



PLANNING COMMITTEE

Minutes of a meeting of the Parish Council Planning Committee on Monday 22nd June 2009 commencing at 19:00 in the Lindos Centre Conference Room Saddlemakers Lane Melton IP12 1PP

Present

Cllr Mr PJ Brockett
Cllr Miss EA Barrington

Cllr Mrs JEJ Eckersley
Cllr Mr MW Sherwen

Cllr Mr GK Butterwick
Cllr Mrs EJG Hilson

In Attendance:

Cllr Miss KS Martin
Mr MJ Green [Clerk to Melton Parish Council]

09.71 RECEIVE APOLOGIES FOR AND CONSENT TO ABSENCE

There were no apologies.

09.72 TO RECEIVE DECLARATIONS OF INTEREST WITH REGARD TO ITEMS ON THE AGENDA AND ADDITIONS TO THE REGISTER

There were no declarations or additions to the register.

09.73 PUBLIC PARTICIPATION SESSION

09.73.01 To receive representations from Councillors who have declared a prejudicial interest under item 09.72

There were no representations from councillors

09.73.02 To receive representations from members of the public in respect of items on the agenda only

There were no representations from members of the public.

It was RESOLVED to lift standing orders.

09.74 OPEN FORUM FOR MEMBERS OF THE PUBLIC TO TALK TO COUNCILLORS

There were no matters raised by members of the public.

It was RESOLVED to re-instate standing orders.

09.75 TO APPROVE THE MINUTES OF MEETING HELD ON 18TH MAY 2009

It was RESOLVED that minutes PLA(09)M5 previously circulated be received, noted and signed as correct recorded by the Chairman.

Proposed by: Cllr Sherwen **Seconded by:** Cllr Hilson.

09.76 TO CONSIDER CO-OPTIONS OF NON-COUNCILLORS TO THE PLANNING COMMITTEE

There were no co-options considered.

09.77 TO REVIEW NEW PLANNING APPLICATIONS RECEIVED

09.77.01 C08/2192/FUL – Part of Water works, Bredfield Road, Melton

Application for Erection of building comprising seven residential units (existing office building to be demolished) – Revised/Additional plans and information.

Copy of application previously circulated.

Deadline for consultation extended to 19/06/2009.

Committee noted with concern that the revised details had been received by SCDC on 16th April, and that their letter dated 29th May, did not reach the MPC office until 4th June, thus depriving councillors of the opportunity to consider the revised plans in committee.

On that basis, councillors concluded that the revisions suggested by the developer have no material effect on the original application and therefore reiterated their objection to the revised application on the same grounds as previously.

Committee noted that the objection had been submitted by the revised deadline using the original objection set out in minute PLA(09)07.04, together with a complaint about the delay in providing the revised details.

It was noted that the planning department had made no comment regarding the late provision of the information to the parish council.

It was RESOLVED to confirm the objection to the revised application on the same grounds as previously.

Proposed by: Cllr Butterwick **Seconded by:** Cllr Hilson.

09.77.02 C09/0855/LDCP - Tollgate Cottage, Yarmouth Road, Melton

Application for certificate of lawfulness for proposed development: Erection of single-storey rear extension and detached garage.

Concern was expressed by councillors regarding the development of Tollgate Cottage.

The following points were made during the ensuing discussion:

- This was the first instance in Melton of the use of the new system of Householders' Permitted Development Rights. Under these new regulations, which came into force on 1st October 2008, an extension or addition to the home is considered permitted development not requiring an application for planning permission subject to a number of limitations and conditions. It was therefore important to ensure that inappropriate precedents were not set.
- It was noted with concern that details of the process adopted by SCDC for dealing with Householders' Permitted Development Rights, promised by the Head of Planning Services in his letter of October 2008, had not been received
- The parish council had not received any plans, application or details of the application for a certificate of lawfulness
- The application is by a property development firm [Foundation Properties of Ipswich] not by a householder.
- The cottage had now been virtually demolished with the roof, chimney stack and most of the interior having been removed.
- District Councillor Bond emailed – "*Demolishing Tollgate Cottage does not require planning permission. SCDC has not been notified that the building is to be demolished. I have no knowledge of pre-application meetings along the lines that you suggest. Screens could be to protect passers-by from small works though*". Whilst this was acknowledged it was questioned whether the intention of the regulations was to permit demolition and replacement of an existing property 'like for like' but with extensions.
- It was considered that the provision of a detached garage and vehicular access may not be allowed under the new regulations without planning permission, as neither had been approved under the previous legislation.
- In response to an eMail enquiry by the Assistant Clerk, SCDC have stated that an applicant may apply for a Lawful Development Certificate if they wish to be certain that the existing use of a building is lawful for planning purposes or that the proposal does not require planning permission. The process adopted by SCDC enables the SCDC solicitor to make a decision if the applicant needs planning permission or not. Should the solicitor decide that permission is not required then the parish council will receive a copy of the certificate otherwise they would be consulted in the usual way for any planning application should the solicitor decide planning permission is required

It was RESOLVED to (a) write to the Head of Planning Services at SCDC requesting details of the process adopted by SCDC and (b) to obtain further details from the Planning Portal about what constitutes 'permitted development'

09.78 TO REVIEW PLANNING APPLICATION NOTICES RECEIVED

09.78.01 C09/0449/FUL – Plot 2 Former Melton Grange Hotel Site, Grange Park Drive, Melton

Erection of single-storey rear extension

Copy of 'permission has been granted' notice previously circulated was received and noted.

- 09.78.02 C09/0541/FUL – Morden Villa, Melton Hill, Melton**
Erection of a rear conservatory (with associated alterations to existing outbuildings)
Copy of 'permission has been granted' notice previously circulated was received and noted.
- 09.78.03 C09/0600/FUL – South Lodge, Lodge Farm Lane, Melton**
Erection of two-storey side/rear extension
Copy of letter confirming application has been withdrawn on 21st May 2009 previously circulated was received and noted.
- 09.79 TO CONSIDER TREE WORKS APPLICATIONS RECEIVED**
- 09.79.01 C09/00062/TPO – Lavenders, 22 Burrows Road, Melton**
Group G7 – T1 Sycamore – reduce by 25% and remove lower branches
Group G7 – T2 Sycamore – remove low branches
Group G7 – T3 Pine – remove lower main leaders
Copy of application previously circulated. Deadline for comments was 08/06/2009.
Noted that councillors had made no comment to the application.
- 09.79.02 C09/000237/TPO – Land at Girdlestone Pumps Station Road Melton and at the junction with Wilford Bridge Road Melton**
Copy of tree preservation order, previously circulated was received.
Committee noted that this was a provisional order under s201 of the Town & Country Planning Act 1990 and, as such, came into effect immediately on being made on 15th June, remaining in force for six months or confirmed by SCDC, whichever is sooner.
It was also noted that SCDC had been considering placing TPO's on this site since at least October 2008, i.e. long before application C09/0584 to develop the site had been lodged.
Committee confirmed their support for confirmation of the order, but qualified as the penultimate paragraph appears to negate the protection being sought as follows:
'It may not be possible to retain all the trees protected by the TPO, some trees may need to be removed to achieve a successful scheme of redevelopment; others may need to be removed for long term management reasons. Negotiations will seek to ensure that the tree-scape is retained to enhance future development and use of the site'.
It was agreed to defer any response [not required until 13th July 2009] until the response had been received by the professional adviser to the objection to the site visit [see 09.82 below].
- 09.79.03 C09/00070/TPO – Orcades 1 Saxon Way Melton IP12 1LG S198 [TPO] Tree Work Application Initial Consultation**
Application to carry out work to trees protected by a TPO
Woodland W5 – T1 Pine Fell
This had only been received on 22nd June with a response date of 25th June 2009.
Concern was expressed about this very short timescale, and the absence of any supporting information. It was noted that, until February 2008 at least, notification of such applications had been accompanied by schedules identifying the trees, the work proposed and the reason(s) for it.
Committee needed further information regarding the location of the tree to be felled and the reason before being able to comment. The Clerk agreed to obtain further information and circulate it by email for a decision by committee.
- 09.80 TO RECEIVE AND CONSIDER A REPORT FROM THE CONSERVATION AREA WORKING GROUP**
There was no report as the conservation consultation document has yet to be received. It was noted that it had been SCDC's intention to produce the consultation document in May 2009. Chairman of Committee reported that he had been advised that consultation would not now take place until 'later in the year' and that it would not propose any extensions to the Conservation Area.

09.81 TO RECEIVE A PROGRESS REPORT ON ACTIONS TAKEN ON MATTERS ARISING FROM PREVIOUS MEETINGS NOT OTHERWISE ON THE AGENDA

09.81.01 C08/0676/FUL – Land to the South of Beresford Drive Melton

The following response to a request for further information has been provided by SCDC:
“The application has been to committee. It was approved subject to various conditions and the provision of affordable housing. There have been a few issues on whether it is appropriate to deal with the affordable housing requirements by condition or legal agreement. The fact that Mr Ruffles⁽¹⁾ was considering selling the site has made matters more complicated. Another problem that has arisen is whether the site boundaries on the ground reflect those on the approved plans given that the hedgerow on the northern boundary on the adjacent site was removed⁽²⁾ and a fence put up in a different position. We need to resolve these matters before any consent could be issued”.
Application C07/0636 will expire 21 September 2009. The time limits were imposed on the original outline consent.

[**Note:** ⁽¹⁾Mr Ruffles is the Developer and ⁽²⁾the removal of the hedgerow on the northern border is contrary to conditions attached to previous planning consents for 75 Bredfield Road]

Committee noted this response and referred to the prominent line of poplars on the site. It was suggested that, in the light of the above information, SCDC should be requested to take urgent steps to place a provisional [s201] TPO on them. Concern was also expressed about the untidy state of the plot of land and considered requesting SCDC to enforce a ‘tidy up’ using Section 215 of the SCDC Planning Enforcement Policy.

A formal resolution agreeing to such action will be placed on the agenda of the next meeting of Melton Parish Council Planning Committee.

09.81.02 75 Bredfield Road Melton

The Clerk to follow up with County Councillor Bond the results of the legal enforcement notice due to be served on 15th June 2009

09.82 GIRDLESTONE DEVELOPMENT

Paper MPC(09)P140.03 previously circulated was received and noted.

Proposed to instruct our Legal Representative, Lisa Foster of Richard Buxton Environmental & Public Law, to write on behalf of Melton Parish Council to Suffolk Coastal District Council lodging our concerns regarding the site visit which took place on Monday 8th June to the Girdlestone Site, specifically setting out our concerns about failure to follow SCDC’s ‘Protocol for Committee Site Visits for Planning Applications’ and the obstruction of our representative in carrying out her role as representative of the Council.

Proposed by: Cllr Butterwick **Seconded by:** Cllr Barrington

The following amendments to the resolution were moved:

- Replace ‘Legal Representative’ with ‘Professional Representative’
- Remove “failure to follow SCDC’s ‘Protocol for Committee Site Visits For Planning Applications’
- Remove ‘as representative of the Council’

Proposed by: Cllr Brockett **Seconded by** Cllr Hilson.

The amendments having being carried the following amended resolution was adopted.

It was RESOLVED to instruct our Professional Representative, Lisa Foster of Richard Buxton Environmental & Public Law, to write on behalf of Melton Parish Council to Suffolk Coastal District Council lodging our concerns regarding the site visit which took place on Monday 8th June to the Girdlestone Site, specifically setting out our concerns about the obstruction of our representative in carrying out her role.

09.83 ST AUDREY’S HOUSE

Cllr Bond provided the following information by email:

“SCDC will issue a Planning Contravention Notice [PCN] to the owners of the house⁽¹⁾. The notice will seek information about the use and management of the house. In the light of information thus gathered the council will decide on what to do. The owners of the house will have 21 days in which to reply.”

[**Note:** ⁽¹⁾4 The Clubhouse Melton Park]

09.84 THE DE-LISTING OF 64 THE STREET, MELTON

The notice of delisting was received and noted.

Concern was expressed about the process for delisting which was solely decided upon by English Heritage with no consultation with the parish council.

09.85 C/09/0555/OUT - ADASTRAL PARK DEVELOPMENT, MARTLESHAM

Council briefly discussed the proposed refurbishment of Adastral Park and development of adjoining land to provide: up to 60,000 m² additional employment floor space [b1]; erection of up to 2000 dwellings; mixed-use local centre; education provision; hotel; energy centre; public park and other areas of public open space; other community infrastructure; changes to junctions on A12; new road connections to C356 [Newbourne Road/Heath Road/Waldringfield Road]; other ancillary works; and agreed that, due to the potential impact on Melton and surrounding areas, this item should be deferred to future meetings of the planning committee as a regular agenda item during the application process to enable a fully considered response to the application to be made by Melton Parish Council.

Councillors were encouraged to view the details of the proposal to enable a constructive discussion to take place at forthcoming meetings. It was also suggested that contact be made with other town and parish councils likely to be affected by this major development. Details are available on the SCDC website at:

<http://www.suffolkcoastal.gov.uk/yourdistrict/devcontrol/adastralpark/default.htm>

09.86 PLANNING COMMITTEE CHAIRMAN'S URGENT BUSINESS

09.86.01 SCDC Climate Change Strategy

The Chairman brought the consultation to the notice of the committee. A summary of the consultation paper is on the Melton Parish Council Website www.melton-suffolk-pc.gov.uk/currentevents.html and the full document can be downloaded from the SCDC Website <http://www.suffolkcoastal.gov.uk/NR/rdonlyres/D2A52B83-036E-42BF-8930-55DC59A203BE/0/SuffolkCoastalClimateChangeStrategyFinalConsultationDraft.pdf>

Councillors were urged to consider their response in readiness for a discussion at the next full council meeting. The deadline for the response to the consultation is 14th August 2009.

09.87 ANY OTHER BUSINESS

09.88 DATE OF NEXT MEETING

Monday 27th July 2009 commencing at 19:00.

There being no further business the meeting closed at 21:10

Signed: _____ Date: _____

[Chairman]