

Minutes of a Meeting held in the Conference Room, Riverside, Lowestoft  
on **Tuesday, 18 September 2018 at 6.00pm**

Members Present:

P Ashdown (Chairman), N Brooks, M Cherry, G Elliott, J Ford, T Goldson, J Groom, M Ladd, M Pitchers, C Rivett and K Robinson.

Officers Present:

L Beighton (Interim Planning Development Manager), J Bullen (Planning & Property Lawyer), M Coupe (Senior Planning Officer), M Gee (Planning Officer), P Perkin (Development Management Team Leader), P Ridley (Head of Planning and Coastal Management) and S Carter (Democratic Services Officer).

In attendance:

Councillors D Beavan, Y Cherry, J Murray and D Ritchie.  
K Scott (Development Management Team Leader - Central)

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**1 APOLOGIES / SUBSTITUTES**

Apologies for absence were received from Councillors Ceresa and Neil.

Councillor Robinson attended the meeting as a Substitute for Councillor Ceresa.

**2 MINUTES**

**RESOLVED**

That the Minutes of the meeting held on 14 August 2018 be approved as a correct record and signed by the Chairman.

**3 DECLARATIONS OF INTEREST**

Councillor M Cherry declared a Local Non Pecuniary Interest in Item 10 – DC/18/2231/FUL – Land at Fallowfields, Oulton, as being Ward Member. This declaration was made during the discussion on the item.

Councillor Ford declared a Local Non Pecuniary Interest in Items 12 – DC18/2576/FUL, 13 – DC/18/2583/ADI, 14 – DC/18/2584/ADI – Former Mill Road Services Station, Mill Road, Lowestoft, Item 15 – DC/18/2585/ADC – Land at Kirkley Rise, Mill Road, Lowestoft, and Item 16 – DC/18/2950/DCO – The Lake Lothing Third Crossing, Lowestoft, as being Ward Member.

Councillor Goldson declared a Local Non Pecuniary Interest in Item 11 – DC/18/1281/ARM – Land North and East of Hill Farm Road, Halesworth, as being Ward Member and County Councillor for the area.

Councillor Goldson declared a Local Non Pecuniary Interest in Item 10 – DC/18/2231/FUL – Land at Fallowfields, Oulton, as being a County Councillor. This declaration was made during the discussion on the item.

Councillor Ladd declared a Local Non Pecuniary Interest in Item 9 – DC/18/2406/FUL – Site at Junction of Station Road and Blyth Road, Southwold, as being a Southwold Town Councillor and Chairman of the Millennium Foundation Trust. He advised that he would leave the table and not participate in discussions or voting thereon but would be happy to answer any questions.

Councillor Ladd declared a Local Non Pecuniary Interest in Item 10 – DC/18/2231/FUL – Land at Fallowfields, Oulton, as being a County Councillor. This declaration was made during the discussion on the item.

Councillor Ladd declared a Local Non Pecuniary Interest in Item 16 – DC/18/2950/DCO – The Lake Lothing Third Crossing, Lowestoft, as being a County Councillor and a member of the Third Crossing Stakeholder Group. This declaration was made at the start of the discussion on the item.

Councillor Pitchers declared a Local Non Pecuniary Interest in Items 12 – DC18/2576/FUL, 13 – DC/18/2583/ADI, 14 – DC/18/2584/ADI – Former Mill Road Services Station, Mill Road, Lowestoft, Item 15 – DC/18/2585/ADC – Land at Kirkley Rise, Mill Road, Lowestoft, and Item 16 – DC/18/2950/DCO – The Lake Lothing Third Crossing, Lowestoft, as being Ward Member.

Councillor Rivett declared a Local Non Pecuniary Interest in Item 10 – DC/18/2231/FUL – Land at Fallowfields, Oulton, as being a County Councillor. This declaration was made during the discussion on the item.

Councillor Robinson declared a Local Non Pecuniary Interest in Item 10 – DC/18/2231/FUL – Land at Fallowfields, Oulton, as being County Councillor for the area, and on Item 16 – DC/18/2950/DCO – The Lake Lothing Third Crossing, Lowestoft, as he sat on the County Council's Development and Regulation Committee.

#### **4 DECLARATIONS OF LOBBYING**

All Councillors present at the meeting declared they had received communications in relation to Item 8 – DC/15/3288/OUT – Saint Felix School, Halesworth Road, Reydon. Councillor Ladd further declared that he had attended two public meetings organised by RAGE; however, under the pre-determination rules, he confirmed he had made no comments other than to advise on the planning process.

Councillor Ashdown declared that he had received communications in relation to Item 10 – DC/18/2231/FUL – Land at Fallowfields, Oulton.

Councillor Goldson declared that he had received communications in relation to Item 11 – DC/18/1281/ARM – Land North and East of Hill Farm Road, Halesworth.

**5 APPEAL DECISIONS REPORT**

The report of the Interim Planning Development Manager advised the Committee that no decisions had been made in July and August 2018.

**RESOLVED**

That the report concerning Appeal Decisions in July and August 2018 be noted.

**6 DELEGATED CHIEF OFFICER DECISIONS**

The reports of the Interim Planning Development Manager informed Members of all the Chief Officer delegated planning decisions made during July and August 2018.

**RESOLVED**

That the reports concerning the Chief Officer Delegated Planning Decisions made during July to August 2018 be noted.

**7 ENFORCEMENT ACTION – CASE UPDATE**

The report of the Interim Planning Development Manager provided Members with a summary of all outstanding enforcement cases sanctioned under delegated powers or through the Committee up until 30 August 2018. There were currently six cases.

The Interim Planning Development Manager updated the Committee with regard to Maisebrooke Farm, in that a site visit had been undertaken in conjunction with County Highways with regard to the existing access into the road and the second access. There had been no formal planning application for the additional farm shop. A further site visit was planned for the following day, and then officers would be considering any appropriate action. The Chairman and Vice-Chairman of the Committee were being kept informed.

**RESOLVED**

That the report detailing the outstanding Enforcement Matters up to 30 August 2018 be received.

**8 DC/15/3288/OUT – SAINT FELIX SCHOOL, HALESWORTH ROAD, REYDON**

The Senior Planning Officer presented the application which was an enabling development to secure the delivery of improvements to Saint Felix School and included residential development, public open space and associated infrastructure on the former playing field at Saint Felix School.

The Committee was reminded that the application had been before Members on 11 July 2017, at which time the Planning Committee had been minded to approve the application subject to further consideration of the Section 106 agreement. The report before Members for consideration related to the terms of the Section 106 agreement only.

The Senior Planning Officer advised that additional consultation had been undertaken on the draft Section 106 Agreement, details of which were contained in the report. An additional 32 objections including Reydon Parish Council, the Southwold and Reydon Society as well as RAGE (a local action group) had been received.

Members were shown an aerial view, photographs and location plans of the site and its surrounds including the sites within the application and the street scene along the main road.

The Senior Planning Officer summarised the head of terms which were set out in the report:

1. 35% affordable housing
2. Landscaping plan and management strategy
3. Two new accessible natural green spaces
4. Replacement playing pitches
5. Implementation scheme for playing pitches
6. Community use agreement
7. New footpaths
8. Signposting and information pack
9. Strategy for maintaining path margins and gorse
10. Capital receipts to be paid into a ring fenced bank account
11. Financial contribution to SCDC Natura 2000 Monitoring and Mitigation Strategy
12. Financial contribution towards improvements to existing bus stops.

In summary, the Senior Planning Officer explained that the resolution of the Planning Committee on 11 July 2017 had been met. Matters raised during the draft Section 106 Agreement consultation had been addressed and approval was being recommended.

#### Questions

In response to Members' questions, the Head of Planning and Coastal Management confirmed that, following the Committee's resolution in July 2017, all matters raised had now been addressed and it was considered that the agreement was robust and enforceable. The outline application would be followed by reserved matters and the detail would be considered at that time and be subject to public consultation.

It was confirmed that the replacement playing fields would be south of the development site shown in green on the plan appended to the report. The existing sports facilities were of poor quality and the new sports pitches were required to be high quality pitches with drainage, high standard grass and supported by quality changing areas. The affordable housing would remain as such in perpetuity but Members were of the opinion that was not specified sufficiently in the draft Section 106 Agreement. Although the emerging new Local Plan specified 40% affordable housing for Reydon, this application had been considered under the existing Local Plan and that specified 35% affordable housing. The rates to be charged for community use of facilities (blank on page 155 of the Agenda) were yet to be agreed.

The Head of Planning and Coastal Management explained that the draft Section 106 Agreement had been drawn up by the Applicant's solicitor, however, that was not uncommon. One solicitor drew up a draft agreement based on the respective signatories

requirements and all parties had the opportunity to comment on it; it was a collaborative piece of work agreed by all.

Mr B Bailey – Reydon Parish Council

Mt Bailey explained that Reydon Parish Council wanted the Waveney District Council to reject the Section 106 agreement which had been drafted by another body contravening the Council's Constitution. The proposed replacement pitches would do damaged to the County Wildlife Site and restrict access to other sites. Any maintenance for the school should have come out of its own funds and selling off land would result in more second homes, not affordable homes at affordable prices. An uncontrolled pedestrian crossing was needed as people already had difficulties crossing the Halesworth Road; there was no mention of traffic calming measures in the document. On such a busy road, an accident was waiting to happen

Councillor D Beavan – Ward Member

Councillor Beavan explained his understanding that the matter of planning balance was disbenefit of losing open space compared to keeping the school open. It should be noted that the space was valued. The first benefit was the need for houses and 50 affordable homes were coming forward, however, 80% of market value was not affordable and second home owners did not pay council tax. There were already difficulties with the public getting access to the swimming pool and the proposals would not guarantee access to local people. Whilst recognising that no-one would want to see a local business in trouble, Councillor Beavan questioned the school's business planning figures as information provided by the Charity Commission indicated a financial loss of £¼ million. Land should not be sold off to pay the bills. The school was already subsidised with no business rates to pay and on balance, there was no opportunity to provide benefit to the community. He proposed the Committee reject the Section 106.

Mr S Chessher - Objector

Mr Chessher was speaking on behalf of local people and the group RAGE who had 166 members. The proposed playing fields were not new areas; one playing field was an equestrian area and the other was the County Wildlife Site. The Section 106 did not cover affordable housing in perpetuity and a registered provider had not been named to ensure the provision of affordable housing. The enabling case was no more than a material consideration and there were no public benefits. The school's Business Plan was now five years out of date even though the school had new lenders and new bankers. It was essential for public benefits to be secured and no additional public assess was being provided; the Section 106 did not deliver that and it should be rejected.

Mr J Whyte – Applicant

Mr Whyte confirmed that he had represented the school for the last 15 years and a lot of hard work had gone into getting agreement on the Section 106 which should be supported. Saint Felix was an independent school with no legacies and had to make its own funding. With regard to the importance of the green site, he explained that it was a cultivated field that was being made into a sports pitch with astroturf. The use of the equestrian area was not much of an issue due to lack of use because only 5-6 children currently rode. With

regard to the financial statement and marketing, it was necessary to improve facilities and the alterations and high standards would bring in more boarders and therefore more funds. The money this proposal would raise would enhance the future of the school for the next 20 years.

#### Questions to Applicant

Members sought clarification on issues relating to:

- Lack of public access to the swimming pool.
- Registered provider for affordable housing.
- Management Company for the proposed open space.
- Planning permission for the playing pitches.
- Prior occupation clauses.
- Costs of keeping community facilities open and booking arrangements.

Mr Whyte explained that the pool had been funded by Saint Felix and they always tried to have the pool available to the public at weekends and in the morning between 6.00am and 8.00am. Staff coverage and child protection issues had to be borne in mind. It was anticipated the school would appoint an in-house Business Development Manager to oversee the open spaces and sports hall. Mr Whyte confirmed that the playing pitch would be provided prior to any development taking place and the money raised from the enabling development would fund improvements to the school. Subject to uptake by the local community, the income should cover costs of opening the facilities to the public and the booking of facilities would likely be via several options.

The Head of Planning and Coastal Management explained that if the Committee made a determination that evening, the school would be able to market the site and when a developer came forward, the details of the provision of the affordable housing would be discussed at that time to meet the requirements set out.

#### Questions to Officers

In response to a question relating to the necessary consent for the playing pitches, the Head of Planning and Coastal Management explained that planning applications would need to be submitted in accordance with the normal.

#### Debate

Members raised specific issues in the draft Section 106 Agreement relating to public access and transport. It was considered that the vehicle movements were not low level as the site was on the busiest route into Southwold. If residents were being encouraged to use bus routes, an uncontrolled crossing was essential and consideration should be given to a mini roundabout because of the increased traffic, traffic calming and a cycle lane. The terms of the agreement needed to be much stronger to ensure the swimming pool was available for community use and be monitored and policed to make certain the facilities were actually accessible to the community. It should be written in that the affordable housing should be in perpetuity and not end up as Right to Buy or second homes.

Concerns were also raised that the two replacement fields were not actually replacement fields, one was an athletics track and the second related to the equestrian centre and therefore both were currently used for sports. There did appear to be a lack of public access to local people and that should not continue; the draft Section 106 Agreement should be firmed up to ensure such points were addressed.

Comment was made that if the County Highways had advised that a roundabout was not necessary, the Committee should accept that professional advice. It was hoped that the school's new business manager would make the proposals viable and profitable for the school. However, if there was any failings in the proposal, enforcement action would need to be addressed.

The Head of Planning and Coastal Management advised that Sport England had been provided with the information and its response was as quoted. The response from the Highways Authority was contained in the documents and the Council would need strong evidence to justify going against its advice. Affordable housing should be provided in accordance with the Section 106 Agreement and that could be amended to ensure it was retained in perpetuity.

In future, there would be a need for community engagement and discussions with the local Ward Members and the Head of Planning and Coastal Management confirmed a commitment to undertake further discussions with the Highways Authority regarding the issues that had been raised with regard to access and traffic on the Halesworth Road would take place when Reserved Matters applications were submitted.

Having been duly proposed and seconded to agree the content of the Section 106 agreement subject to the inclusion of affordable housing being retained in perpetuity, it was

**RESOLVED**

That the detailed contents of the Section 106 agreement be agreed subject to it being amended to ensure the affordable housing remains in perpetuity, and that subject to the signing of the Agreement planning permission on the terms set out in the previous resolution permission be granted subject to the following conditions:

1. No development shall commence until full details of the layout, scale, appearance and landscaping (hereafter referred to as reserved matters) (as approved under condition 2) have been submitted to and approved in writing by the Local Planning Authority.
2. In the case of the reserved matters, application for approval shall be made not later than the expiration of three years beginning with the date of this permission.
3. The development to which this permission relates shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matters to be approved.

4. The reserved matters to be submitted under Condition 1 shall be in accordance with the following approved plans:  
Location Plan
5. Concurrent with the submission of the first reserved matters application, a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be in accordance with the approved FRA and include:
  - a. Dimensioned plans and drawings of the surface water drainage scheme;
  - b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
  - c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to  $Q_{bar}$  or  $2l/s/ha$  for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
  - d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
  - e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
  - f. Topographical plans depicting all exceedance flowpaths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
  - g. Details of who will maintain each element of the surface water system for the life.

The scheme shall be fully implemented as approved.

6. Concurrent with the submission of the first reserved matters application, details of the implementation, maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.
7. The development hereby permitted shall not be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.



8. No development shall commence until details of a construction surface water management plan detailing how surface water and storm water will be managed on the site during construction is submitted to and agreed in writing by the local planning authority. The construction surface water management plan shall be implemented and thereafter managed and maintained in accordance with the approved plan.
9. Prior to the commencement of the development (except for any ground investigation or survey works), details of the required highway improvement works, listed below, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:
  - A new uncontrolled pedestrian crossing point located approximately 53m West of The Drive over Halesworth Road
  - The improvement of the existing footpath which runs along the frontage of the development between the proposed access point and the proposed pedestrian crossing

The approved works shall be delivered prior to the proposed development being brought into use.

10. No part of the development shall commence until details of the proposed access (including the position of any gates to be erected and visibility splays provided) have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to the construction of the residential units. Thereafter the access shall be retained in its approved form.
11. Prior to the commencement of the development hereby approved or any works of site clearance, a reptile survey (which shall be in accordance with best practice guidelines) shall be carried out, and the findings, including a mitigation strategy if required, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works of mitigation shall be carried out in accordance with the approved details.
12. Prior to the commencement of development, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
  - (i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

13. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
14. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

15. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 12; and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 14; which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 14;.

16. No development shall take place until the existing trees on site, agreed with the Local Planning Authority for inclusion in the scheme of landscaping, have been protected by the erection of temporary protective fences of a height, size and in positions which shall previously have been agreed, in writing, with the Local

Planning Authority. The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the tree to be protected. Any trees dying or becoming severely damaged as a result of any failure to comply with these requirements shall be replaced with trees of appropriate size and species during the first planting season, or in accordance with such other arrangement as may be agreed in writing with the Local Planning Authority, following the death of, or severe damage to the trees.

17. Prior to the commencement of the development hereby approved or any works of site clearance, a Construction Environmental Management Plan (CEMP), which shall include details of the measures to be taken to ensure that construction works do not adversely affect biodiversity, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved CEMP.
18. The landscaping details to be agreed as part of subsequent reserved matters approvals shall identify the spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection and or lopping to prevent instances of overshadowing of the approved development which shall comply with the recommendations set out in the British Standards Institute recommendation "BS5837:2012 Trees in relation to design, demolition and construction - Recommendations".

Note: Councillor Ladd left the table at 7.20pm.

## **9 DC/18/2406/FUL – SITE AT JUNCTION OF STATION ROAD AND BLYTH ROAD, SOUTHWOLD**

The Senior Planning Officer presented the application which was for the demolition of the existing buildings and re-development of the site to create a mixed use development consisting of flexible office space, retail units and residential accommodation.

Members were advised that the site was located on the corner of Station Road and Blyth Road in a prominent position on the approach to the town and within the Southwold Conservation Area and the Area of Outstanding Natural Beauty. The site was currently in commercial use, including retail, cycle hire/repair and a vehicle repair/servicing garage. The single storey shop fronting Station Road was attached to a large commercial/industrial lean-to and further into the site was a large pitched roof commercial building with an attached smaller unit and an internal open courtyard.

Members were shown an aerial view, photographs and location plans of the site and its surrounds including the adjoining public footpath, access between the buildings, the garage, shop, residential properties above the businesses, and the rear gardens of the neighbouring properties. It was pointed out that Blyth Road was unmade and with no footpath. The proposal comprised two storey buildings with commercial units and housing above, a coffee shop and central courtyard with planting and cycle storage but no vehicle parking. The layout had a similar footprint and the two access points would be retained.

The Senior Planning Officer explained that the principle of redeveloping the site for a mixed use development would accord with the Council's policies. The scheme sought to create jobs and greater economic prosperity and diversity for the town. Some design

modifications were being sought to ensure the development preserved and enhanced the area and that highway standards were met. The current 3D plan of the proposal was not considered to respect the street scene and the Conservation Area and amendments were required. The Applicant had suggested changes to the fenestration and removal of some glazing to meet the requirements of the current retail unit. These were all still under discussion.

The Committee was advised that there had been objections to the café and office space but the aim of Southwold Town Council was to stop the over reliance on seasonal trade and it was likely 36 jobs would be created. The proposals would comply with the Local Plan, provide a contribution to local businesses and improve the area. Funding for the development had been applied for. The proposed 10 car parking spaces to serve the development would be located on the land owned by the Millennium Trust, three residential spaces and the remainder for the businesses to use. There was currently no parking on site and the on street parking would be retained.

The development would not be harmful to the interests of residential amenity and had no adverse impact in terms of drainage, flood risk, contamination or ecology. Subject to controlling conditions including that relating to highways and design issues being resolved, approval was being recommended.

#### Questions for Officers

Members' questions related to:

- Gated courtyard.
- Loading/unloading for business premises.
- Parking for staff of those businesses.
- Planning permission for the remote car park.

The Senior Planning Officer explained that the courtyard would not be gated; the residential properties on site would provide surveillance. Not all properties in the vicinity had their own parking and the proposed off site parking was only a short distance. It was not envisaged that all business staff would be arriving by car; the site was in a sustainable location with good access from Southwold and Reydon. A planning application for the car park was due to be submitted in the near future; the site itself was currently being used as a temporary facility for parking and storage of building materials for another development. Previous applications for the site had been refused due to no flood risk assessment having been provided.

#### Mr M Robinson – Southwold Town Council

As Southwold Mayor, Mr Robinson explained that the Town Council was looking to diversify the economy for business and housing. The buildings on the site were quite ramshackle and basically the majority of the buildings needed to be replaced. The proposal was for mixed retail and office space and would also provide accommodation. The garage would need to move to new premises. He confirmed that Southwold residents had been advised that the redevelopment would be proceeding, they had consulted with tenants and liaised with

neighbouring residents. The proposal would be beneficial for the town. Mr Robinson asked the Committee to please support the application.

Mr J Perkins - Objector

Mr Perkins explained that he was a permanent resident and Chairman of SAHA and intended to make the Committee aware of the concerns of local people. The example before Members was how not to make a planning application. When the proposal had been discussed by Southwold Town Council the public had been excluded and they had only found out details by means of a Freedom of Information request which confirmed at cost of £2.5m. The proposal would cause collateral damage to existing businesses and the garage provided in the region of 1,000 MOTs per year to local people. Mr Perkins confirmed his opposition to the plan and whilst the proposal might tidy the entrance into Southwold, the intention should not be to raze businesses to the ground. The site was on the corner of the main road into the town and with flats over shops and residents already in Blythe Road, there was already difficulty with parking. The proposal resulted in insufficient parking for deliveries and customers of the proposed businesses and any approval would result in an expensive mistake for the town.

Ms N Perryman - Agent

Ms Perryman thanked Members for being given the opportunity to speak on behalf of her client, Southwold Town Council. The officer's report was very comprehensive. The proposal for fixed use units, café and residential accommodation on a sustainable site would be better for the area. The town was heavily reliant on tourism and more affordable business space was needed which would provide extra employment. They were going for a contemporary design approach and that was the subject of ongoing negotiations. Highways had previously raised concerns about the provision of adequate parking; the proposed remote parking was considered to be acceptable. The proposed development would make better use of the site and there were no planning reasons why permission should not be granted. Ms Perryman asked that the Committee endorse the application and grant approval.

Questions for Applicant

Members sought clarification on the ownership of the development, a new site for the garage and distance to the off site car park.

Mr Windell from Southwold Town Council confirmed that all property would continue to be owned by the Town Council. The building that housed the garage business was not fit for purpose and the roof was not repairable. It was heavily contaminated having formerly been a paint shop. A new site had been found for the garage and they were working together to move the business to that alternative site. It was the town's responsibility to ensure the business did not close down. The garage might be able to move into another commercial site in Blyth Road and he was unsure if planning permission would be required. The proposed car park was around 165m walking distance. Ms Perryman confirmed that a phased construction was being proposed to allow the current retail premises to stay on site during the build.

Debate

A Member proposed approval which was duly seconded. However, comment was made that there were issues with regard to the provision of car parking for businesses, residents and loading/unloading and questions were raised over what might be considered poor design and the effect on the street scene. The Interim Planning Development Manager explained that, if approval was granted, condition 4 sought assurance of the car parking spaces prior to the development commencing. That would secure the required remote parking spaces.

In response to a question relating to the garage on site, the Head of Planning and Coastal Management confirmed that the business units would be conducive to residential accommodation as they would be B1 office use or small scale craft. B2 related to engineering type operations that would not be applicable. The relocation of the garage premises was a commercial decision and best endeavours would provide alternative premises. The proposed off site parking would alleviate concerns over the provision of parking and it was considered worthy to encourage small scale businesses into the town.

In addition, it was proposed that authority to approve could be subject to the design aspects being revised to the satisfaction of the officers and it was

**RESOLVED**

That the officers be given delegated authority to grant planning permission, subject to the receipt of revised plans addressing design and highway issues, further assurances that parking be made available to serve the development prior to work commencing and 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 not be carried out other than in complete accordance with Drawing Nos XXXXXXXX received on XXXXXXXX. (Revised plans expected)
3. Notwithstanding the submitted details a full schedule of wall and roof materials to be used shall be submitted to and approved in writing by the local planning authority prior to development commencing.
4. Prior to development commencing (including demolition) the ten car parking spaces shall have been laid out and made available for use in accordance with details that have previously been submitted to and approved in writing by the local planning authority. They shall thereafter be retained to serve the development hereby granted.
5. No development (except demolition, site clearance and the removal of underground tanks and associated infrastructure) approved by this planning permission, shall take place until a site investigation has been submitted to, and approved in writing by, the local planning authority. The investigation must include:

- \* investigation and assessment of areas in the vicinity of the removed underground tanks and associated infrastructure;
- \* the locations and nature of site wide 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+A2:2017 and CLR11.

6. No development (except demolition, site clearance and the removal of underground tanks and associated infrastructure) 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.

7. Prior to any occupation or use of the approved development the RMS approved under condition 6 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.
8. 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. 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. Before the installation of any extract ventilation system, air conditioning, refrigeration equipment, and any other fixed plant, details of the equipment, its location, acoustic housing and any vibration isolation measures, together with the projected noise levels at the boundary of the property, shall be submitted to the local planning authority for approval, and only the approved plant shall be installed and retained in the approved form thereafter.
11. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority.
12. No development shall commence until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.
13. The development hereby permitted shall not be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.
14. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:



1. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
  - i. Temporary drainage systems
  - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
  - iii. Measures for managing any on or offsite flood risk associated with construction
  
15. No development shall commence until details/detailed drawings of the following matters shall be submitted to the local planning authority for approval in writing:
  - [i] windows, doors and other glazed areas;
  - [ii] eaves and verges;
  - [iii] canopies and feature panels;
  - (iv) cycle storage;
  - (v) new boundary walls

The approved details shall be implemented in their entirety before the buildings are first occupied.
  
16. The working hours in connection with the café use hereby permitted, shall not be other than between 8am and 6pm Monday to Saturday; and no work shall be carried out on Sundays, or Bank Holidays, or outside the specified hours, unless otherwise agreed in writing by the local planning authority.
  
17. Within 3 months of commencement of development, precise details of a scheme of hard landscape works at a scale not less than 1:200 shall be submitted to and approved in writing by the local planning authority.
  
18. Within 3 months of commencement of development, precise details of a scheme of landscape works (which term shall include tree and shrub planting, planters and other operations as appropriate) at a scale not less than 1:200 shall be submitted to and approved in writing by the local planning authority.
  
19. The approved scheme of landscape works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of five years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter and shall be retained and maintained.
  
20. The cafe use hereby approved shall not include the cooking of hot foods on the premises, unless undertaken within an appliance approved by the local planning authority. These are as follows:

Gas/electric ovens and grills, microwave ovens; slow cookers; toasters; waffle makers and any other appliance previously agreed in writing with the local planning authority.
  
21. Proper facilities shall be provided for the storage and disposal of waste material. Such facilities should totally enclose and adequately protect all commercial waste from insect and rodent infestation.

22. No works on the new footpath on Blyth Road shall commence until full details have been submitted to and approved in writing by the local planning authority. No unit shall be occupied until the footpath has been completed in accordance with the approved details.
23. Prior to works commencing a Demolition/Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The plan should address how noise and dust/smoke/fumes will be controlled and reduced to a minimum during demolition and construction. The building operations undertaken at the site shall comply with the approved details.
24. Before the units hereby approved are occupied, a plan showing alternative parking shall be submitted to, and approved in writing, by the Local Planning Authority and retained as such in perpetuity, to ensure appropriate parking for the units is provided.

Note: Councillor Ladd re-joined the Committee table at 8.08pm.

The meeting was adjourned for a comfort break from 8.08pm to 8.15pm

#### **10 DC/18/2231/FUL – LAND AT FALLOWFIELDS, OULTON**

The Development Management Team Leader presented the application which was for the construction of 30 dwellings and a new access road. The proposal was to provide open market and affordable housing on an area of land within a larger housing development, on land previously set aside for a school that was now being constructed elsewhere.

Whilst the proposal provided housing delivery, concerns had been raised by the community regarding land clearance, though that work had not required planning permission.

Members were shown an aerial view, photographs and location plans of the site and its surrounds including views due west of the site and across Fallowfields, the southern access into the site and the modern houses adjoining the site. Existing development surrounded the site on three sides and the proposed layout was similar to the adjoining established development. Ground drainage crates would be located below the open space and the elevations of the proposed dwellings showed 1½ and 2 storey dwellings which included affordable units.

The Development Management Team Leader outlined the key issues with regard to the history of the site that was now vacant, the acceptable design, the provision of open space and the fact that there would be no impact on the heritage assets. A number of objections had been received as it was considered the site had orchids and was an established site for wildlife. Suffolk Wildlife Trust had confirmed that orchids had flowered since the clearance of the site and an ecological survey would show what had survived and might be secured by condition. The Highway Authority had no objection. Subject to affordable housing of 10 dwellings being secured by a Section 106 agreement and mitigation on the recreational aspect, approval in principle was being requested with delegated authority to the officers.

## Questions

Members asked questions relating to:

- Management of the open space.
- Policy LOW1.
- Reptile survey.

The Development Management Team Leader explained that the open space would be the responsibility of a management company; a condition would secure that. Reference policy LOW1, the site was not classed as a semi natural area and an ecological survey would identify the diversity on the site; that assessment would cover any reptiles.

### Mr J Grist, Oulton Parish Council

Mr Grist advised that he was Chairman of Oulton Parish Council and confirmed that they had already submitted a statement to the Council. He explained the concerns that had been raised over the land clearance and lack of recognition given to the site. In the event of approval being granted, it was important for the recommendations to be adhered to and, if necessary, enforcement action should be enacted. He requested that, if approval was granted, the Parish Council be informed of any deviation to the recommendations.

### Councillor J Murray – Ward Member

Councillor Murray explained that, as part of an historical agreement, Suffolk County Council had acquired the land as part of a swap with the developer. The site had been retained for future use and was now no longer required. Notification of the County Council's formal plans had been sent to the wrong members and the local members knew nothing about the future proposals. Then the diggers arrived and the land was cleared level and trees removed. What the Committee needed to know was that in 2009 Waveney DC had undertaken a site assessment with Suffolk Wildlife Trust and the developer should have been aware of that survey. The County Ecologist had stated that the site should be retained as open space, managed as such and removed from the development plan. There was no alternative location suitable for that type of habitat. A list of everything on site prior to the demolition including orchids was available and if anything proceeded the developer should be required to create a suitable habitat.

### Mrs K Graham - Objector

Mrs Graham confirmed she was a resident of Fallowfields and felt that Waveney DC had not supported the community in accordance with the Local Plan. The site had been used by dog walkers, children playing and as open space for the community. The site had been cleared without any protection, trees taken down and now there would be no open space. If 30 houses were built, children in those new properties would also have nowhere to play and why put so many houses on such a small area. Trees were being removed and it was important to have a boundary where new houses would back onto existing properties. Mrs Graham drew attention to paragraph 4.6 in the officer's report and pointed out that no response had been received from the NHS. That should be followed up because they were already struggling with access to such services. The proposal was not logical but

irresponsible because of the inadequate infrastructure. The application should not be supported.

Mr E Gilder - Agent

Mr Gilder explained that although 55 species of orchid existed in the UK, very few were protected. On this site, none were protected. The site had been cleared to enable a proper survey to be undertaken and to allow drainage to be looked at. Japanese knotweed was on site and that would need to be cleared and be disposed of in the proper manner. Mr Gilder advised that residents had no right to be on the site; the site had never been open space and therefore there would be no loss of open space. Given the location of the proposed development, planning permission should be granted and the density was not greater or less than the surrounding area. Under current circumstances, it would not be possible to leave a natural open area. Mr Gilder confirmed he would be happy to answer questions on any issues raised.

Questions for Applicant

Members asked specific questions relating to:

- Protected orchids and endangered species.
- Funding for the Management Company.
- Maintenance of open space.
- Japanese knotweed.
- Current ownership of the site.

Mr Gilder confirmed that, following complaints from residents earlier in the year, an ecologist had been on site and confirmed there were no protected species. It was anticipated that a Management Company would not be run by 30 dwellings; the area of open land would be jointly owned by the four properties fronting the open space with an appropriate covenant. Waveney District Council no longer adopted or maintained open space so it would not, therefore, be available to the public or as a play area for children. The Japanese knotweed would be disposed of in the appropriate manner by a specialist contractor. Any development would require the sycamore saplings and brambles to be cleared as well as the top soil being stripped.

Mr Gilder confirmed that the site was still in the ownership of the County Council; by prior agreement, disposal of the site was to be back into private ownership of the previous owner. The marketing of the site for development had been undertaken by the County Council and the presented application was considered to be reasonable on a site that was suitable for development.

The Head of Planning and Coastal Management expressed concerns that the proposed open space was not for the public but would be an area of land in private ownership. The proposals in the report had not identified that issue.

Mr Gilder explained that the Council's decision not to take over open space caused problems for developers. The money provided was insufficient for the Council to maintain such land. A Management Company would not remain in place in perpetuity because when properties

sold, new owners did not want to take over responsibility and the costs of a private management company could be exorbitant.

The Head of Planning and Coastal Management advised that there were other mechanisms available that should be explored. However, it would be necessary to ensure that the space of undeveloped land was available and open to the public for use. In his view, that was not being proposed.

Deferral was proposed and duly seconded, and it was

**RESOLVED**

That the application be deferred to allow further discussions and negotiations with regard to the provision of open space and such space being made available to the public.

**11 DC/18/1281/ARM – LAND NORTH AND EAST OF HILL FARM ROAD, HALESWORTH**

The Development Management Team Leader presented the application which was for residential development of up to 160 dwellings with the provision of a new meadow, additional site wide open space and landscaping, land to enable an extension to the existing cemetery and vehicular accesses off Hill Farm Road. The site location plan identified the 16.5 hectares and its location by the existing development along Holton Road.

Members were shown an aerial view, photographs and location plans of the site and its surrounds including views across the site to the mature trees and cemetery, boundary hedgerow and existing site access. The proposed layout was considered to be very attractive with green features and with sustainable urban drainage. A wide variety and types of dwellings were being proposed and shown on the elevations. There would be adequate separation from existing properties and the proposed open space would include a large play area.

The Development Management Team Leader explained the key issues with regard to design, highways, sustainable drainage, landscaping plan showed extensive planting and it was considered there would be limited impact on the ecology and conservation. A Section 106 agreement would secure the play area being well equipped. He reminded Members that archaeology had been addressed at the time of the outline consent. Approval was being recommended with conditions as outlined in the report and an extra condition relating to landscaping.

Questions to Officers

Members asked questions relating to:

- Maintenance of the large open space.
- Campus development.
- Flooding.
- Capacity to deal with sewage.

The Development Management Team Leader explained that a Management Company would look after maintenance of the open space(s). Whilst it had been confirmed by Anglian Water that there was capacity in the network and treatment works, if Members were minded to grant approval, delegated authority was being sought subject to clarification on the possible flooding issues.

Mr C Smith - Agent

Mr Smith explained that on behalf of Hopkins Homes he was supporting the officer's recommendation to allow the development to proceed. The proposal would deliver 158 dwellings including 55 affordable homes and a large amount of open space which would be looked after by a Management Company as per the Section 106 agreement. Anglian Water had confirmed that there was capacity. Mr Smith asked the Committee to approve the application.

Questions to Agent

In response to a question, Mr Smith advised that an area of land for the cemetery was being offered to the Council for the sum of £1, details of which were in the Section 106 agreement. A Member advised that residents already had problems with drainage and sewage and questioned the advice of Anglian Water that their systems were not at capacity and could deal with the development. Mr Smith confirmed that detailed schemes had been submitted to Anglian Water and that company had advised that it was not necessary to fund extra drainage.

There being no further debate, it was

**RESOLVED**

That the officers be given delegated authority to grant permission subject to resolving any flooding issues and to the following conditions and with the outline conditions still effective where not otherwise discharged:

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 not be brought into use until it has been completed in all respects strictly in accordance with:  
Site Location Plan 001 received 28.2.18, External Works Layout 002 B, Planning Layout 003 B, Whole site layout 004 B, Material Layout 005 B received 23.7.18, drawings 101 to 170 inclusive and 201 to 235 inclusive all received 28.2.18, garage drawings 301, 303 and 304 received 28.2.18 and garage drawings 302 revision A and 305 received 23.7.18 and substation, pumping station and external work details 401 to 403 all received 23.7.18

C/01 and C/02 Adoptable general arrangements revision D received 8.8.18; C/03 exceedance flow plan revision A, C/05 and C/06 Basin sections received 17.7.18; C/10 and C/11 Adoptable highway setting out, C/15 and C/16 Adoptable junction setting out received 22.3.18; C/20 to C/28 inclusive vertical section drawings received 16.3.18; C/100 and C/101 Adoptable highway construction revision C received 17.7.18; C/105 and C/106 Adoptable drainage construction received 16.3.18 and 22.3.18;

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. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number HAL3 003 Rev A shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

*Note: The following resolution was made at 9.00pm during the discussion of Item 11.*

### **CONTINUATION OF MEETING**

In accordance with Paragraph 9 of Part 3 of the Constitution, as the meeting had been in session for three hours, the Chairman asked the Committee if they wished to continue or adjourn the meeting, It was proposed, seconded and unanimously

### **RESOLVED**

That the meeting continue over three hours duration.

### **12 DC/18/2576/FUL – FORMER MILL ROAD SERVICE STATION, MILL ROAD, LOWESTOFT**

The Planning Officer presented the application which was for the construction of a freestanding two-storey restaurant with drive-thru, car parking, landscaping, patio, play frame and associated works.

Members were shown an aerial view, photographs and location plans of the site and its surrounds including its location to near to Asda and Dunelm and the elevations of the proposed development. Planning approval had been granted in 2017 for a restaurant and drive-thru which had included residential, however, residential was not part of the current application before Members.

The Planning Officer explained that the design and mix of materials was considered to be a modern design with a sufficient distance from neighbouring properties, some play equipment would be provided and County Highways had no objection to the proposal. Attention was drawn to the update report which outlined the ongoing discussions with regard to restricting delivery hours, plant noise and the need for attenuation prior to occupation of the building. There were no significant trees on the site that needed to be protected and landscaping would be addressed by way of conditions. A concern had been raised over the illumination of the signs but the luminance level was satisfactory to the officers.

Further elevations were displayed which gave an indication of signage including the totem sign and an impression of the proposed street scene. The sequential tests and key issues relating to risk of flooding, amenity impact and design were all considered to be acceptable. County Highways had no objection and ground conditions were being addressed by way of condition. Economic benefits would result from the proposal as both full-time and part-time jobs would be provided. Approval was recommended subject to conditions in the report and additional conditions addressing deliveries and attenuation.

### Questions

Members asked questions relating to:

- Noise and residential properties.
- Double storey building.
- Congestion on the roundabout.
- Electric charging points in the car park.
- Cycle racks.
- Car parking for staff.
- The location compared to the 3<sup>rd</sup> crossing landing site.

The Planning Officer confirmed that the noise report had assessed existing windows. The canopy would sit at 5m and the building a height of 11.5m and it was considered that the building would form a focus and sit well in the street scene. The Council had no current policy with regard to electric car charging points and the County Highways had not made it a requirement. The Planning Officer confirmed he would speak to the applicant. Cycle racks were being provided for both the staff and the public and the nearest car park was in Kirkley Rise.

The Head of Planning and Coastal Management advised that the outline permission would have considered all impacts and any future proposals for residential development would need to be designed to take account of the uses. The proposed development would provide both economic benefits and jobs. With regard to possible traffic congestion and the route of the third crossing, he reiterated that County Highways had no issues.

### Debate

Comment was made that child obesity was not improving, however it was pointed out that people were not made to buy from McDonalds. Rejection of the application could only be made on planning grounds. There being no further discussion, it was

### **RESOLVED**

That planning 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 following approved drawings for which permission is hereby granted:
  - Block Plan; 7407-SA-8335-P002C; received 20/08/2018
  - Site Layout Plan - As Proposed; 7407-SA-8335-P004D ; received 20/08/2018,
  - Elevations & Section; 7407-SA-8335-P005B; received 20/08/2018,
  - Floor & Roof Plans; 7407-SA-8335-P006B; received 20/08/2018,
  - Landscape Plan; 7407-SA-8335-P007D; received 20/08/2018,
  - Store Travel plan; dated March 2018, received 19/06/2018,
  - Ground Investigation Report; dated April 2016; received 19/06/2018,
  - Previous Document Review by Pam Brown; dated 20/04/2018; received 19/06/2018,
  - Environmental Assessment Report; dated August 2013; received 19/06/2018,
  - Environmental Monitoring Report; dated February 2013; received 19/06/2018,
  - GRP Kiosks and Enclosures Details; received 19/06/2018,
  - Extended Phase 1 Habitat Survey; dated May 2018; received 19/06/2018,
  - Outside seating and decoration details; RANGE EUROLINE 3 - MIX 2015; received 19/06/2018,
  - Play Frame Details; E09-004 Outdoor Climb 3x3; received 19/06/2018,
  - Lighting Details; O-1640078; received 19/06/2018,
  - COD Canopy Details; received 19/06/2018,
  - Landscaping Plan; MK MCD NB8335 01; received 19/06/2018,
  - Flood Risk Assessment; MD4180149/KLJ/004; dated 06/07/2018; received 10/07/2018,
  - Transport Statement; received 21/06/2018
  - Arboricultural Impact Assessment; dated 07/05/2018; received 21/06/2018
  
3. No part of the development shall be commenced until details of the proposed access (including the position of any gates to be erected and visibility splays provided) have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to any other part of the development taking place.  
 Thereafter the access shall be retained in its approved form.  
  
 Comment: Dropped kerb pram crossing required to be incorporated into the entrance. Although Kirkley Rise is a private road there is a public right of way (PROW), Lowestoft Public Footpath 28 (FP28), located within the footway through which the vehicular access to this site is to be formed. this condition is therefore required to provide dropped kerbs on the route of FP28.
  
4. Condition: The use shall not commence until the area(s) within the site shown on Drawing Number 7407-SA-8335-P004-C 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.
  
5. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number 7407-SA-8335-P004-D shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

6. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
- 1) A preliminary risk assessment which has identified:
    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site.
  - 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  - 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  - 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.
7. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.
8. No development should take place until a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and submission of reports to the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the Local Planning Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

9. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
10. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
11. The strategy for the disposal of surface water and the Flood Risk Assessment (FRA) (dated 06/07/2018, ref: MD4180149/KLJ/004 Issue 2) shall be implemented as approved in writing by the local planning authority. The strategy shall thereafter be managed and maintained in accordance with the approved strategy.
12. The building hereby permitted shall not be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.
13. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:
  1. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
    - i. Temporary drainage systems
    - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
    - iii. Measures for managing any on or offsite flood risk associated with construction
14. The mitigation measures outlined in the hereby approved Extended Phase 1 Habitat Survey, dated May 2018, and received 19/06/2018, for protecting protected species during the construction of the approved development shall be implemented in their entirety in accordance with the timeframes outline within the Survey.
15. Prior to there first use on site, details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
16. All hard and soft landscape works shall be carried out in accordance with the approved details set out on drawing MK MCD NB8335 01. 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.

17. No development shall take place until the existing trees on and adjacent to the site, hereby agreed with the Local Planning Authority to be retained, have been protected by the erection of temporary protective fences of a height, size and in positions which shall previously have been agreed, in writing, with the Local Planning Authority. The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the tree to be protected. Any trees dying or becoming severely damaged as a result of any failure to comply with these requirements shall be replaced with trees of appropriate size and species during the first planting season, or in accordance with such other arrangement as may be agreed in writing with the Local Planning Authority, following the death of, or severe damage to the trees.
18. Notwithstanding the provisions of the Town and Country General Permitted Development Order 2015 (as amended) and the Town and Country Planning (Use Classes) Order 1987 (as amended), or any order revoking and re-enacting that Orders (with or without modification), the unit hereby permitted, shall be used for uses only falling within Class A3 and/or Class A5 of the Order(s).
19. 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.

20. 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.
21. Prior to any occupation or use of the approved development the RMS approved under condition 21 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.
22. 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.
23. 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.

24. Deliveries or collection of packaging, waste or other items, to the unit hereby permitted, shall not take place outside the hours of 8am and 6pm Monday to Saturday and outside the hours of 10am and 4pm on Sundays and bank Holidays.
25. Prior to any occupation or use of the approved development a written scheme of attenuation should be submitted to and approved in writing by the LPA. The scheme must demonstrate that plant noise can be controlled so that the rating level will not exceed 32 dB LA,r at any time 1 m from the nearest sensitive residential window. The rating level must be measured or predicted in accordance with BS4142:2014. Thereafter the development must be developed, maintained and operated in accordance with the approved scheme of attenuation.

**Note:** The Chairman announced that, in view of the decision on DC/18/2576/FUL, Agenda items 13, 14 and 15 would be taken together.

**13 DC/18/2583/ADI – FORMER MILL ROAD SERVICE STATION, MILL ROAD, LOWESTOFT**

The Planning Officer had explained that the application was for Illuminated Advertisement Consent for the Installation of a free standing 8m totem sign.

Having considered and approved application DC/18/1281/ARM Former Mill Road Service Station, Mill Road, Lowestoft, for the construction of a freestanding two storey restaurant with drive-thru, car parking, landscaping, patio, play frame and associated works, it was

**RESOLVED**

That permission be granted, subject to the following conditions:

1. This consent shall be for a period of five years.
2. All advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
3. Any hoarding or similar structure, or any sign, placard, board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the Local Planning Authority.

4. Where any advertisement is required under these Regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority.
5. The maximum luminance from any one sign within this application shall not exceed 600 candela/m<sup>2</sup>.
6. The development hereby permitted shall be carried out in accordance with the following approved drawings for which permission is hereby granted:
  - Drive Totem 2 8MT, received 20/08/2018
  - Site Layout Plan - Drive Totem; 7407-SA-8335-P022 C; received 20/08/2018,

**14 DC/18/2584/ADI – FORMER MILL ROAD SERVICE STATION, MILL ROAD, LOWESTOFT**

The Planning Officer had explained that the application was for an Illuminated Advertisement Consent for the Installation of seven fascia signs.

Having considered and approved application DC/18/1281/ARM Former Mill Road Service Station, Mill Road, Lowestoft, for the construction of a freestanding two storey restaurant with drive-thru, car parking, landscaping, patio, play frame and associated works, it was

**RESOLVED**

That permission be granted subject to the following conditions:

1. This consent shall be for a period of five years.
2. All advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
3. Any hoarding or similar structure, or any sign, placard, board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the Local Planning Authority.
4. Where any advertisement is required under these Regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority.
5. The maximum luminance from any one sign within this application shall not exceed 600 candela/m<sup>2</sup>.
6. The development hereby permitted shall be carried out in accordance with the following approved drawings for which permission is hereby granted:
  - Signage Elevations; 7407-SA-8335-P009B; received 20/08/2018

**15 DC/18/2585/ADN – LAND AT KIRKLEY RISE, MILL ROAD, LOWESTOFT**

The Planning Officer had explained that the application was for Advertisement Consent for Various Site Signage including a gateway height restrictor, nine free standing signs, one side by side directional, three banner units, one play land sign and 23 dot signs.

Having considered and approved application DC/18/1281/ARM Former Mill Road Service Station, Mill Road, Lowestoft, for the construction of a freestanding two storey restaurant with drive-thru, car parking, landscaping, patio, play frame and associated works, it was

**RESOLVED**

That permission be granted subject to the following conditions:

1. This consent shall be for a period of five years.
2. All advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
3. Any hoarding or similar structure, or any sign, placard, board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the Local Planning Authority.
4. Where any advertisement is required under these Regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority.
5. The maximum luminance from any one sign within this application shall not exceed 600 candela/m<sup>2</sup>.
6. The development hereby permitted shall be carried out in accordance with the following approved drawings for which permission is hereby granted:
  - 'Play of the Future Logo Details, 800, received 20/06/2018
  - ERDDS BANNER UNIT, McD/038/2016, received 20/06/2018
  - Site Layout Plan - Site Signage, 7407-SA-8335-P008D, received 20/08/2018
  - 'Look both ways' sign, McDonalds/024/2016, received 20/06/2018
  - 'No Entry' sign, sign type 25, received 20/06/2018
  - 'Give Way' sign, sign type 25, received 20/06/2018
  - Welcome totem sign, sign type 2, received 20/06/2018
  - 'Parked order bay' sign, sign type 24, received 20/06/2018
  - Pedestrian crossing sign, sign type 25, received 20/06/2018
  - Any lane sign, sign type 19, received 20/06/2018
  - Gateway sign, sign type 3, received 20/06/2018
  - Poster board, sign type 13, received 20/06/2018
  - Pre sell boards, sign type 7, received 20/06/2018
  - 2 Bay sign, sign type 11, received 20/06/2018
  - Site location plan, 7407-SA-8335-AL01 D, received 20/06/2018
  - Speed limit sign, received 20/06/2018



- Directional sign, sign type 2, received 20/06/2018
- Accessible parking bay, sign type 24, received 20/06/2018

**16 DC/18/2950/DCO – THE LAKE LOTHING THIRD CROSSING, LOWESTOFT**

The Development Management Team Leader presented the application which was for a new crossing over Lake Lothing, Lowestoft. Suffolk County Council (SCC) had submitted an application under section 37 of the Planning Act 2008 to the Secretary of State for Transport for a Development Consent Order (DCO) to authorise the construction, operation and maintenance of a new bascule bridge highway crossing of Lake Lothing.

The application had been submitted for examination to the Planning Inspectorate and as SCC and this Council were statutory consultees under the Act, a joint response had been prepared and was contained in the report. The Committee was informed that the Councils had an important role in the process to provide a local perspective on the proposals.

Members were shown an aerial view, photographs and location plans of the site and its surrounds including visualisations of the proposed bridge resulting in a very significant feature in the landscape. The site was in the Area Action Plan and the proposal included new roundabouts, alternative access into Canning Road, an alignment of the road crossing and segregated cycle paths and footways for pedestrians.

The Development Management Team Leader explained that the examination period was likely to commence in November and last for six months. The examination would look at the design including lighting and the control tower, highways, noise, air quality, archaeology and contaminated land. Any outstanding issues would be resolved prior to the examination commencing. The Committee was requested to welcome the third crossing and support the report and recommendations as amended in the update report. Members noted that an additional paragraph was to be inserted in the report after 5.164 as follows:

The Local Authorities should continue working with the applicant and contractors on the development of the Interim/Final Code of Construction Practice into a completed document. In particular the Council concurs with the points raised by SRL Technical Services Limited in their communication dated 5th September 2018, including:

- the need for additional baseline noise monitoring;
- the requirement for prediction and assessment of noise from the construction phase, including careful comparison of predicted noise against existing ambient noise levels;
- consideration and assessment of construction activities against eligibility thresholds for noise insulation in accordance with BS5228; and
- identification and assessment of any other sources of noise that will be associated with the operational phase, including alarms.

The detail of the Code of Construction Practice (such as existing ambient noise levels; Threshold Noise limits; working hours; assessment of the air quality impacts from construction HGVs; etc) cannot be agreed until definitive details of the project are known and the final Code of Construction Practice is in development. We do not rule out the possibility that Control of Pollution Act 1974 s61 applications (Prior consent for work on construction sites) would be required for any of the works.

This approach avoids prematurely committing the scheme to detailed controls based on the current level of available detail.

Debate

Members commented on the connection into Durban Road for cycles and the footpath and that an additional crossing was badly needed for the town. There was general support for the crossing and that the report had set out a full appraisal of the issues to be considered. There being no further discussion, it was

**RESOLVED**

That the officers be given delegated authority to submit the Council's formal response as Statutory Consultee to the Lake Lothing Third Crossing public consultation, subject to matters and the Local Impact Report requiring further resolution:

1. The proposed third crossing is very much supported and welcomed. However, drawing on the consultee responses there are some matters that require further resolution/inclusion within the Development Consent Order (DCO) application as follows:

**1) Highways**

- a) Several minor traffic modelling issues have been identified that need to be addressed prior to granting the DCO. While these issues are not considered to significantly affect overall impact of the scheme they may influence capacity or delays at individual roads and junctions. Officers will work with the applicant to resolve these prior to and during the examination.
- b) Further detailed resolution is required on road safety issues at a small number of junctions. These are capable of resolution during the course of the Examination.
- c) Attention is drawn to the inflexibility of the DCO process to allow changes to agreed plans after consent is issued. This would make later alterations to such items as parking restrictions difficult although it is accepted that the applicant has undertaken consultation with stakeholders and that revisions can be made during the examination which reduces this risk. Officers will work with the applicant to ensure details are as accurate as possible before the conclusion of the Examination.
- d) The impact of construction traffic will require further consideration as additional information becomes available and this will need to be dealt with within the final version of the Code of Construction Practise.

**2) Archaeology**

- a. the Environmental Statement should have made clear that further archaeological work will be required;

- b. the DCO should make clear that an archaeological strategy should be in place before works commence;
- c. the Code of Construction Practice should mention archaeology;

**3) Ecology**

- a) greater clarity on the role of ecology should be included in the DCO or its supporting documents and enhancements should be planned, agreed and implemented;

**4) Landscape**

- a) with regard to the northern approach to the bridge, a public realm strategy there is not likely to be appropriate, However, there should be the inclusion of a sustainable drainage, biodiversity and visual amenity driven scheme along the lines of that associated with Tom Crisp Way for the northern landing of the bridge;

**5) Air Quality**

- a) It is not clear (and how) congestion and queuing at junctions has been accounted for within the modelling. There is a risk therefore that concentrations and impacts will be under-predicted at receptors closest to junctions and the assessment would benefit from greater analysis of those receptors where the highest concentrations and greatest impacts are predicted.
- b) Further consideration should be given to the full list of mitigation measures described by the IAQM relating to High risk construction sites and these measures should be included in the final Code of Construction Practise or the Air Quality Management Plan to be adopted for the scheme.

**6) Design**

- a) The local authorities should continue working with the applicant and contractor on the Design Guidance Manual to achieve a high quality design for the scheme.

**7) Floods and Water**

- a) Further consideration should be given to the treatment of surface water prior to discharge into Lake Lothing.
- b) Non-return valves are specified on the outfalls. Consideration should be given to the storage required when the system is fluvially or tidally locked as well as the implications of operations of the proposed new tidal barrier.

**8) Contaminated Land**

- a) The local authorities will need to continue to work with the applicant in the development of the Code of Construction Practise in respect of the development of procedures for any issues arising on contaminated land.

**9) Delegation**

- a) To delegate to the Head of Planning and Coastal Management the ability to prepare documentation to support the forthcoming Examination of the DCO, negotiate with the applicant and agree Statements of Common Ground in pursuit of the matters listed above, if necessary after consultation with the Chairman of this Committee.
- b) To recommend that it should be made clear on the face of the DCO that, where appropriate, the discharge of requirements should only take place after consultation with Waveney District Council.

**10) Noise**

If planning permission is granted, a full review of eligibility for further sound insulation under the NIR must be completed to protect the future amenity of the most affected residential properties.

**17 VACANT BUILDING CREDIT**

The Head of Planning and Coastal Management presented the report which related to the application of Vacant Building Credit (VBC).

Members were advised that, in 2016, the Government had reaffirmed the application of VBC following a Court of Appeal ruling. The guidance on how VBC was to be applied, as set out in the National Planning Policy Guidance, was potentially open to interpretation so the two councils' Planning Committees were being recommended to endorse the contents of the report and the attached Advice Note to confirm how VBC would apply.

The aim of the VBC was to promote development of brownfield sites and to unlock genuine brownfield development by providing affordable housing credit. It allowed the floorspace of existing buildings that were to be redeveloped to be offset against the calculations for affordable housing requirements, whether by way of financial contribution or on site provision. There was no definition of 'vacant' within legislation or the National Planning Policy Guidance, therefore, it was being proposed that it was appropriate to apply the Community Infrastructure Levy definition. In addition, it was recommended to be assessed on a case by case basis because of the variation between Waveney and Suffolk Coastal District Councils' areas. It was also recommended that VBC would not apply to rural exception sites where the primary purpose of setting aside planning policy was to provide affordable housing for a community where there was an identified need.

In response to Members, questions, the Head of Planning and Coastal Management explained the intention of VBC was to assist with maximising affordable housing balanced against the regeneration of brownfield sites. There being no further debate, it was

**RESOLVED**

1. That the contents of the Report and the Advice Note, attached at Appendix A, to set out how Vacant Building Credit will be considered and applied, be endorsed.
2. That delegated authority be given to the Head of Planning and Coastal Management to determine whether VBC applies, in accordance with the Advice Note, when considering and determining applications that would otherwise not need to be determined by the Planning Committee.

**18 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**

The Development Management Team Leader presented the report which related to a mixed use development comprising of residential dwellings, neighbourhood shopping centre, community hall, primary school, play areas and country.

Members were reminded that there had been a number of obligations with regard to the Woods Meadow development. The obligations in the Section 106 Agreement included the delivery of the country park and had required the developer to submit a specification for the country park upon the occupation of the first dwelling. That had not been forthcoming and was still outstanding after an extension of time.

The Development Management Team Leader explained that Persimmon Homes had recently spread soil over the area of the country park, however its origin was not clear, and a written report was awaited. The situation was being monitored and progress was fully detailed in the report.

Members thanked the officers for continued perseverance and

**RESOLVED**

That the content of the update report relating to Land at Woods Meadow be noted.

The meeting concluded at 9.51pm.

Chairman