

Minutes of a meeting held in the Council Chamber, Town Hall, Lowestoft
on **Wednesday, 17 September 2008 at 6.00pm**

APPENDIX B

Members present:

F Mortimer (Chairman), S Allen, P Ashdown, G Baxter, A Duce, P Flegg, I Graham, P Hawes,
S Keller, B Provan and J Shanahan

Officers present:

H Aitchinson, T Bowhill, A Facey, V Nutley, B Reid and T Woolley

FIRE EVACUATION PROCEDURE

Prior to the commencement of business, the Chairman briefed the meeting on the evacuation procedure to be followed should the fire alarm sound.

296 APOLOGIES/SUBSTITUTES

Apologies were received from Councillors Groom, Punt and Starling.
Councillor Provan substituted for Councillor Starling.

297 MINUTES**RESOLVED**

That the Minutes of the meeting held on 20 August 2008 be confirmed as a correct record and signed by the Chairman.

298 DECLARATIONS OF INTEREST

No declarations of Interest were made.

299 DECLARATIONS OF LOBBYING

Councillor Mortimer declared that he had been lobbied in relation to application DC/08/0817/FUL having received correspondence from objectors.

Councillor Allen declared that she had been lobbied in relation to application DC/08/0928/FUL. She had received a letter of objection and telephone call and had met with the Architect but made no comments, just listened and answered questions. She had also received verbal complaints in respect of Unauthorised Tipping at Easton Bavents and W17932 Mill Lane, Southwold.

Although the above Members had been lobbied they felt that they could bring an open mind to the consideration of the applications.

300 APPEAL DECISIONS REPORT

The report of the Strategic Director informed Members that there had been three appeals determined in August 2008, 2 were dismissed and 1 was partially allowed.

RESOLVED

That the report concerning the appeal decisions made during August 2008 be received.

301 DELEGATED CHIEF OFFICER DECISIONS AND DECISIONS WITH INPUT FROM THE CHAIRMAN

The report of the Strategic Director set out a table of all Chief Officer delegated decisions made during August 2008.

RESOLVED

That the report concerning Chief Officer decisions taken during August 2008 be received.

302 OUTSTANDING ENFORCEMENT CASES

The report of the Strategic Director presented a summary of all outstanding enforcement cases sanctioned under delegated powers or by the Committee.

The present number of cases was two.

RESOLVED

That the report concerning Outstanding Enforcement matters up to 4 September 2008 be received.

303 DC/08/0817/FUL – LAND WEST OF ULLSWATER, CARLTON COLVILLE

Construction of 70 houses and 30 flats with associated garages and auxiliary works.

Tony Bowhill (Consultant Planning Officer) outlined the application. He referred to the recent site visit and discussed the photographs taken for the benefit of members who had been unable to attend. He advised that the Flood Risk Assessment carried out by the Environment Agency had confirmed there was no risk with this site. There had been no adverse responses received from Statutory Consultees. The proposal was for 100 units, 30 being affordable, and an agreement had been made with Flagship Housing to manage these. The site had been identified for housing purposes for some considerable time as it was contained in the Planning Brief in 1997. He concluded that the proposal was acceptable with the inclusion of all conditions recommended by Officers and the further two conditions recommended by the Highway Authority.

Harvey Aitchinson (Environmental Health Technical Officer) advised that the site had been used as a landfill by the Authority between May 1967 and September 1968. The soil investigation had confirmed there was no gas migration on site. All properties would have various gas protection measures on them.

Mr Terry Fleet (Parish Council) addressed the Committee stating that they accepted the principle of the development on site but felt the density of 44 dwellings per hectare was too high and would like to see the proposal reverted to the interim plan of 29 dwellings per hectare, which would have a less detrimental impact on the open area. They were concerned that no play equipment was being provided in the open space, and whether there was adequate drainage included. He concluded that the application should be rejected in its present form as the density was too high. 2 storey dwellings would be more acceptable than 3 storey and play equipment should be provided in the open space.

Mrs Gook-Hurren (representing the Objectors) addressed the Committee stating that residents did not object to building on this site but the details of the application and were shocked that it was recommended for approval as it conflicted with guidance documents and the accessway did not comply. They felt the 100 dwellings proposed was excessive

when the Interim Local Plan had suggested 80 dwellings. This application would cause an inordinate impact on neighbours. Suffolk Wildlife Agency had requested that a full survey be carried out at the correct time of year. Residents had been advised and would be making formal complaints to the Ombudsman. 500 local residents were very concerned about this application.

Mr Martin Davison (Agent) addressed the Committee advising that this was the final phase of the Bloodmoor Development. This application would provide 30 units of much needed affordable housing. He contended that it was the Local Authority not Persimmon who had decided not to provide play equipment in the open space; access to the site was suitable; density met the current government targets, the scheme had increased since the Interim Local Plan in 1997 but was in line with government guidance. He concluded that the residents of Ullswater would have been aware when they purchased their properties that this land was proposed for development; the Scheme complied with all adopted policies of the Government and Local Authority and all objections raised by the Parish Council and residents, where justified, had been addressed.

Members discussed the proposal in detail. Some concerns raised was the provision of car parking spaces on the site was insufficient, especially for the flats, which could lead to much on-street parking; why there was a minor access road to the South West of the site leading to a dead-end; and play equipment not being provided in the open space area.

Ward Member Councillor P Hawes was concerned with the inordinate amount of conditions to monitor and personally felt that these needed addressing prior to commencement of the development.

Councillor Shanahan agreed that it would be difficult to monitor all conditions. He was aware of the demand for affordable homes in Waveney, particularly Lowestoft and whether 30% was actually enough. He questioned why play equipment was not provided on the site.

It was moved by Councillor Shanahan and duly seconded:

That the application be approved subject to all the conditions recommended and an additional condition "That appropriate play equipment be provided in the open space area".

Councillor Allen requested an amendment to this proposal adding two further conditions: "That the minor access road leading to a dead-end in the southwest corner of the site be shortened to only go as far as needed" and "That additional car parking spaces be included, negotiated by officers."

Councillor Shanahan agreed to this amendment, this was duly seconded and on being put to the vote it was

RESOLVED

That application DC/08/0817/FUL be approved, subject to the conditions set out below:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: to ensure early effective implementation of the permission.
2. The development shall be undertaken in accordance with plan nos 118 SLO1REVD, 6118 PL01, 6118 PL02, 6118 PL03, 6118 PL04, 6118 PL05, 6118 PL06, 6118 PL07,

6118 PL09, 6118 PL10, 6118 PL11, 6118 PL12, 6118 PL13, 6118 PL14, 6118 PL15, 6118 PL16, 6118 PL17, 6118 G01A.

Reason: to ensure that the development is undertaken in accordance with the submitted plans.

3. Approval of the details of the external materials of the buildings shall be obtained from the local planning authority in writing before any development (or phase of development) is commenced and shall be carried out as approved.
Reason: The exact details of materials etc. are not shown on the drawings and it is therefore necessary for these to be agreed.
4. Means of vehicular access to the permitted buildings shall be from Ullswater only.
Reason: to conform to the site access arrangements shown in the development brief.
5. The link to Beech Road shall be for emergency vehicles only, except that it can be used by pedestrians and cyclists. A scheme shall be submitted to the local planning authority for their approval for details of the demountable bollards (size, construction and colour) and how they will be used by the emergency services.
Reason: to ensure that the link is used for emergency vehicles only and not for general vehicular access.
6. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; hard surfacing materials; proposed and existing functional surfaces above and below ground.
Reason: to ensure the satisfactory layout of the public open space.
7. Soft landscape work shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedule of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.
Reason: to ensure satisfactory landscaping of the housing.
8. All hard and soft landscaping works shall be carried out in accordance with the approved details. The work shall be carried out prior to the occupancy of any part of the development or in accordance with the programme agreed with the local planning authority.
Reason: to ensure that the work is carried out in accordance with the approved plans.
9. No development shall take place until a schedule of landscape maintenance for a minimum period of 3 years have been submitted to and approved in writing by the local planning authority. A schedule should include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule. Any planting found dead or dying during the first planting season shall be replaced.
Reason: to ensure that the landscaping is effectively managed and also that any initial species are replaced if they are dead or dying.
10. A landscape management plan, including long term design objectives, management responsibility and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens shall be submitted to and approved by the local planning authority prior to the occupation of the development or any phase of it. The landscape management plan shall be carried out as approved.
Reason: to ensure a satisfactory layout and related landscape areas.

11. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, designs, materials and type of boundaries treatments to be erected. The boundary treatments shall be completed in accordance with a timetable agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.
Reason: to ensure a satisfactory layout.
12. No work shall be undertaken on the site before 08.00 on weekdays nor after 17.30 on weekdays nor before 09.00 on Saturdays nor after 13.00 on Saturdays nor at anytime on Sundays or bank holidays.
Reason: to protect the amenities of local residents.
13. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.
Reason: to ensure that any archaeological remains are satisfactorily recorded.
14. The discharge from the site into the head manhole S1 shall not exceed 401/s. With this charge from point S11 shall not exceed 801/s.
Reason: to ensure that the over discharge from the Taylor Wimpy site does not exceed the allowable discharge agreed with Anglian Water.
15. A surface water scheme shall be submitted to and approved by the local planning authority designed and implemented to accommodate all surface water flows including the 401/s and 801/s discharge allowance up to the 1 in 100 year+ climate change rainfall event.
Reason: to ensure a satisfactory method of surface water drainage, as outlined in paragraph F.4 of PPS25.
16. Any soakaways on site shall be designed and constructed in accordance BRE Digest 365. Reason: to ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and/or reduction of flood storage capacity.
17. Prior to the development details of the adoption and maintenance of any surface water drainage features (soakaways, offline storage and surface water sewers) shall be submitted to and agreed in writing with the local planning authority.
Reason: to ensure there is sufficient surface water drainage.
18. Prior to commencement of development, details of the foul water drainage systems shall be submitted to, and agreed in writing with, the local planning authority. The works/schemes shall be constructed and completed in accordance with the approved plans/specification. Reason: to ensure there is sufficient foul water drainage.
19. Prior to the commencement of development, a scheme for the provision and implementation of energy and resource efficiency, during the construction and operational phasing of the development, shall be submitted to, and agreed in writing with, the local planning authority. The scheme shall ensure that the development has a minimum of level 3 on the EcoHomes System. The works/schemes shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.
Reason: to enhance the sustainability of the development through better use of energy and materials.

20. Prior to the commencement of development, a scheme for the provision and implementation of rainwater harvesting and other source efficiencies shall be submitted and agreed, in writing, with a local planning authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification before occupancy of any part of the proposed development.
Reason: to enhance the sustainability of the development through sufficient use of water resources.
21. No development shall take place until a scheme has been submitted in writing to, and agreed with, the local planning authority showing how the connection between the emergency access and Beech Road is to be achieved, including the use of such land currently outside the applicants' ownership, the surfacing and materials for the works and their maintenance.
Reason: to ensure that a sufficient emergency link is created for this purpose and that the applicant has sufficient control over this.
22. Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of a 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.
23. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least basecourse level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.
Reason: to ensure that satisfactory access is provided for the safety of residents and the public.
24. That appropriate play equipment be provided in the open space area so children can play safely.
25. That the minor access road leading to a dead-end in the Southwest corner of the site be shortened to only go as far as needed.
26. That Officers' negotiate with the developer for the addition of extra car parking spaces on the development.

304 DC/08/0928/FUL - QUAY HOUSE, QUAY LANE, REYDON, SOUTHWOLD

Demolition and construction of replacement house.

The Principal Planning Officer summarised the application advising that the original house, built in 1929, was not and never had been listed. A further letter had been received that afternoon from the 20th Century Society, which he summarised to members stating that it remained slightly inconclusive. He advised members that if they wished to explore listing of the building they would need to defer their decision until the next meeting to enable the Conservation Officer to visit, survey and make a decision on the property. He concluded that the landscape impact would be less than expected with a building of this size, five jobs would be created and on balance would recommend approval with a caveat that the Historic and Architectural value of the building had not been analysed by the relevant specialists.

Mr Howard (Agent) addressed the Committee explaining that this was a rare opportunity to design a building of this nature. Due to lack of funds the original building had never been completed, had not been listed and had never been considered for listing. The current building was uneconomical with poor insulation and the Parish Council applauded

the proposed new building. The garages would have green roofs and a biomass boiler would be installed.

Ward Member Councillor Allen advised Members that this property had been her family home many years ago, she had discussed this with the Monitoring Officer who was happy this did not affect her role on the Committee. She felt there was justification for PPS7. The property was not suitable for a modern day family and when the roof was changed the original art deco had been ruined. She felt that the site would suit a building of this size; the new design would not make any difference to the impact on the Blythe Valley and mirrored the present house and five desperately needed full-time jobs in the area would be created.

Members felt the proposed new design was a great improvement on the original building and it was

RESOLVED

That application DC/08/0928/FUL be approved, subject to a S106 or S111 Open Space contribution and to conditions inter alia to remove permitted development rights.

OTHER ITEMS

305 UNAUTHORISED TIPPING AT EASTON BAVENTS

The Principal Planning Officer showed members photographs of the materials found on the beach and also up-to-date pictures of erosion of the soft sea defence. He advised members that the Court Hearing was taking place in November 2008.

RESOLVED

That the report be received

306 W8519/8 – BLYBURGATE, BECCLES

The Principal Planning Officer advised that on reflection the planning condition agreed at the meeting in August 2008 would be impractical as the application was for 'Outline' Planning Permission.

RESOLVED

That Officers be authorised to serve a S215 Untidy Land Notice and take all pursuant action in respect of land at Blyburgate, Beccles if works to make the site unattractive to seagulls was not carried out in the autumn.

307 W17932 AND MILL LANE, SOUTHWOLD

The Principal Planning Officer advised members that a complaint had been received from Southwold Town Council that the replacement boundary wall had not been constructed in accordance with the approved plans and was not appropriate within a conservation area. The Conservation Officer had visited the site, inspected the new wall and felt that even though the workmanship was of a high standard, the new section of wall looked rather sudden and therefore did not believe that this preserved or enhanced the character of the conservation area.

The Architect, John Bennett, after being invited by the Chairman to answer questions from members, advised that he had made a judgement not to add cobbles to the new part of the wall as he felt this would look artificial and that the bricks used would weather down in time.

Councillor Allen, Ward Member was not convinced that this wall was suitable in a conservation area and felt that it did not enhance or preserve the area.

RESOLVED

That the boundary wall should be rebuilt as originally agreed with enforcement action taken as necessary.

308 PERFORMANCE AND IMPROVEMENT

The Principal Service Manager (Planning & Building Control) reported on the Planning Departments' performance for August 2008. 80% of major planning applications had been decided within 13 weeks, 91.89% of minor applications and 97.35% of other applications decided within 8 weeks. All were above target.

RESOLVED

That Members noted the Planning Departments' performance for August 2008.

The meeting was concluded at 8.30pm

Chairman