

Minutes of a Meeting held in the Conference Room, Riverside, Lowestoft
on **Tuesday, 13 September 2016 at 6.00pm**

Members Present:

P Ashdown (Chairman), S Allen, N Brooks, J Ceresa, M Cherry, G Elliott, J Ford, I Graham, J Groom, L Harris-Logan, T Mortimer, M Pitchers and C Rivett.

Officers Present:

R Amor (Principal Planning Officer), M van de Pieterman (Area Planning and Enforcement Officer), P Rowson (Planning Development Manager), H Smith (Senior Planning and Enforcement Officer) and S Carter (Democratic Services Officer).

In Attendance:

Ward Councillors S Barker, L Gooch and M Rudd.

1 APOLOGIES / SUBSTITUTES

Apologies for absence were received from Councillor A Cackett.

Councillor Rivett attended the meeting as a Substitute for Councillor Cackett.

2 MINUTES

(a) Planning Committee meeting on 16 August 2016

RESOLVED

That the Minutes of the meeting held on 16 August 2016 be confirmed as a correct record and signed by the Chairman.

(b) Planning Committee meeting on 24 August 2016

RESOLVED

That the Minutes of the meeting held on 24 August 2016 be confirmed as a correct record and signed by the Chairman.

3 DECLARATIONS OF INTEREST

Councillor Allen declared a Pecuniary Interest in Items 10 and 11 – DC/16/2969/RG3 and DC/16/2970/LBC – 3, 5, 7 Staithe Road, Bungay, as being Cabinet Member for Housing and having been involved in the HRA decision to make the application. She advised that she would leave the meeting during the discussion of these items.

Councillor Graham declared a Local Non Pecuniary Interest in Item 6 – DC/16/2982/FUL – Rosemount, 155 Stradbroke Road, Lowestoft, as being Ward Member.

Councillor Groom declared a Pecuniary Interest in Item 9 – DC/16/2420/FUL – 5 Vicarage Lane, Mettingham, Bungay, as the applicant was a customer of his business. He advised that he would leave the meeting during the discussion of this item.

Councillor Groom declared a Local Non Pecuniary Interest in Items 10 and 11 – DC/16/2969/RG3 and DC/16/2970/LBC – 3, 5, 7 Staithe Road, Bungay, as being Ward Member.

Councillor Rivett declared a Local Non Pecuniary Interest in Item 7 – DC/16/0533/FUL – Land adjacent to Hall Cottage, Church Road, Henstead, as being Ward Member.

4 DECLARATIONS OF LOBBYING

Councillor Elliott declared that he had received a telephone communication from an objector in relation to in Item 7 – DC/16/0533/FUL – Land adjacent to Hall Cottage, Church Road, Henstead.

5 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 30 August 2016. There were currently six cases.

The Senior Planning and Enforcement Officer explained that the enforcement notice on 318 London Road South had been served in September 2011. However, following a recent visit to the property, there was little evidence to show that the building had been converted from a single dwelling. She was in discussions with the owner to meet on site and following that, there would be further communications with the Legal Team if matters needed to be taken further.

RESOLVED

That the report detailing the outstanding Enforcement Matters up to 30 August 2016 be received.

6 DC/16/2982/FUL – ROSEMOUNT, 155 STRADBROKE ROAD, LOWESTOFT

The Senior Planning and Enforcement Officer presented the application which proposed the demolition of an existing two storey dwelling known as Rosemount and the construction of a two-bedroomed bungalow with car port and garage. The application site itself was set back from Stradbroke Road and would be of a modern architectural design.

A significant level of objection had been received to the proposed development and for that reason, the application was before Committee. However, the appropriateness of the site to accommodate two properties had been accepted by the Planning Inspector in 2015 and there had been no material changes in circumstances since that opinion.

Members were shown an aerial view, photographs and location plans of the site and its surrounds including views of the properties in the vicinity, the access and interior of the site.

The Senior Planning and Enforcement Officer explained that the factors for consideration were principle of development, design, highway safety and construction impact. The proposed development would not result in a significant material loss of privacy to adjacent residents or give rise to overlooking as distances between existing properties and the proposed new build were considered satisfactory. Sufficient amenity space was being provided on the site. The existing three bedroomed property was being replaced by a two bedroomed dwelling which should result in less vehicle movements. The existing access track had been deemed appropriate by the Planning Inspector for the number of vehicle trips to be generated; that opinion had not altered. Although significant objections had been received from local residents, the principle of two dwellings on the site had been established and approval was therefore being recommended, subject to an additional condition removing permitted development rights.

Member's Question

In response to a specific question relating to bats and an ecological survey, the Senior Planning and Enforcement Officer advised that she was not aware of an ecological survey having been undertaken; bats would be dealt with under specific legislation and if these were encountered, they would have to be notified to Natural England.

Ward Councillor S Barker

As Ward Member, Councillor Barker addressed the Committee on behalf of Ward Councillors and the residents. Councillor Barker stated it would have been helpful if a site visit had been undertaken so that the Committee could see the dwelling and elevations of the buildings on site. She drew attention to the other material considerations contained paragraph 8.25 in the report and the difficulties being experienced by existing residents, including leaving their properties safely. Noise and pollution from the site and lights shining into bedrooms had already been dealt with by Environmental Protection. There were serious questions over the suitability of the track access and existing obstructions on the road. The design was out of keeping with the street scene and no one had addressed the bat colony on site. If approval was given, then serious consideration should be given both to the impact of construction traffic on residents and their safety. Councillor Barker recommended a site visit in order to ensure all factors were addressed prior to any decision being made by the Committee.

Debate

The Committee noted that the principle of two dwellings on the site had been established in 2015 by the Planning Inspector and Members were of the opinion that the Council would not have approved two properties on the site. Members sympathised with the residents and expressed concern over the reported vehicles from the site reversing into the road. However, in view of the fact that the Planning Inspector had already over-ruled the previous refusal and that there would be a reduction in the size of the proposed new dwelling Members could see no reason for refusal.

The Planning Development Manager confirmed that a condition relating to a Construction Management Plan was included if Members so wished, but it could not include restrictions on parking on verges by contractors' employees as that could not be enforced by the Council. Consultation with Ward Members Councillors Barker and Gooch could be undertaken at the time the Construction Management Plan was submitted for approval.

The Committee's view was that there was no option but to approve the application and subject to the recommended additional conditions, it was

RESOLVED

That permission be granted subject to the following conditions:

1. The development hereby permitted shall begin no later than three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with approved drawing reference: 2057.16.2 received 18 July 2016 and 2057.16.3A received 18 August for which permission is hereby granted.
3. Prior to the occupation of the approved dwelling the area within the site shown on 2057.16.3A for the purposes of manoeuvring and parking of vehicles shall be first provided and thereafter that area shall be retained and used for no other purposes.

4. Prior to the first occupation of the development the highway access into the site shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details to be first submitted and agreed in writing by the Local Planning Authority.
5. Prior to the commencement of development details shall be submitted and agreed in writing with 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 and approved before the approved dwelling is occupied and shall be retained in its approved form for the duration of its occupation.
6. 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 be first 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.
7. The approved boundary treatment to the east of the approved dwelling shall be completed in accordance with drawing reference: 2057.16.3A prior to the occupation of the approved dwelling and retained in that position thereafter.
8. Prior to commencement of the development hereby approved, further details of the landscaping set out on drawing reference 2057.16.3A hereby approved including schedules of plants, noting species, plant sizes and proposed number/densities where appropriate shall be submitted to and approved in writing by the Local Planning Authority. Such planting shall be carried out concurrently with the development hereby approved, if development commences within a planting season, or alternatively during the course of the immediately following planting season.
9. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. wheel washing facilities
 - v. measures to control the emission of dust and dirt during construction
 - vi. a scheme for recycling/disposing of waste resulting from demolition and construction works.
10. In the event that contamination is found or suspected at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of the contamination on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be

produced. The written report is subject to the approval in writing of the Local Planning Authority.

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2016 (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 DC/16/0533/FUL – LAND ADJACENT TO HALL COTTAGE, CHURCH ROAD, HENSTEAD

The Principal Planning Officer presented the application which proposed the construction of a detached four-bedroomed dwelling in the grounds of Hall Cottage. The main issues for consideration were planning policy, the impact on the Grade II listed building and residential amenity. The application had been due to be considered by the committee in April and July 2016 but it had been withdrawn on both occasions, details of which were contained in the report.

The application was for the construction of a dwelling at the eastern end of the curtilage of Hall Cottage and the latest amended scheme provided a driveway within the site to link to the existing driveway, allowing both the existing dwelling and proposed new dwelling to use the same existing access. The proposed dwelling would have a T-shaped footprint with the front of the building sitting parallel to the road and a large rear wing at right angles to the front element, with rooms in the roof of the 1½ storey dwelling. The agent had confirmed that the front would be painted brick in line with immediate neighbouring properties and the rear elevation would be a Suffolk Pink rendered finish to match Hall Cottage.

Members were shown an aerial view, photographs and location plans of the site and its surrounds including views of the neighbouring properties, Church Road looking both east and west, the existing hedge on the roadside boundary, the inside of the plot and proposed boundary, and the elevations of the proposed dwelling.

The Principal Planning Officer explained in detail the criteria for infilling and becoming part of a frontage with the relevant policy specifying 'usually' six dwellings/ He also referred to the need for facilities in the village or public transport to nearby villages. There were some facilities at Henstead Arts and Craft Centre. As a result of the amended plans, additional information provided and the improved design. It was considered that the design was acceptable and that there would be no adverse impact on the setting of the listed building. The impact on neighbouring residents was not considered to be significant. Subject to an additional condition requiring a Construction Management Plan to ensure any disturbance to visitors to the exotic garden was kept to a minimum, it was recommended for approval.

Questions

Members asked specific questions relating to:

- Impact on neighbouring residents.
- Infill and the street scene.
- Height of proposed dwelling.

The Principal Planning Officer explained the any effects and impacts as a result of construction noise would be short term; it was one dwelling only. The potential adverse impacts related to construction noise, hours of working and control of parking of workers' vehicles. The proposed dwelling would be constructed in a garden, therefore it was classed as infill. The access had changed as a result of highways issues. There would be skylights in the roof and it was likely these would be visible above the hedge.

Mr J Armstrong – Henstead with Hulver Street Parish Council

Mr Armstrong explained that he was Clerk to the Parish Council and had instructions to bring to the Committee's attention the fact that the Parish Council took issue with the interpretation of the built frontage. In their opinion, it comprised only four properties. The interpretation of 'By the Crossways' was incorrect as the side of the property fronted the road and that was not its principal elevation. The applicant had cited an infill application in Hulver with three buildings only; however, a further infill site which had five buildings was refused and had been totally ignored. The Planning Officers should be consistent and apply the same rules. There were not adequate facilities nor an adequate bus service; the only buses were the school bus and the dial-a-ride service. The application should be refused as it did not meet the criteria for infill or access to services and facilities.

Mr A Brogan - Objector

Mr Brogan drew Members' attention to the 30 letters of objection and the village plan. He had received greater support for his exotic garden and recent visitors had taken some while to reach him due to the lack of public transport. The proposal was for a four bedroom property and septic tank on a tiny plot. There would be serious impact on the village, the Grade II listed cottage and the exotic garden. He strongly objected the dwelling being shoehorned into a gap only six inches from his boundary. Mr Brogan and the residents in the village were objecting and everyone's views should be taken into account by the Committee.

Member's Question

In response to a question relating to the lack of buses and local services, it was confirmed that the nearest village services were at Wrentham and Kessingland with access to both via the A12.

Mr J Parker - Agent

Mr Parker explained that he was a specialist planning consultant and had previously worked at other local authorities. He thanked the Planning Officers for their work in dealing with his client's application. Letters of objection and support did not count here, and devaluation of properties was not a planning consideration; it was the planning issues that should be considered. The proposal was for only one building and consideration would be given to a construction management plan in order to co-ordinate the construction works so as to avoid the opening time of the exotic gardens. Policy DM22 related to infill – a property between others – and this was it. He confirmed that they were only required to meet bus or village services which the proposal did. The local school was a reasonably priced private school

and affordable. If approval was granted, there was already one person interested in the project.

Questions for the Agent

Members asked specific questions relating to:

- The boundary.
- The size of the plot.
- An expectation that facilities would include a doctor and a pub.

Mr Parker confirmed there was no boundary dispute and the development was 1m from the neighbour's boundary. Although it was not a huge plot, the proposal was for a modest chalet only. Key facilities in the village included a school and a church. The café at the craft centre could offer employment and additional properties such as that proposed would support those facilities.

Questions for Officers

In response to Members' questions relating to the views from the road and the appropriateness of reducing the hedging to 0.6m, the Principal Planning Officer further explained the properties fronting the road and their surrounds, both orally and with the use of the presentation photographs. The height of the existing hedge still allowed access into Hall Cottage and the proposal by County Highways to reduce the hedge was because of the likelihood of more traffic using the existing entrance as access to two buildings.

Debate

Although the access and design had now been agreed, Members were concerned as to the principle of the development in open countryside. Policy DM22 proposed usually six dwellings; here, that number was debatable. There were no real services; the craft village was some two miles distant. The private school was not a village school and effectively there were no buses. The criteria in policy DM22 appeared not to be met. Members were of the opinion that the services quoted by the applicant were not considered to be relevant services and that infill was only appropriate when there was access to services in accordance with policy DM22. Following a proposal which was formally seconded, it was

RESOLVED

That permission be refused for the following reasons:

In the opinion of the local planning authority this is an unsuitable site for infill development, which does not meet the criteria for infill developments set out in Development Management policy DM22, both because it does not form part of a built up frontage of at least 6 dwellings and also because Henstead is not a sustainable location, as there are no significant local services nor a regular bus service. In addition the restricted size of the site would result in a dwelling out of keeping with the character of the area, contrary to Development Management policy DM02.

8 DC/16/13183/FUL – 28 GUNTON ST PETERS AVENUE, LOWESTOFT

The Area Planning and Enforcement Officer presented the application which was for the construction of a new bungalow in the rear garden of No 28. The submitted application was a revision to two earlier schemes which were refused by the Committee at its meetings in May and July 2016.

Members were shown an aerial view, photographs and location plans of the site and its surrounds including general views of the adjacent properties, the precise location of the

proposal and proposed elevations. An aerial view also highlighted similar developments in the vicinity.

The application now before Members was for a two-bedroomed single storey modest bungalow and included an acoustic fence at 1.8m with additional planting to mitigate any effect on the neighbours. There had been local opposition to the application including comments on backland development. However, attention was drawn to the supplementary report, which proposed permitted development rights be removed and an additional condition for a construction management plan. It was considered that the current application, although finely balanced, was acceptable and recommended for approval. If permission was granted, it would be in accordance with the amended plans.

Councillor M Rudd - Ward Member

Councillor Rudd expressed thanks for allowing the application to be called in, the reason being that there was great opposition to this finely balanced application. It was important that the residents' views were considered and that the greenfield land was protected. The footpath along the site would be darkened and frightening to use as a result of the height (15m) of the new building overshadowing and causing loss of light. The proposed changes to the dwelling might comply with policy DM02 but there was the need to be sympathetic to the site and location and protect both overlooking and loss of amenity. 70% of new housing might need to be provided in Lowestoft but sufficient brownfield sites had already been found. To allow the removal of part of the original plot would destroy amenities and set a precedent for backland development. The application should be refused.

Mrs P Chatters - Objector

Mrs Chatters was representing both herself and her neighbours. She cited policies DM02, CS11 and CS02 which this application contravened. The proposal was detrimental to amenities, outlook and noise, overbearing and out of character with the area. Policy CS11 stated that greenfield sites were acceptable in exceptional circumstances but here, there were none. The site was outside the physical limits. The proposed acoustic fence would not improve things for Nos 26 and 28. The property was 7m from the boundary fence which itself was 1.7m distant, resulting in loss of light and the creation of noise nuisance. Property prices had dropped, one by £40,000, and the only person to gain was the developer. The residents were seeking support to refuse this intrusive and undesirable building.

Mr G Nourse - Agent

Mr Nourse expressed his thanks for being given the opportunity to address the Committee and represent his client. At their previous meetings on 17 May and 12 July 2016, Members had focussed on mass, scale and access. Those concerns had been addressed by the new plan which reduced the footprint, was for a single storey dwelling and the garage had been removed. All this had overcome previous concerns and the perceived impact on neighbours. The revised design had reduced the mass to a two bedroomed bungalow resulting in an acceptable area of amenity land for each property. There was a shortage of two bedroomed, single storey developments with shallow gardens; this provided it. There were no objections from the Highway Authority and with the acoustic fencing in place, Mr Nourse asked Members to approve the application in accordance with the officer's recommendation.

Question to the Agent

In response to a question relating to the acoustic fence, Mr Nourse confirmed this could be provided on both sides of the plot if it was felt to be a key issue.

Questions

Comment was made that the proposal, if approved, could affect the character and distinctiveness of the area and set a precedent in an area where there was very little backland development.

The Planning Development Manager confirmed that setting a precedent did not apply in planning law. Each proposed development that might be similar to this should be considered on its own merits. However, in planning terms, this development was modest and would be acceptable, and be in accordance with the Government's guidelines.

The Planning Development Manager reminded the Committee of the national legislation, whereby a Council did not have to accept any further applications for a specific site; that might now apply in this case.

Debate

Members reviewed the aerial photographs and considered the opportunities of backland development in the area. Whilst the view was expressed that this was overdevelopment of the site, some Members were of the opinion that previous objections had been satisfactorily addressed and the plot size for each property on the site would be larger than some other dwellings in the vicinity. However, comment was made that as the Council did not have its own policy, each individual application should be looked at on its own merits. One such proposal in isolation was acceptable but there was significant potential for other back gardens to be developed, some of which had already been subjected to this. A Member did comment that there was an insufficient amount of space between some existing dwellings and their fences to allow access for back garden development.

The Planning Development Manager explained that the Committee should focus on the promotion of good design and good development and not dwell on setting a precedent. The proposal before Members had the new driveway positioned in such a way that it would adjoin the next door driveway and not the property itself.

Some Members continued to express concern over the impact on the distinctiveness of the area and

RESOLVED

That permission be refused for the following reasons:

This proposal represents overdevelopment of the site, both with regard to the area of open garden land available within the proposal site to serve the amenity needs of the larger dwelling created and the area of garden retained for the existing dwelling. The proposal will have adverse impact on neighbours by virtue of the scale and massing of the dwelling created. There is also considered to be noise and disturbance to residents of the existing dwelling on the site, from traffic passing and repassing on the driveway to the larger property to the rear. These amenity shortcomings conflict with policy DM02 design of the Adopted Waveney Development Management Policy where amenity for existing and proposed dwellings shall be sufficient for the needs of those dwellings.

Note: Having declared a Pecuniary Interest in Item 9, Councillor Groom left the Conference Room at this point in the meeting prior to any consideration of the application.

9 DC/16/2420/FUL – 5 VICARAGE LANE, 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. The application had been presented to Members on 16 August 2016 for consideration but, following debate,

the application was deferred to allow for a site visit. That would enable the configuration of the site to be fully assessed by the Committee as there had been some ambiguity as to the front or rear of the property. The supplementary report circulated in advance and at the meeting addressed a number of issues and contained the notes of the site visit.

Members were shown an aerial view, photographs and location plans of the site and its surrounds including views of the current elevations, parking at the property, the footpath access to all properties, and general views of the application and neighbours' properties. The boundary hedge had recently been cut and further photographs showed the before and after.

The Area Planning and Enforcement Officer drew attention to the amended plan which had been received on 12 September revising the first floor roof element from a gable to a hipped end design in order to further reduce any impact on the adjoining neighbour. The proposal was well within the 45 degree site line; although there might be a little overshadowing, the proposal was considered acceptable as the extension was some 5.5/6m distant from the neighbouring property.

Member's Question

In response to a comment on the properties having front gardens, the Planning Development Manager explained that the definition of the front and rear of the properties was a debateable point, and that and the boundary hedge were not planning considerations. The Committee needed to consider the two storey extension and its appropriateness.

Mr J Shiplee - Objector

Mr Shiplee thanked Members for their time and effort to attend the site visit. Not only would the large extension, taking the increase to the original cottage to 110%, have a negative effect on the cottages but it would cut out light and view. This extension to the south elevation on the front should not be granted. The property had four bedrooms and should be sufficient for the residents' needs. The overbearing two storey extension would block the light and setting sun, and badly affect his own property.

Mr D Pugh - Neighbour

Mr Pugh explained that he had been given permission to develop the rear of his property. Following research, it could be confirmed that this proposal was at the front of the cottages. Architecturally the two up two down cottages could be developed sideways but not to the front. Mr Pugh stated that he could not object as he would not be affected by the extension. However, the neighbour, Mr Shiplee, must be distressed in order for him to make the complaint.

Mr M Dixon - Agent

Mr Dixon thanked the Committee for giving him the opportunity to speak on behalf of his client. The site visit had given Members the opportunity to consider the impact of the scheme and the orientation of the properties. No 6 impacted on No 5 but No 5 did not impact on any of the cottages. The proposed two storey extension, at the nearest point, was 5.5m distant from the common boundary and the revised plan gave a hipped roof line so as to reduce the perceived impact by protruding less. It was a modest proposal for the surroundings. Mr Dixon stated there were no planning policy grounds for refusal and he requested Members approve the application.

Questions

Members asked specific questions relating to:

- Policy DM21 and size of extensions to properties in the countryside.
- The revised roof line.
- Access to each of the properties.

The Area Planning and Enforcement Officer explained that the percentage increase was cumulative; the previous extension had been added in 2000. The 35% increase figure quoted in the policy had little weight in the opinion of the Planning Inspector and each application needed to be decided on its merits and impacts. A Member pointed out that the perspective line was misleading and it was confirmed that it showed height only and the revised hipped roof line; the distance from the neighbour's boundary was 5.5m at first floor level.

The Planning Development Manager reminded Members that any concerns needed to address the increase in volume and size of the dwelling, whether it would be visually intrusive in the landscape and if it was in keeping with the area. The lobe/track on the southern boundary provided access to Nos 6, 7 and 8; No 5 did not have access over that track. The track was some 15-20m distance from the line of the properties.

Debate

Comment was made that the site visit had been beneficial to those Members who had attended. Although there were no issues with the single storey extension for a garden room, some Members were of the opinion that the two storey extension would have a significant impact on the amenity of the adjoining property. There was plenty of scope to extend the property without being so visually intrusive. Other Members had an opposing view in that there was no problem with the proposed extension and any casting shadow would not seriously affect the amenity of the adjoining neighbour. The 45° angle of the measured sight line proved there should be no issues. There being no further discussion and following a proposal duly seconded, it was

RESOLVED

That permission be refused for the following reasons:

1. Policy DM02 - Design Principles requires extensions and alterations to existing building to protect the amenity of the wider environment and neighbouring uses in terms of overlooking, loss of privacy, loss of outlook, loss of light and other forms of disturbance. It is also a requirement to produce developments in keeping with the overall scale, character, layout and height and massing of existing buildings, taking into account the relationship between buildings. In this instance the local planning authority considers the proposed two-storey rear extension to be unacceptable by virtue of its depth, height and massing and the resultant loss of outlook, the significant and detrimental impact on amenity value of nearby residents and its overall appearance which is out of character and visually intrusive within the area as a whole and is therefore contrary to the provisions of DM02 of the adopted Waveney Local Development Framework (Development Management Policies 2011).
2. Notwithstanding the above, the proposed development is also considered contrary to policy DM21 - House Extensions and Replacement Dwellings in the Countryside which requires proposals to extend dwellings in the countryside to be of a modest increase in the volume from the size of the original dwelling and where they are in keeping with the character, size and design of the original dwelling and are not visually intrusive in the landscape. The proposed development is considered unacceptable in that it would constitute an uncharacteristic development that is not in keeping with the host dwelling and its surroundings by virtue of its scale which

would create a discordant and unbalancing feature within its immediate surroundings.

Councillor Groom returned to the Conference Room at 8.30pm.

Note: Having declared a Pecuniary Interest in Items 10 and 11, Councillor Allen left the Conference Room at this point in the meeting prior to any consideration of the applications.

The Chairman announced that Items 10 and 11 would be taken together.

10 DC/16/2969/RG3 – 3, 5, 7 STAITHE ROAD, BUNGAY

The Area Planning and Enforcement Officer presented the application which proposed the conversion of a two-bedroomed maisonette and two two-bedroomed flats to a single five-bedroomed dwelling. She explained that Members were considering this in conjunction with the Listed Building Consent which was Item 11 on the Agenda. The application was before Members as the property was owned by the Council and it was a Council application.

The building was a large detached Grade II listed property in a slightly elevated position and within the Bungay Conservation Area. The property dated from the 18th or early 19th century with a gabled attic; however, there had been previous unauthorised works carried out internally and the scheme sought to rectify those works where it was possible and within budget constraints.

The Area Planning and Enforcement Officer displayed the correct plan of the location of the premises and showed an aerial view, photographs and location plans of the site and its surrounds including the street scene, surrounding properties and almshouses in Staithe Road. There were legal reasons for the Council submitting a planning application and the loss of the three small units would not have a significant impact on the area. The Conservation Officer was happy that the unauthorised works previously undertaken could be rectified and the proposal would significantly improve the property. Most of the alterations were internal; there would be some small external changes.

Questions

In response to Members' questions, the Area Planning and Enforcement Officer understood that the Council's intention was to sell the property and use the funds for re-investment in affordable housing, although not necessarily in Bungay. There were no updates with regard to the outstanding consultation responses.

Debate

Members agreed that, although the property looked presentable from the outside, it was important to stop any further deterioration particularly internally. The Ward Member explained that there had been many problems with soundproofing and the property was not suitable for its current use. The Town Council supported the proposal. 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 the submitted plans

11332/13 – floor plans: demolition
11332/14 – external landscaping
11332/15 – floor plans/layouts
11332/16 – floor plan/layouts
11332/17 – floor plans/layout
11332/19 – mechanical floor plan: layouts
11332/20 – south-east & north-east elevations
11332/23 – ground floor WC: Layout and elevations
11332/22 – larder: layout and elevations
13322/24 – first floor family bathroom: layout and elevations
11332/25 – first floor en-suite 2: layout and elevations
11332/26 – first floor en-suite 3: layout and elevations
3. 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 5 metres and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.
4. The gradient of the vehicular access shall not be steeper than 1 in 20 for the first five metres measured from the nearside edge of the adjacent metalled carriageway.
5. Before the development is commenced details of the areas to be provided for storage and presentation 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.
6. 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.
7. The development hereby permitted shall be carried out in accordance with conditions 3 -6 of listed building consent DC/16/2970/LBC.

11 DC/16/2970/LBC – 3, 5, 7 STAITHE ROAD, BUNGAY

The Area Planning and Enforcement Officer advised that Listed Building Consent was required as the planning application DC/16/2969/RG3 was for the conversion of a two bedroomed maisonette and two two-bedroomed flats into a single five bedroomed dwelling, the building being a large detached Grade II listed property. The application was before Members as the property was owned by the Council.

It was considered that the proposal would have a significant and beneficial impact on the fabric and historic interest of the listed building and would reverse previous unsympathetic works. Having considered and approved the application under Item 10 on the Agenda, it was

RESOLVED

That listed building consent be granted, subject to the following controlling conditions:

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

2. The development hereby permitted shall be carried out in accordance with the submitted plans

11332/16 – floor plan/layouts
11332/17 – floor plans/layout
11332/19 – mechanical floor plan: layouts
11332/20 – south-east & north-east elevations
11332/23 – ground floor WC: Layout and elevations
11332/22 – larder: layout and elevations
13322/24 – first floor family bathroom: layout and elevations
11332/25 – first floor en-suite 2: layout and elevations
11332/26 – first floor en-suite 3: layout and elevations
3. Before work on site is commenced a site meeting shall be held between the Local Planning Authority and the persons responsible for undertaking the works, to ensure that the Conditions attached to the Listed Building Consent are understood and can be complied with in full. Notification of the date and time of a meeting shall be made in writing to the Local Planning Authority.
4. 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:
 - All joinery details including windows, doors and other woodwork repairs or replacement;
 - Full details of any brickwork and repointing that may be required, including type and mix of mortar
 - Rainwater goods
 - Replacement stairs
 - Internal repairs to walls, ceilings and floors
 - Insulation
 - Heating system
 - Paint type
5. In the event that any hidden historic features are revealed during the course of the works, work shall be suspended in the relevant area of the building and the Council shall be notified immediately. Provision shall then be made for their retention and/or proper recording as required by the Council.
6. Any variation or extension of the works shown on the approved plans which may be necessary to satisfy the requirements of the Building Regulations shall not take place until also approved by the Local Planning Authority.

The meeting concluded at 8.38pm.

Chairman