

Minutes of a Meeting held in the Conference Room, Riverside, Lowestoft
on **Tuesday, 14 November 2017** at **6.00pm**

Members Present:

J Groom (Chairman), S Allen, N Brooks, J Ceresa, M Cherry, Y Cherry, G Elliott, T Goldson, I Graham, M Pitchers, C Rivett and S Woods.

Officers Present:

C Green (Senior Planning and Enforcement Officer), J Hunt (Head of Housing Services), P Perkin (Development Management Team Leader), P Ridley (Head of Planning & Coastal Management), P Rowson (Planning Development Manager), M Van de Pieterman (Area Planning and Enforcement Officer), D Wicks (Assistant Planning and Enforcement Officer), K Woollett (Litigation Lead) and S Carter (Democratic Services Officer).

In attendance:

Councillors M Ladd, J Murray and D Ritchie.

1 APOLOGIES / SUBSTITUTES

Apologies for absence were received from Councillors Ashdown and J Smith.

Councillor Y Cherry attended the meeting as a Substitute for Councillor J Smith.

Councillor Woods attended the meeting as a Substitute for Councillor Ashdown.

2 MINUTES

RESOLVED

That the Minutes of the meeting held on 10 October 2017 be approved as a correct record and signed by the Chairman.

3 DECLARATIONS OF INTEREST

Councillor Ceresa declared a Local Non Pecuniary Interest in Item 9 – DC/17/1706/FUL – China Star, Durban Road, Lowestoft, as being County Councillor and having ordered food from the premises.

Councillor Ceresa also declared a Pecuniary Interest in Item 11 – DC/17/4006/FUL – 62 Edinburgh Road, Lowestoft, as she was the applicant. She advised that he would leave the meeting during the consideration of this item and take no part in the discussion or voting thereon.

Councillor Elliott declared a Local Non Pecuniary Interest in Item 8 – DC/17/1070/FUL – Land North East of Woodside, Brampton, as having been at forest school in the area.

PLANNING COMMITTEE – 14/11/2017

Councillor Goldson declared a Local Non Pecuniary Interest in Item 8 – DC/17/1070/FUL – Land North East of Woodside, Brampton, as being County Councillor. He made the declaration at the start of discussions on the item.

Councillor Graham declared a Local Non Pecuniary Interest in Item 9 – DC/17/1706/FUL – China Star, Durban Road, Lowestoft and Item 11 - DC/17/4006/FUL – 62 Edinburgh Road, Lowestoft, as being Lowestoft Town Councillor.

Councillor Graham also declared a Pecuniary Interest in Item 12 – DC/17/4293/FUL – 120 Seaview Holiday Estate, Green Lane, Kessingland, as he was the applicant. He advised that he would leave the meeting during the consideration of this item and take no part in the discussion or voting thereon.

Councillor Pitchers declared a Local Non Pecuniary Interest in Item 9 – DC/17/1706/FUL – China Star, Durban Road, Lowestoft, as being Ward Member and Item 13 – DC/17/1680/ARM – Land South of Hall Lane, Oulton, as Warnes Brothers had undertaken work for him.

Councillor Rivett declared a Local Non Pecuniary Interest in Item 8 – DC/17/1070/FUL – Land North East of Woodside, Brampton, as being Ward Member.

4 DECLARATIONS OF LOBBYING

No declarations of lobbying were made.

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 upon each report separately.

5 APPEAL DECISIONS REPORT

The report of the Head of Planning & Coastal Management advised the Committee that two appeal decisions had been made in September 2017 and both had been dismissed.

RESOLVED

That the report concerning Appeal Decisions in September 2017 be noted.

6 DELEGATED CHIEF OFFICER DECISIONS

The report of the Head of Planning & Coastal Management informed Members of all the Chief Officer delegated planning decisions made during September 2017.

RESOLVED

That the report concerning the Chief Officer Delegated Planning Decisions made during September 2017 be noted.

7 ENFORCEMENT ACTION

The report of the Head of Planning & Coastal Management provided Members with a summary of all outstanding enforcement cases sanctioned under delegated powers or through the Committee up until 31 October 2017. There were currently five cases.

RESOLVED

That the report detailing the outstanding Enforcement Matters up to 31 October 2017 be received.

8 DC/17/1070/FUL – LAND NORTH EAST OF WOODSIDE BRAMPTON

The Development Control Team Leader presented the application which sought approval for the construction of six two storey two-bedroomed semi detached dwellings and associated works including off street parking and private drive. The site was on the edge of an existing Council housing development and there were issues with separation from an area of Ancient Woodland. The application was before Members as the Council owned the site.

The Committee was reminded that the application had been deferred at its meeting on 11 July 2017, pending a site visit, in order to explore opportunities to facilitate access for the primary school. That site visit had taken place on 7 August 2017.

Since that time, amended plans had been received and the proposed development was now further from the Ancient Woodland. Although the 14m distance now proposed was marginally below the 15m buffer advised by the Forestry Commission, the distance was considered to be acceptable.

Members were shown an aerial view, photographs and location plans of the site and its surrounds including views from the end of Woodside looking across the site and its position adjacent to the woodland and towards the existing houses. The layout plan was displayed and it was confirmed that the six dwellings would be shared ownership. Although Brampton had no defined physical limits, the exception to using open countryside was down to the provision of the proposed affordable housing being adjacent to existing development.

The Development Management Team Leader explained that the Council owned the land to the south of the site and, if resurfaced, could provide drop off parking for the neighbouring school. However, the Committee should note that that was a separate issue and not part of the housing development. It should not prevent determination of the application before Members.

Mr M Dixon - Agent

Mr Dixon thanked the Committee for being given the opportunity to speak and he was accompanied by Mr Paul Pitcher of Wellington Construction for any questions. As noted, the application had been deferred pending possible access to the school and that separate issue had been fully discussed with the Headteacher. The proposed dwellings would smarten up an untidy area and provide much needed affordable housing. The revised plans had moved the siting of the houses away from the woodland and funding was in place to

secure early delivery. Mr Dixon referred Members to paragraph 8.1 in the report and requested that they support the scheme

Questions to Applicant

In response to a question relating to the provision of parking/a drop off bay for the school, Mr Dixon advised that that scheme was separate to the affordable housing scheme. Funding and resurfacing would be the responsibility of the Housing Service and he was not privy to that information.

Questions

Members asked specific questions relating to:

- Confirmation that the school's access would be provided.
- Potential damage to the ancient woodland.

The Head of Housing Services confirmed that discussions had been on-going with the Cabinet Member for Housing with regard to the strip of housing land. There was a need to work with the community and meetings with the Headteacher had resulted in productive discussions to provide off road parking. Progress could only be made with the agreement of Suffolk County Council and the diocese as permission was required to provide a facility on their land and they were also requesting replanting of trees and lighting to be provided. As a result, funding for the whole scheme would need to be investigated but that in itself would not prevent a solution.

The Development Management Team Leader explained that the preferred buffer zone was a distance of 15m to the ancient woodland site; the proposed development at 14m distant was considered to be reasonable and an acceptable separation.

Debate

Members welcomed the provision of the shared ownership affordable housing and supported the revised proposals. Comment was made that it was an important scheme that should be approved, particularly as the woodland was not going to be adversely affected. The draft Local Plan might, in future, provide alternative solutions for drop off facilities at the school. Although concerns were expressed that the authorities were failing in their responsibilities and putting the school children at risk, it was recognised that the issue of parking facilities for the school had been going on for a good number of years. That was no reason not to approve the application. It was suggested that permitted development rights be removed on plot 6 to ensure no further encroachment on the adjoining woodland. The Development Management Team Leader confirmed that would be acceptable.

Approval was proposed and duly seconded and subject to the inclusion of an additional condition relating to permitted development rights, 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: drawing numbers 4849-5 rev. C, 4849-6 rev C, 4849-7 rev. C and WCBN1/1 received 13 March 2017 and 4849-1 rev. B, 4848-8 rev. H, 4849-8 rev. C and 4849-9 rev B received 17 May 2017 for which permission is hereby granted.
3. The new vehicular access shall be laid out and completed in all respects in accordance with Drawing No. 4849 9 A; and with an entrance width of 4.5 metres and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.
4. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number 4849 9 B shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.
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. The use shall not commence until the area(s) within the site shown on Drawing No. 4849 9 B for the purposes of loading, unloading, manoeuvring and parking of vehicles and cycle storage has been provided and thereafter that area(s) shall be retained and used for no other purposes.
7. Implementation of remediation. Unless otherwise agreed in writing by the Local Planning Authority (LPA) prior to any occupation or use of the approved development the remediation proposed in section 5.1 of NPL report WELC0108 July 2016 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.
8. Validation. Unless otherwise agreed in writing by the Local Planning Authority (LPA) a validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to:
 - * results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
 - * evidence that the RMS approved under condition 2 has been carried out competently, effectively and in its entirety; and
 - * evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.
9. Unexpected contamination. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning

Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

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

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

10. Samples of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority before development commences. Development shall be carried out in accordance with the approved samples.
11. 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.
12. 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.

9 DC/17/1706/FUL – CHINA STAR, DURBAN ROAD, LOWESTOFT

The Area Planning and Enforcement Officer presented the application which sought approval for the demolition of the existing building, the former Kevill Arms Public House, and redevelopment of the site to provide eight dwellings.

The Committee was advised that the original application had been for 10 dwellings and change of use to a takeaway but that had been amended due to overdevelopment and

following discussions with the officers. The revised application was before Members because of the amount of public interest in the application.

Members were shown an aerial view, photographs and location plans of the site and its surrounds including views of the existing building and street scene. Objections had been received over the loss of parking; however, it was in fact a derelict site and not a formal parking area. Although it was an awkward site due to its shape, a pathway was being provided and Suffolk County Council had no issues with the deficit of two parking spaces. The proposal for a takeaway would be the subject of a further and future application. The scheme, as proposed, was considered to be acceptable subject to certain conditions.

Questions

Members' specific questions related to:

- Comments from the Highway Authority.
- Protection for the existing building and its striking appearance compared to plain terraces.

The Area Planning and Enforcement Officer confirmed that amended plans had now been accepted by the County Highways. The Planning Development Manager explained the local listing of buildings; the premises on the site was not listed as either a heritage asset or non-designated heritage asset. The scheme offered benefits which provided a positive balance and was an acceptable form of development.

Debate

Members agreed that the revised plan proposing eight dwellings was acceptable. Although the application contained two parking spaces less than that recommended by the County Council, the site was in a sustainable location. It was noted that the need for a surface water drainage strategy had been addressed in condition 21. There being no further discussion, it was unanimously

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 amended Design and Access statement received on 10th October 2017, plans numbered 1202/2 received on 17 May 2017 and amended plans 1202/1 Rev A received on 10th October 2017.
3. Prior to the commencement of the development hereby permitted a Construction Management plan shall be submitted to and agreed in writing by the local planning authority and shall include such matters as: deliveries, hours of working, method of demolition, dust suppression, construction traffic and parking.

4. Details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority before development commences. Development shall be carried out in accordance with the approved details.
5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority; and any trees or plants which, within a period of five years from completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation; all works shall be carried out in accordance with the relevant provisions of appropriate British Standards or other recognised Codes of Good Practice.

6. Site Investigation

No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a site investigation consisting of the following components has been submitted to, and approved in writing by, the local planning authority:

1) A desk study and site reconnaissance, including:

- a detailed appraisal of the history of the site;
- an inspection and assessment of current site conditions;
- an assessment of the potential types, quantities and locations of hazardous materials and contaminants considered to potentially exist on site;
- a conceptual site model indicating sources, pathways and receptors; and
- a preliminary assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

2) Where deemed necessary following the desk study and site reconnaissance an intrusive investigation(s), including:

- the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- explanation and justification for the analytical strategy;
- a revised conceptual site model; and
- a revised assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including BS10175:2011+A1:2013 and CLR11.

7. Remediation

No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS)

has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:

- details of all works to be undertaken including proposed methodologies, drawings and plans,
- materials, specifications and site management procedures;
- an explanation, including justification, for the selection of the proposed remediation
- methodology(ies);
- proposed remediation objectives and remediation criteria; and
- proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.
- The RMS must be prepared by a competent person and conform to current guidance and best practice, including CLR11.

8. Implementation of remediation

Prior to any occupation or use of the approved development the RMS approved under condition 2 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

9. Validation

A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to:

- results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
- evidence that the RMS approved under condition 2 has been carried out competently, effectively and in its entirety; and
- evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

10. Unexpected contamination

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

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

Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and

remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works. Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

11. Demolition / construction:

In addition, the proposal involves the demolition of the existing China Star business. The site is in a densely populated residential area with existing residential properties immediately adjacent to the site. The demolition and construction phases will need to be well managed and regulated to avoid causing nuisance and detriment to the amenity existing residents through noise, dust and vibration. A condition should be applied requiring the applicant to submit for approval an environmental management plan and methodologies for the demolition and construction phases.

12. The Kimberley Road access to the rear parking court shall be completed in all respects in accordance with Drawing No. 1202/1 Rev A (Oct'17); with an entrance width of 4.5m and be available for use before any of the new dwellings are first occupied. 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.

13. The Durban Road access to the car parking forecourt shall be completed in all respects in accordance with details which previously shall have been approved in writing by the Local Planning Authority in consultation with the Local Highway Authority; the Durban Road car parking forecourt shall be available for use before any of the new dwellings are first occupied. 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.

14. The use shall not commence until the area(s) within the site shown on Drawing No 1201/1 Rev A (Oct'17) for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

15. Before the development is commenced details of the areas to be provided for secure cycle storage 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 and used for no other purpose.

16. Before the accesses are first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4m metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 43m metres in each direction

along the edge of the metalled carriageway from the centre of the access (Y dimension).

17. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.
18. Prior to the 8No dwellings hereby permitted being first occupied, the 4.5m wide Kimberley Road access onto the rear parking court shall be properly surfaced with a bound material (for example, permeable block paving) for a minimum distance of five metres from the edge of the highway boundary, in accordance with details previously submitted to and approved in writing by the local planning authority.
19. Prior to the 8No dwellings hereby permitted being first occupied, the Durban Road car parking forecourt shall be properly surfaced with a bound material (for example, permeable block paving) for a minimum distance of five metres from the edge of the highway boundary, in accordance with details previously submitted to and approved in writing by the local planning authority.
20. 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.
21. 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.

10 DC/17/3526FUL – PLOT 5, HORNBILL BUSINESS PARK, BENACRE ROAD, ELLOUGH

The Area Planning and Enforcement Officer presented the application which was the first phase for the enterprise zone on the Ellough Industrial Estate and sought approval for the construction of light industrial units, Phase 1 estate road and earth bunding around the site perimeter.

Members were shown an aerial view, photographs and location plans of the site and its surrounds including its position compared to the solar farm, existing trees and proposed bunding, views across Benacre Road and towards the existing estate.

The Area Planning and Enforcement Officer explained that the site was part of the former airfield and had been categorised under policy BEC1 as an enterprise zone. Although no specific end users had been identified, the proposed industrial estate was necessary in order to encourage employment. The Cycle Strategy Group had made reference to the inclusion of a cycle route; however, it should be noted that there was no Community Infrastructure Levy (CIL) money associated with industrial developments. The delivery of employment

opportunities was considered important for the area and approval was being recommended subject to various conditions.

Questions

In response to Members' questions, the Area Planning and Enforcement Officer explained that the development would not affect any bridle ways as there were none within the site. The condition of the land would be treated as unexpected contamination because issues, if any, with regard to contamination would not necessarily be identified until the development commenced. Any concerns with regard to the old control tower and deep bunkers used during the air raids in the war would be a matter for Building Regulations. The Planning Development Manager explained that there was a Suffolk County Council process for a diversion order(s) if any future development affected the route of bridle ways and/or footpaths.

Debate

Following acceptance being proposed and duly seconded, it was unanimously

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 constructed in all respects strictly in accordance with drawings received and amended site plan drawings PCC: HBP 2B and BE8; received 15th August 2017; and amended bunding plan PCCL received 26th September 2017; for which permission is hereby granted or which are subsequently submitted to and approved in writing by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.
3. 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.
4. 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.

5. Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.
6. The use shall not commence until the area(s) within the site shown on Drawing No. AP 017558 for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.
7. Before the development is commenced details of the areas to be provided for secure cycle storage 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 and used for no other purpose.
8. Before development other than the construction of permeable bunds around the site, or the access road to sub-base level is commenced, further details of sustainable drainage design shall be submitted to, in written and drawn form, and approved subsequently by the Local Planning Authority. The drainage shall be installed on site in accordance with the approved details.
9. 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.
10. 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.
 11. Prior to the commencement of development, including the formation of the site access or the construction of earth bunds or the alteration of existing bunds, an

ecology survey shall be conducted over the whole site. This shall include details of remediation and proposals for mitigation and enhancement of ecological potential, and shall be submitted in writing to and approved by the local planning authority. The agreed scheme shall be implemented to a time schedule as agreed in the form agreed on site.

Having declared a Pecuniary Interest in Item 11 on the Agenda, Councillor Ceresa left the Conference Room at this point in the meeting prior to any discussion on the application.

11 DC/17/4006/FUL – 62 EDINBURGH ROAD, LOWESTOFT

The Area Planning and Enforcement Officer presented the application which sought approval for a small 3.2m rear extension to accommodate a bathroom and allow for other internal alterations to the property. The application was before Committee as the applicant was a District Councillor.

Members were shown an aerial view, photographs and location plans of the site and its surrounds including the current street scene and the property itself which was a typical end of terrace two storey dwelling.

As a result of objections from the County Council, the parking area had been removed. There had been no other objections and the application was being recommended for approval.

Following a proposal for approval which was duly seconded, 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 amended plans numbered 2211-1C received by the local planning authority on 11 October 2017.

Note: Councillor Ceresa returned to the Conference Room at 6.50pm.

Having declared a Pecuniary Interest in Item 12 on the Agenda, Councillor Graham left the Conference Room at this point in the meeting prior to any discussion on the application.

12 DC/17/4293/FUL – 120 SEAVIEW HOLIDAY ESTATE, GREEN LANE, KESSINGLAND

The Assistant Planning and Enforcement Officer presented the application which proposed the addition of a pitch roof to one of the chalets on the Seaview Holiday Estate in Kessingland. The application was before Committee as the applicant was a District Councillor and a serving Member of the Planning Committee.

Members were shown an aerial view, photographs and location plans of the site and its surrounds including the extent of the estate, views towards dwellings in the vicinity of the estate boundary, the exact location of the chalet and its position in relation to adjoining properties on the site.

The Assistant Planning and Enforcement Officer explained that the proposal raised design issues that the Committee would need to balance against need. The overriding issue was the appearance of the group of chalets and the proposal would result in a single pitched roof amongst a group of flat roofed chalets. That would have a significant effect on the characteristics of the site. The objections received were summarised in the report and included the view that the increase in size could lend itself to non-holiday use. The immediate neighbour, who had objected, would have to agree for the works to take place because they were adjoining chalets. It was considered that the introduction of a single pitched roof element would be detrimental to the area and detract from the simple aesthetics and character of the site.

Mr L Martin – Kessingland Parish Council

Mr Martin reminded Members that the Seaview Holiday Park comprised 120 chalets, all with a flat roof. Apart from the necessary bin and electricity storage areas, there were no sheds or outbuildings and no clutter in the open areas. A pitched roof on the site would look odd, affect the neighbours and be contrary to policy DM02. Whilst each site should be judged on its own merits, this was the first application in 40 years and, if approved, there would be difficulty in refusing other applications. If allowed, the pitched roof would leave the property out of character, affect the adjoining neighbour and be detrimental to the area. The Site Manager from Seaview Developments' Council of Management, who administered the common land and features of the estate, had also objected to the application. Officers recommended it should be refused.

Members supported the officer's recommendation and it was unanimously

RESOLVED

That the application be refused on design grounds.

The introduction of a pitched roof to a single property in the middle of a group will appear at odds, not just with its immediate neighbours but also with the rest of the site, resulting in a discordant feature and unacceptably harmful impact. The proposal would detract from the simple aesthetics and character of the site, contrary to policy DM02 of the Development Management Policies (adopted January 2011).

Note: Councillor Graham returned to the Conference Room at 6.58pm.

13 DC/17/1680/ARM – LAND SOUTH OF HALL LANE, OULTON

The Chairman drew attention to a late representation which had been tabled at the meeting and allowed the Committee time to read the document.

The Development Control Team Leader presented the application which sought approval of reserved matters of DC/01/0977/OUT – outline application for a mixed use development

comprising of residential, neighbourhood shopping centre, community hall, primary school, play areas and country park – construction of 220 dwellings including access, appearance, landscaping, layout and scale. The application before Members was Phase 2 of the development and would provide 50 affordable homes out of the total of 220 dwellings. A number of amendments had been made to the original plans and the revised layout was now considered to be satisfactory.

Members were shown an aerial view, photographs and location plans of the site and its surrounds including views of the specific site, existing properties adjoining the development, and slides of the proposed street scene, with the northern area facing directly onto the country park. An indication of the elevations of the proposed dwelling types was displayed, some of which would be part brick and part rendered, others with part cladding and some with integral garages.

The Development Team Leader explained that the primary school was under construction and due to open in 2018. The revised layout had resulted in less car parking along the main frontages and had increased the amount of green space with additional planting. The mix and tenure of the proposed dwellings was contained in paragraph 3.1 of the report and ranged from two bedroomed to four bedroomed properties. Members were referred to paragraph 9 in the report which addressed the issue of non-compliance with the Section 106 Agreement with regard to the obligations relating to the country park and the transfer of the park to the District Council prior to the occupation of the first dwelling. Approximately 150 dwellings within Phase 1 had been completed and the country park was not available for use. The issue was currently being taken up by the Council's Legal Services. It was proposed to amend the recommendation, seeking authority to determine the application once those issues had been resolved, subject to consultation with the Chairman and Vice-Chairman of the Committee.

Mr C Sperrin - Applicant

Mr Sperrin expressed his thanks for being given the opportunity to address the Committee. The proposal for Phase 2 had been significantly altered and was now for 220 dwellings. The consultation on the plans had resulted in a high quality scheme, the layout was considered to be positive and provide a contribution to much needed housing including 50 affordable dwellings. The revised plans had incorporated more landscaping and more side and rear parking. The character of the development had been fixed, with high density in the centre of the site and less density on the spine road and opposite the country park. The recommendation related to a swift resolution of the country park issues. Mr Sperrin supported the acceptability of the officer's recommendation and he asked Members to agree the proposal so that the development of Phase 2 could proceed.

Questions to Applicant

Members sought clarification on the following:

- Fire resistant cladding.
- Off road parking.
- Number of affordable dwellings out of the total of 220.
- Pedestrian and cycle paths.

- Developer's commitment to providing a country park with first occupancy.

Mr Sperrin confirmed that any cladding used would comply with building regulations. Residents' parking was all within each property's curtilage and visitors' parking was on the roads. Out of the 50 affordable homes, 17 would be shared ownership and the remaining 33 rented properties. The pathways would be 3m wide from west to east and also through the cul de sac routes and through to the country park. Mr Sperrin explained that a time extension had been given for the country park as they were in consultation with the Environmental Health officers on possible contamination and ways to deal with it.

The Development Management Team Leader explained that the percentage of affordable dwellings was less than the current 35% requirement because the application was submitted in 2006/7 at a time when the required number of affordable homes was at a lower figure.

Questions

In response to Members' questions, the Head of Planning and Coastal Management advised that the Legal Services Team were in communication with Persimmon Homes and it was hoped that the outstanding issues with the country park would be resolved prior to any further houses being built. The agreement in place with the developers, Waveney District Council and Suffolk County Council would ensure the country park was provided. It was hoped to achieve a speedy resolution, once the ground matters had been dealt with satisfactorily.

Debate

A Member proposed an alternative recommendation to that in the officer's report for a deferral for one month, in that too many promises had been made since the 2013 outline consent and there had been no progress to date. A deferral had a specified time frame, otherwise the timescale would continue to be extended and other debates would follow.

The Head of Planning and Coastal Management explained that the recommendation was not for approval; it was a sensible approach and worded in such a way to ensure that once matters were resolved satisfactorily and speedily, the development could proceed without the need to refer back to Committee. It was necessary to be fair to all parties and if the issues had not been resolved in three months, the application could be brought back to Committee.

Members discussed the delivery of much needed housing and also the importance of the provision of the country park. There was a need to move forward and it was suggested that the proposed recommendation could be supported subject to a report back to Committee once the decision had been taken. The Head of Planning and Coastal Management explained that the land could not just be transferred; the contamination research and mitigation proposed would have to be to the Council's satisfaction, with Persimmon Homes being required to undertake the necessary works before the country park could be available for use. A Member proposed that the confidential papers, listed as Appendix A to the report, should be discussed prior to any decision being taken.

It was then:

14 EXEMPT/CONFIDENTIAL ITEM

RESOLVED

That, under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 5 of Part 1 of Schedule 12A of the Act.

15 DC/17/1680/ARM – LAND SOUTH OF HALL LANE, OULTON – APPENDIX A

The Committee received advice from the Head of Planning and Coastal Management and there followed a detailed discussion and questions relating to the confidential Appendix A to the report.

16 OPEN/NON CONFIDENTIAL SESSION

The Committee resolved to continue discussions in open session, therefore the public would no longer be excluded from the meeting.

17 DC/17/1680/ARM – LAND SOUTH OF HALL LANE, OULTON

Members expressed concern over the lack of progress and timescales for the delivery of the country park. However, having considered the timescales contained in the legal advice discussed in the closed session, consensus of opinion was that a decision should be deferred pending further advice from officers. It was proposed, duly seconded and unanimously

RESOLVED

That, in order to allow the officers time to prepare a progress report for consideration by the Planning Committee at its meeting in January 2018, a decision be deferred.

The meeting concluded at 7.52pm.

Chairman