

# Confirmed

Minutes of a Meeting of the **Shadow Planning Committee (South)** held in the **Deben Conference Room, East Suffolk House, Riduna Park, Melton, on Thursday 18 April 2019 at 9:15am**

## Members present:

C Blundell, S Burroughes, A Cooper, M Deacon, D Dean, A Fryatt, S Harvey, C Hedgley, G Holdcroft, M Jones, D McCallum, A Smith.

## Officers present:

L Beighton (Planning Development Manager), J Blackmore (Senior Planning and Enforcement Officer), M Gee (Area Planning and Enforcement Officer), M Makin (Democratic Services Business Manager), D Miller (Area Planning and Enforcement Officer), S Milligan (Area Planning and Enforcement Officer), J Rodens (Area Planning and Enforcement Officer), K Scott (Development Management Team Leader – South Area), N Webb (Area Planning and Enforcement Officer).

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### 1. Election of a Chairman

On the proposition of Councillor Harvey, seconded by Councillor Hedgley, it was

#### RESOLVED

That Councillor Debbie McCallum be elected Chairman for the 2018/19 Municipal Year.

### 2. Election of a Vice-Chairman

On the proposition of Councillor Fryatt, seconded by Councillor McCallum, it was

#### RESOLVED

That Councillor Susan Harvey be elected Vice-Chairman for the 2018/19 Municipal Year.

### 3. Apologies for Absence and Substitutions

Apologies for absence were received from Councillor Newton.

### 4. Declarations of Interest

Interests were declared in the following applications:

1.	DC/18/4969/FUL	75 High Street, Aldeburgh, IP15 1AU	Councillor Jones declared a Local Non-Pecuniary Interest as Ward Member for Aldeburgh.
2.	DC/18/3809/FUL	At Last, 112 Main Road, Kesgrave, IP5 1BL	Councillor Dean declared a Local Non-Pecuniary Interest as she knew the applicant.

## 5. Appeals to the Ministry of Housing, Communities and Local Government

The Committee received report **REP52 (SH)** of the Head of Planning and Coastal Management. The report provided information on appeals received and decided during the period 4 to 31 March 2019.

### **RESOLVED**

That the contents of the report be noted.

## 6. East Suffolk Enforcement Action – Case Update

The Planning Committee received report REP53 (SH) of the Head of Planning and Coastal Management. The report provided a summary of the status of all outstanding planning enforcement cases where action had either been sanctioned under delegated powers or through the Planning Committee.

The Planning Development Manager referred to pages 33 to 36 of the report, regarding enforcement action at Pine Lodge. Officers had attended the High Court the previous week for committal proceedings, which had been deferred until 7 May 2019 and would be heard alongside further enforcement action related to the site. She confirmed that she would advise all members of the Committee of the outcome of the proceedings via email.

### **RESOLVED**

That the contents of the report be noted.

## 7. Applications for permission to carry out development or to display advertisements

Five applications for permission to carry out development or to display advertisements, as detailed in report REP54 (SH), were considered and determined as follows:

*The Chairman re-ordered the schedule to bring forward those applications with public speaking.*

1. **ALDEBURGH – DC/18/4969/FUL – Remodelling of front elevation to include new roof with dormer windows to facilitate insertion of second floor. Two storey and first floor rear extensions and change of use from shop and house to three self contained flats at 75 High Street, Aldeburgh, IP15 5AU for Mr Ayman Bakhache.**

Full Planning Permission was sought for the extension and alteration to No. 75 High Street, Aldeburgh to three self contained two bedroomed flats.

The development was within Aldeburgh Conservation Area, within the settlement boundary of Aldeburgh as defined within the Local Plan, within Aldeburgh Town Centre, and within the Suffolk Coasts and Heaths AONB.

This item had come before the Committee following consideration by the Delegation Panel of Suffolk Coastal District Council because of the issues of parking, residential amenity and impact upon Aldeburgh Conservation Area.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer. The site was described being outside of the primary and secondary areas of Aldeburgh Town Centre, as defined within the Local Plan. The Aldeburgh Conservation Area Appraisal (SPD) did not identify the building as making an important contribution to the character of the Conservation Area.

Photographs that demonstrated the building's relationship with its immediate neighbour The Lighthouse Restaurant and its relationship with neighbouring residential properties was displayed to the Committee.

The proposed elevations and floor plans were outlined to the Committee. The Area Planning and Enforcement Officer described the details of the proposed works, as detailed in section 2 of the report.

A cross-section of the site was shown, which demonstrated the building's relationship with the neighbouring Hill House.

The key issues were summarised as the impact upon character of Conservation Area, the loss of a commercial unit, parking, and the impact upon residential amenity.

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

Following the conclusion of the presentation, the Chairman read out the comments submitted by the Economic Development Manager, via email, to Planning Officers:

"We would always regret the loss of commercial space across the district, as the economy and population grow so does the need to provide suitable employment spaces for residents without necessitating long commuter journeys while supporting local communities.

That being said, market forces will always prevail. We have in place a policy to protect commercial property which tests the market. In this case the property has been marketed in line with that policy i.e. for a minimum of twelve months, at the value proposed by 3 valuers and the property had 44 viewings with no sale agreed."

The Chairman invited questions to the Officer.

It was confirmed that materials required at the rear of the site would be delivered through the building itself.

In response to a question from a member of the Committee regarding where construction vehicles would park, the Chairman reminded the Committee that this was not a planning consideration.

Another member of the Committee asked for the Officer to comment on the Highways Authority's recommendation to refuse. The Area Planning and Enforcement Officer acknowledged this recommendation and advised that when formulating his recommendation, he had considered the level of public parking in the surrounding area.

The Area Planning and Enforcement Officer was not able to comment on the parking arrangements for the site when it operated as a shop. He reiterated the single allocated space for the property. He confirmed that there would also be space for a disability scooter.

A member of the Committee asked for the distances between the identified public car parks and the site. The Area and Planning Enforcement was not able to give the precise distances but was able to outline the direction of travel to each.

The Chairman queried Aldeburgh's housing need and asked if the accommodation created would be residential or holiday let. The Planning Development Manager advised that both residential and holiday let use was use class C3.

The Chairman invited Mr Day, representing the applicant, to address the Committee. Mr Day was supported by Mr Price, the applicant's agent.

Mr Day informed the Committee that he was a Director of the company that owned the property and was also a local resident and business owner. He advised that a pre-application submission had been made prior to the property's purchase, which had received a positive response; he highlighted that the Economic Development team had not raised any objections at that point.

Mr Day concentrated on the proposed ground floor property that would be created. He said that it had been designed for use by either elderly people or those with mobility issues, considering such a property in this location to be rare. Mr Day contended that this would be the first fully adaptable property of its type in the town.

The support of the Aldeburgh Tourist Office was noted by Mr Day. He said that the application provided an opportunity to do something special with the site, stressing that the inclusion of the fully accessible ground floor property was not a token gesture.

In regard to the potential impact on residential amenity, Mr Day said that the scheme had been amended following meetings with neighbours. He did not consider that the development would cause a loss of residential amenity and suggested that the parking shortfall was not significant to the point where the application should be refused.

Mr Day referred to the letters of support received and noted that many of them had come from the High Street area. He said that fellow residents and traders were fed up with the site in its current state and supported the proposal.

*The Chairman invited questions to Mr Day.*

The Vice-Chairman referred to the computer generated image from the pre-application submission, shown during Mr Day's address and queried why the image appeared to show the remodelled building being lower than the neighbouring property, as the proposal indicated that it would be the same height. Mr Day advised that he had queried this with the architect and had been told it looked lower due to perspective.

Mr Day confirmed that it was his intention to sell the properties. He said that he could not determine who would buy the property, but was hopeful that the ground floor would be occupied by its owner or would be used as a disabled friendly holiday let. The Chairman reminded the Committee that the application could not be determined on possible future use.

A member of the Committee asked if Mr Day was aware of what the parking arrangements had been when the site had operated as a shop. Mr Day advised that the shop ceased trading in 2016 and was marketed in 2017, and that he did not recall what the parking arrangements had been when the site had been operated as a shop. He confirmed that the building had been openly marketed as mixed use by a local estate agent firm.

The Chairman asked for further details about the letters of support. Mr Day said that fifty-four letters of support had been received, with a majority of them being from residents or businesses in High Street. This was verified by the Area Planning and Enforcement Officer.

*The Chairman invited the following objectors to address the Committee: Mrs Mackie (Chairman of the Aldeburgh Society), Mrs Feetham (Local Resident), Mrs Hiddleston (Local Resident), and Mr Hill (Owner of The Lighthouse Restaurant and member of the Aldeburgh Society).*

*The Committee was advised that the objectors had agreed to split the allocated three minutes of speaking time.*

Mrs Mackie requested that the Committee excluded the recent letters of support received as the consultation on the application had ended in January 2019. She said that these letters had appeared on the Council's website very recently and considered this to be an ambush and the letters a gross misrepresentation of the situation.

She was of the opinion that the application was overdevelopment in a Conservation Area, which would result in a three-storey block of flats and a loss of retail space. She said that parking and highway safety were key issues regardless of the properties' use. She added that there were no reliable public transport links and that a loss of residential amenity would occur. She considered that approval of the application would set an unwelcome precedent and asked the Committee not to accept the relaxation of planning rules.

Mrs Feetham advised that she lived behind the application site. She considered that the proposed development would be very tall and looming, and was concerned about the fully glazed extensions. She suggested that the development was cramming three dwellings in the space of one. She advised that she and her husband had expressed great interest in purchasing the property and had intended to keep the retail space and develop a comfortable dwelling for a tenant.

Mrs Hiddleston referred to policies DM5, DM10, and SP22 (paragraph (a)) of the Local Plan and considered that the approval of the application would set a precedent for cramming. She informed the Committee that she had consulted with Mr Day and had originally proposed the accessible ground floor dwelling, which in her opinion was the only positive aspect of the application.

*The Chairman invited questions to the objectors.*

In response to questions from members of the Committee, the objectors clarified that they did not oppose development of the site in principle, but opposed the development proposed in the application. They accepted that the design was sympathetic to the site's surroundings, and raised concerns relating to overdevelopment, parking, and residential amenity.

Mrs Feetham expanded on the interest shown by herself and her husband in purchasing the property. She advised the Committee that it had been their intention to operate the site as a ceramic and arts

gallery and had considered this would be of benefit to the local economy. Mrs Feetham said that she and her husband had withdrawn their interest when it became apparent to them that a sale had been agreed with another party. The Chairman reminded the Committee that the application should be judged on its planning merits and that the alternative site use was not a planning matter.

Mrs Mackie considered the loss of the retail space to be a breach of planning policy and confirmed that she and the other objectors were unhappy about the loss of retail space.

The Committee was advised by the Planning Development Manager that policy DM5 related to Houses in Multiple Occupation (HMO) and was not applicable to this application. She stated the policies DM21 and DM23 of the Local Plan applied.

*There being no further questions to the objectors, the Chairman invited Mrs Bond, representing Aldeburgh Town Council, to address the Committee.*

Mrs Bond advised that she was a member of Aldeburgh Town Council's planning committee, which had objected to the application. She said that the application submitted appeared to differ from the one considered by Aldeburgh Town Council. This did not change that council's view but reinforced its consideration that the application was disingenuous.

Mrs Bond considered that the application would result in overdevelopment of the site and would negatively impact the residential amenity of the surrounding properties, as well negatively impact on parking in the area. She described Aldeburgh's town centre as thriving, without vacant shops, and said that Aldeburgh Town Council wished for this to continue.

She said she was aware of several businesses looking for retail space in the town and was of the opinion that the loss of any retail space would be negative and have an impact on the town and the surrounding area. She stated that the site was viable for employment.

*The Chairman invited questions to Mrs Bond.*

When asked to comment on the marketing of the property, Mrs Bond said local residents had advised her that for sale signs were displayed and that the property appeared to be advertised for retail use, with accommodation above.

Mrs Bond reiterated the concerns that Aldeburgh Town Council held regarding the lack of parking on site.

*There being no further questions to Mrs Bond, the Chairman invited Councillor Haworth-Culf, Ward Member for Aldeburgh, to address the Committee.*

Councillor Haworth-Culf concurred with the comments and statements that had been made by both the objectors and the representative from Aldeburgh Town Council. She noted that the property had operated as a shop for a number of years and that people had walked to it rather than driving. She was concerned about the number of recent letters of support and agreed with Mrs Mackie that these should be discounted, as they arrived after the consultation period had ended.

Councillor Haworth-Culf questioned why a previous application for the site, withdrawn by the applicant before being determined, had not been referred to in the Officer's report.

The comments made by Economic Development, stated at paragraph 6.5 of the report, were noted. Councillor Haworth-Culf referred to separate comments made by that team via email on the low vacancy rate in Aldeburgh Town Centre, highlighting to the Committee that this made it difficult for new businesses to find commercial space in the town. She considered that the application site was in a thriving employment area and questioned if it had been marketed as required by policy. She expressed concern that the loss of the retail space would set an unwelcome precedent.

It was considered by Councillor Haworth-Culf that the development would extend the property and would cause a negative impact on residential amenity. She said that residents needed to feel safe and secure in their homes and was of the opinion that the overlooking that would be created would prevent this.

Councillor Haworth-Culf referred to the recommendation of the Highways Authority. She suggested that the site would cause an unacceptable risk to highway safety and would attract additional vehicles to the area. She noted the lack of reliable public transport links in the area. She urged the Committee to refuse the application.

*The Chairman invited questions to Councillor Haworth-Culf.*

Councillor Haworth-Culf reiterated that the site had successfully operated as a shop in the past.

In response to a question on the proposals for the ground floor dwelling, Councillor Haworth-Culf noted that there were already several accessible properties in Aldeburgh and welcomed the idea of having one on High Street. She was concerned about the limited parking and turning space at the front of the property.

A member of the Committee sought clarification on the letters of support received earlier in the week. The Chairman invited the Planning Development Manager to clarify the position on this matter.

The Planning Development Manager advised the Committee that it could not discount the representations; they had been received 24 hours before the Committee meeting and had therefore been included in the update sheet that had been circulated at the meeting. How the letters had been gauged was not a matter for the Committee and they had been received and published through the correct process and so had to be considered as part of the Committee's deliberation.

She also confirmed that the Economic Development team had been satisfied that marketing of the site had been within the Council's guidelines. She noted the recommendation included a RAMS payment regarding the site's location in the Zone of Interest. The Planning Development Manager informed the Committee that parking availability was a case of 'buyer beware' and that the Conservation Area did not restrict the change of use.

In response to a question from a member of the Committee, the Planning Development Manager advised that no one specific policy covered the sub-division of a single dwelling and that this was covered by policies DM21 and DM23. She reiterated that DM5 related to HMOs, which was a Class 4 use and not Class 3.

*There being no further questions to Councillor Haworth-Culf, the Chairman invited Councillor Jones, Ward Member for Aldeburgh, to address the Committee.*

Councillor Jones thanked the applicant for considering disabled people when redesigning the property. She stated that she continued to have very grave concerns regarding the parking at the site; although there would be space for a mobility scooter there would be a need for a large vehicle to transport it.

She agreed with the comments made by Councillor Haworth-Culf, expressing similar concern about the impact on Aldeburgh Town Centre should the retail space be lost. Councillor Jones also noted that, if approved, the site would bring more traffic to the area which was already congested.

Councillor Jones was of the view that the site should retain some retail use; she did not object to the design and wanted to see the site tidied up, but suggested the applicant develop what can be done there and not what they wanted to do. She urged the Committee to listen to the concerns of the Highways Authority and the Aldeburgh Society.

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

During the debate, the Chairman reminded the Committee that the Economic Development team had advised that it was content that the marketing of the site had been undertaken to the required standard.

A member of the Committee noted the level of objection to the application, as well as the regret expressed by the Economic Development team regarding the loss of the commercial space. He was unsure if he could support the application and wished to hear the debate in full before making his decision.

Several members of the Committee spoke against the application. Although Members were keen on the design and the proposed disabled access for the ground floor dwelling, they expressed concern regarding the loss of the retail space and the impact on parking and highway safety in the area, and were unable to support the application.

Another member of the Committee noted the positives that the proposed development offered, especially regarding accessible accommodation, but questioned if the ground floor would be fully accessible. He considered that a commercial property would attract customers and therefore parking, but questioned the comments of the Economic Development team and suggested that further exploration was required regarding the site's viability. He praised the proposed design and questioned if the parking could be reconfigured to improve the issue.

Paragraph 6.4 of the report, relating to the shop's dependency on the attached accommodation, was highlighted by a member of the Committee and he therefore considered that it was not an independent commercial unit. He was of the view that the proposal was a positive, well designed development that would deliver the type of accommodation that was needed. He did not consider that the property would negatively impact the residential amenity of properties to its rear and that the primary concern was parking.

The Vice-Chairman was supportive of the application. She expressed sympathy with those objecting but considered that the site, in its present form, did not enhance the Conservation Area. She highlighted the marketing that had taken place and agreed that residential amenity would not be harmed by the development. She did not see any reason to refuse the application.



At this point in the meeting a site visit was proposed by Councillor Jones and was seconded by Councillor McCallum. The Chairman moved to a vote on the proposal which, by a majority, **FAILED**.

The Committee resumed its debate of the application. A member of the Committee was unsure on how he would vote on the application; he considered the parking to be a major issue but noted that the development would provide additional accommodation which would be accessible. He was of the view that there would not be a great loss of residential amenity and that the design would be an asset to the area.

The Chairman referred to the Highways Authority's comments at paragraph 4.2 of the report and reminded the Committee of its previous determinations, where parking was not available and approval had been given as the site was in a sustainable area. The Planning Development Manager added that the Highways Authority's parking standards had not been adopted by the Council and were therefore only considered guidelines, due to concerns that the standards did not have any degree of flexibility.

It was confirmed that, as the site was within the Conservation Area, permitted development rights would not exist.

There being no further debate, the Chairman moved to the recommendation to approve. It was proposed but not seconded and therefore **FAILED**.

The Chairman sought an alternative recommendation. Members of the Committee suggested that the application could be refused on the grounds of overdevelopment in a conservation area, highway amenity, and loss of residential amenity.

*The Chairman adjourned the meeting at 11.03am, to allow officers to formulate an alternative recommendation for the Committee to consider. The meeting was reconvened at 11.11am.*

The Planning Development Manager suggested that the Committee could refuse the application on the grounds that insufficient parking was provided on the site to meet the number of residential units proposed and was therefore contrary to policy DM19 of the existing Local Plan and policy SCLP7.2 of the emerging Local Plan.

The Chairman moved to the alternative recommendation as set out by the Planning Development Manager, which was proposed, seconded, and determined by a majority vote as follows:

**DETERMINATION:**

**REFUSED** on the grounds that insufficient parking is provided on the site to meet the number of residential units proposed and is therefore contrary to policy DM19 of the existing Local Plan and policy SCLP7.2 of the emerging Local Plan.

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**5. MELTON – DC/19/0521/OUT – Outline Application – Erection of 1 ½ storey dwelling house with access off Daines Lane at 1 Holly Villas, Melton Road, Melton, IP12 1PD for Mr S Smith**

Outline Planning Permission was sought for the erection of a 1.5 storey dwelling with access of Daines Lane to the rear of 1 Holly Villas, Melton Road, Melton. The matters of appearance, scale and design

being reserved for future determination. The application therefore was to consider only the principle of development and means of access.

This item had come before the Committee as the Parish Council had raised objections along with fourteen third party objections. The application had been considered by the Referral Panel and it had requested that the application come before the Committee for it to consider the issues raised.

The Committee received a presentation on the application from the Development Management Team Leader (South), on behalf of the case officer.

The site was within the physical limits boundary of Melton but was not within the Conservation Area. It was located within the Character Area as defined in the Melton Neighbourhood Plan.

An indicative block plan of the site was displayed to the Committee, which outlined the space that would be available for parking. Access to the site was proposed to be from Daines Lane and the Committee was shown photos of the access area. The site's proximity to the nearby Hoo House was also demonstrated.

The key issues were summarised as all matters except access being reserved, the principle of development, and site access.

The Development Management Team Leader advised that the site was considered large enough to accommodate a dwelling, parking, and amenity space, in a way that was acceptable to the character of the area and the neighbouring dwellings.

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

*The Chairman invited questions to the Officer.*

It was confirmed that, should the application be approved, any reserved matters application would need to tally with the outline planning permission granted. The Planning Development Manager advised that this would mean that the dwelling would be limited to a height of 1.5 storeys, similar to Hoo House. She added that the Committee could condition the height of any dwelling at its discretion.

A member of the Committee asked if the particular design concept of Hoo House was a planning consideration. The Planning Development Manager reiterated that the application before the Committee was for outline planning permission and that further detail, such as the dwelling's location and orientation, would be considered under any reserved matters application.

Several members referred to the comments of Melton Parish Council at paragraph 3.1 of the report. The Planning Development Manager advised that Melton Parish Council would be addressing the Committee and could provide clarification on these points. It was confirmed that Daines Lane was a private highway.

*The Chairman invited Mrs Gascoigne and Mr Bolton, objectors to the application, to address the Committee.*

Mrs Gascoigne confirmed that she was a resident of Daines Lane. She said she was appalled that, in spite of fifteen objections and a total lack of supporting letters, the application had been recommended for

approval. She considered that this meant that residents were faced with a developer's financial gain taking precedence over local wishes. She noted that trees on the site had been felled in 2018, before the application had been made, and that this had already changed the site's relationship to the surrounding area.

The proposed development was not considered to be required in the area; Mrs Gascoigne noted several nearby new housing developments. She was of the opinion that if the application was approved it would set a precedent and would ruin the local area. She added that maintenance of the highway in Daines Lane was undertaken by residents and that costs had already been incurred by large vehicles damaging pipework. She recommended that the Committee visited the site before determining the application.

Mr Bolton said that he also lived in the area. He was concerned that there had been an impact on the view with the removal of trees from the site and that any development would overlook his property and cause a significant loss of residential amenity.

*The Chairman invited questions to Mrs Gascoigne and Mr Bolton.*

In response to a question regarding access to Daines Lane, Mrs Gascoigne confirmed that the access at the rear of Holly Villas was for Holly Villas only.

*The Chairman invited Mr Bragg, representing Melton Parish Council, to address the Committee.*

Mr Bragg said that Melton Parish Council accepted development within the village where appropriate, but did not feel that this was the case for the application. He said that the application represented overdevelopment that was contrary to policies in the Melton Neighbourhood Plan, existing Local Plan, and the emerging Local Plan, and would compromise residential amenity.

The development would have a severe impact on Daines Lane; Mr Bragg referred to earlier comments regarding damage to pipework by large vehicles. He agreed that a site visit was required so that the Committee could understand the access issues.

Mr Bragg advised that residents felt that the development was a "disaster waiting to happen" and would cause significant harm to Daines Lane.

*The Chairman invited questions to Mr Bragg.*

Mr Bragg advised the Committee that he was referring to policy MEL17 of the Neighbourhood Plan regarding overdevelopment. He considered that the development would change the character of the area and cause harm to residential amenity.

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

A member of the Committee queried if the Highways Authority had visited the site; he was minded at that stage that the Committee should undertake a site visit. The Planning Development Manager advised that the Highways Authority had visited the site.

On the proposition of Councillor McCallum, seconded by Councillor Holdcroft, and by a majority vote it was

## RESOLVED

That the application be deferred so that a site visit can be undertaken, to assess the impact of the proposed development on the private highway.

It was suggested by the Planning Development Manager that the site visit be undertaken by East Suffolk Council's Planning Committee.

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### 2. **BREDFIELD – DC/19/0244/FUL – Construction of dwelling and garage, Land To The Rear Of The Old Post Office, The Street, Bredfield, Suffolk, IP13 6AX for Mr & Mrs Green**

Full Planning Permission was sought for the erection of one dwelling and associated garage. There was an extant permission for a dwelling on the site which was due to expire on the 3rd August 2019 (reference DC/16/2362/FUL). This extant consent had not been implemented.

This item was presented to the Committee as the applicant worked for East Suffolk Council.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer. The site's location was demonstrated, highlighting its relation to the physical limits boundary of Bredfield, and the proposed block plan was also shown. The Area Planning and Enforcement Officer advised that the extant planning permission meant that principle of development on the site had already been established.

Drawings of the proposed elevations and floor plans were displayed, along with photographs of the application site.

The key issues were summarised as the principle of development, design and appearance, and residential amenity.

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

*The Chairman invited questions to the Officer.*

The Area Planning and Enforcement Officer confirmed that the access road was private, and not a maintained road.

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

Mr Wells informed the Committee that the extant planning permission had been obtained by the previous owners of the site. The current applicants had wanted to create something more contemporary and in a different location on the site, hence the new application.

It was confirmed by Mr Wells that the applicants were not in attendance as they were on holiday, however were very invested in the project on the site. He considered that the application was a simple one and did not create any overlooking.

*The Chairman invited questions to Mr Wells.*

Mr Wells confirmed that the applicant had bought some land outside of the physical limits boundary and acknowledged the condition to remove permitted development rights on that area of the site.

*The Chairman invited Councillor Fryatt, Ward Member for Bredfield, to address the Committee.*

Councillor Fryatt highlighted that the Parish Council had not objected to the application. He said that he was supportive of the application and asked if the Parish Council's concerns regarding sewage and waste collection had been addressed by condition 10 of the recommendation.

In response to Councillor Fryatt's question, the Area Planning and Enforcement Officer confirmed that the issue would be addressed by building regulations during the next phase of the application.

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

A member of the Committee highlighted the window apertures on the northern and southern sides of the proposed dwelling, querying if the distance of approximately 10m would result in the property overlooking the neighbouring Mallards property. In response, the Planning Development Manager referred to paragraph 5.21 of the report, which listed distances of 16m, 17m, and 19m. The member of the Committee expressed unease as this was within 20m; he was advised that any views from these apertures would be of Mallards and the front garden, as opposed to more private areas to the east.

There being no further debate the Chairman moved to the recommendation to approve, which was proposed, seconded, and determined by a majority vote as follows:

**DETERMINATION:**

**APPROVED** subject to the following conditions

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

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

2. The development hereby permitted shall not be brought into use until it has been completed in all respects strictly in accordance with PW994\_PL01 and PW994\_PL02 received 21st January 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: To secure a properly planned development.

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

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

4. The use shall not commence until the areas within the site shown on PW994\_PL\_01 for the purposes of manoeuvring and parking of vehicles have been provided and thereafter those areas shall be retained and used for no other purposes.

Reason: To ensure that facilities for on site parking are provided and maintained in order to reduce parking and manoeuvring within the highway.

5. Prior to the commencement of development any feature along the highway frontage and within the splays shown in red on the plan hereby approved shall be reduced to 0.6 metres above the level of the adjacent carriageway and thereafter shall be maintained at or below that height.

Reason: In the interests of highway safety in order to maintain indivisibility between highway users.

6. No other part of the development hereby permitted shall be commenced until the existing vehicular access has been improved, laid out and completed in all respects in accordance with DM02 with an entrance width of 4.5 metres. Thereafter the access shall be retained in the specified form.

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

7. No building shall be occupied until the screen walls or fences as shown on the approved plans have been erected between each adjacent dwelling hereby permitted, and shall be subsequently retained; unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbour amenity and in order to enhance the appearance of the locality.

8. 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 five 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.

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

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

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

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

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

10. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking or re-enacting the said Order] no development of any kind specified in:

- Part 1, Class E (outbuildings, swimming or other pools, domestic fuel tanks etc)
- Part 2, Class A (Fences, walls, gates and other means of enclosure)
- Part 14, Classes A and H (domestic photovoltaics and domestic wind turbines)

of Schedule 2 of the said Order shall be carried out on the triangular shaped area of land to the east of the hereby approved dwellinghouse, unless otherwise agreed with the local planning authority.

Reason: In order that the local planning authority may retain control over this particular form of development in the interests of amenity and the protection of the local environment. This area of residential curtilage is a significant expansion beyond the defined physical limits boundary, and the residential curtilage previously permitted. Any structures within this area have the potential to significantly expand the built form which could adversely affect the appearance of the locality in the countryside.

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**4. LEISTON – DC/19/0621/ADN – Application to Display Signage, Leiston Sports Centre, Red House Lane, Leiston, Suffolk, IP16 4LS for Ms Laura Hack, East Suffolk Council**

Advertisement Consent was sought for signage at the extended/refurbished Leiston Leisure Centre. This item had come before the Committee as the application had been made by the Council on its own land.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer. He explained that the purpose of the application was to replace the Suffolk Coastal District Council signage with signage for the new East Suffolk Council.

The elevations of the proposed new signage were demonstrated.

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

*The Chairman invited questions to the Officer.*

It was confirmed that similar signage replacement would take place at all of the Council's leisure centres.

*The Chairman invited Councillor Cooper, Ward Member for Leiston, to address the Committee.*

Councillor Cooper said that he was in support of the application.

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

There being no debate, the Chairman moved to the recommendation to approve which was proposed, seconded, and by a unanimous vote determined as follows:

**DETERMINATION:**

**APPROVED** subject to the following conditions:

1. This consent shall expire at the end of a period of five years from the date of this consent.

Reason: In accordance with the Town and Country Planning (Control of Advertisement) Regulations 2007.

2. The development hereby permitted shall be completed in all respects strictly in accordance with Drg No 161 C65 received 12.02.2019 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 advertisements hereby approved shall be maintained in a clean and tidy condition.

Reason: In accordance with the Town and Country Planning (Control of Advertisement) Regulations 2007.

4. No advertisement shall be sited or displayed so as to – endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: In accordance with the Town and Country Planning (Control of Advertisements) Regulations 2007.

5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.



Reason: In Accordance with the Town and Country Planning [Control of Advertisements] Regulations 2007.

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**3. KESGRAVE – DC/18/3809/FUL – Construction of new vehicular access at: At Last, 112 Main Road, Kesgrave, IP5 1BL for Mr Stuart Lawson**

*At this point in the meeting, Councillor McCallum declared a Local Non-Pecuniary Interest in the application as Ward Member for Kesgrave West.*

*Councillor McCallum did not chair the Committee for the following item, nor sit as a member of the Committee, due to this Local Non-Pecuniary Interest. She remained in the Conference Room for the item in order to speak as a Ward Member, but did not take part in the debate or vote on the application.*

*Councillor Harvey, the Vice-Chairman, acted as Chairman for the duration of this application.*

Planning Permission was sought for the construction of a new vehicular access at 112 Main Road, Kesgrave. This item had come before the Committee because the applicant was an Elected Member (formerly of Suffolk Coastal District Council, and remained an Elected Member of the shadow period of East Suffolk Council).

The item was presented to Suffolk Coastal District Council's Planning Committee in November 2018 with a recommendation of refusal on the grounds that the proposal would represent an unacceptable risk to highways safety, in-line with the recommendation of the Suffolk County Highways Authority. Determination was however deferred to enable that Committee to undertake a site visit, which took place on 17 December 2018 with officers from the Highways Authority in attendance.

The Committee received a presentation on the application from the Senior Planning Officer. He referred to the presentation received by Suffolk Coastal District Council's Planning Committee on 26 November 2018, which showed the site location, proposed block plan, and site photographs.

The Senior Planning Officer highlighted the areas where it was the Highways Authority to clear and maintain the land; the vegetation that was blocking visibility in the westerly direction had been identified as part of this area, which had resulted in the change of recommendation to one of approval.

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

*The Acting Chairman invited questions to the Officer.*

It was confirmed that conditions in the recommendation required hedgerows to be cut back in order to ensure visibility, so enforcement action could be taken with all responsible landowners if this did not happen.

The Planning Development Manager noted the influence of the Highways Authority's recommendations on this application and assured the Committee that Officers regularly interrogated consultee responses and challenged them where appropriate.

*The Acting Chairman invited Councillor McCallum, Ward Member for Kesgrave West, to address the Committee.*

Councillor McCallum assured the Committee that all hedgerows would be cut and maintained, this being enforced by Kesgrave Town Council and the Highways Authority. She said that it was refreshing that the application now had a more sensible recommendation for approval.

*The Acting Chairman invited questions to Councillor McCallum.*

Councillor McCallum stated that Kesgrave Town Council had been vigilant on the issue of hedgerows being cut back as required in Kesgrave and had been advised that it would continue to be.

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

There being no debate the Acting Chairman moved to the recommendation to approve, which was proposed, seconded, and determined as follows:

**DETERMINATION:**

**APPROVED** subject to controlling conditions including the following:

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

Reason: This condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with Drawing No's: ATLAST/KES/09/2018/01/A and ATLAST/KES/09/2018/02, received on 21 March 2019.

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

3. The new vehicular access shall be laid out and completed in all respects in accordance with: Suffolk County Council Standard Drawing for vehicular access No. DM02; and approved drawing no. ATLAST/KES/09/2018/01 Rev A, and with an entrance width of 3 metres. Thereafter the access shall be retained in the specified form.

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

4. The vehicular access shall not be used until the area within the site shown on ATLAST/KES/09/2018/01 Rev A for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on site parking and manoeuvring of vehicles is provided in the interests of highway safety.

5. Before the access is first used visibility splays shall be provided as shown on Drawing No. ATLAST/KES/09/2018/02 and thereafter retained in the specified form. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any

Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely.

6. The 3no. trees adjacent the southern boundary of the application site, as shown on Drawing No. ATLAST/KES/09/2018/01 Rev A, shall not be uprooted, felled, wilfully damaged or in any other way destroyed or removed without the prior written consent of the local planning authority.

Reason: To safeguard the visual amenity provided by these mature trees which fall outside of the approved visibility splays and therefore do not need to be removed.

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Following conclusion of application, Councillor McCallum returned to the Chair. She wished all members of the Committee the best of luck for the future and invited Members and Officers to join her for lunch following the conclusion of the meeting.

The Meeting concluded at 12.20pm