Minutes of a Meeting held in the Conference Room, Riverside, Lowestoft
on **Tuesday, 16 August 2016** at **6.00pm**

Members Present:
P Ashdown (Chairman), S Allen, A Cackett, J Ceresa, M Cherry, J Ford, T Goldson, I Graham, T Mortimer and M Pitchers.

Officers Present:
C Green (Area Planning and Enforcement Officer), M van de Pieterman (Area Planning and Enforcement Officer), P Rowson (Planning Development Manager), and S Carter (Democratic Services Officer).

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Prior to the commencement of the meeting, the Chairman advised that he would be taking the Agenda items in the following order:

Item 8 – DC/15/2442/FUL – Rectory Road, Lowestoft
Item 12 – DC/16/2420/FUL – 5 Vicarage Lane, Mettingham, Bungay
Item 13 – Proposed Enforcement Action – Unauthorised Fencing, The Lodge, Beccles
Item 9 – DC/16/2366/FUL – Land south of Southwold Road, Stoven
Item 10 – DC/16/2082/FUL – 92 Dukes Drive, Halesworth

Item 11 – DC/16/2354/FUL – The Bungalow, Kessingland had been withdrawn from the Agenda and would be considered at a future meeting of the Committee.

## 1 APOLOGIES / SUBSTITUTES

Apologies for absence were received from Councillors N Brooks, G Elliott and L Harris-Logan.

Councillor Goldson attended the meeting as a Substitute for Councillor Brooks.

## 2 MINUTES

**RESOLVED**

That the Minutes of the meeting held on 12 July 2016 be confirmed as a correct record and signed by the Chairman.

## 3 DECLARATIONS OF INTEREST

Councillor Goldson declared a Local Non Pecuniary Interest in Item 9 – DC/16/2366/FUL – Land south of Southwold Road, Stoven, as being County Councillor for the parish.

Councillor Goldson declared a Local Non Pecuniary Interest in Item 10 – DC/16/2082/FUL – 92 Dukes Drive, Halesworth, as being Ward Councillor.

Councillor Groom declared a Pecuniary Interest in Item 12 – DC/16/2420/FUL – 5 Vicarage Lane, Mettingham, Bungay, as the applicant was a customer of his business.

Councillor Pitchers declared a Local Non Pecuniary Interest in Item 8 – DC/16/2442/FUL – Rectory Road, Lowestoft, as being Ward Councillor.

## 4 DECLARATIONS OF LOBBYING

Councillor Ashdown declared that he had received telephone communications in relation to Item 13 – Proposed Enforcement Action – Unauthorised Fencing, The Lodge, London Road, Beccles.

Councillor Pitchers declared that he had received telephone and email communications in relation to Item 8 – DC/16/2442/FUL – Rectory Road, Lowestoft.

*With the agreement of the Chairman, Items 5, 6 and 7 on the Agenda were considered together, although Members were given the opportunity to ask questions and comment on each report separately.*

## 5 APPEAL DECISIONS REPORT

The report of the Head of Planning and Coastal Management advised the Committee four appeals had been determined in June and all had been dismissed.

**RESOLVED**

That the report concerning Appeal Decisions in June 2016 be noted.

## 6 DELEGATED CHIEF OFFICER DECISIONS

The report of the Head of Planning and Coastal Management informed Members of all the Chief Officer delegated planning decisions made during June 2016.

**RESOLVED**

That the report concerning the Chief Officer Delegated Planning Decisions made during June 2016 be noted.

## 7 ENFORCEMENT ACTION – CASE UPDATE

The report of the Head of Planning and Coastal Management provided Members with a summary of all outstanding enforcement cases sanctioned under delegated powers or through the Committee up until 2 August 2016. There were currently six cases.

A Member reported that the containers at Holton Sawmills had now been removed.

**RESOLVED**

That the report detailing the outstanding Enforcement Matters up to 2 August 2016 be received.

## 8 DC/16/2442/FUL – RECTORY ROAD, LOWESTOFT

The Area Planning and Enforcement Officer presented the application which proposed a revised scheme for the construction of 20 dwellings including partial demolition of an existing building. The application had been subject to protracted discussions based on consultation comments received and in its revised form, sought to demolish part of the former convent, last used as offices, in order to redevelop the whole site for residential purposes. A contribution of £50,000 towards affordable housing off site was proposed.

The Area Planning and Enforcement Officer explained that the revised proposal was for a scheme with none of the buildings being higher to their eaves than the original building. This

was as a result of the internal ceiling heights being greater in the original Victorian building than in modern residential accommodation; the only exception being that the eaves lines of blocks A and B would be higher at 0.6m. The scheme would retain the earliest and most architecturally well considered parts of the former convent.

20 dwellings were proposed for the site comprising three one-bedroomed flats, seven two-bedroomed flats, two two-bedroomed bungalows, four three-bedroomed houses and four four-bedroomed houses with appropriate parking spaces.

Members were shown an aerial view, photographs and location plans of the site including views of the existing elevations and the street scene showing the surrounding properties and roads.

The Area Planning and Enforcement Officer explained that the revised proposal addressed many concerns that had been raised. Although the scheme led to the loss of part of the original building and created development forward of the original line of the building, it did propose a satisfactory re-use of a site. He drew particular attention to the update report which had been circulated in advance of the meeting including the late objection and showed images of a super-imposed photo montage. However, although the proposal was forward of the original building line, it would be a better use of the site and the blocks would be situated 31m distant from the opposite properties. The viability of the development on the site was tight and might only generate £50,000 for affordable housing. Members' attention was drawn to the additional recommendations being proposed.

Mr S Wheatman - Objector

Mr Wheatman explained that he represented the residents of Kingswear Court. He was amazed that there were viability issues for the site which has been purchased some 12 months ago. There were planning issues regarding Blocks A and B. Overall the Conservation Officer had made no comments. He referred to the statutory duty on the Local Authority to preserve buildings in a conservation area. The consultees including the local society all had concerns about the scheme and the need to to preserve or enhance the character of the area. The applicant had commented that the convent was a positive building in the area and actually made a contribution to the conservation area. However, the three storey blocks of A and B would not only protrude too far but were of substantial mass and bulk. Consideration needed to be given to the building line and open up the vistas in order to preserve what there was. He urged the authority to refuse the application.

Mr M Nolan - Agent

Mr Nolan reminded the Committee that they had been working closely with the Planners to come up with a satisfactory scheme The intention was to retain part of the convent and provide a mix of accommodation for many people. The overall height was within that of the existing buildings. The western elevation was close to the road but did match other properties in the vicinity. Car parking spaces were being provided and the site would be complemented with landscaping. It was hoped to use local contractors for the building works and create local employment. The retention of the convent in its entirety was not a viable proposition and the proposal would provide 20 much needed new homes. Mr Nolan asked that Members support the application.

Questions

In response to a question relating to the £50,000 contribution and the cost of providing education facilities, the Area Planning and Enforcement Officer explained that there were two contributions; £50,000 was for affordable housing and Community Infrastructure Levy (CIL) was discounted where there was existing floor space. CIL rates were fixed according to location and being a district wide fund the County Council would draw down from that fund. The results of further viability studies had resulted in the revised design.

The Area Planning and Enforcement Officer further confirmed that sufficient parking was being provided on site.

Debate

It was proposed that consideration be given to restricting permitted development in order to preserve garages being used for that purpose and not converted at some future date.

Although Members believed that a seafront property could expect to keep its sea view, the proposed development was set one road back and felt this was not directly applicable. It was disappointing to see the convent building could not be retained in full but the proposal for the long vacant site, which would stop further deterioration, was welcomed. Some concern was expressed over the location of Block B, however the Area Planning and Enforcement explained its satisfactory situation within the site and its surrounds.

The Area Planning and Enforcement Officer confirmed that the turret which was a later addition was to be demolished. The existing five foot boundary wall was to be retained and fencing within the site would assist in protecting the existing trees.

Subject to conditions relating to the removal of permitted development rights in order to protect the garage spaces and addressing tree issues, it was

**RESOLVED**

That permission be granted for the amended scheme, subject to a Section 106 agreement being signed providing a £50,000 contribution towards off-site affordable housing provision with the following conditions:

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

2. The development hereby permitted shall be carried out in accordance with approved drawing reference: (job ref 4913)

   52 E site plan with trees retained and proposed new received 22nd July 2016
   62 Existing elevations with vertical dimensions added
   66 C street elevation proposed with dimensions vertically added (mainly views within courtyards) all received 19th July 2016
   070 A block A proposed floor plans
   071 A block A proposed elevations
   085 A block D proposed floor plans
   086 A block D proposed elevations
   090 Block E proposed floor plan
   091 block E proposed elevations all received 19th April 2016
   100 A block G proposed plan and elevation for the two lodges received 25th July 2016
   065C Street Elevations with external dimensions and regularised windows
   075C Block B plans
   076B Block B elevations
   080B Block C plans
   081B Block C Elevations
   095B Block F plans
   096B Block F Elevations all received 28th July 2016, for which permission is hereby granted.

3. The use shall not commence until the area within the site shown on Drawing Number 52 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.

4. The access shall be completed in all respects in accordance with DM10; with an entrance width of 4.5m for the access and be available for use before occupation. Thereafter it shall be retained in its approved form. At this time all other means of access within the frontage of the application site shall be permanently and effectively "stopped up" in a manner which previously shall have been approved in writing by the Local Planning Authority.

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

6. Before the development is commenced details of the areas to be provided for storage of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority.
   The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

7. Prior to the commencement of development, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
   (i) a survey of the extent, scale and nature of contamination;
   (ii) an assessment of the potential risks to:
   - human health,
   - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
   - adjoining land,
   - groundwaters and surface waters,
   - ecological systems,
   - archaeological sites and ancient monuments;
   (iii) an appraisal of remedial options, and proposal of the preferred option(s).
   This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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

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

Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 7 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 8, which is subject to the approval in writing of the Local Planning Authority.

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

11. Details in respect of the following shall be submitted to and approved in writing by the Council as Local Planning Authority before the work is begun. The work shall be carried out in accordance with such approved details:

    Widened gateway to Rectory Road, showing method by which the existing wall and gate pillars are made good.
    New opening and gateway to Kirkley Cliff Road, showing method by which the existing wall and gate pillars are made good.
    Brick arch, dentil course, string course, balcony guarding.
    Further detailed profiles for all joinery at large section size
    Material samples and brick sample panel showing mortar mix and finish.

12. Prior to the commencement of development (other than demolition), a sustainable drainage scheme for the management of surface water, including details of methods for the treatment of car park run off and the maintenance of the system, shall be submitted to and agreed in written with the Local Planning Authority. The approved scheme shall be constructed prior to the occupation of the development and maintained thereafter in the approved form.

13. No development shall take place until the existing trees on site, agreed with the Local Planning Authority for inclusion in the scheme of landscaping, have been protected by the erection of temporary protective fences of a height, size and in positions which shall previously have been agreed, in writing, with the Local Planning Authority. The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the tree to be protected. Any trees dying or becoming severely damaged as a result of any failure to comply with these requirements shall be replaced with trees of appropriate size and species during the first planting season, or in accordance with such other arrangement as may be agreed in writing with the Local Planning Authority, following the death of, or severe damage to the trees.

14. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:
    means of enclosure;

hard surfacing materials; outdoor furniture, refuse or other storage units, signs, external lighting;
retained historic landscape features and proposals for restoration, where relevant.

Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation programme.

15. The landscaping scheme shall be completed within 6 months from the completion of the last building shell, or such other date as may be agreed in writing with the Local Planning Authority. Any trees or plants which die during the first 3 years shall be replaced during the next planting season.

16. The garages hereby permitted as part of this residential permission shall be used only for storage of motor vehicles, or the storage of a vehicle in association with general storage and bicycle and tool storage; and for no other purpose whatsoever, (including any other purpose in Class C3; of the Schedule to the Town and Country Planning (Use Classes) Order 2005) or in any provision equivalent to that Class in a statutory instrument revoking and re-enacting that Order with or without modification, unless otherwise agreed in writing by the Local Planning Authority.

Having declared a Pecuniary Interest in Item 12 on the Agenda (now Minute 9), Councillor Groom left the meeting.

## 9 DC/16/2420/FUL – 5 THE VICARAGE, METTINGHAM, BUNGAY

The Area Planning and Enforcement Officer presented the application which proposed the construction of a single and two storey extension to the southern elevation of an existing dwelling. The main considerations for the Committee were the impact to the adjoining neighbour who had objected, and the scale of the development with regard to policy DM21.

Vicarage Lane, Mettingham, was a small rural settlement comprising 16 dwellings, a converted barn and a working farm. The proposal sought to add a six metre deep garden room off the southern wall with a bedroom extension above projecting halfway to 3.3m. A further two storey element for an en-suite bathroom had been omitted from the scheme and the revised proposal with a lower roof line was for consideration on its merits.

Members were shown an aerial view, photographs and location plans of the site and its surrounds including views of the existing elevations facing Vicarage Lane, the location of the proposed extension and its siting adjacent to the neighbouring property.

The Area Planning and Enforcement Officer advised that some objections had been received with regard to loss of view and overshadowing. However, it was considered that the proposal was not felt to be detrimental to the adjoining neighbour's amenity and would not cause harm in terms of loss of character or be intrusive in the wider landscape. Also, the proposal was not considered to conflict with the aims of policy DM21, house extensions and replacement dwellings in the countryside. That policy had repeatedly been tested and had been deemed to be too prescriptive. A more flexible approach had evolved and each proposal was being assessed on its individual merits; this one was recommended for approval.

<u>Mr J Shiplee - Objector</u>

As an adjoining neighbour, Mr Shiplee objected to the extension because it was overbearing, cut out light and affected his garden sitting area. The extension would have a negative impact on the street scene and a negative impact on the value of his property. The main garden area was to the front of the properties with a pathway to the rear. The survey

documents he had relating to his property indicated that the front of the property faced southwest with the garden to the front. No 7 had been granted a rear extension facing north against which he had no objection but this proposed extension at No 5 was a front extension which would spoil the appearance of the lane. The proposal was overbearing, should not be granted and not be allowed to set a precedent.

Questions

Members raised questions relating to the location of doors and windows and the size of the extension being proposed. Further clarification was sought as to the direction the properties faced, the size of the extension and any obstruction of sunlight.

The Area Planning and Enforcement Officer confirmed that were no high level windows and doors on the ground floor only. The extension in 1999 added 60% to the original property and the total cumulative increase with this extension would be in the region of 111%.

The Planning Development Manager advised Members that they needed to consider the impact of the development, if it was considered appropriate and if it would cause significant demonstrable harm. There was no entitlement to light and, in reviewing the photographs at the meeting, it was shown that the 45 degree line used as a rule for loss of light would not be breached.

Debate

Some Members expressed the view that the proposal was for a rather large extension at what appeared to be the front of the dwelling. However, comment was made that the Parish Council had no objection and there was already a reasonably high hedge between the two properties. The 35% rule for extensions in the countryside was a matter of interpretation and was not a large increase at the present time when people needed to live in more than a 'two up two down' property.

The Chairman proposed that a decision be deferred for a site visit to be undertaken but he stressed the need for all Committee Members to attend.

**RESOLVED**

That the application be deferred pending a site visit and the Democratic Services Officer be requested to circulate alternative dates to the Planning Committee Members.

Councillor Groom returned to the Conference Room at 7.15pm.

*Note: Subsequent to the meeting, the site visit has been arranged for 2.30pm on Thursday, 8 September 2016.*

## 10 PROPOSED ENFORCEMENT ACTION – UNAUTHORISED FENCING, THE LODGE, LONDON ROAD, BECCLES

The Planning Development Manager presented a report which related to proposed enforcement action with regard to unauthorised fencing at The Lodge, Beccles.

The site was within a Conservation Area and located at a prominent location on the crossroads of A145, B1062 and Peddars Lane in Beccles. The fence itself enclosed a small rear garden area and defined the tenant's private amenity space and also screened and protected the habitable rooms of the dwelling from passing traffic and fumes and noise.

Members noted, from the officer's presentation, that the site had an undulating topography and the height of the fence would be measured from the highest point and at no point on the site could the fence be considered to be under 1m in height. Under the provisions of the General Permitted Development Order 2015 (as amended), fencing up to 1m in height could be erected without the requirement for a planning application. The fence, therefore, as erected, was considered to be in excess of the permitted development and would therefore require planning permission.

Members were shown an aerial view, photographs and location plans of the site and its surrounds including various views giving a clear picture of the local context.

Mrs C Cook - Tenant

Mrs Cook thanked the Committee for allowing her to speak and she explained that prior to her moving into the property, there had always been a fence on the property. She understood that the title deeds stated that there must be a fence in place. Since being resident, she had cleaned the frontage and put in a close boarded fence for safety and security. The Planning Officer had told her the 12 foot fence could remain in place for the time she lived in the property but it would have to be removed if the property was sold on. Now she was being told the fence had to come down; there had been only one complaint and that was from the Beccles Society. Mrs Cook had hoped to tidy the area further and put in laurels.

Questions

Members asked specific questions relating to:

- The height of the fence.
- The garden level behind the fence and that of the adjoining properties.

The Planning Development Manager advised that the fence was 1.8m; permitted development was 1m. The garden height and that of neighbouring properties was relatively low and the retaining wall held the earth in place. Any fence adjacent to the highway over 1m would need planning permission. If permission was not granted, enforcement action would be taken; however if a fence had been in place for four years then it would have gained planning permission over that period of time. The matter had been the subject of ongoing complaints and had been pursued on that basis. Officers' opinion was that there was unacceptable harm to the wider conservation area.

Debate

Members suggested that, in terms of privacy, sound barrier, fumes, traffic noise and dust, the fence was required but one that was in keeping with the conservation area. It was generally agreed that the fence could be improved and if this was undertaken by the tenant, it was

**RESOLVED**

That no enforcement action be taken with regard to the removal of the fence.

## 11 DC/16/2366/FUL – LAND SOUTH OF SOUTHWOLD ROAD, STOVEN

The Planning Development Manager presented the application which proposed the erection of an agricultural building in open countryside. It was for the erection of a pig finishing building to accommodate 1,000 pig places on a straw based rearing system with a concrete pad for solid manure storage. To the south of the concrete would be an underground dirty water storage tank and on the northern side, a feed silo lorry turning area would be located

adjacent to the building. The operation would be served by the existing access track from Southwold Road.

Members were shown an aerial view, photographs and location plans of the site and its surrounds including views from and along the access track, views towards Brampton, the land's rising ground levels to the north and the existing tree screen.

Neighbour concerns were outlined in the report and included traffic generation, impact on bridleway users, highway safety, noise and smells. It was understood that a pig rearing cycle was over a period of 18-20 weeks; pigs would be brought into the unit via six lorries per cycle and feed delivery 10 lorries per cycle. No objections had been raised by the County Highways. The rearing technology used would reduce noise and smells in the locality and the landscape impact had been mitigated by the low lying nature of the site and existing trees.

Although there was a general presumption against new development in open countryside, one of the exceptions was a development of an appropriate scale that contributed to the continued viability of the agricultural industry. It was important to consider impacts on neighbours such as noise and smell; however, advice from the Environmental Health Team confirmed that such impacts would be controlled. The application was therefore recommended for approval with appropriate conditions.

Mr H Lampp - Agent

Mr Lampp explained that he was the Senior Planning Consultant at Durrants, representing the applicant. He considered the report to be well balanced. His client was a fourth generation farmer and currently farmed a number of acres in the area. The submission made in 2013 had been withdrawn and this current application had been revised having listened to the community and previous objections. The operation would be adhering to and in total compliance with the BQP Standards. The proposal was at the lowest point of the farm and tucked in, next to appropriate screening. No extra access was being proposed and full landscaping would be in place. The pigs would be segregated, straw used and daily muck clearing undertaken. An additional one lorry per week was anticipated. There had been no objections from the Parish Council, Environmental Health or the Highways. Mr Lampp requested that permission was granted in accordance with the recommendation.

Note: At this point in the meeting. Councillor Goldson explained that he had been involved in the previous project and took no further part in the discussions or voting thereon.

Questions

In response to Members' questions relating to muck spreading and the use of arable land, Mr Lampp explained that muck spreading would comply with the appropriate rules. The area of land to be used was small when taken in context of the 160 acre farm.

The Planning Development Manager further explained that the proposal was an appropriate land use. If the site was to be used for grazing free range pigs with pig arches, planning permission would not be required.

Debate

Members considered the application was for an agricultural building on agricultural land and there being no further discussion, it was

**RESOLVED**

That permission be granted subject to the following conditions:

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

2. The development hereby permitted shall be carried out in accordance with approved drawing references: 302054 -001, 10169-07 revision A, 002 and 145 received 7 June 2016.

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

4. The landscaping scheme shall be completed within 6 months from the completion of the building, or such other date as may be agreed in writing with the Local Planning Authority. Any trees or plants which die during the first 5 years shall be replaced during the next planting season.

5. Before any development is commenced, an Odour Management Plan detailing the measures to be taken to minimise odour from the pig operation shall be submitted to and approved in writing by the local planning authority. The pig enterprise shall be operated and managed in accordance with the approved Odour Management Plan.

6. 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.

7. 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 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

8. The ecological enhancements outlined in paragraph 4.7 and table 4.1 of the submitted ecological report shall be implemented within six months of the completion of the building hereby approved.

## 12 DC/16/2082/FUL 92 DUKES DRIVE, HALESWORTH

The Planning Development Manger presented the application which proposed the construction of a new house on the end of an existing house. A two storey side extension to the existing house had previously been approved, however the application now before the Committee for a new dwelling had drawn objections from the Town Council and local residents.

Members were advised that Dukes Drive was the main spine road through the housing estate and Dakings Drift, a cul de sac with turning head, was adjacent to the application site. The proposal was for a similar sized, separate three-bedroomed dwelling albeit slightly wider with a forward projecting element. Two tandem configured parking spaces would face onto the turning head of Dakings Drift and the development would require the removal of five trees.

Members were shown an aerial view, photographs and location plans of the site and its surrounds including views of the immediate locality, the location of the proposed property and existing dwellings, and the trees to be removed in order to facilitate the new dwelling.

The Planning Development Manager explained the planning considerations and that some objections had been addressed by style and distance. There was no objection to the land being used for residential development and such matters such as tree loss, overlooking, car parking had been satisfactorily addressed. There would be some impact but the dwelling would provide much needed housing. On balance, it was considered that the site was large enough for a dwelling and the application was recommended for approval.

Mrs R Hart - Applicant

Mrs Hart explained that the property was the end of a terrace of four properties and this would be one more in the terrace. She considered the development to be a sensible use of unused land and the proposed property was an architect designed, small family home. Similar plots in the area had been similarly used. Some of the trees had to be removed as they were causing damage to the pavement, road and drains, and the intention was to plant more suitable trees. The road serving Dakings Drive was good quality and wide and should not cause any issues. Mrs Hart appreciated the concerns of some residents and hoped that these would be reduced by a well developed plot with minimum disturbance during the building works. Interest had already been shown by potential residents for this much needed house.

Questions

In response to a question relating to the likely occupant and rear access, Mrs Hart explained that although there were many elderly residents in the vicinity, a young family did reside in No 92. There would be no loss of rear access for the four properties.

Debate

Members believed there were no grounds to decline giving approval but were of the opinion that appropriate boundary hedging or trees should be planted. There being no further discussion and subject to an appropriate landscape condition, it was

**RESOLVED**

That permission be granted subject to the following conditions:

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

2. The development hereby permitted shall be carried out in accordance with approved drawing reference: 6908-PL01 rev. A received 21 June 2016 for which permission is hereby granted.

3. The external materials to be used shall match as closely as possible in type, colour and texture those on the existing house, 92 Dakings Drive.

4. The new vehicular access shall be laid out and completed in all respects in accordance with Drawing No. DM02 and with an entrance width of 3 metres and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.

5. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (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.

7. Before the development is commenced, details of the siting, height and type of screen walls and fences shall be submitted to and approved by the Local Planning Authority.

8. Within 6 months of the development being first occupied, trees and shrubs shall be planted on the site in accordance with a detailed scheme previously agreed with the Local Planning Authority. Any plants which fail within the first 3 years shall be replaced.

## 13 DC/16/2354/FUL – THE BUNGALOW, THE AVENUE, KESSINGLAND

The Chairman advised that this application had been withdrawn from the Agenda.

## 14 USE OF SECTION 106 PLAY EQUIPMENT FUNDS FROM DC/08/0817/FUL

The Committee considered a report relating to the Section 106 agreement that had been completed in relation to a planning permission for the construction of houses and flats at Bloodmoor Hill, Ullswater, Carlton Colville. That agreement included the requirement to make a payment for appropriate play equipment to be provided in the open space area or in such other nearby location as might be agreed by the Committee. One of the terms of the

contribution was that it had to be used by March 2017 or refunded to the person who had originally paid it.

The Planning Development Manager explained that it had not been possible to spend the play equipment contribution on the open space as Environmental Health had advised that the land was settling and would continue to do so for come considerable time. Therefore, it was proposed that the funds be redirected to an alternative open space located nearby at Carlton Meadow Park. It was a distance of 0.3 miles and the funds would be used to provide junior play equipment and/or a multi-use games area (MUGA). Sentinel Leisure and Waveney Norse had consulted with Carlton Colville Town Council; both had agreed to the proposed re-allocation of funds and this had been supported by the Town Council. The proposal would be subject to further consultation with local residents.

Members supported the proposal and it was

**RESOLVED**

That the play equipment contribution be used to provide junior play equipment and/or a Multi-Use Games Area at Carlton Meadow Park

The meeting concluded at 8.13pm.

Chairman