

CIRCULATED IN ADVANCE OF THE MEETING

ALTERATIONS AND ADDITIONS REPORT

16th January 2018

Item 10 : DC/17/1680/ARM, Approval of Reserved Matters of DC/01/0977/OUT (W17802) – 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. Land south of Hall Lane, Oulton

Email exchange between Persimmon Homes and the Head of Planning and Coastal Management - 22.12.2017

Dear Phil,

I write further to the committee decision on the 14th of November to defer the above application until Jan/Feb at which point an update will be provided to members in relation to the Country Park Transfer only then will a decision be made as to when to bring the scheme back to committee.

You will be aware through correspondence in relation to the Letter before Claim; that there have been various meetings since the committee between Persimmon Homes and Environmental Health Officers (Mark Seaman) at Waveney District Council to discuss the further Contamination Work that has been undertaken on the Country Park site. The work that has been done and done in accordance with the agreed scope with Mark Seaman is still not able to provide the comfort required in order for EHO to be happy for WDC to take on the transfer of the Country Park. Through discussions with colleagues it is also clear that even further work is still going to be required in order to get to a stage where WDC can make a call on the transfer subject to any further analysis. We have to acknowledge that this is an extremely technical and sensitive process and one which has already been subject to many months of liaison between Persimmon and Waveney and currently does not have an end date.

It will come as no surprise that Persimmon Homes are in disagreement with the decision to defer our application, particularly given our commitment to resolve these actions prior to commencement of any residential development. I would also like to reiterate Paragraph 203 of the NPPF *Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.* My observations from committee were that members were clearly of the view to begin with, that the recommendation was appropriate however, following closed session it was clear they had changed their minds. Whilst there was clear frustration from members and LPA towards the progress of the Country Park Transfer it was difficult to comprehend such a change in attitude towards the recommendation and Persimmon Homes. I would point out yet again Persimmon Homes have been in constant dialog with WDC over the Country Park transfer since the approval of the Outline consent. However, we are now at a stage which requires comprehensive investigation by Persimmon and agreement with Waveney before it can be resolved through the transfer through no fault or oversight of Persimmon.

You will no doubt have recently been made aware of the issues in relation to delivering some required services to the School site which require the delivery of the access road on the northern section of the Phase 2 scheme. Due to the deferral of the Phase 2 scheme this has now led to concern for both the County Council and ourselves in being able to deliver this in time for services to be available for the School. We note an email received on 19th December from Phil Perkin which seeks to propose a solution to the problem through the submission of a Reserved Matters application which I quote “*would envisage a swift turn around of any application submitted*”. Whilst it is appreciated that the council would be willing to put every effort into determining this proposed Reserved Matters Application, we are of the view that there is a far quicker route available to resolve the situation, which I have set out below.

If our current Phase 2 Reserved Matters Scheme is taken to committee in January, we would still be able to meet the County Councils timescales. We would accept the necessity for a condition to prevent construction of any dwellings until such time as a resolution has been agreed on the Country Park transfer. The proposed submission of a Reserved matters for a smaller section of Road would take much longer. Assuming submission and validation of the application by the middle of January, followed by a 21 day consultation period and assuming there are no comments or actions from consultees, we would likely be in the middle of February before a decision is made. This would be a month later than the January Committee and would also cause the unwanted delays to the delivery of the services.

These delays are unnecessary given that there is no legitimate planning reason to postpone the determination of the Phase 2 application.

To conclude, with your agreement, we can still ensure that the services for the School site can be delivered along with a condition to prevent residential development until such time as the Country Park is transferred to the Local Authority. Such a condition would still be as effective as delaying the determination of this current application, but it would enable required services for the school site and for us to progress engineering designs so that we are ready to commence development as soon as the Transfer is resolved to avoid any delays in the delivery of housing, a point about which you will note the Majority of your Members felt very strongly.

Have a good Christmas and New Year and I look forward to hearing from you further.

Regards,

Chris Sperrin

Dear Mr Sperrin

I acknowledge receipt of your e-mail.

I have today reviewed a draft report that is to be presented to the Planning Cttee in January. Given that I have been advised by colleagues that the issues that are required to be resolved to WDC’s satisfaction, to enable the transfer of the country park, are a long way from being resolved, I am advising the members that they note the current position on the works required to remedy the issues, and that a further report be brought back in March/April. I understand that this may be the earliest period by which the technical contamination issues could/may be resolved for the local planning authority to be satisfied that residents have access to “safe” open space. If by then these matters are not resolved a further update report will be provided. The report to January PC will also advise Members that officers have recommended that your company pursues a separate application for the access road to serve the school. I can give your

company my assurance that I will use my best endeavours to ensure the timeliness of the road's delivery to enable the school to open on time subject to all the necessary details being acceptable.

I will ensure this e-mail is brought to the attention of the Planning Committee.

Kind Regards

Philip

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Item 8, DC/17/4635/VOC : - Variation of Condition no.2 of W2194/6-43 - To change 10 month holiday occupancy to 12 months holiday occupancy, 43 Seaview Chalets, Seaview holiday estate, Kessingland.

Following the officers' report, further discussions have ensued and it is considered it would be beneficial to add a second condition to the permission if Members are minded to approve, requiring a logbook to be kept at the site reception, detailing the names and duration of stay of all visitors to the chalet. Such a logbook should be made available for inspection by Council officers who could then periodically check that the holiday occupancy restriction was being complied with.

This has been suggested to the applicants who are fully in agreement with such a condition being imposed as they wish to reassure the parish council, and others, of their genuine tourist intentions.