



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

# **Planning Committee North**

## **Members:**

Councillor Paul Ashdown (Chairman)  
Councillor Jenny Ceresa (Vice-Chairman)  
Councillor Jocelyn Bond  
Councillor Norman Brooks  
Councillor Linda Coulam  
Councillor Graham Elliott  
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, Lowestoft  
on **Tuesday, 10 March 2020 at 2.00pm**

An Agenda is set out below.

## **Part One – Open to the Public**

## **Pages**

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### **1 Apologies for Absence and Substitutions**

### **2 Declarations of Interest**

Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.

<b>3</b>	<b>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>4</b>	<b>Enforcement Action - Case Update ES/0327</b> Report of the Head of Planning and Coastal Management	<b>1 - 18</b>
<b>5</b>	<b>DC/19/1141/OUT - Land to the West of Copperwheat Avenue, Reydon ES/0328</b> Report of the Head of Planning and Coastal Management	<b>19 - 68</b>
<b>6</b>	<b>DC/19/4450/FUL - Hubbards Barn, Hubbards Hill, Peasenhall ES/0329</b> Report of the Head of Planning and Coastal Management	<b>69 - 78</b>
<b>7</b>	<b>DC/19/4684/FUL - Plot Arboretum, Mill Lane, Barnby ES/0330</b> Report of the Head of Planning and Coastal Management	<b>79 - 89</b>
<b>8</b>	<b>DC/19/4826/FUL - 14 Moyes Road, Lowestoft ES/0331</b> Report of the Head of Planning and Coastal Management	<b>90 - 96</b>
<b>9</b>	<b>DC/20/0272/AND - The Marina Customer Service Centre, Marina, Lowestoft ES/0332</b> Report of the Head of Planning and Coastal Management	<b>97 - 101</b>

## Part Two – Exempt/Confidential

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/planning/planning-applications/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>).

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## PLANNING COMMITTEE

**Title of Report:**

**East Suffolk Enforcement Action– Case Update**

**Meeting Date**

**10 March 2020**

**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 24 February 2020. At present there are 18 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 report concerning Outstanding Enforcement matters up to 24 February 2020 be received.

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
2008/0193	17/09/2008	North	25 Kessingland Cottages, Rider Haggard Lane, Kessingland	Breach of Condition  Unauthorised use of chalet as main or sole residence	<ul style="list-style-type: none"> <li>• Breach of Condition Notice</li> <li>• Compliance expired following extension of time</li> <li>• Further consideration by Service Manager and Legal</li> <li>• See Enforcement Notice ref 2008/004 for further information – committee aware of personal circumstances of occupants</li> <li>• Officers, seniors and legal held meeting, 23/01/2019 to discuss the options available to move forward with the case.</li> <li>• Contact made with occupants on 6 February 2019 and legal advice been sought on progressing the case.</li> <li>• Further information being gathered from other bodies.</li> <li>• Meeting with Legal 25<sup>th</sup> November 2019 advised that due to the time passed the Council will not take action on the notice, however the Notice will remain in place.</li> </ul>	Following Legal advice, the notice remains in force though due to the time that has passed a decision has been made not to take any action in respect of the notice.

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>	31/03/2020

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>• 01/03/2016 – 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> </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>Review site regarding day block and access after decision notice released for enforcement notice served in connection with unauthorised occupancy /use of barn.</li> <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</li> </ul>	



LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>remedy sought. Verbal update to be given.</p> <ul style="list-style-type: none"> <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> <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-</li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>attendance as was required in the Order of 27/03/2019.</p> <ul style="list-style-type: none"> <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> <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>• <b>Site visited. Case currently with the Council's Legal Team for assessment.</b></li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
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 to further action.</li> <li>• 09/08/2016 – Site re-visited, some caravans re-moved but 20 still in situ. Advice to be sought.</li> </ul>	April 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>• 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> </ul>	
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</li> </ul>	30/04/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>Notice. Case to be referred to Legal Department for further action.</p> <ul style="list-style-type: none"> <li>• Notice withdrawn</li> <li>• 09/07/2018 – Notice reserved, compliance date 3 months from 06/08/2018 (expires 06/11/2018)</li> <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</li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>days for the site to be cleared before the Notice is served.</p> <ul style="list-style-type: none"> <li>• 01/04/2019 – Enforcement Notice served.</li> <li>• 28/05/2019 – Enforcement Appeal has been submitted to the Planning Inspectorate.</li> <li>• Start date has now been received, Statements are due by 12/12/2019.</li> <li>• <b>Awaiting Planning Inspectorate Decision</b></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
ENF/2016/0425	21/12/2016	North	Barn at Pine Lodge, Hazels Lane, Hinton	Breach of Condition 2 of PP C/09/1287	<ul style="list-style-type: none"> <li>• EN served on 21/12/2016</li> <li>• Notice becomes effective on 25/01/2017</li> </ul>	31/03/2020

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 been received. Public Inquiry to be held on 08/11/2017</li> <li>Enforcement Appeal to be re-opened Public Inquiry set for 15/05/2018.</li> <li>06/06/2018 – Appeal dismissed. Three months for compliance from 06/06/2018 (expires 06/09/2018).</li> <li>Site visit to be conducted once compliance period has finished.</li> <li>09/10/2018 – Site visit conducted, no compliance with Enforcement Notice. Case to be referred to Legal Services for further action.</li> <li>Site visit due on 07/01/2019.</li> <li>07/01/2019 – Site visit undertaken, no compliance with Notice. Case referred back to Legal Services for further action.</li> <li>26/02/2019 – Update to be given at Committee.</li> <li>Awaiting update from Legal.</li> <li>07/05/2019 – Officers returned to the High Court to seek an Injunction for failure to comply</li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>with the Enforcement Notice. An Injunction was granted and the owner is required to comply with the Injunction by 03/09/2019</p> <ul style="list-style-type: none"> <li>• 05/09/2019 – Site visit undertaken, case file passed to Legal Department for further action.</li> <li>• Court date arranged for 28/11/2019</li> <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>• <b>Site visited. Case currently with the Council's Legal Team for assessment.</b></li> </ul>	
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> </ul>	17/02/2020 13/04/2020



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>• Appeal submitted. Awaiting Start date</li> <li>• Appeal started, final comments due by 08/02/2019.</li> <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>• <b>Site visited. Case conference to be held</b></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> </ul>	05/08/2020

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>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> <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><b>Appeal dismissed. Compliance with both Notices by 05/08/2020</b></li> </ul>	
ENF/2018/0057	15/11/2018	North	The Stone House, Low Road, Bramfield	Change of use of land for the stationing of chiller/refrigeration units and the installation of bunds and hardstanding	<ul style="list-style-type: none"> <li>Enforcement Notices served on 10/12/2018</li> <li>Notice effective on 24/01/2019</li> <li>3 months given for compliance</li> </ul>	13/08/2020

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>• Appeal 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>• <b>Appeal dismissed and amended. Compliance with both Notices by 13/08/2020</b></li> </ul>	
ENF/2018/0276	23/11/2018	North	Bramfield Meats, Low Road, Bramfield	Breach of Condition 3 of planning permission DC/15/1606.	<ul style="list-style-type: none"> <li>• Breach of Condition Notice served</li> <li>• Application received to Discharge Conditions</li> <li>• Application pending decision</li> </ul>	30/03/2020
ENF/2018/0330 /LISTM	17/05/2019	North	Willow Farm, Chediston Green, Chediston	Unauthorised double glazed windows installed into a Listed Building	<ul style="list-style-type: none"> <li>• Listed Building Enforcement Notice served on 17/05/2019.</li> <li>• Notice takes effect on 20/06/2019. Three months for compliance</li> <li>• Appeal has been submitted, awaiting a start date.</li> <li>• Start date now received by the Council, Statements due by 12/12/2019</li> <li>• Awaiting Planning Inspectorate Decision</li> </ul>	30/04/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
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, 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.	<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 effect on 28/06/2019</li> <li>• Stop Notice Served 25/05/2019 comes into effect 28/05/2019.</li> <li>• Appeal has been submitted. Awaiting Start date.</li> </ul>	30/05/2020
ENF/2018/0385 /COND	01/08/2019	North	28 Beverley Close Lowestoft	Breach of condition 2 & 3 of DC/15/2586/FUL	<ul style="list-style-type: none"> <li>• Breach of Condition Notice served 01/08/2019.</li> <li>• DC/19/4557/VOC Planning application submitted 21/11/2019</li> <li>• Application refused 15/01/2020</li> <li>• <b>Currently within appeal period.</b></li> </ul>	01/02/2020
ENF/2019/0272 /DEV	16/08/2019	South	Rosery Cottage Barn, Lodge Road, Great Bealings	Change of use of a building	<ul style="list-style-type: none"> <li>• Enforcement Notice served 16/08/2019.</li> <li>• Appeal submitted, awaiting start letter.</li> </ul>	30/05/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2019/0391 /SEC215	26/11/2019	North	46 Wissett Way Lowestoft	Untidy Site	<ul style="list-style-type: none"> <li>• Notice served 26/11/2019</li> </ul>	27/03/2020
ENF/2019/0320 /USE	05/12/2019	North	Boasts Industrial Park, Worlingham	Change of use	<ul style="list-style-type: none"> <li>• Enforcement Notice served 05/12/2019</li> <li>• Enforcement Appeal submitted, awaiting Start Letter from PINS</li> </ul>	10/05/2020
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> </ul>	17/03/2020
ENF/2015/0214 /MULTI	17/01/2020	South	98 Tangham Cottages, Tangham	Change of use of land and building for business, residential and holiday let purposes	<ul style="list-style-type: none"> <li>• 17/01/2020 – Enforcement Notice served.</li> </ul>	19/05/2020

## **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
<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 limited public transport options (see points 4,5 and 6 below).</i></p> <p><i>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.</i></p> <p><i>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.</i></p> <p><i>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</i></p> <p><i>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.</i></p>		

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.
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Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	12 December 2019	No response

Summary of comments: Internal response, see report.
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Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	12 December 2019	17 December 2019

Summary of comments: Refer to previous comments.
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Consultee	Date consulted	Date reply received
Planning Policy (Internal)	12 December 2019	No response

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

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

Summary of comments: No comments received.
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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.
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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)
  - Lomis (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 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.
- 7.83 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 on-site 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.

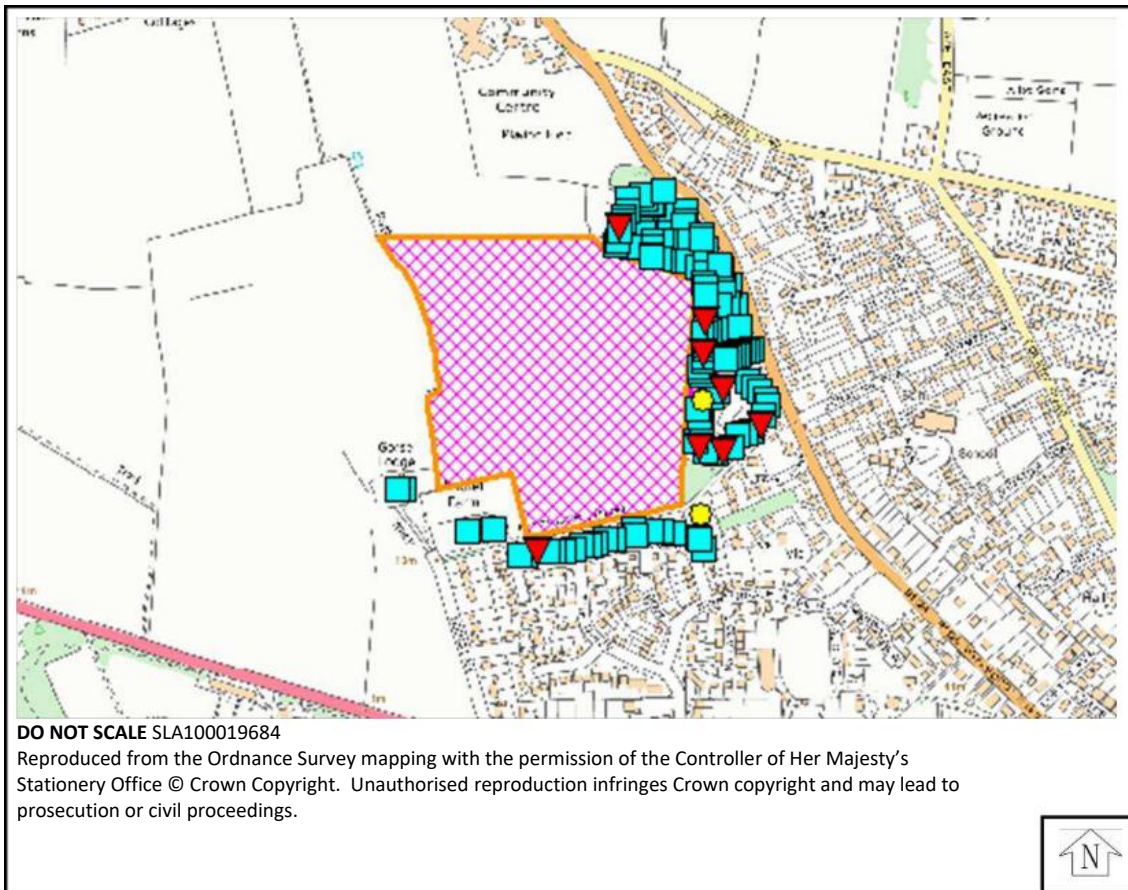
The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety 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

## **Committee Report**

**Planning Committee** - 10 March 2019

**Application no** DC/19/4450/FUL

**Location**

Hubbards Barn  
Hubbards Hill  
Peasenhall  
Saxmundham  
Suffolk  
IP17 2LA

**Expiry date** 12 January 2020

**Application type** Full Application

**Applicant** Mr Jon Vander-Molen

**Parish** Peasenhall

**Proposal** Change of use from B1 (Office use) to C3 (dwelling house) including provision of a single storey rear extension.

**Case Officer** Iain Robertson  
(01502) 523067  
[iain.robertson@eastsuffolk.gov.uk](mailto:iain.robertson@eastsuffolk.gov.uk)

### **1. Summary**

- 1.1. Hubbards barn was previously used as office accommodation for V-M Orthotics. This business has since relocated to Halesworth business centre leaving the building vacant. Planning permission was granted last year for the change of use of the building to a holiday let unit. This permission has not been implemented but remains extant at this time.
- 1.2. The proposal is for the change of use from B1 (Office use) to C3 (dwelling house) including provision of a single storey rear extension.
- 1.3. The site is 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.



- 1.4. The application does not demonstrate that there is no current or long-term demand for the retention of this employment use, which is a requirement of the Local Plan. The application is recommended for refusal for the reasons given in section 9 of this report.
- 1.5. The application is before members as the referral panel considered that it was necessary for members to consider the loss of the employment use.

## **2. Site description**

- 2.1. The application relates to Hubbards Barn, formerly this building served as an agricultural building in association with the surrounding land. Hubbards Barn is located outside of the settlement boundary of Peasehall, within an area of open countryside approximately 1 mile to the North of the village.
- 2.2. The building has been extended previously to facilitate the previous office use of the building. A field boundary has been planted in recent years, but the building still maintains its prominence in the landscape. A large curtilage is associated with this building, which is laid to grass; a small pond is situated to the rear of the building.

## **3. Proposal**

- 3.1. The application seeks full planning permission for the change of use of the building from B1 (Office use) to C3 (dwelling house) including the provision of a single storey rear extension.
- 3.2. The existing access is to be retained from Heveningham Long Lane and the land within the existing field boundaries is proposed to form the garden curtilage to the dwelling.

## **4. Consultations/comments**

- 4.1. No third-party representations received.

### **Consultees**

#### **Parish Council**

Consultee	Date consulted	Date reply received
Peasehall Parish Council	9 December 2019	13 January 2020
Summary of comments: No objections.		

### **Statutory consultees**

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	19 November 2019	28 November 2019

Summary of comments:  
No objection subject to conditions.

### Non statutory consultees

Consultee	Date consulted	Date reply received
Economic Development (Internal)	N/A	14 February 2020
Summary of comments: Internal - To be included within body of report.		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	19 November 2019	19 November 2019
Summary of comments: No objection subject to standard Contaminated Land conditions.		

## 5. Site notices

General Site Notice                      Reason for site notice: General Site Notice  
Date posted: 29 November 2019  
Expiry date: 20 December 2019

## 6. Planning policy

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Local Planning Authority's Development Plan, unless material considerations indicate otherwise.
- 6.2. The East Suffolk Council – Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document was adopted in July 2013 and the following policies are considered relevant:
  - SP7 – “Economic Development in the Rural Areas”
  - SP15 – “Landscape and Townscape”
  - SP19 – “Settlement Hierarchy”
  - SP29 – “The Countryside”
  - DM3 – “Housing in the Countryside”
  - DM10 – “Protection of Employment Sites”
  - DM13 – “Conversion and Re-Use of Redundant Buildings in the Countryside”
  - DM21 – “Design: Aesthetics”
  - DM27 – “Biodiversity and Geodiversity”
- 6.3. The East Suffolk Council - Suffolk Coastal District Local Plan - Site Allocations and Area Specific was adopted in January 2017 and the following policies are considered relevant:

- SSP2 – “Physical Limits Boundaries”

6.4. The emerging Suffolk Coastal Local Plan has reached an advanced stage in its production, and the Final Draft Local Plan (2019) was submitted under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 in March 2019. Although currently of limited material weight, the following policies are considered relevant:

- SCLP5.3: “Housing Development in the Countryside”
- Policy SCLP4.4: “Protection of Employment Premises”

6.5 The following documents are a material consideration in planning decision-taking:

- National Planning Policy Framework (NPPF 2019)
- National Planning Policy Guidance (NPPG)

## 7. Planning considerations

### Planning history/background:

7.1. Planning permission was originally granted for conversion of a former agricultural building to use as a holiday let, Ref: C/10/1465; at this time the proposal was to convert the original building without extensions, into a small unit. This did not take place and the applicant bought the building with the intention of using it as office accommodation for his business. A change of use to an office use, including the extension which exists today, was granted permission under ref: C/11/2812 and is the lawful use of the building.

7.2. Condition 2 of this permission removed permitted development rights for the change of use of this building, as follows:

*“The premises herein referred to, shall be used for B1/B8 business purposes and for no other purpose (including any other purpose in the Schedule to the Town and Country Planning [Use Classes] Order 2005)”.*

7.3. Class O, Part 3, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 allows buildings in B1(a) use to change to C3 use without the requirement for formal planning permission. The applicant is required to apply to the local authority as to whether the prior approval of the authority is required.

7.4. However, the implications of condition 2 of planning permission ref C/11/2812 are that it would prevent the building from changing its use from B1 to C3 without further planning permission. Therefore, although this building may comply with the criteria of Class O, Part 3, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015, it does not benefit from this permitted development right and planning permission for the change of use is therefore required; hence this application.

7.5. Most recently planning permission was granted for the change of use from B1 use to holiday accommodation including a single storey rear extension Ref: DC/19/0145/FUL. This permission has not been implemented and remains extant.

Principle:

- 7.6. The proposal lies outside of the settlement boundary for Peasenhall and thus is in the countryside for planning purposes. The key policies relevant to the consideration of this proposal are therefore those which relate to the development of housing in the countryside. Table 4.2 - which sits alongside Policy SP19 (Settlement Hierarchy) of the Suffolk Coastal Core Strategy and Development Management Policies (2013) - details that residential accommodation in the countryside will only be permitted in special circumstances, or where the proposal relates to housing in a cluster.
- 7.7. Policy SP29 (The Countryside) states that within the countryside the strategy in respect of new development is that *'it will be limited to that which of necessity requires to be located there and accords with other relevant policies of the Core Strategy (e.g. SP7 or DM17) or would otherwise accord with special circumstances outlined in paragraph 55 of the National Planning Policy Framework.'*
- 7.8. The proposal does not fall under sections (a) to (e) of Policy DM3, stated below.

Policy DM3 defines when dwellings may be permitted in the countryside. It defines these exceptions as:

- a) replacement dwellings on a one to one basis where they are no more visually intrusive in the countryside than the building to be replaced;*
  - b) the sub-division of an existing larger dwelling where this would meet a local need;*
  - c) affordable housing on 'exception' sites in accordance with policy DM1;*
  - d) conversions of existing buildings subject to certain controls (Policy DM13)*
  - e) Minor Infilling within clusters of dwellings well related to existing sustainable settlements (Policy DM4); or*
  - f) Development which would otherwise accord with the special circumstances outlined in paragraph 55 of the National Planning Policy Framework.*
- 7.9. Part (d) of the above policy and the relevant section of the NPPF (now paragraph 79 (c)) allows for the conversion of existing buildings. Policy DM13 states the criteria that conversion proposals will be assessed against. However, in this case, as this is an employment premises, it first needs to be demonstrated that there no current or long-term demand for the retention of the employment use. The mechanism for this is explained within policies DM10 "Protection of Employment Sites" of the Local Plan and Policy CLP4.4: "Protection of Employment Premises" of the Draft Local Plan.
- 7.10. Development Management Policy DM10 - "Protection of Employment Sites" states the following:

*"Permission for the change of use or redevelopment of existing sites with an employment use, including small sites, to a non-employment use will be granted if either:*

- a) the applicant has clearly demonstrated there is no current or long-term demand for the retention of all or part of the site for employment use:*
  - i. within the same use class;*
  - ii. for a mix of employment uses; or*
  - iii. for a mix of employment uses with other nonemployment uses, excluding residential; or*

*b) there would be a substantial planning benefit in permitting alternative uses.*

*The form and details of the evidence submitted in support of an application, such as where and for how long a property has been marketed, should be agreed with the planning authority prior to the submission of an application."*

- 7.11. Proposals for a change to residential use will only be considered where part (a) has been satisfied and only on sites within settlements that have a defined physical limits boundary.
- 7.12. Draft Local Plan Policy SCLP4.4: "Protection of Employment Premises" states that employment premises across the district will be protected for their established B class uses unless:

- a) Marketing evidence is provided which demonstrates that the premises have been marketed for a sustained period of 12 months in accordance with the requirements set out in Appendix E;*
- b) There would be substantial planning benefit in permitting alternative uses; and*
- c) The proposed use is compatible with the surrounding uses in terms of car parking, access, noise, odour and other amenity concerns.*

*Proposals for loss of employment premises to be used for residential use will only be permitted in exceptional circumstances where there is no current or long term need for the premises and the site is within the defined Settlement Boundary.*

- 7.13. This policy position is supported by the Council's Economic Development team who regret the loss of any commercial floor space to residential development and support the effective marketing of the building as a commercial opportunity for at least 12 months.
- 7.14. Policy DM10 requires that the form and details of the marketing evidence submitted in support of an application, should be agreed with the planning authority prior to the submission of an application. Emerging policy SCLP4.4 states that a marketing strategy should be carried out in accordance with the Council's guidance; neither approach has been taken in this instance.
- 7.15. Marketing guidance provided within Appendix E of the draft Local Plan states that the guide price for the property should be commensurate with the current market price for similar premises, derived from an expert RICS registered valuer or accredited member of RICS.
- 7.16. The property has been on the market since April 2019, which is less than the minimum requirement of 12 months. There is no evidence to suggest that RICS valuation has taken place. In the view of officers, the price at which the premises has been marketed (£495,000) does not reflect the lawful use of the building as office accommodation or the potential for use of the building as holiday let accommodation. Furthermore, there is an overage clause which states that if planning permission is subsequently granted for residential use of the building then 30% of the uplift in value will be repayable to the vendors. This clause would be in place for 30 years.

- 7.17. It is therefore considered that the applicant has failed to demonstrate that there is no current or long-term demand for the retention of the premises for employment use as required by policy DM10 of the Local Plan and Policy SCLP4.4 of the draft Local Plan.

Extension to building:

- 7.18. Although Policy DM13 focuses on the conversion of buildings an extension of the same form and appearance has been approved within the two previous permissions which are still extant. The extension as proposed is considered to respect the character and scale of the existing building as required by policy DM21 – “Design: Aesthetics”.

Landscape Impact:

- 7.19. The garden curtilage proposed is excessive in size and, in the interests of preserving rural landscape character, if the proposal was otherwise acceptable the domestic curtilage should be drawn quite tightly around the current parking area to the SW; the NW boundary no further NE than the large oak tree; and back towards the barn. The creation of a residential curtilage of this size would have a harmful impact on the character of the countryside due to the proliferation of residential paraphernalia into an area of open countryside, contrary to Policy DM13 (iii). At present, the size of the proposed residential curtilage would lead to an erosion of landscape character which would be contrary to Local Plan Policy SP15, which requires (inter alia) that development should protect and enhance the various landscape character areas within the district.

Other matters:

Ecology – Protected species:

- 7.20. Within a previous application Ref: C/11/2812 an ecology assessment identified that there was a colony of Great Crested Newts within the pond on the site and a suitable scheme of mitigation was proposed and was required by condition. A further survey has not been provided within this application, although it is very likely that the colony still exists on site. Ideally this information should be available at the time of determination to ensure that all material considerations can be taken into account, which would be in accordance with para 99 of circular 06/2005. However, as suitable mitigation was accepted previously it is considered that mitigation would be necessary and deliverable and therefore a condition could be imposed in these circumstances, should permission be granted.

European Sites Impact and RAMS:

- 7.21. This proposal is within scope of the Suffolk Coast Recreational Avoidance Mitigation Strategy as it falls within the 13 km 'zone of influence' for likely impacts and is a relevant residential development type as listed above. It is anticipated that such development in this area is 'likely to have a significant effect' upon the interest features of the designated European site(s) through increased recreational pressure, when considered either alone or in combination. Therefore, an up-front payment or unilateral undertaking for a sum of £321.22 is required. This payment has not been received. The proposal is therefore contrary to policies SP14 and DM27 (Biodiversity and Geodiversity).

Contaminated land:

- 7.22. A phase I ground assessment is required as this is a use sensitive to potential contamination. Should planning permission be granted then further investigation is required by condition.

## **8. Conclusion**

- 8.1. Consent is sought for the change of use of the premises from B1 (Office) use to a single residential dwelling. Policy DM10 of the Local Plan seeks to retain such premises in employment use unless the applicant has clearly demonstrated 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.
- 8.2. It is therefore considered that the proposal is contrary to adopted policy DM10 and emerging policy SCLP4.4 which seeks to protect existing employment uses.
- 8.3. Furthermore, the garden curtilage proposed is excessive in area and, in the interests of preserving rural landscape character, it should be reduced in size. 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 and SP15.
- 8.4. The proposal would deliver some limited benefits with the provision of an additional dwelling to housing supply and the limited economic benefits associated with this - such as the support for local shops and services from the occupants. However, the economic harm from the loss of an employment use and the impact on the character of the countryside from the creation of a large residential curtilage in this location would outweigh the benefits of this proposal.

## **9. Recommendation**

- 9.1. 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).

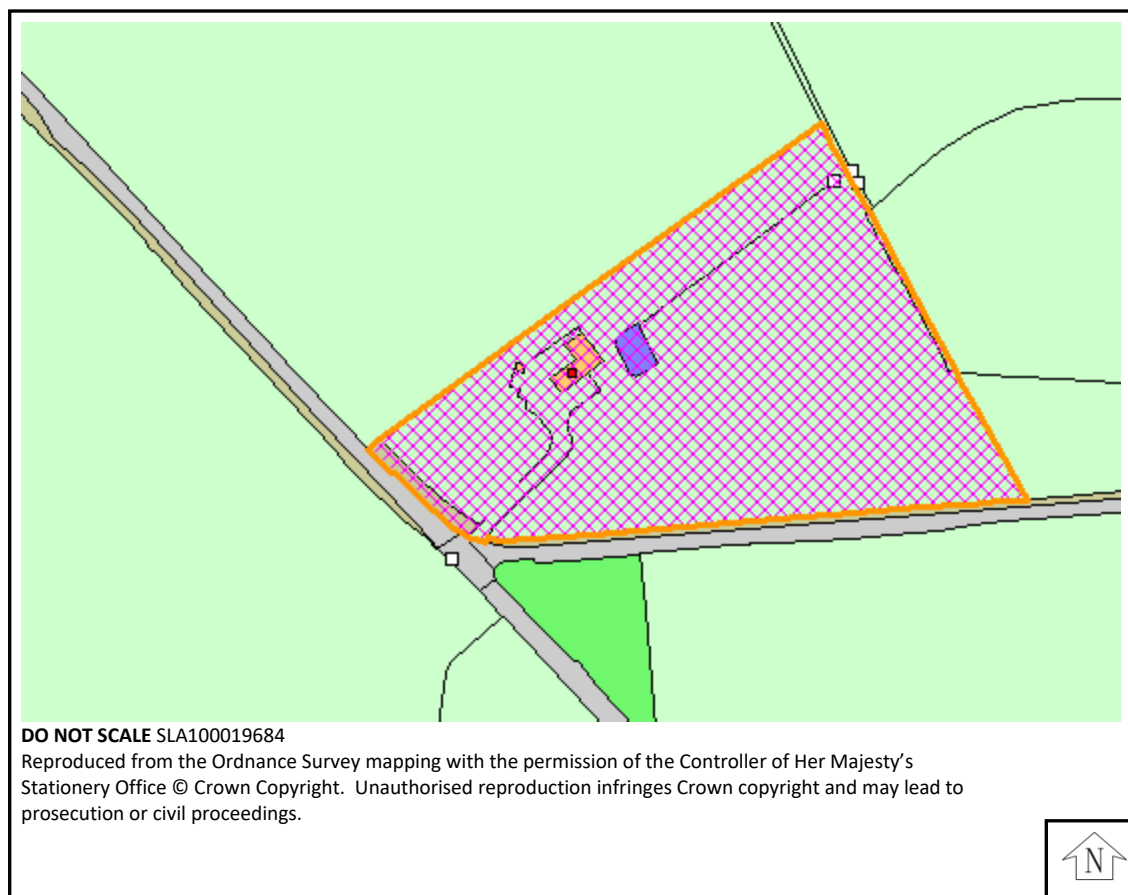
3. The development falls within the 13km protection zone of European Designated Sites. As set out in the emerging Suffolk Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) Local policy DM27 seeks to support the Article 6(3) of the Habitats Directive where proposals that would cause a 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.

### **Background information**





See application reference DC/19/4450/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q0WXNRQX06O00>



## Map



## Key

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

## **Committee Report**

**Planning Committee - 10 March 2020**

**Application no** DC/19/4684/FUL

**Location**

Plot  
Arboretum  
Mill Lane  
Barnby  
Beccles  
Suffolk  
NR34 7PX

**Expiry date** 23 January 2020

**Application type** Full Application

**Applicant** Mr & Mrs R Orme

**Parish** Barnby

**Proposal** Construction of dwelling house and garaging

**Case Officer** Chris Green  
(01502) 523022  
[chris.green@eastsuffolk.gov.uk](mailto:chris.green@eastsuffolk.gov.uk)

### **1. Summary**

- 1.1. The proposal follows an earlier refusal on scale and is referred to members by the referral panel to enable the proposal to be fully considered by the planning committee.
- 1.2. The Parish Council object to the application on the grounds that the highway lacks capacity for further traffic.
- 1.3. There is no adverse comment from any ward Member, and County Highways note that this site is on the outside of a slight bend which enhances visibility from the access, so therefore do not object.
- 1.4. Officers consider the proposals to be acceptable in accordance with the Local Plan. The recommendation is therefore for approval with conditions.

## **2. Site description**

### Relevant Planning History

- 2.1. An application (DC/19/2981/FUL) for an unusual three storey design with low pitch mono-pitched roof elements set at various angles to one another over each element of the floor plan was refused on both aesthetic and scale grounds.
- 2.2. Before that, DC/16/5433/FUL was approved, on the adjacent vacant land belonging to "Eremue" to the south of this site permitting a two-storey dwelling. The approved drawings for DC/16/5433/FUL showed a property (of two storeys) that projected above Mill Lane by a single storey thanks to the landform. A detached garage was shown near the boundary with Arboretum and this was later altered very slightly by a non-material amendment to increase the gap to 1m. There was a linking pergola feature and fencing so that the development fills the full width of its plot, setting the context for this current proposal. This has not however been implemented but did not expire until February 2020, and a further application to renew permission for that adjacent land has now been approved (DC/19/4775/FUL) reinforcing the need to consider this proposal in context with that approval.

### Site description

- 2.3. Mill Lane is a narrow-metalled road leading from the principal thoroughfare in the village, The Street, and serving residences before looping back round to join Swan Lane. To the west side and beyond this plot runs the Hundred river, a narrow stream. The landform therefore reflects this with a considerable drop (around 2m) from Mill Lane down into this plot. None of the plot is considered to be within a high-risk flood zone. The other side of Mill Lane is yet higher to a varying extent. There is a substantial and continuous hedge of around 2.4m height on the Arboretum side, and around 3m on the other side.
- 2.4. Other plots vary in size with the larger plots being on the west side and to the east generally smaller plots with the exception of Hillside.
- 2.5. Arboretum - the donor site - is one of the larger plots with a gap to its south side of around 25m to the boundary with the proposal site to take most of this. The house "Arboretum" itself is a two-storey house with single storey north end side extension and with upper storey vertical timber planked cladding and concrete tile roof set at 22 degrees pitch approximately.

## **3. Proposal**

- 3.1. The proposed development is to construct a three-storey house with the lowest storey taking advantage of the level change to be placed below the level of Mill Lane. In this submitted design the upper floor is within a parallel triple row of 45-degree pitch ridged roofs with a linking element set at 90 degrees to these roofs. Parking to the front is accessed by an 8m wide opening across the front of the site that necessitates the removal of the hedge across the full plot width, though in this application a replanting of the hedge is proposed set back from the carriageway to produce a vision splay.

#### 4. Consultations/comments

Four neighbour objections have been received that raise the following key concerns (inter alia):

- A three-storey property is uncharacteristic.
- The plot is too small without scope to move the building back.
- Windows will overlook directly into the bedroom (first floor) windows of the existing house immediately across the narrow Mill Lane (Hillside House) and impact on outlook.
- This application DC/19/2981/FUL was for a similar three floor house in the same place. Barnby Parish Council previously rejected the proposal, because Mill Lane is unsuitable for any further traffic and lacks pedestrian pavements.
- There is often double-parking speeding and the road is used by primary school age children, dog walkers, cyclists and horses.
- Mill Lane is a haven for wildlife.
- The design was previously considered "out of keeping with the existing housing stock in Mill Lane". The new design is a mismatch of pitched and flat roofs and exterior walls of different construction and is worse.
- The road should be widened.
- One writer said they were less opposed if the application was for a bungalow not a 3-story house.

#### Consultees

##### 4.1. Parish Council

Consultee	Date consulted	Date reply received
Barnby Parish Council	3 December 2019	23 December 2019
<i>Mill Lane itself is in our opinion unsuitable for any further road traffic loading, the carriageway in question does not have pedestrian pavements for most of its length, this narrow carriageway is double parked, the road has been the subject of numerous complaints regarding traffic load, parking, and speeding concerns. Add to the forgoing that the road is used by primary school age children afoot attending the Barnby and Northcove school, dog walkers, cyclist's and horses, in addition to vehicle traffic and the potential for serious incidents is apparent. The plans appear to show a very modern, Mediterranean style development which it was felt would be out of keeping with the existing housing stock on mill Lane, the plans also seem to show that the property would be well forward on the road frontage presumably necessitating the removal of the existing hedge further exacerbating the properties impact on street scene. "5.7 Deliverability: the site is a windfall plot on the street frontage and offers a deliverable dwelling where the local authorities 5 year supply is in doubt, and offers the local authority a much needed home in this location where new dwellings are rare". The Waveney local plan has agreed the provision of 50 new dwellings in Barnby, site yet to be developed, which begs the question as to whether the 5-year supply is in doubt, or whether the provision of new dwellings is much needed. In conclusion the parish councillors present felt they were unable to support this application for the reasons given.</i>		

#### 4.2. Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	3 December 2019	2 January 2020
Summary of comments: <u>Objection</u> , that the applicant has failed to demonstrate adequate vision splays are available or that a lower standard could be accepted.		

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	N/A	14 January 2020
Summary of comments: <u>No objection</u> given additional information demonstrates sufficient vision splays. Conditions suggested for access to be laid out before use; for the gradient to be no steeper than 1 in 20 for the first five metres and not steeper than 1 in 8 at any point; to be surfaced with a bound material; for the vision splays shown to be provided before use; for the areas for the purposes of manoeuvring and parking of vehicles to be provided before use and for bin storage to be made available to the drawing.		

#### 4.3. Non statutory consultees

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	3 December 2019	12 December 2019
Summary of comments: No objection Unexpected contamination condition required.		

#### 5. Publicity

None

#### 6. Site notices

General Site Notice

Reason for site notice: New Dwelling

Date posted: 5 December 2019

Expiry date: 30 December 2019

#### 7. Planning policy

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

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

## **8. Planning considerations**

- 8.1. 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.

### Principle and Sustainable Development

- 8.2. The site is sustainably located within the defined physical limits of Barnby. As it does not intrude into the area near the river it will respect Policy WLP8.36 - Coalescence of Settlements of the Adopted East Suffolk (Waveney Area) Local Plan Policies

### Visual Amenity, street scene and landscape

- 8.3. The proposal will be seen in the public domain, currently the site is fronted by a substantial hedge. This is to be removed but will be replanted. The three-storey height proposed will project above this feature but manifest as roofs, so that the proposal will display as a large chalet bungalow design, with the lower floor being equivalent to a basement in its relationship to the highway.
- 8.4. The proposal is for a modern form but using more traditional and conventional dual pitch roofs set in orthogonal and conventional planes to each other. This aesthetic makes a lesser departure from the current built forms locally, than that previously submitted. It is also a more broken up smaller scale design than that previously refused.
- 8.5. The character of Mill Lane will therefore become more urbanised at this point with development becoming almost continuous rather than sporadic. It is this urban form together with the form of the property to the south, as yet unbuilt, is considered to (in this revised lower form) to not depart from the character of the locality in terms of degree of development. Elsewhere and opposite on Mill Lane development is continuous, and the site is within the settlement limits.
- 8.6. There is considered no intrinsic urban design reason to wish to retain this slightly more open character at this point, although individuals living nearby regret its proposed loss. The delivery of housing and generation of economic activity does provide positive benefit. The proposal is therefore considered not to conflict in this regard with policy WLP8.29 of the Local Plan and NPPF paragraph 127 where proposals should "*establish or maintain a strong sense of place, using ...(appropriate)..., building types and materials*".
- 8.7. There is not considered to be conflict in terms of the character of the totality of the two new proposed properties as the building footprints. A partial street elevation has been provided, showing the proposal in relation to the street level, with the hedges and the outline of both the adjacent 19/4775/FUL and "Arboretum".

- 8.8. The proposal is the development of garden land and therefore needs consideration against Policy WLP8.33 - Residential Gardens and Urban Infilling where scale, design and siting should be *"in keeping with the character and density of the surrounding development and would not generate a cramped form of development"*. This revised proposal is considered compliant in that regard. The screening hedge (set back to allow some vision splay) will retain the sense of the semi-rural context and soften quantum and scale of development impact with the roof projections appearing sporadically over above the hedge-line and this is considered insufficient to mitigate this harm.

#### Residential Amenity

- 8.9. The upper storey features out-looking windows to the east onto and over Mill Lane. Hillside house is the nearest property to this frontage at 24m distance albeit offset in relation slightly and with a large tree in between the sites as well as the hedge. On that basis material harm is not considered to occur. Most outlook from rooms in the proposed property is contrived to the west to overlook the Hundred River, and this is by far the best vista. At the higher level, a laundry room, landing and bedroom overlooks the property to the east over Mill Lane. No windows look towards Arboretum. While this will entail a loss of "view" that benefits "Hillside" (when the tree shelter belt is without leaves), it is not considered to represent a loss of outlook, that is to say the creation of an oppressive sense of enclosure.
- 8.10. If the property with permission currently to the south were to be built (and a further renewal application for this site has recently been approved), the other permission features a three bay garage to its boundary with the proposal site so loss of outlook and light are not considered to occur and other property opposite is sufficiently distant to not suffer harms by way of outlook or light.
- 8.11. The suggested curtilage sizes are considered appropriate and sufficient both for Arboretum and that allocated to the new plot.
- 8.12. It is noted that Eremue was not consulted: This is not considered to be an omission as it is not immediately adjacent the site given the approved intermediate plot now authorised and the same agent being the author of both applications.

#### Highway Safety and Parking Provision

- 8.13. Parking is available for three cars in compliance with County adopted guidance. A car parked to the front would however diminish available turning space. Mill Lane is very narrow, but vehicle speeds are correspondingly low (notwithstanding claims of speeding traffic made by objectors, although the plated 30mph limit on this road would constitute unsafe driving) and, with the hedge removed, visibility will be reasonable and can be achieved as shown, within the gift of the applicant. A plan received shows that with a standard set back, very good vision is possible in both directions because the site stands on the outside of a slight bend in the road. The County have responded to this latest plan to state that, with the garage available for parking, the turning area and other spaces are now considered adequate for purpose (recommending conditions for matters that can be further resolved by this means. The proposal is therefore considered compliant in this regard with policy WLP8.29 (Design) of the Local Plan.

### Other Matters

- 8.14. This proposal is in Flood Zone 1, (even with climate change) the low risk zone and there is no record of localised surface water flooding within the site, except at the western boundary. The site is not within a "source protection zone" As a single dwelling the building regulations require on site soakage so no requirement for Sustainable Drainage (SUDs) requires imposition.
- 8.15. This site is within domestic garden land where there is no record of protected flora or fauna.
- 8.16. Contaminated land: The Environmental Health Officer is content with the submitted information and requires only an unexpected contamination condition.
- 8.17. Trees and hedgerows: There are no trees with Tree Preservation Orders in the vicinity of this site and no protected hedgerows. The current garden hedge is not capable of protection through legislation, its loss is however material to the consideration of this application and its removal will generate a change in character considered to be adverse unless replanting occurs as suggested and recommended secured by condition.
- 8.18. This proposal will require a contribution to the Suffolk Recreational Avoidance Mitigation Strategy as a new dwelling is created within the mitigation zone. The form and payment has been received and therefore the proposal accords with the biodiversity and geodiversity of the Local Plan.

## **9. Conclusion**

- 9.1. The proposal is considered to comply with policy WLP8.29 (Design) of the Local Plan and NPPF paragraph 127, in addition to policy WLP8.33 - Residential Gardens and Urban Infilling where scale and design are considered appropriate for the specific location. The proposal will provide a single new dwelling and generate building industry employment in the short term. There would be longer term modest benefit from occupant spend in the local economy.
- 9.2. Permitted development rights need to be removed with regard to roof expansion, but there is no room for side extensions so removal of rights is not considered necessary and extensions at the rear towards the Hundred River are not considered likely to be harmful.
- 9.3. On balance, therefore, officers consider the proposals to be acceptable in accordance with the objectives of the Local Plan and NPPF.

## **10. Recommendation**

- 10.1 Approve with conditions; including the agreement of setting out level details, the removal of permitted rights and for agreement as to hedge reinstatement.

### **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 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 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 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-and-pay-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:

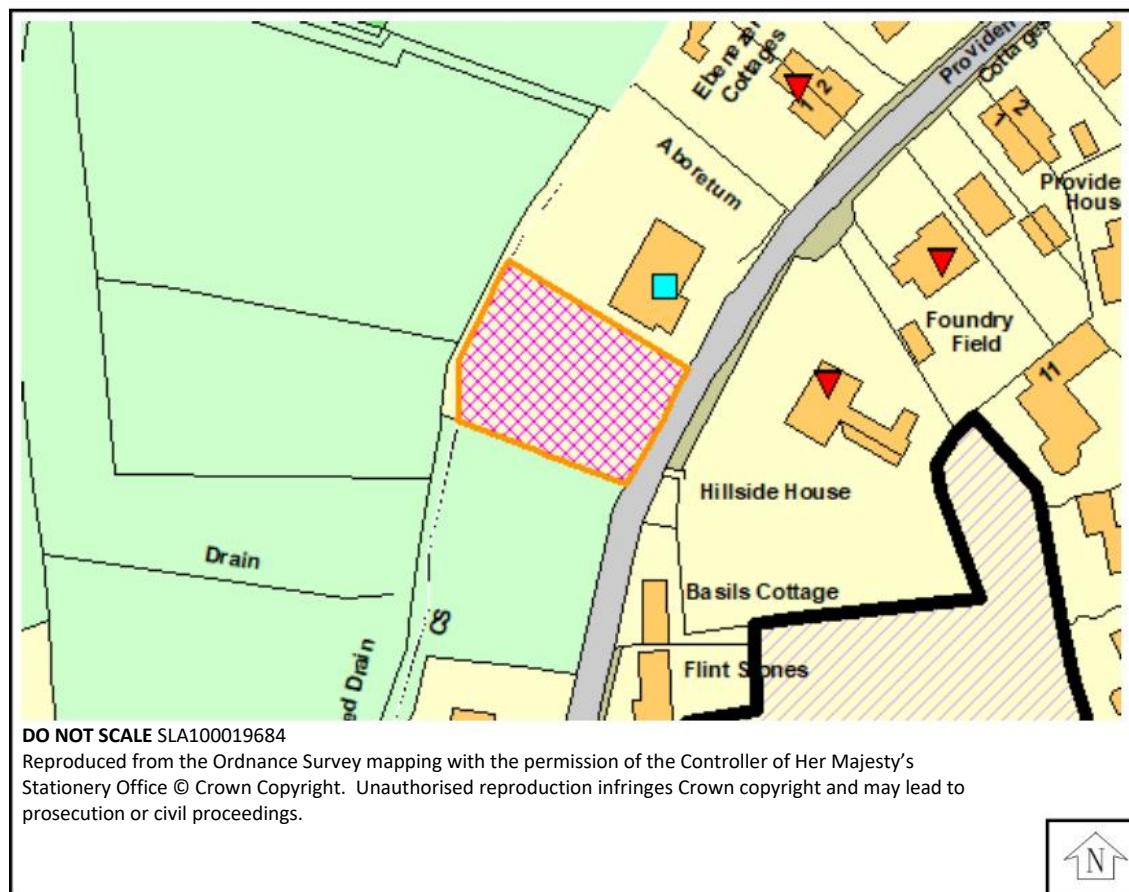
[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

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

### Background information

See application reference DC/19/4684/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q1QI4GQX0JS00>

### Map



### Key



Notified, no comments received



Objection



Representation



Support

## **Committee Report**

**Planning Committee** - 10 March 2020

**Application no** DC/19/4826/FUL

**Location**

14 Moyes Road  
Lowestoft  
Suffolk  
NR32 3NY

**Expiry date** 9 February 2020

**Application type** Full Application

**Applicant** Mr Kristian Giddins

**Parish** Oulton Broad

**Proposal** Construction of single storey rear extension, loft conversion and associated works.

**Case Officer** Debbi Wicks  
01502 523020  
[debbi.wicks@eastsoffolk.gov.uk](mailto:debbi.wicks@eastsoffolk.gov.uk)

### **1. Summary**

- 1.1 This householder application concerns 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.
- 1.2 Officers consider the proposal to be acceptable in accordance with the relevant policies of the Local Plan and NPPF, and therefore recommend that planning permission be granted.
- 1.3 The application was presented to the referral panel on 11th February 2020 where Members agreed to refer the application to the North Area Planning Committee.

### **2. Site description**

- 2.1 The application property is a semi-detached bungalow located on the eastern side of Moyes Road in Oulton Broad. Moyes Road is one of several straight link roads spurring off Hall

Road, uphill in a northerly direction within the residential Rock Estate which was constructed in the 1970's. Development comprises a variety of dwelling sizes and styles with no predominant design. Roads are unrestricted with on street parking available both sides.

- 2.2 To the south side of the site is another bungalow, though detached and gable fronted. To the north side, as the land rises, is the other half of the semi-detached bungalow attached to the application site and that property has a three metre deep front extension. Alongside that dwelling the properties then change to two storeys in height and there are terraced houses opposite the site.
- 2.3 In terms of plot size, the site has a frontage measuring 7.5m depth from the pavement and eight metres wide, a 2.5m wide gap to the southern side boundary and a rear garden depth of 18 metres. There are no planning constraints affecting the site.
- 2.4 The site falls within the settlement boundary and is not located in a conservation area or covered by any other planning constraints.

#### Planning History

- 2.5 A single storey rear extension was approved at the property in 2005 but the development was never implemented (DC/05/1282/FUL).

### **3. Proposal**

- 3.1 The proposal comprises two main elements: firstly, a rear extension in matching brick and tiles with a pitched roof, projecting 4.5 metres from the bungalow and 4.4 metres high to the central apex; the second component relates to works associated with conversion of the attic space. These works comprise three modestly sized dormer windows (two at the rear and one at the front) and an end gable window.
- 3.2 The loft conversion itself does not require planning permission and neither do the two rear dormer windows proposed as they are below the size limit for permitted development; therefore the only aspect of the loft conversion works controlled under planning law are the front dormer window and also the new high level side window as it will be a clear glazed opening window.

### **4. Consultations/comments**

- 4.1 An objection has been received from an adjoining neighbour which is of a highly sensitive nature. The points raised are non-material in planning terms and relate to the likelihood of noise and disturbance during construction which will affect existing ill health issues.

### **5. Consultees**

#### **Parish/Town Council**

Consultee	Date consulted	Date reply received
Oulton Broad Parish Council	30 January 2020	3 February 2020

Summary of comments:  
 Very tight in the extension. Over development.  
 Recommending referral ESC Planning Committee for consideration. Recommend possible site visit.  
 The road appears to be very narrow too.

Consultee	Date consulted	Date reply received
Lowestoft Town Council	16 December 2019	No response
Summary of comments: Consulted in error - should have been OB parish council.		

## 6. Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 19 December 2019

Expiry date: 14 January 2020

## 7. Planning policy

National Planning Policy Framework

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

## 8. Planning considerations

- 8.1 The current accommodation comprises a small kitchen and bathroom, a living room and two bedrooms within a total floor plate of 10m x 6.2m which is less than average size. An extension of the bungalow and/or use of the generous roof height is therefore likely, particularly given the garden depth, and a rear extension has already been granted previously but not constructed.
- 8.2 The fallback position with regard to permitted development is relevant in this case. It would be exempt to build a rear extension out to a depth of three metres projection and 4 metres in height, or to six metres projection with no neighbour objection under the prior notification procedure. The current extension proposal is 4.5 metres deep (1.5m more than the exempt depth) with just the centre of the roof apex exceeding the exempt height limit by 0.5m. The key considerations are scale and the likely impact of the proposed rear extension to the adjoining neighbour on the north side with regard to loss of light or outlook.
- 8.3 The neighbour has a low level, glazed conservatory which is only marginally taller than the existing 1.8 metre high brick wall along the boundary so will already be shaded to a large extent once the sun has moved around from east to south. Any additional shading would occur through the roof of the conservatory for a relatively short period before the sun

moves behind the main dwelling in the afternoon. This level of light loss is not deemed to be significant.

#### Scale

- 8.4 The proposed form of the extension, with its low eaves height and roof pitched away from the boundary is judged to be preferable to either a flat roofed structure with a high eaves level or a lean-to roof which again would have a taller side return wall close to the neighbour and thus would be more imposing.
- 8.5 As mentioned, the loft conversion and rear dormer roof windows do not in fact require planning permission and could be carried out at any time, even on a larger scale, despite potential overlooking issues. The proportions and design of the dormer windows are all considered to be suitably subservient to the host structure and in harmony with their surroundings.
- 8.6 It may be that the Parish Council are referring to the increase in number of bedrooms as potential overdevelopment; the resultant dwelling would contain four modestly sized bedrooms as shown on the proposed floor plans which is double the current provision. Internal layout is controlled by Building Regulations and the number of occupants living at the property is only significant with regard to parking, in planning terms. Thus, the three material planning considerations relating to the loft conversion are the increased requirement for *parking provision*, the *appearance* of the front dormer window in the streetscape and the *amenity impact* of the new side facing window upon the neighbours to the south side.

#### Parking

- 8.7 The majority of the site frontage has been hard surfaced and can comfortably accommodate two vehicles off road plus a further vehicle could fit alongside the bungalow, albeit rather tight. Three spaces would be the expected parking standard to correspond with four bedrooms in a new build property; however, the combination of on- street parking and hard standing for two vehicles is deemed sufficient in this context where the layout suggests that occupants may include children. It has not been specified in the application particulars who will be residing at the property, but that is not a planning consideration, in any event.

#### Design and Appearance

- 8.8 The controlled front dormer window will be of modest height and proportions and is judged to be in keeping with the character of the surrounding area. The pair of bungalows are recessed behind the houses on the north side which reduces visual impact and there will be no overlooking of the neighbouring front extension or detriment to the streetscene.

#### Amenity

- 8.9 Impact of the rear extension upon the adjoining neighbour's outlook is mitigated by the presence of the existing brick boundary wall and helped further by the extension being set in half a metre from the boundary. The new first floor opening window in the side wall is also considered acceptable in its proposed location as it will only provide a view down onto the neighbouring bungalow roof and driveway.
- 8.10 The adjacent neighbour has not raised any concerns regarding loss of amenity; the material planning concern raised is in respect of noise and disruption during building works.



## **9. Conclusion**

- 9.1 All aspects have been carefully considered on the planning merits of the case. Officers do not consider that the proposals represent an overdevelopment of the site and much of the work could be carried out without planning consent, in any event. The Planning Authority sympathises with the neighbour's concerns regarding disturbance during the construction period, but this is of a temporary nature and not likely so adverse to justify a refusal of planning permission.
- 9.2 Officer consider that the proposed development accords with the design and amenity objectives of policy WLP8.29 (Design) and, therefore, the application is recommended for approval.

## **10. Recommendation**

Approval recommended.

## **11. 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@east Suffolk.gov.uk](mailto:CIL@east Suffolk.gov.uk)

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

CIL forms can be downloaded direct from the planning portal:

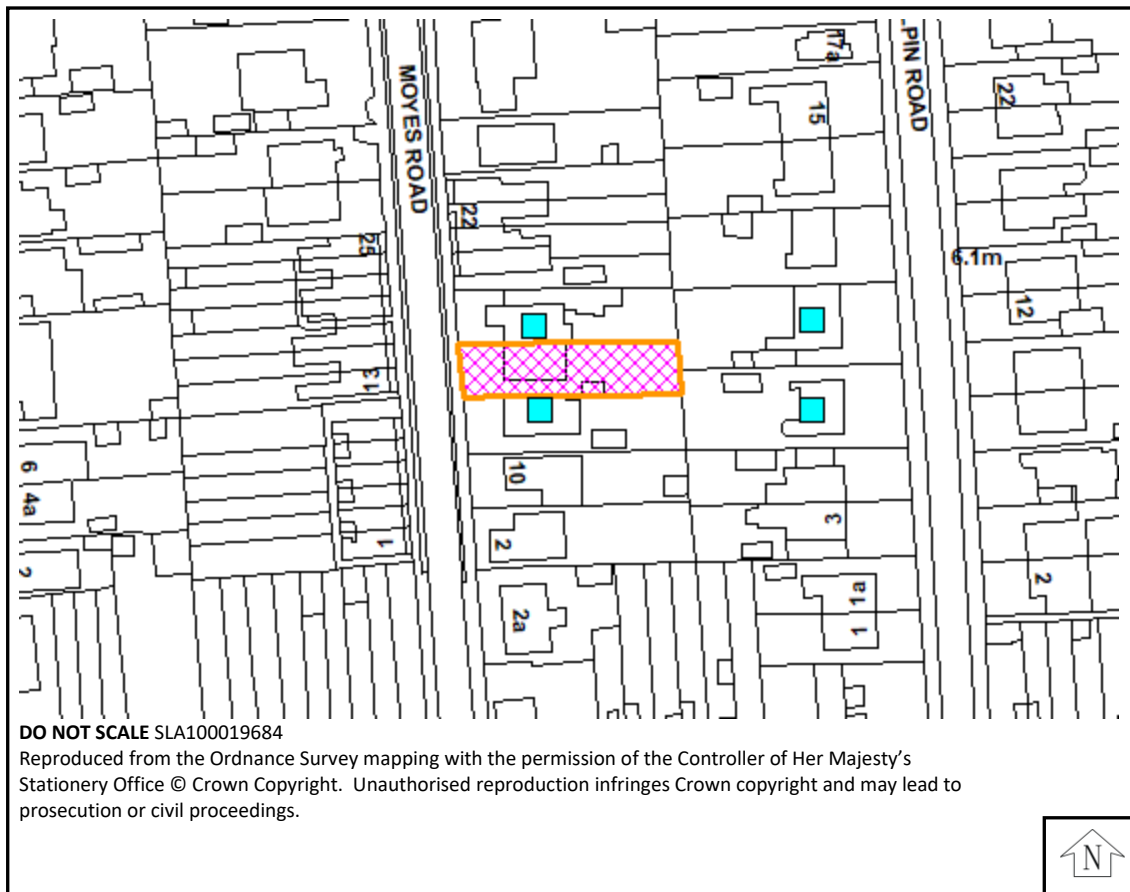
[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

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





### **Background information**

See application reference DC/19/4826/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q2K9K5QXGLM00>

## Map



## Key

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

## **Committee Report**

**Planning Committee - 10 March 2020**

**Application no** DC/20/0272/ADN

**Location**

The Marina Customer Service Centre  
Marina  
Lowestoft  
Suffolk  
NR32 1HH

**Expiry date** 18 March 2020

**Application type** Full Application

**Applicant** Mr Guy Butler

**Parish** Lowestoft

**Proposal** Installation of new East Suffolk Council logo signage at high level to existing building

**Case Officer** Melanie Pieterman

01502 523023

[Melanie.VandePieterman@eastsuffolk.gov.uk](mailto:Melanie.VandePieterman@eastsuffolk.gov.uk)

### **1. Summary**

- 1.1. The application seeks advertisement consent for the installation of new East Suffolk Council logo signage at a high level to the existing Marina building.
- 1.2. Officer consider the proposed development to be acceptable in accordance with the Local Plan and
- 1.3. The application comes directly before the planning committee as the applicant is East Suffolk Council, and the land to which the application relates is owned by the Council.

### **2. Site description**

- 2.1. The application building is located on the eastern end of The Marina and is adjacent to and adjoining the Marina Theatre, which is a locally listed building. It is a modern two-storey

brick and tile building with a front projecting gable. The building is currently in use by the customer services department of East Suffolk Council.

- 2.2. To the west of the building is London Road North and the associated main shopping street of the town. To the east is Battery Green Road which is one of the main traffic routes into and through the town and the area is predominantly commercial and retail, with some residential properties nearby.
- 2.3. The Marina is within the Town Centre boundary and the street itself is classed as secondary shopping frontage within the Local Plan.

### **3. Proposal**

- 3.1. The proposed development is the installation of new East Suffolk Council logo signage at a high level to the existing building. The proposed sign would be rectangular in shape, bearing the Council logo, and fixed to the front-facing gable feature at a high level.

### **4. Consultations/comments**

- 4.1. No third party comments received.

#### **Consultees**

##### **Lowestoft Town Council**

Consultee	Date consulted	Date reply received
Lowestoft Town Council	27 January 2020	5 February 2020
<p>Summary of comments:</p> <p>The Planning and Environment Committee of Lowestoft Town Council considered this application at a meeting on 4 February 2020. It was agreed to recommend approval of the application. It is noted that Lowestoft Town Council are owners of the adjoining property.</p> <p>Lowestoft Town Council has declared a Climate Emergency. To support this declaration, the Planning and Environment Committee requests that when recommending approval of a planning application the following measures are taken into account:</p> <ul style="list-style-type: none"><li>o Consideration of biodiversity</li><li>o Support for new or improved renewable energy.</li><li>o Support for alternatives to car use e.g. walking, cycling and public transport, and encourage efficient car use, including through appropriate car parking provision, car-sharing, differential car-parking charges, and the use of electric cars.</li><li>o Encouragement for the management of land for nature and an increase in tree cover.</li><li>o Resistance of the use of natural open space for development and encourage reuse of brownfield sites.</li><li>o Support homes which are energy efficient, nature friendly and located close to public transport and amenities.</li></ul>		

## **Statutory Consultees**

Suffolk County Highways : No objections.

### **5. Site notices**

General Site Notice

Reason for site notice: General Site Notice

Date posted: 3 February 2020

Expiry date: 24 February 2020

### **6. Planning policy**

6.1. WLP8.29 - Design (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 policy is set out in section six of this report.

#### Design, External Appearance and Public Safety

7.2. When considering applications for advertisement consent the council as local planning authority can only take matters of amenity and public safety into consideration.

7.3. The proposed sign is to be fixed on the gable of the building facing towards London Road North and is non-illuminated. It is of a corporate design and is to replace existing signage and therefore the installation of the sign is considered acceptable in principle.

7.4. With regards to amenity, there are relatively few issues in terms of visibility, street scene impacts and impacts on nearby businesses and residences due to the small size; high level siting; and non-illuminated nature of the signage. It will sit quite comfortably within the confines of the gable projection above the second floor.

7.5. The remaining issue is the potential for impact on public safety. The Highways Authority has no objection to the proposal and officers consider it would not cause a highways safety issue. There are no public safety issues arising from this modest signage to front of the building.

### **8. Conclusion**

8.1 Therefore, for the reasons given above, the proposed development is considered acceptable in accordance with the East Suffolk (Waveney) Local Plan 2019, in particular policy WLP8.29. Officers consider that no harm would arise from the proposed signage and therefore the application is recommended favourably.

## **9. Recommendation**

9.1 Approve with standard advertisement conditions as below.

## **10. 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.

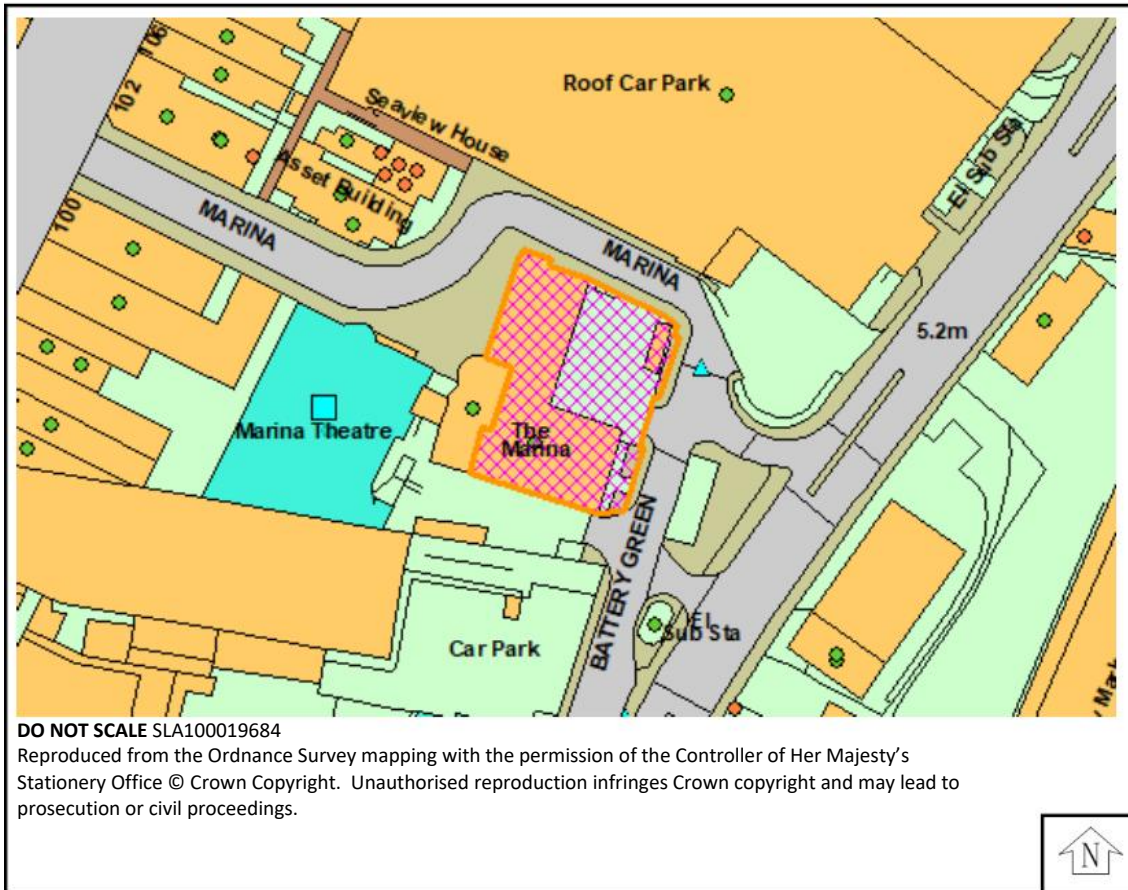
## **Informatives:**

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.

## Background information

See application reference DC/20/0271/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q4K97VQXHB500>

## Map



## Key



Notified, no comments received



Objection



Representation



Support