

**CIRCULATED IN ADVANCE OF THE MEETING**

**ALTERATIONS AND ADDITIONS REPORT**

**13th February 2018**

Enforcement Item: ENF/2009/0004

Officer efforts to approach and engage with the occupants of the building have not been successful, however it is believed the premises may have changed hands. Nevertheless, officers are attempting to contact the occupants again and there may be some scope within the HAZ funding to offer assistance with replacing the shop front. It is not possible for the occupants to apply for a building repair grant as it is not a listed building.

Having discussed the case with Regeneration Officers, there are aspirations for this building to be included within any future plans for funding and repairs within the first phase of HAZ funding, but this has yet to be clarified and a schedule of buildings that require financial aid and council input will need to be compiled which will require a collaboration between a number of different parties.

Therefore at this precise moment in time there is very little action or movement taking place but officers are hopeful this will move forwards once the HAZ is formally adopted and funding streams are in place.

Item 5 - DC/17/3519/OUT: Land At Church Lane, Carlton Colville, Lowestoft, Church Lane, Carlton Colville - Outline Application - Residential development including access roads

Councillor Light: I would like to object to this development.

The Town Council has already submitted a comprehensive list of reasons why this is not acceptable, which I agree with. However, I would like to particularly make reference to several things.

The historical church and hall and their situation. The loss of this view. The site was rejected by the Local Plan as not contributing enough to the infrastructure of Carlton Colville. I have made some suggestions below how it could actually make a positive contribution.

As an elected Ward Councillor for nearly 10 years much of my case load is to do with problems arising from planning decisions of the past. As a Town Councillor we also regularly hear of similar issues.

The infrastructure is already inadequate with drains and sewers working to capacity. For a number of years now I have been drawing attention to a number of roads that are regularly surface flooding in that area because of the burden various developments have placed on the drains.

This development will increase the pressure on these services unless a comprehensive programme is followed to remove any risk to existing residents. There will obviously be a loss of land capable of taking away excess water.

This site brings to over 1,000 the number of new homes being suggested for Carlton Colville. This would equate to around 2-3,000 more residents? There is not the infrastructure to cope with this including school places, dentists, and Drs etc.

There are serious safety concerns with this site. I would suggest that the following could reduce the risk to those who live in this area, or would move onto any new development:-

- \* There is the potential for another 100+ vehicles to be located on this site adding to the problems of the old, narrow village roads that often are not of the best quality.
- \* There is an ad-hoc crossing point on the blind bend which is already a serious safety issue. A new development and cut through road will not make this any safer!
- \* There needs to be a Zebra crossing from The Oakes side to wards the Transport Museum. Very important for those visiting the Museum, Carlton Manor the caravan site, walking to the Primary School or getting the bus. Also the reverse of these!
- \* There is a very limited footpath around the site with quite long areas (the church to Mutford Wood Lane) with no footpath at all. There needs to be a footpath.
- \* The majority of the other side of the road does not have a path of any sort (Chapel Rd to Waters Lane)
- \* The roads are too narrow and need to be widened to allow public transport to pass safely.
- \* A suggested road through the development will become a short cut.
- \* Garages need to be built with adequate width for cars to use and drivers to get out of and thus help to reduce on road parking.

As I said, the Town Council has made some excellent points.

I have tried to include some constructive comments that if acted upon, would reduce the many detrimental effects this development. In its present form, will have on the town. I would suggest the safety issues alone would deserve a site visit.

#### Applicants email 12.2.18

The applicants have forwarded written commitment to secure 35% affordable housing and also to fund the requirements of SCC Highways to provide a bus stop. The commitment will need to be supported by detailed heads of terms and also by a final unilateral / s106 agreement. However, the applicant's commitments to meet the requirements are clear and as such the recommendation is amended to withdraw the third reason for refusal. IN any appeal officers will continue to strive for successful resolution and completion of the undertaking / agreement:

#### **RECOMMENDATION:- REFUSE for the following reasons:**

**1. The site lies in open countryside outside the physical limits defined by Development Management Policy DM01. Development Management Policy DM22 states that housing development will not be permitted in the open countryside except where it can be demonstrated to be essential for an agricultural or forestry worker to live at or close to a workplace, where housing would meet an identified local housing need, where it would constitute infill development or where the proposal would replace dwellings**

affected by coastal erosion. The proposed development does not fall into any of these categories and is therefore contrary to Policies DM01 and DM22.

2. The site is within the setting of the Church of St Peter a Grade II\* listed building. The proposed development would result in the loss of the last component of the rural setting of the church and have a negative impact on the setting of the church contrary to paragraphs 14, 131, 132 and 137 of the National Planning Policy Framework and Policy CS17 and Policy DM30. The benefits of the proposal are not considered to outweigh the harm that would be caused.

~~3. The proposal fails to make adequate provision/contributions (and/or agreement to provide) for facilities/services for the occupants of the dwellings. The applicant has not entered into the necessary legal agreement, which is required to ensure the following is provided:~~

~~– The provision of a third of the dwellings as affordable housing~~

~~– The provision of enhanced bus stops~~

~~The proposal is therefore contrary to the NPPF, Core Strategy Policy CS04 and Development Management Policy DM18.~~

#### Item 6 – Land adjacent 1 Short Lane, Carlton Colville – Construction of one bedroom chalet bungalow

Access to the site is via Short Lane which is owned by the Council and is an un-adopted road. The 'red line' of an application site should include all land necessary to carry out the proposed development including land required for access to the site from a public highway which in this case is The Street. In addition if the applicant is not the sole owner the appropriate certificate should be completed and notice sent to the other owner informing them that a planning application is being submitted on land that they own.

In the case of this application site 'red line' does not include Short Lane back to the junction with The Street and the appropriate ownership notice has not been completed nor notice served on the Council.

As such it is recommended that the recommendation in paragraph 8 on Page 31 of the report be amended as follows:

That subject to the submission of a correct application site 'red line', completion of the appropriate ownership certificate and notice being served on the landowner and subject to no new material planning grounds being raised, planning permission be granted subject to the following conditions:

Conditions as shown on Pages 31 – 35.

#### E mail applicant 12.2.18

The applicant has written to confirm revised service of a revised ownership certificate at his first opportunity.

Item 7 - DC/18/0004/RG3: Former Part Of Multi-Storey Car, Park Battery Green Road, Lowestoft - Remodelling of recently demolished northern-most area of multi-storey car park to provide surface level car park, involving erection of 3no. 6m high lighting columns; installation of new guard railings; installation of new flat roof over existing electricity sub-station

**Highways Lighting Engineer:**

Amended comments received 31.01.2018: At present, I would make the following comments with regards to the planning application.

1. The adjusted lighting design now shows the lighting levels to have around 1 Lux at the adopted boundary, therefore this design now meets SCC standards and the design is approved accordingly.
2. The Highway Authority should also be advised of this application as this development is adjacent to Battery Green Road which is classified as the A47 Trunk Road, which is owned and maintained by Highway England.

**Suffolk County Highways:**

Notice is hereby given that Suffolk County Council as Local Highway Authority make the following comments:

1. What is proposed to happen to the existing entrance height barrier which is shown as located upon the highway maintainable at public expense?
2. What proposals are being made to amend, or remove, the original directional traffic signs (that originally directed traffic to a 550 space car park) located on the public highway?  
Suitable highways related conditions will be recommended when the issues relating to the above comments have been addressed.

The agent has responded to the Highways Officer's comments thus:

1. The height barrier was removed as part of the demolition project. To be honest it was a bit dilapidated anyway. We intend putting one back at the entry and exit points. The barrier in any case is situated on council land not the highway.
2. As regards the signage - The highway signage was amended at the end of March last year when the car park was closed. We are aware that amendments to the signs to direct traffic to a short stay car park would have to be approved by Highways England and we will endeavour to get these approvals in place.

Highways Officers have not yet responded to the above comments and members will be updated verbally if officers are in receipt of comments prior to the committee meeting.

**Highways England:**

Offer no objections to the proposed development.

Additional Condition:

The lighting scheme hereby approved shall be carried out in accordance with the details submitted on 31.01.2018 and shown on drawing number D32219/JB/C. The lights as approved shall be at a level of no more than 1 lux at the adopted highway boundary and shall remain at this level in perpetuity.

Reason: To ensure the safety of all highway users.