-bed house and 1no. for each 1-bed bungalow - and in addition a total of 8no. visitor spaces. The visitor spaces are located in three places: 5no. alongside Quakers Way, 2no. opposite plot 2 and 1no. by plot 8.
- 9.8 A further car parking space, bringing the overall total on the proposed site to 23, is provided for the neighbouring property at 56 Seaward Avenue, in lieu of the detached single garage that had previously been provided for that house.
- 9.9 In relation to the requirements of TM4, Transport consultants Rossi Long (RLC) were commissioned to assess the matter and a Parking Note has been submitted in support of the application. It confirms that previously the site was in use for garaging for local houses. A total of 48 garages occupy the site, however due to lack of uptake and general disrepair, the

garages were last occupied in 2011. The remainder of the site is currently a hardstanding area occasionally used by local residents for informal parking. It is understood that these people have no legal right to park on the site.

- 9.10 In order to understand the quantum of parked cars which may be displaced upon development of the site, a site visit and parking survey was undertaken by RLC on a Wednesday in November 2019 during the hours of 12.30-14.00 and again on the evening of Friday 15 November (18.30-19.00) and morning of Sunday 24 November 2019 (09.00-09.30). These surveys were undertaken when there was the greatest potential for local residents to be at home (and hence park their car on the site).
- 9.11 The results of the additional surveys were similar to the first, with 5No. cars parked on the site on the Friday evening, and 5No. cars and 1No. caravan parked on the Sunday morning.
- 9.12 The Suffolk Guidance for Parking, parking space requirement is 0.25 visitor spaces per dwelling, which for a proposal for ten dwellings means a requirement of 2.5no. (rounded up to 3no.) spaces in total for this application. The scheme therefore represents a surplus of 5no. visitor spaces.
- 9.13 The application does not propose to allocate any of the eight visitor spaces to be formed on the site for parking and the applicant would be content to agree to a condition that requires in perpetuity that the 8no. visitor spaces are kept available for the purposes of visitor parking for both on-and-off-site residential properties. In view of these considerations and the continued availability of a limited but adequate number of visitor spaces for visitors to the locality, the redevelopment of the site should therefore not be dependent on having to provide an equivalent or similar parking provision at the site as required by TM4.
- 9.14 Furthermore, the removal of the garage structures will represent an improvement in amenity to nearby residents in regard to their appearance and potential for anti-social behaviour.
- 9.15 The proposal is therefore compliant with policies SCLP7.2, SCLP11.1 and SCLP11.2 of the Local Plan, policy TM3 of the Neighbourhood Plan, and is an acceptable departure to the requirements of TM4 of the Neighbourhood Plan.

#### Affordable Housing Delivery

- 9.16 The scheme for is for all 10no. dwellings proposed to be affordable housing. All 10no. dwellings proposed would be in the social rent tenure, which is to be secured by a section 106 agreement. The housing will be retained by the applicant, Flagship Housing Group, a registered social landlord and a registered charity, and would be made available to meet an identified local need.
- 9.17 Through delivering new affordable homes the proposal would have a positive impact on the affordable housing provision in the town. The East Suffolk Housing Strategy and Enabling Manager confirms the delivery of affordable homes is a corporate priority and will meet an identified housing need in Leiston.
- 9.18 Whilst policy SCLP5.10 would ordinarily require a mix of affordable tenures (50% affordable or social rent, 25% shared ownership, 25% discounted home ownership) within the

component of affordable housing provided within a larger mixed affordable and market homes development, it is considered that the scheme of 10 houses, which would only be required by the policy to provide three affordable homes (therefore 2no. social rent and 1no. either shared or discounted ownership) will contribute towards local affordable housing need to a greater extent than this policy provision. That provision is a significant public benefit of the scheme. The proposal is therefore compliant with policies SCLP5.8 and SCLP5.10 of the Local Plan, policies of the Neighbourhood Plan, and the NPPF.

#### Design and Layout

- 9.19 The mix of single- and two-storey buildings and exterior materials proposed, are sympathetic to the existing character of the wider residential area surrounding the site. The redevelopment of the site, with its existing dilapidated structures, to create the proposed scheme of houses and bungalows, will significantly enhance the character and appearance of the area. Some verges bounding the site at Quakers Way are covered by policy LG2 of the Neighbourhood Plan, and these have been incorporated into the layout of the scheme accordingly.
- 9.20 The D&A Statement confirms that all the houses and bungalows will meet the Decent Homes Standard, in respect to the internal size of liveable accommodation provided. The bungalows at plots nos. 6 and 7 will be fitted to Lifetime Homes standard, each incorporating a wet room and scooter store and are fully Part M(2) Building Regulations compliant.
- 9.21 The other four bungalows will also be built as 'accessible and adaptable dwellings' in accordance with building regulations, by virtue of their layout, and would be readily capable of achieving Lifetime Homes standard by a different fit-out in the future, should the specific need arise.
- 9.22 Two variants of exterior materials are proposed to be used on the walls and roofs of the dwellings and two types of boundary treatment to be used, including garden walls. The designs represent an appropriate balance between providing some variety in the street and roof scenes, whilst also retaining a sense of unity and are acceptable in context.
- 9.23 The site layout, including with respect to footpaths, parking courts and a parking space, is proposed so that neighbouring private rights that subsist can be maintained as part of the residential development.
- 9.24 The proposal therefore accords with policies SCLP11.1 and SCLP11.2 of the Local Plan, policies H3 and LG2 of the Neighbourhood Plan, and the NPPF.

#### Residential Amenity

- 9.25 The proposals are sympathetic to the residential amenities of existing neighbouring properties and care has been taken to ensure adequate separating distances and no significant harm from overlooking, overshadowing or loss of outlook.
- 9.26 Particular concern has been raised by the residents of 3 South Close and it is acknowledged that the development lies to the south of this neighbouring property and that the houses on Plots 1 and 2 have a greater depth than No 3 so that there is a projection to the front and

rear of the property. 3 South Close however has a garage on its southern side and the level of projection to the front and rear is limited, such that the level of impact upon light or outlook will not be significant. The proposed two-storey houses have been designed so that the only first-floor level side elevation windows are a small obscure-glazed bathroom window to each unit. The rear-facing first-floor window on each of the four two-storey houses is a relatively narrow bedroom window, which is centrally positioned. There are good distances between the rear walls of the proposed two-storey houses (at plots 3 and 4) and the existing houses on Seaward Avenue. The rear window in Plots 1 and 2 face over the rear garden of No 3 where there is an existing shed.

- 9.27 The other six units are single-storey bungalows, which by virtue of their height have no potential of overlooking, loss of light or similar impact on existing or proposed dwellings.
- 9.28 The relationship between the proposed homes and the retained trees is satisfactory.
- 9.29 Pedestrian access to several rear gates of gardens on Seaward Avenue will continue to be provided and these accesses will benefit from the re-development and residential occupation of the site improving safety/security.
- 9.30 Adequate storage and utility space is afforded to each proposed dwelling. The sheds proposed will provide each bungalow or house with private secure bicycle and equipment storage. Plots 6 and 7 will also feature scooter storage as part of the design. These comply with policy SCLP7.2(a) of the Local Plan.
- 9.31 Air source heat pumps will be installed as part of the development. The units are positioned to a side or rear house wall and by virtue of their sound level, their distance to existing or proposed windows, and intervening boundary walls and fences, the noise impact with regard to residential amenity is acceptable, being compliant with MCS Planning Standards. Following receipt of a noise report the Head of Environmental Health has no objections to the development.
- 9.32 The proposal is therefore compliant with policies SCLP11.1 and SCLP11.2 of the Local Plan, policy H3 of the Neighbourhood Plan, and the NPPF.

#### Highways and Parking

- 9.33 None of the proposed roads or footways are to be adopted as public highway. The two existing points of access onto the highway would be re-used and adapted for the residential scheme.
- 9.34 The layout originally proposed the re-positioning of the access onto South Close south of its existing location. This resulted in restricted visibility and led to an initial objection from the Highway Authority. Following amendments to the layout to revert access to its original location (Drg 2000 Rev H) the Highway Authority are satisfied with the scheme and recommend the imposition of conditions.
- 9.35 The site is located within good walking and cycling connectivity to local services and facilities, including public transport links, a leisure centre, schools and a college. The location is therefore eminently suitable for residential development, as a sustainable location, with

alternative means to the private car being available for residents, including those less able to walk or cycle far, in accessing services and facilities.

- 9.36 Car parking is in compliance with Suffolk Guidance for Parking.
- 9.37 As previously noted, the parking provision includes 8no. off-street visitor parking spaces and is a reasonable compensation for the spaces lost as part of the re-development of this parking court. It is considered an appropriate departure to policy TM4.
- 9.38 'Secured by Design' principles have been incorporated into the proposals to ensure high levels of natural surveillance are provided across the application site. The proposed residential use and rationalisation of vehicle access points will reduce the potential for anti-social activity at the site and reduce traffic through-flow, which in turn will benefit the residential environment of the surrounding area.
- 9.39 The proposal is therefore compliant with policies SCLP7.2, SCLP11.1 and SCLP11.2 of the Local Plan, policies TM3 and an appropriate departure to policy TM4 of the Neighbourhood Plan.

#### Flood Risk and Drainage

- 9.40 The application is accompanied by a Flood Risk Assessment & Drainage Strategy, together with a Foul & Surface Water Drainage Strategy Plan, by Rossi Long. This is further to the Preliminary Ground Investigation by A F Howland Associates. It concludes that the site is situated in Flood Zone 1, a low probability flood zone with a less than 1 in 1000 annual probability of flooding, and is at 'very low' or 'low' risk of flooding from all sources, including surface water.
- 9.41 Development within a low risk area is in compliance with the sequential test requirements of the NPPF.
- 9.42 Foul drainage will discharge to the mains sewer.
- 9.43 A Sustainable Urban Drainage System (SuDS) is proposed to be used as part of the strategy for surface water drainage on the site. The long-term SuDS management would be secured as part of a section 106 agreement.
- 9.44 The proposal is therefore compliant with policies SCLP7.2(d), SCLP9.5 and SCLP9.6 of the Local Plan and policy FL1 of the Neighbourhood Plan.

#### Ground Conditions

- 9.45 The application is accompanied by a Preliminary Ground Investigation by A F Howland Associates. With respect to possible ground contamination, the report concludes that "Chemical analysis shows that all contaminants were below levels of concern and the site is considered to be suitable for the proposed use." A standard condition requiring remediation in the unlikely event unexpected contamination is found should be applied.

### Open Space and Landscaping

- 9.46 The latest layout proposes the retention of both mature lime trees within the site which represents a significant improvement upon the original layout which proposed the loss of the tree close to 9 South Close.
- 9.47 A fully detailed planting and maintenance schedule would be made a condition of planning permission.
- 9.48 The scheme does not involve the loss of any public open space or green space. Some verges within or bounding the site are covered by policy LG2 of the Neighbourhood Plan, and their role in providing open space and landscaping has been incorporated into the proposed scheme.
- 9.49 The proposal is therefore compliant with policies SCLP11.1 of the Local Plan; policy LG2 of the Neighbourhood Plan and the NPPF.

### Renewable Energy and EV Charging

- 9.50 All of the proposed dwellings will be heated by air source heat pumps (ASHPs). The 1-bed bungalows will each have a 4.9kw unit and the 2-bed houses will each have a 7.9kw unit, as appropriate to the internal volumes of the respective dwellings.
- 9.51 The development will be prepared for the shift to electric vehicle use in the coming decade, and the scheme includes charging infrastructure. Four of the plots - nos. 1, 6, 7 and 8 - will have a Rolec WallPod 'EV Ready' installed at the time of the Development.
- 9.52 In addition, infrastructure will be included as part of the development so that in future EV charging units can be installed at parking spaces allocated for all the dwellings. This is in line with the Suffolk Guidance for Parking 2019, which requires *"Ducting and suitable consumer unit to allow the install of one wall charging unit per dwelling when required by householder"* and *"Minimum Charge Specification: 7.4kw"*.
- 9.53 The proposal is therefore in accordance with policies SCLP7.2(c), SCLP9.2 and SCLP11.1(k) of the Local Plan and the requirement for electric vehicle charging provided in the Suffolk Guidance for Parking 2019.

### Ecology

- 9.54 An Ecological Report by Norfolk Wildlife Services is submitted with this application. The actions recommended in the report will be secured by condition. The habitat mitigation ('RAMS') contribution will be secured by a section 106 agreement. With those conditions and obligations, the scheme accords with ecological objectives of the Local Plan.

## **10. Conclusion**

- 10.1 The development will provide a scheme of affordable housing which lies within the physical limits/settlement boundary of Leiston.

- 10.2 The proposal is a re-development of a garage court and represents a departure to Neighbourhood Plan policy TM4 which requires the provision of replacement parking for the garaging affected. There are 48 garages within the existing site and areas of hardstanding. The garages have not been used since 2011, however the site has had some limited use for parking. Traffic surveys carried out to support the development show use by 5/6 vehicles. One of the surveys was on a Friday evening, another Sunday morning and are considered a reasonable indication of local use.
- 10.3 The proposal provides parking in accordance with Suffolk Guidance for Parking and also provides 8 general/visitor spaces which will compensate for the level of use identified in the parking surveys. As a result, it is considered reasonable to depart from the requirements of TM4. Leiston Town Council support the development notwithstanding the requirements of Neighbourhood Plan policy TM4.
- 10.4 The proposal brings significant public benefit in the form of affordable homes in a sustainable location to meet a local need. The small unit sizes, and provision of accessible single storey units is also in favour of the scheme.
- 10.5 The proposal also offers a significant improvement to the appearance of the site in its context, and future residents will spend in the local economy.
- 10.6 Whilst there is some conflict with Policy TM4, the proposal accords with all other relevant policies, and along with the benefits accruing, there are clear grounds to depart from TM4 and grant planning permission.

## **11. Recommendation**

- 11.1 AUTHORITY TO APPROVE with conditions (including but not limited to those below), subject to the completion of a S106 Legal Agreement within 6 months to secure obligations (including but not limited to):
- o Provision of affordable dwellings;
  - o Per-dwelling contribution to the Suffolk RAMS; and
  - o Provision and long term management of SUDS.
- 11.2 If the S106 is not completed within six months AUTHORITY TO REFUSE the application.

## **12. 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 Drg Nos 0462-2000 Rev H; 171566 RLC-00-00-DR C-002 P1 and Noise Report Rev A received 08.07.2021; D & A Statement Rev D received 12.07.2021; FRA/Drainage Strategy

171566 received 10.03.2021; FRA/Drainage Strategy Addendum 171566 (Rev 00) received 21.05.2021 and Drg Nos 0462-3000B; 3001C; 3002B; 3003B; 3004B; 5000B; 6000B and C-001 P1 received 10.03.2021 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 strategy for the disposal of surface water & Flood Risk Assessment (FRA) (dated 20/01/2020, ref: 171566) and the FRA Addendum (dated 21/05/2021, ref: EJK/SJB/171566 (Rev 00)) shall be implemented as approved in writing by the local planning authority. The strategy shall thereafter be managed and maintained in accordance with the approved strategy.

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

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

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

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

approved plan for the duration of construction. The approved CSWMP and shall include:

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

i. Temporary drainage systems

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

iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater.

6. Before the development is commenced, details of the Quakers Way access and associated 5.5m widening, frontage footway and footway link works, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

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

7. Before the altered direct access on to South Close (as shown indicatively on C-002-P1) is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4m metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 43 metres in the north direction, and 21 metres in the southerly direction along the edge of the metalled carriageway from the centre of the access (Y dimension).  
Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.  
Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.
8. Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.  
Reason: To prevent hazards caused by flowing water or ice on the highway.
9. The use shall not commence until the areas within the site shown on Drawing 0462-2000-H for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles and storage of cycles has been provided and thereafter that area(s) shall be retained and used for no other purposes.  
Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway. Provision of storage space required to comply with national and local planning policies relating to sustainable transport.
10. Before the development is commenced details of the areas and 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: Provision of electric vehicle charging points is required to comply with national and local planning policies relating to sustainable transport. This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built.
11. Before the development is commenced details of the areas to be provided for storage of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority.  
The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.  
Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.

12. Prior to the commencement of development a detailed Arboricultural Method Statement supported by 1:200 scale technical drawings should be prepared and submitted to the Local Planning Authority for approval in writing. Work shall be carried out, including all tree protection work, only in accordance with the approved Statement.  
Reason: In the interests of amenity/ecology, insufficient detail has been provided at application stage.
  
13. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Report (Norfolk Wildlife Services, January 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.
  
14. No removal of hedgerows, trees or shrubs, or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.  
Reason: To ensure that nesting birds are protected.
  
15. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety. An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS8485:2015+A1:2019, BS 10175:2011+A2:2017 and Land Contamination Risk Management) 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.
  
16. No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning

Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- a. The proposed route for access to the site by plant, operatives and delivery vehicles;
- b. Loading and unloading of plant and materials;
- c. Storage of plant and materials used in the construction of the development;
- d. Materials/plant delivery times;
- e. Construction times;
- f. Parking for construction workers and visitors;
- g. Wheel washing facilities; measures to control the emission of dust and dirt during construction;
- h. A scheme for recycling/disposing of waste resulting from demolition and construction works.

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

17. Within three month(s) of commencement of development, precise details of a scheme of landscape works (which term shall include tree and shrub planting, grass, earthworks and other operations as appropriate) at a scale not less than 1:200 shall be submitted to and approved in writing by the local planning authority.

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

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

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

19. The 8no. visitor spaces, as shown on approved plan 0462-2000 rev H shall be provided and be kept available for the purposes of visitor parking for both on and off-site residential properties.

Reason: In the interests of amenity and highway safety.

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

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

The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification.

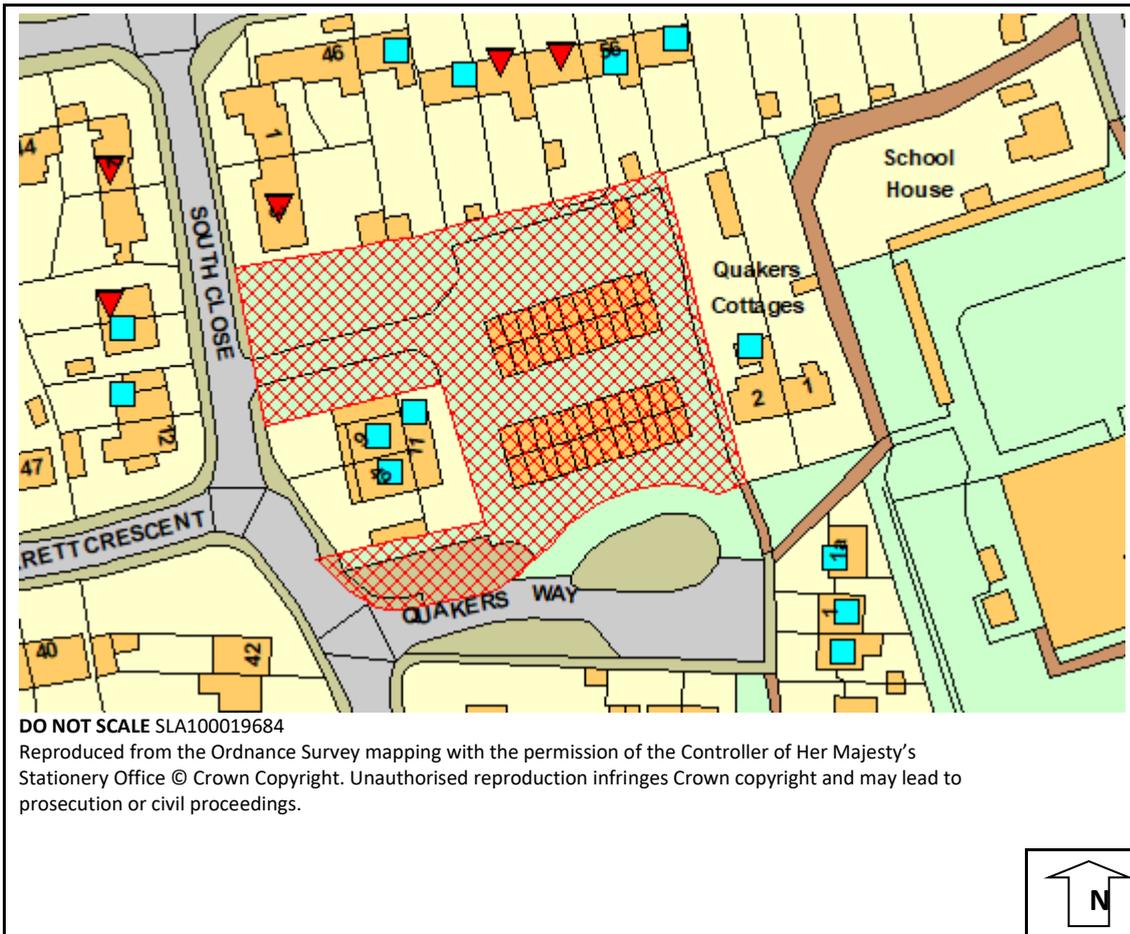
The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety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

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

### **Background Papers**

See application reference DC/21/1166/FUL on [Public Access](#)

# Map



## Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support

## Committee Report

**Planning Committee North - 14 September 2021**

**Application no DC/21/2287/FUL**

**Location**

7 Holly Grange Road  
Kessingland  
Lowestoft  
Suffolk  
NR33 7RR

**Expiry date** 18 July 2021  
**Application type** Full Application  
**Applicant** Ms Jane Gray

**Parish** Kessingland

**Proposal** Demolish the uninhabitable bungalow and the garage on the northern boundary. Retain the shed in the north-east corner of the plot. Sub-divide the plot and erect two contemporary cabins

**Case Officer** Matthew Gee  
07901 517856  
matthew.gee@eastsoffolk.gov.uk

### 1. Summary

1.1 Planning permission is sought to demolish the existing bungalow and garage, and sub-divide the plot and erect two contemporary cabins. The proposed subdivision is not considered to result in plots that would be significantly out of character with the wider area or result in development that would appear cramped within the site. Furthermore, the proposal is not considered to result in any adverse impact on the amenity of neighbouring residents or on highway safety. However, officers would not support a permanent permission for siting of the cabins on the land. This is an acceptable short-term occupancy arrangement for the applicants, and the demolition of the dwelling cannot be objected to in principle because it is not of any historic/architectural value whereby the LPA could intervene to prevent that. A short-term permission of five years for the siting of the cabins on the land would be acceptable on that temporary basis, but longer term, officers would expect to see a proposal for a built replacement dwelling of a design standard and built quality that can endure in the context and provide good quality accommodation. The recommendation of approval is

therefore on the basis of temporary planning permission being granted subject to conditions.

- 1.2 The Parish Council have recommended refusal of this application, and therefore due to the contrary officer recommendation the application was referred to the referral panel for consideration. At the referral panel on 17<sup>th</sup> August 2021, it was decided by members that the application to be referred to Planning Committee (North) for full consideration.

## 2. Site description

- 2.1 The site is situated within the settlement boundary for Kessingland and comprises of a detached single storey dwelling set with in a relatively spacious plot. The site is accessed off Holly Grange Road which fronts the site to the west, with the north, east and south of the site bounded by residential properties and gardens.

## 3. Proposal

- 3.1 Planning permission is sought to demolish the existing bungalow and garage, and sub-divide the plot and erect two contemporary cabins.
- 3.2 The applicant describes the existing bungalow as ‘uninhabitable’, however, no clear evidence of that has been provided, and officers do not consider that it is uninhabitable.
- 3.3 The cabins will be identical, containing a single bedroom, and measuring 10m long, 3.9m wide, and 4.35m in height.

## 4. Consultations/comments

- 4.1 No third-party letters of representation have been received

### Parish/Town Council

Consultee	Date consulted	Date reply received
Kessingland Parish Council	27 May 2021	15 June 2021
Summary of comments: <i>Councillors discussed this application and concerns were raised over why the property is being deemed as uninhabitable and being demolished. Therefore, councillors recommended refusal of the application as they felt the timber exterior of the cabins are not in keeping with the street scene and as a climate emergency has been declared, they felt it would not be environmentally economic to demolish the building instead of restoring it back to a habitable living standard.</i>		

## Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	27 May 2021	9 June 2021
Summary of comments: No objection.		

## Non statutory consultees

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	27 May 2021	8 June 2021
Summary of comments: No objections.		

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	27 May 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	27 May 2021	3 June 2021
Summary of comments: No objections subject to contamination conditions.		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	N/A	3 June 2021
Summary of comments: No objections.		

## 5. Site notices

General Site Notice

Reason for site notice: New Dwelling

Date posted: 27 May 2021

Expiry date: 18 June 2021

## 6. Planning policy

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.33 - Residential Gardens and Urban Infilling (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.34 - Biodiversity and Geodiversity (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

H2 - Residential Infill and Backland Development (Kessingland Neighbourhood Plan - 'Made' January 2017)

National Planning Policy Framework 2021 (NPPF)

## 7. Planning considerations

### Principle

7.1 The site is located within the settlement boundary for Kessingland and as such the principle of residential development is supported by the Local Plan spatial strategy. However, given the potential underutilisation of the land from the proposal, potential future appearance issues, and the temporary nature of the structures to be erected, it is considered necessary, if permission is granted, to restrict that to a temporary consent of only five years. The principle of residential development is generally based on the idea that housing provided is of permanence and good design, rather than timber cabins – more akin to a caravan. The proposal is therefore only a temporary solution, in the view of officers, to facilitate a permanent replacement dwelling that can come forward in the future.

### Character and appearance

7.2 Policy WLP8.29 sets out that proposed development should demonstrate a clear understanding of the form and character of the built, historic and natural environment and use this understanding to complement local character and distinctiveness and respond to local context and the form of surrounding buildings in relation. WLP8.33 supports urban infill where it is appropriate for the context and again of a high standard of design, preserving neighbour amenity. Furthermore, Policy H2 of the Kessingland Neighbourhood Plan sets out that development will be permitted subject to the following criteria:

- Proposals should reflect the character of the surrounding area and protect the amenity of neighbours. It should reinforce the uniformity of the street by reflecting the scale, mass, height and form of its neighbours.
- Proposals that would lead to over-development of a site, or the appearance of cramming will be resisted. It should be demonstrated that development is of a similar density to properties in the immediate surrounding area.

7.3 The demolition of the existing dwelling is not considered to adversely impact on the character and appearance of the surrounding area. The LPA cannot intervene and prevent that demolition, because the building is not of significant historical/architectural interest.

Officers note the concerns from the Parish Council and share that position that the demolition is unfortunate; but, in planning terms, it cannot be resisted and that element of the proposal is therefore acceptable.

- 7.4 The proposed cabins being more like caravans and of timber, temporary construction, is not considered to appear significantly at odds with the mixed character and design of the street scene. The existing plot is already well set-back from the highway and the frontage building line will provide a degree of screening. The cabins are modest and low in height, so there is unlikely to be any significant visual impact arising. That being said, it is not a design outcome officers would support long term because that should be a built form of development well-related to the context. But, on a temporary basis, the presence of the cabins would not cause any significant harm to the character and appearance of the area. The overall scale and subdivision of the plot is considered respectful of the scale of surrounding area, and it is not considered that it would appear cramped or represent overdevelopment of the site.

#### Amenity

- 7.5 Policy WLP8.29 also sets out that proposed development should not result in an adverse impact on the amenity of neighbouring residents. The proposed cabins are single storey, and their overall floor level above ground level, is not considered to result in any adverse overlooking into neighbouring properties. In addition, the low height of the cabins and sufficient distance to neighbouring dwellings and boundaries means there will not be any adverse loss of light or overshadowing of neighbouring dwellings. Finally, it is considered that the amenity space is sufficient for the size of the cabins. The proposal therefore accords with the amenity objectives of WLP8.29.

#### Highways Safety

- 7.6 No objections have been raised by the County Highways Authority, and the minor intensification of the use of the existing access will have no adverse impact on safety of the local highway network. The site is within the settlement and sustainably located. The scheme therefore accords with WLP8.21 (Sustainable Transport).

#### Ecology - RAMS

- 7.7 The site is located within 13 km of the nearest European Protected Site, and as such consideration needs to be given to the impact upon on those sites due to new housing and increased visitor numbers. The applicant has paid a contribution to the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy, to cover the net gain of a residential unit on site. As such the impact is mitigated in accordance with WLP8.34.

### **8. Conclusion**

- 8.1 In conclusion, the demolition of the existing dwelling, whilst unfortunate, cannot be resisted because the building is of no heritage or architectural value. The replacement of it with two cabins is acceptable as a short-term, time-limited consent, and therefore a temporary planning permission can be granted.

## 9. Recommendation

9.1 Approve subject to the condition set out in section 10 of this report.

## 10. Conditions:

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

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

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

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

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

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

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

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

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

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

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

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) (with or without modification), no building or structure permitted by Classes A (extensions or alterations), B (changes to the roof), or C (Roof alterations) of Schedule 2 Part 1 of the Order shall be erected without the submission of a formal planning application and the granting of planning permission by the Local Planning Authority.

Reason: To secure a properly planned development.

**Informatives:**

1. The applicant is advised that the proposed development may require the naming of new street(s) and numbering of properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. This is only required with the creation of a new dwelling or business premises. For details of the address charges please see our website [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)
2. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
3. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority.

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

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

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

CIL forms can be downloaded direct from the planning portal:

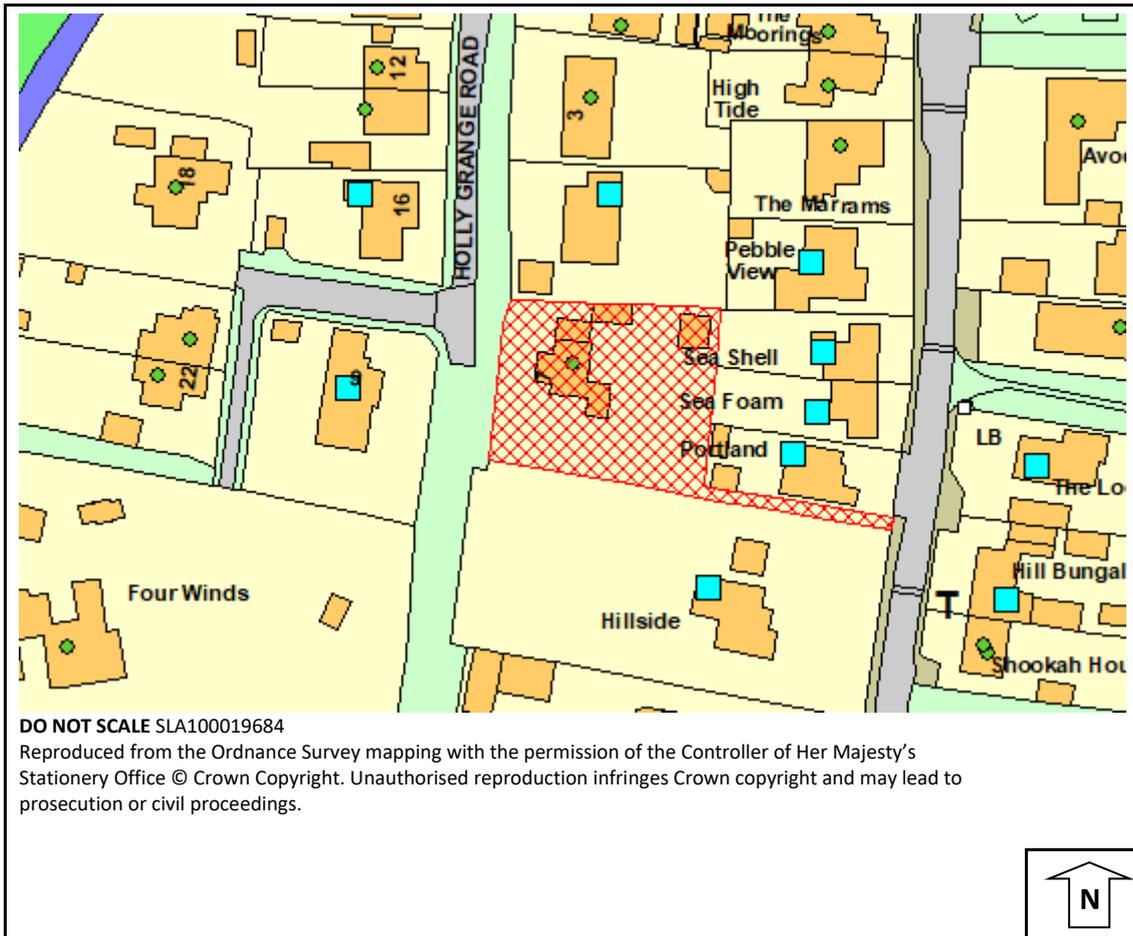
[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

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

**Background Papers**

See application reference DC/21/2287/FUL on [Public Access](#)

# Map



## Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support

## Committee Report

**Planning Committee North - 14 September 2021**

**Application no DC/21/2687/FUL**

**Location**

Land Adjacent  
49 Meadow Gardens  
Beccles  
Suffolk  
NR34 9PA

**Expiry date** 2 August 2021

**Application type** Full Application

**Applicant** East Suffolk Council

**Parish** Beccles

**Proposal** New build single 3 bedroom bungalow with associated on plot parking and landscaping

**Case Officer** Matthew Gee  
07901 517856  
matthew.gee@eastsoffolk.gov.uk

### 1. Summary

- 1.1 Planning permission is sought for a single storey 3-bedroom bungalow with associated on plot parking and landscaping, between 49 and 53 Meadow Gardens, Beccles. The proposed dwelling is considered to fit with the character and appearance of the surrounding area and would not adversely impact on residential amenity or highway safety. The scheme is a well-designed, simple infill housing development in a sustainable location. The proposal is therefore considered compliant with local and national planning policy, and as such it is recommended that planning permission be granted subject to conditions.
- 1.2 The Town Council have recommended approval, no objections have been received from statutory consultees, and one representation from a neighbouring resident has been submitted.
- 1.3 The application is before the Planning Committee (North) as East Suffolk Council is both the landowner and applicant.

## 2. Site description

2.1 The site is located within the defined settlement boundary for Beccles and comprises of an area of undeveloped land between nos. 49 and 53 Meadow Gardens, Beccles. The site is partially split in two by a fence set approximately 4.5m in from the footpath. The site fronts Meadow Gardens.

## 3. Proposal

3.1 Planning permission is sought for a single storey 3-bedroom bungalow with associated on plot parking and landscaping.

3.2 The proposed dwelling would be single storey in scale with two dual-pitched roofs. The external walls would be rendered and painted above a brick plinth, and the roof covered in dark grey pantiles.

3.3 The dwelling would provide two bedrooms of accommodation along with an open plan kitchen, living, dining area. A bin and bike store would be located in the rear garden. Two car parking spaces would be provided on site.

## 4. Consultations/comments

4.1 One representation received neither objecting nor supporting the application, but raising the following matters:

- Issues with single retained tree as it has no aesthetic appeal.
- Bin store location next to boundary fence, and issues with potential impact on visibility from neighbouring access.

## Consultees

### Parish/Town Council

Consultee	Date consulted	Date reply received
Beccles Town Council	10 June 2021	29 June 2021
Summary of comments: Approve.		

### Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	10 June 2021	24 June 2021
Summary of comments: Following amendments and additional visibility splay information, no objections are raised.		

## Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	10 June 2021	24 June 2021
Summary of comments: No objections subject to standard unexpected land contamination condition.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	10 June 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Waveney Norse - Property and Facilities	10 June 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	10 June 2021	No response
Summary of comments: No comments received.		

## 5. Site notices

General Site Notice

Reason for site notice: New Dwelling

Date posted: 11 June 2021

Expiry date: 2 July 2021

## 6. Planning policy

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.33 – Residential Gardens and Urban Infilling (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

BECC9: General Design Principles (Beccles Neighbourhood Plan, Referendum version)

National Planning Policy Framework 2021

## **7. Planning considerations**

7.1 Under section 38(6) of the Planning and Compulsory Purchase Act (2004), planning decision-taking must be in accordance with the Development Plan unless material considerations indicate otherwise. The relevant Development Plan policies are set out in section six of this report.

### Principle of Development

7.2 The site is located within the defined settlement boundary for Beccles, and as such the principle for new residential development is accepted, subject to consideration of other local and national planning policies on detailed matters.

### Design

7.3 Policy WLP8.29 sets out the design approach that new residential development should take, with policy WLP8.33 setting out the approach for new housing on residential gardens and urban infilling. Policy WLP8.33 sets out that housing development on garden and other urban infill sites will be supported where they satisfy the following criteria:

- The scale, design and siting of the proposal is in keeping with the character and density of the surrounding development and would not generate a cramped form of development.
- Attractive, useable and proportionately sized amenity spaces and adequate parking and turning spaces are provided for the proposed and existing dwellings.
- The proposal, by way of design, siting and materials integrates into the surrounding built, natural, and where necessary historic environment.
- The living conditions of proposed and existing properties are not unacceptably harmed through means such as overlooking, loss of light, or overbearing forms of development.
- Safe access is provided which does not generate significant harm to the character or amenity of the area.
- Safeguard protected trees.

7.4 Furthermore, policy BECC10 of the Beccles Neighbourhood plan, sets out the General Design Principle of new development. Significant weight can now be afforded to this policy as, whilst it has yet to go to referendum, it has passed the Inspector's examination as a sound Neighbourhood Plan.

7.5 The surrounding context of the site mainly comprises of single storey dwellings that front onto the highway. This proposal comprises of a single storey dwelling, fronting the highway, in a simple design, similar in scale and design to other dwellings in the street scene. As such it is considered that the proposal respects the overall character, appearance, scale, and site layout of dwellings in the area, and it would have no adverse impacts on the character and appearance of the area. The application has also been amended to relocate a bin store, that was positioned at the front of the site, to the rear garden area, in order to further respect

the open character of dwellings in the area and ensure bins are not an eyesore in the streetscene. The design of the development is considered acceptable in accordance with WLP8.29, WLP8.33 and BECC10.

### Amenity

- 7.6 Policies WLP8.29 and WLP8.33 set out that the living conditions of proposed and existing properties should not be unacceptably harmed through means such as overlooking, loss of light, or overbearing forms of development. Both the dwellings to the north and south of the application site have side elevation windows that will face the proposed development. However, given that the dwelling is set back from the road similar to the existing dwellings, and that the proposed dwelling would be single storey in scale, it is not considered that the impact on light through these side elevation windows would be significant. Furthermore, given that the dwelling will not, in effect, extend any further forward or significantly further back than the immediate neighbouring dwellings it is not considered that it would have any adverse impacts on light through the front and rear windows of these neighbouring properties. Finally, it is not considered that the proposed dwelling would introduce any additional overlooking to neighbouring properties.
- 7.7 It is also considered that the proposal provides a high level of amenity for residents with a good-sized garden space, and no direct overlooking.
- 7.8 The general layout of the development is appropriate with the single storey dwelling well-separated from neighbouring properties whereby there would be no material impact on their living conditions. The scheme therefore accords with WLP8.29 and WLP8.33 in respect of residential amenity.

### Highways and Sustainable Transport

- 7.9 Suffolk County Council Highways Authority (SCCHA) initially raised concerns regarding the lack of visibility splay information. However, following the submission of further visibility splay details, SCCHA have agreed to a reduction in the standard visibility splay requirements due to the cul-de-sac nature of the road and the limited vehicle speeds in this location. The site provides ample parking provision, and it is sustainably located with residents able to access services/facilities by foot and bicycle. Therefore, the proposal is considered to be acceptable in highways safety and sustainability terms in accordance with Policy WLP8.21 (Sustainable Transport).

### Ecology - RAMS

- 7.10 The site is located within 13km of the nearest European protected (Habitats) site and therefore consideration needs to be given to the impact of new housing on these sites. In this instance a financial contribution has been made to the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS), and this is considered to provide sufficient mitigation for the potential impacts on these protected sites, in accordance with Policy WLP8.34 (Biodiversity and Geodiversity).

## Other Matters – Conservation Area and Designated Open Space

- 7.11 The Conservation Area (CA) is to the northeast of the site. The development therefore falls within the setting of the CA. However, there would be no harm to the CA because the proposal is a modest infill development, and the existing site makes no contribution to the significance of the CA.
- 7.12 The area to the east of the site (Beccles Cemetery) is identified in the Local Plan as designated Open Space, to be protected. The proposed development is outside that area and will cause no harm to that Open Space designation.

### **8. Conclusion**

- 8.1 In conclusion, the scheme makes use of a sustainably located infill site in a manner that relates well to the context. The provision of a small unit of accommodation at single storey level will make a modest but meaningful contribution to housing supply. The scheme accords with the Development Plan and planning permission can therefore be granted.

### **9. Recommendation**

- 9.1 Approve subject to the conditions set out below.

### **10. Conditions:**

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

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

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

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

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

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

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

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

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

Thereafter the access shall be retained in the specified form.

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

5. The gradient of the vehicular access shall not be steeper than 1 in 20 for the first five metres measured from the nearside edge of the adjacent metalled carriageway.

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

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

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

7. Prior to the dwelling hereby permitted being first occupied, the vehicular access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.

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

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

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

9. Before the access is first used visibility splays shall be provided as shown on Drawing No. PL-060 and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

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

Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety

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

Reason: To promote the use of sustainable transport options.

12. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number PL-050 Rev. A shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

### **Informatives:**

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. The applicant is advised that the proposed development may require the naming of new street(s) and numbering of properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. This is only required with the creation of a new dwelling or business premises. For details of the address charges please see our website [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. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority.

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

If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday

let of any size or convenience retail , your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to [CIL@eastsuffolk.gov.uk](mailto:CIL@eastsuffolk.gov.uk)

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

CIL forms can be downloaded direct from the planning portal:

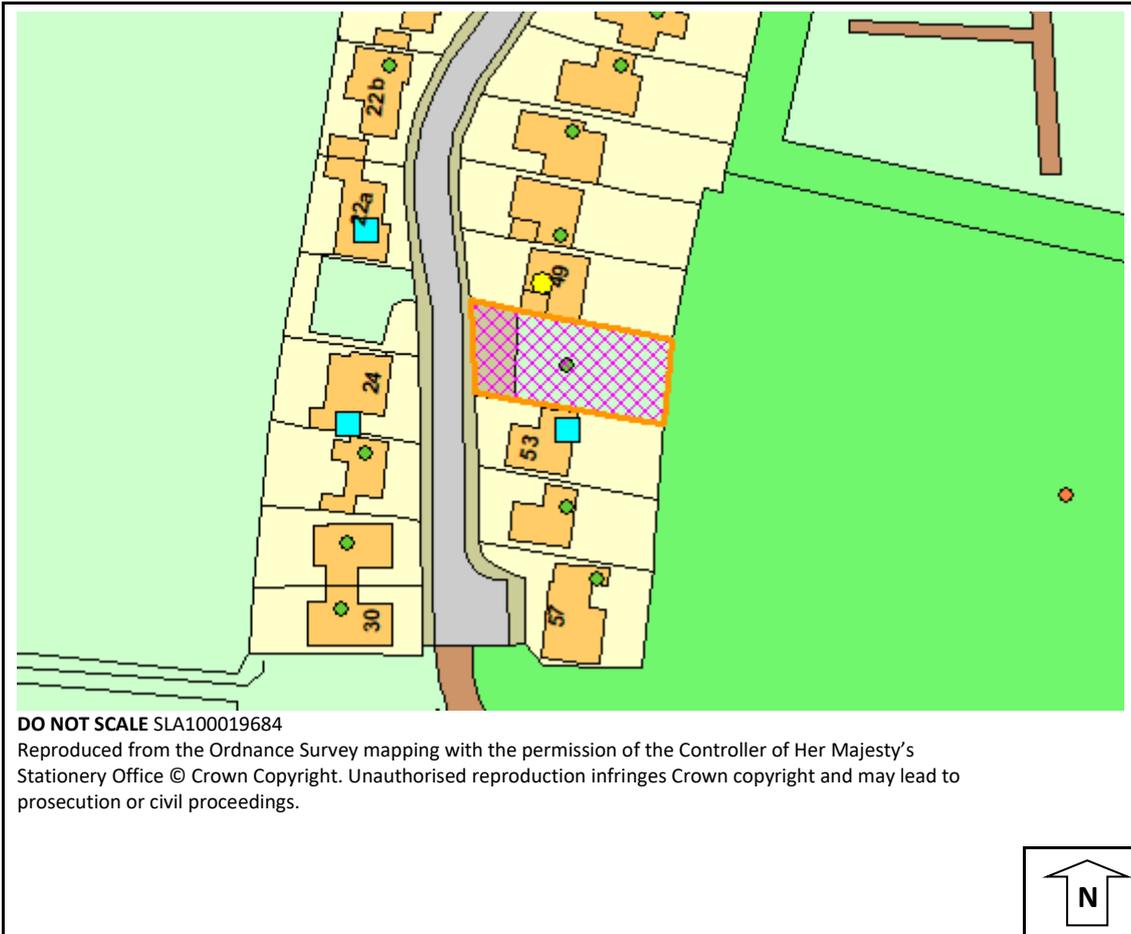
[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

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

### **Background Papers**

See application reference DC/21/2687/FUL on [Public Access](#)

# Map



## Key



Notified, no comments received



Objection



Representation



Support

## Committee Report

**Planning Committee North** – 14 September 2021

**Application no** DC/21/2836/FUL

**Location**

Leiston Enterprise Centre  
Eastlands Road  
Leiston  
Suffolk  
IP16 4US

**Expiry date** 8 August 2021

**Application type** Full Application

**Applicant** Speller Metcalfe Ltd

**Parish** Leiston Cum Sizewell

**Proposal** Addition of 2No external wall mounted condensing units for air conditioning system

**Case Officer** Mark Brands  
07881 234242  
mark.brands@eastsoffolk.gov.uk

### 1. Summary

- 1.1 Full planning permission is sought for the addition of 2No external wall mounted condensing units for an air conditioning system at Leiston Enterprise Centre.
- 1.2 The item has come before Members because the development proposal relates to a building owned by East Suffolk Council, and therefore the Council's Constitution requires this application be determined by the Planning Committee (North).
- 1.3 The proposed wall mounted AC units are acceptable in terms of external appearance and siting on the building. It is necessary to secure a noise assessment by condition to ensure that any required mitigation is identified and delivered but, with that condition applied, the scheme is acceptable in terms of residential amenity. The proposal accords with the Development Plan and the application is recommended for approval.

## 2. Site description

2.1 The site consists of a business unit on the Eastlands Industrial estate (on a corner plot on Eastlands Road and King George's Avenue, within the Leiston settlement boundary).

## 3. Proposal

3.1 The proposal is for the installation of 2 No. external wall mounted condensing units for air conditioning system, which are to be located to the rear of the building.

3.2 Notice was served on East Suffolk Council, as relevant landowner, and Certificate B on a revised application form provided 29 June 2021.

## 4. Consultations/comments

4.1 No representations received; consultation period has expired.

### Parish/Town Council

Consultee	Date consulted	Date reply received
Leiston-cum-Sizewell Town Council	28 June 2021	7 July 2021
Summary of comments: Leiston Town Council recommend approval.		

### Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	28 June 2021	7 July 2021
Summary of comments: A noise assessment should be submitted.		

## 5. Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 7 July 2021

Expiry date: 28 July 2021

## 6. Planning policy

National Planning Policy Framework 2021 (NPPF)

SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

PL1 - Leiston Town Physical Limits Boundary (Leiston Neighbourhood Plan - 'Made' March 2017)

EMP1 - General Employment Areas (Leiston Neighbourhood Plan - 'Made' March 2017)

## **7. Planning considerations**

- 7.1 Under section 38(6) of the Planning and Compulsory Purchase Act (2004), all planning decisions are to be taken in accordance with the Development Plan unless material considerations indicate otherwise. The relevant Development Plan policies are set out above.
- 7.2 Given the location on the rear elevation of the building, the proposed development is not going to be visible from the highway, and it will only be visible from people using the car park, or from neighbouring property. As such, the proposal does not have any significant impact on visual amenity of the wider area due to the discreet location. In any case, the units are fairly typical of ancillary equipment on a commercial building, so even from those locations where the development will be visible, that will not cause harm. As such there are no design concerns from the addition on the units on the building in this location, and the scheme accords with SCLP11.1.
- 7.3 The main potential concern arising from this sort of development is on neighbouring amenity from the noise emitting from the units. While the location of the air conditioning units is over 20m away from the nearest neighbouring boundary, and below an existing A.C. unit, there is no hard boundary treatment between the application site and neighbouring property to the West. To ensure neighbouring amenity is not adversely impacted from the new units, a noise assessment should be submitted to the LPA as set out in the response from the Environmental Protection Team. Following discussion with the Environmental Protection Team, the LPA is satisfied this can be provided in the form of a condition securing this assessment prior to their installation. The applicant's agent has confirmed they are satisfied with a condition being applied to any permission granted. Given the distance between the proposed units and neighbouring properties, officers are satisfied that any noise assessment is not likely to find the development unacceptable; rather, the assessment may identify mitigation may be required, and having liaised with the Environmental Protection Team, officers are satisfied that any mitigation could realistically be provided to ensure the noise level at neighbouring residential properties is at an acceptable level. With a planning condition applied securing a noise assessment, there are no objections from the Environmental Protection Team, and officers consider that the scheme meets the objectives of policy SCLP11.2 to ensure a high standard of residential amenity.

## **8. Conclusion**

- 8.1 The siting and location of the units is considered acceptable in the discreet location proposed. To ensure there is no significant impact on neighbouring amenity a noise assessment will be secured by planning condition, to ensure neighbouring amenity will not be subject to unacceptable noise levels and set out (if necessary) what mitigation measures will be undertaken. The proposed development is therefore acceptable in accordance with the key Development Plan policies, and planning permission can be granted.

## **9. Recommendation**

- 9.1 Approve.

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

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

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

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

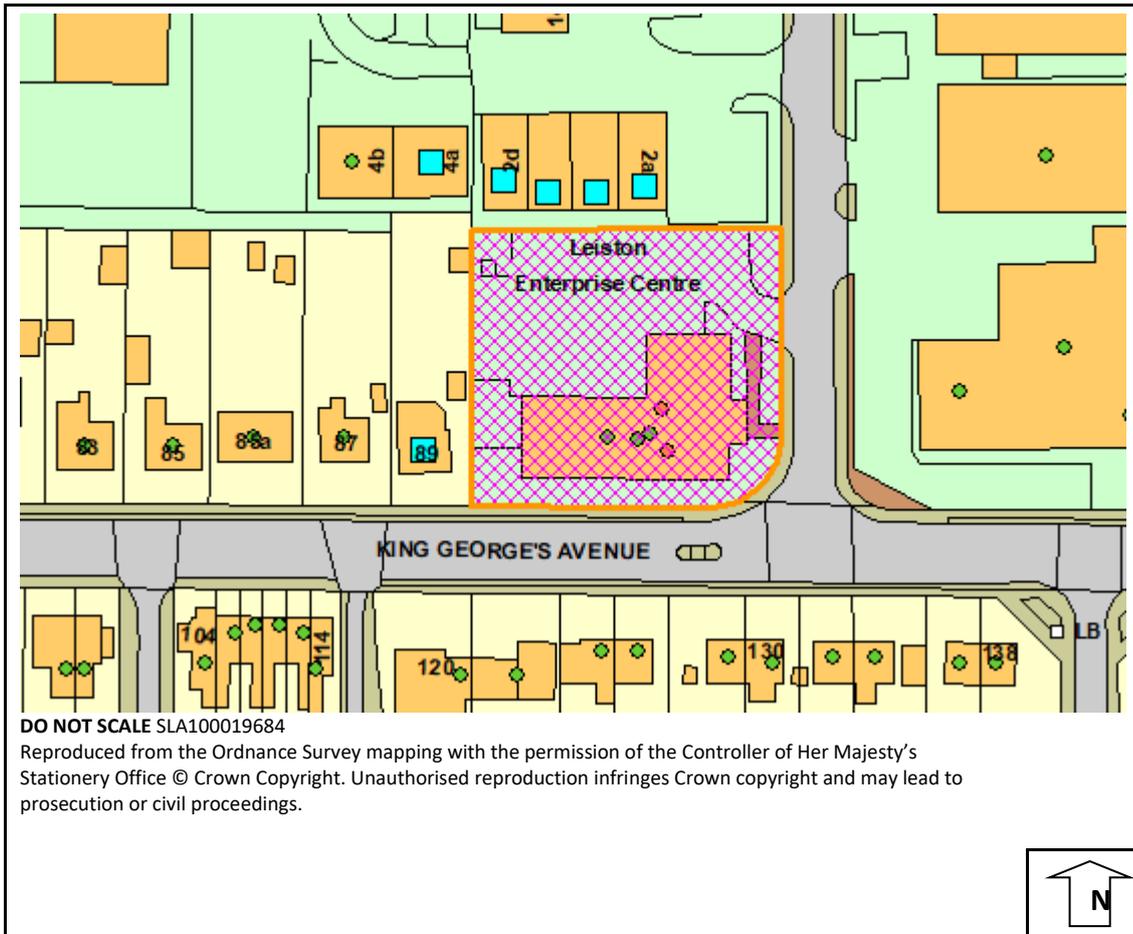
## **11. Informatives:**

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

## **12. Background Papers**

See application reference DC/21/2836/FUL on [Public Access](#)

## Map



## Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support