



PLANNING and TRANSPORT COMMITTEE

Minutes of an ordinary meeting of the Parish Council Planning and Transport Committee on Monday 22nd August 2011 commencing at 1900 in the Lindos Centre Conference Room 4 Saddlemakers Lane Melton IP12 1PP

Present:

Cllr Mr GK Butterwick [Chairman]
Cllr Mr AG Corston
Cllr Mrs EJJ Hilson

Cllr Mr MW Sherwen
Cllr Mr ML Webb

Absent:

Mr MJ Green Clerk to Melton Parish Council (holiday)

In Attendance:

Cllr Ms KS Martin Vice-Chairman of Council
Mr S Harvey Resident
Mrs M Harvey Resident

11.94 TO RECEIVE APOLOGIES FOR AND CONSENT TO ABSENCE

There were no apologies as all members were present.
In the agreed absence of the Clerk, Cllr. Hilson volunteered to take notes.

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

Cllr. Hilson declared a personal interest in respect of item 11.99.01 as a friend of the applicants.
There were no other declarations of interest with regard to items on the agenda or additions to the register.

11.96 PUBLIC PARTICIPATION SESSION

11.96.01 To receive representations from Councillors who have declared a prejudicial interest

There were no representations from Councillors as none had declared a prejudicial interest at item 11.95

11.96.02 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 in respect of items on the agenda.

It was **RESOLVED** to lift standing orders

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

11.97.01 C11/1722/FUL – Boat Friendship

Mr & Mrs Harvey attended the meeting to put their reasoning for the application and to answer questions from councillors.

11.97.02 Advertising Boards

Cllr Martin raised concern over the number of advertising boards left outside the business premises along Wilford Bridge Road in the village after the end of business day.

It was **RESOLVED** to reinstate standing orders.

11.98 TO APPROVE THE MINUTES OF PREVIOUS MEETING

11.98.01 Meeting held on 25th July 2011

It was **RESOLVED** that minutes PLA(11)M07 previously circulated be received, noted and signed as correct record by the Chairman.

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

11.99 TO REVIEW NEW PLANNING APPLICATIONS RECEIVED

11.99.01 C11/1722/FUL – Boat Friendship MBC Marina New Quay Lane Melton IP12 1BJ

Application for change of use: retention of residential use of a boat moored on the right bank of the River Deben at Melton Boat Club.

Copy of application previously circulated was received and noted.

It was resolved to make the following response to the application:

Melton Parish Council carefully considered this application at the meeting of its Planning & Transport Committee on 22nd August 2011. Having heard representations from the applicant, and considered the policies contained in both the current Local Plan (LDP) and the Local Development Framework Development (LDF) Plan Document adopted as interim planning policy in June 2010, the council's response is as follows.

Taken on purely planning grounds, in particular LDP policy AP241, which states "*Planning permission for the mooring of additional houseboats on the section of the river between Wilford Bridge and Sun Wharf at Woodbridge will not be granted, and where planning permission falls to be considered for existing ones it will not be granted where it would result in, or perpetuate, serious visual intrusion.*", the parish council finds it can neither support nor object to the application for residential use of the boat *Friendship*, moored on the right bank of the River Deben at the Melton Boat Club wharf.

However, the council is aware of the fact that many other boats are moored on the banks of the River Deben within Melton; several of these are used for residential purposes, some permanently, others as holiday homes. It is believed that a number of these were moored after the 8th August 1989 base date for policy AP241. The council is not aware of any enforcement action taken against the owners or occupiers of these vessels in the intervening years. The council is also aware of the fact that a Certificate of Lawful Use has recently been granted for residential use of the boat *Constance*, moored within 25m of the *Friendship*, at the same wharf (application C10/0563, decided on 4th May 2010). It is believed that the *Friendship* uses a previously occupied berth at this established wharf.

The stated aim of policy AP241 (LDP para 14.80) is to avoid "... *adverse impact on the area, which has been given national recognition for its landscape qualities*" and to accord with "*long-established policies to resist development in the open countryside.*" However, mitigating factors are recognised at 14.82, including "... *the fact that a number of houseboats have been established for some years, they are the sole residence of the occupiers, and enforcement may merely move the 'problem' elsewhere.*" At 14.83, the LDP states "... *the condition and appearance of boats will be important, and those in a poor state of repair and thereby visually intrusive, should be removed. ... any boats which remain will need to comply with the Council's adopted Code of Practice, which requires the boats to be in good condition and fit for habitation. In addition, it covers such matters as the appearance of boats, ancillary cables and gangplanks, the provision of services, fire fighting and the safeguarding of adjoining rights of way.*" It might be considered that the pristine condition of the *Friendship* and its mooring at a pre-existing designated berth in an established boatyard complies with the spirit, if not the letter, of policy AP241 and contrasts with other boats moored along the river bank.

The council also notes that the emerging LDF does not contain any policy equivalent to AP241. However, LDF policy DM4 - Housing in Clusters in the Countryside, states "*Proposals for new dwellings within 'clusters' will be acceptable, subject to satisfying the following criteria:*

a. The scale of development consists of infilling by one dwelling or a pair of semi-detached dwellings within a continuous built up frontage;

b. It would not cause undue harm to the character and appearance of the cluster or any harmful visual intrusion into the surrounding landscape;

c. Particular care will be exercised in sensitive locations such as conservation areas, the Area of Outstanding Natural Beauty and special landscape areas; and

d. The cumulative impact of proposals will be a major consideration

A 'cluster' in this context:

- consists of a continuous line of existing dwellings or a close group of existing dwellings adjacent to an existing highway;
- contains 5 or more dwellings; and
- is located no more than 150 metres from the edge of an existing settlement identified as a Major Centre, Town, Key Service Centre or Local Service Centre. This may be extended to 300 metres if a footway is present."

On the assumption that a residential houseboat newly occupying an existing berth might be considered equivalent to a new dwelling, this policy might be more recent, and therefore more relevant than AP241. The location appears to comply with most, if not all of the criteria set out in DM4.

Finally, whilst not strictly a planning matter (although LDP para 14.82 might suggest otherwise), the particular circumstances of the applicant's family, referred to at length in the submissions forming part of the application, suggest that there is reason to approve the application. The parish council recognises concern (notwithstanding the decision on C10/0583) about the impact of setting a precedent were this application to be granted. It is suggested that this concern might be addressed by the granting of permission which is:-

- personal to the applicant and his immediate family, and
- temporary (say five years) in duration.

It is believed that there are precedents elsewhere for adopting such an approach.

Proposed by: Cllr Butterwick

Seconded by: Cllr Webb.

11.99.02 C11/1724/FUL – 39 Bredfield Road Melton IP12 1JA

Application for proposed detached garage and new vehicular access fronting Warwick Avenue.

Copy of application previously circulated was received and noted.

It was RESOLVED not to object to the application as Melton Planning Committee considers the application to be in line with the saved policies from the SCDC Local Plan and the LDF Core Strategy and Development Management Interim Planning Policies; it has not received any objections from residents and has confirmed this with the documentation on the SCDC Planning Application Website.

Proposed by: Cllr Butterwick

Seconded by: Cllr Hilson.

11.99.03 C11/1741/FUL – 17 Church View Close Melton IP12 1RD

Application for insertion of fire escape window in side elevation in connection with loft conversions.

Copy of application previously circulated was received and noted.

It was RESOLVED not to object to the application as Melton Planning Committee considers the application to be in line with the saved policies from the SCDC Local Plan and the LDF Core Strategy and Development Management Interim Planning Policies; it has not received any objections from residents and has confirmed this with the documentation on the SCDC Planning Application Website.

Proposed by: Cllr Butterwick

Seconded by: Cllr Corston.

- 11.99.04 C11/1785/FUL – 56 The Street Melton IP12 1PW**
 Application for erection of single storey extension to side and alterations to roofs.
 Copy of application previously circulated was received and noted.
It was RESOLVED not to object to the application as Melton Planning Committee considers the application to be in line with the saved policies from the SCDC Local Plan and the LDF Core Strategy and Development Management Interim Planning Policies; it has not received any objections from residents and has confirmed this with the documentation on the SCDC Planning Application Website.
Proposed by: Cllr Butterwick **Seconded by:** Cllr Sherwen.
- 11.99.05 C11/1850/FUL – 87b Bredfield Road Melton IP12 1JE**
 Application received 19th August. Request for extension to planning consultation time period requested.
- 11.99.06 C11/0814/FUL – Part Side Garden 2 Saxon Way Melton IP12 1LG – Revised Scheme**
 Revised plans received 19th August, with response required by 30th August. Request for extension to planning consultation time period requested.
- 11.100 TO REVIEW PLANNING APPLICATION NOTICES RECEIVED**
- 11.100.01 C11/0873/FUL – 1 Grant Rise Melton IP12 1FG**
 Copy of 'Planning Appeal against refusal of a householder application' previously circulated was received and noted.
- 11.100.02 C/11/1115/FUL – 8 Fayrefield Road Melton IP12 1NX**
 Copy of 'Permission has been granted' notice previously circulated was received and noted.
- 11.100.03 C11/1189/FUL – 47 Bredfield Road Melton IP12 1JB**
 Copy of 'Permission has been granted' notice previously circulated was received and noted.
- 11.100.04 C11/1213/FUL – 3 Coppice Close Melon IP12 1RX 1JB**
 Copy of 'Permission has been granted' notice previously circulated was received and noted.
- 11.100.05 C/11/1353/FUL - 54 Bury Hill, Melton, Woodbridge, IP12 1JD**
 Copy of 'Permission has been granted' notice was received and noted.
- 11.101 TO RECEIVE A REPORT FROM THE PARISH COUNCIL LOCAL TRANSPORT REPRESENTATIVE**
 There was nothing to report.
- 11.102 TO RECEIVE A PROGRESS REPORT ON ACTIONS TAKEN ON MATTERS ARISING FROM PREVIOUS MEETINGS NOT OTHERWISE ON THE AGENDA**
 Paper PLA(11)P102 previously circulated was received and noted.
- 11.103 TO CONSIDER ISSUES SURROUNDING THE IMPLEMENTATION OF THE TRAFFIC REGULATION ORDERS IN MELTON**
 Deferred to September meeting.
- 11.104 TO CONSIDER TREE WORK APPLICATIONS**
- 11.104.01 C11/00079/TPO – 8 Saxon Way Melton IP12 1LG**
 Woodland W5: Application to remove sycamore tree from rear garden.
 Application for extension until after 22nd August requested and granted.
 Copy of application previously circulated was received and noted.
It was RESOLVED not to object to the application as Melton Planning Committee considers the application to be in line with the saved policies from the SCDC Local Plan and the LDF Core Strategy and Development Management Interim Planning Policies; it has not received any objections from residents and has confirmed this with the documentation on the SCDC Planning Application Website.
Proposed by: Cllr Butterwick **Seconded by:** Cllr Hilson.

11.105 PLANNING COMMITTEE CHAIRMAN'S URGENT BUSINESS

11.105.01 Enforcement Action: St. Audry's House, St. Audry's Park Road.

The Chairman reported that the appeal against the enforcement notice had been refused by the planning inspector.

11.105.02 Local Implications of Eviction of Travellers from Dale Farm, Crays Hill, Basildon.

The Chairman referred to correspondence with a concerned resident, copies of which had been distributed previously. Cllr. Martin reported that the issue had been discussed at a recent meeting of the Safer Neighbourhood Team. She, the Chairman of Council and Chairman of Committee would be attending a workshop on the issue immediately preceding the meeting of the SALC Coastal Area Committee on 5th September.

11.105.03 Speed Restriction: Woods Lane.

The Chairman referred to correspondence with a concerned resident, copies of which had been distributed previously. Committee noted the response sent by the Clerk and agreed that the issue would be covered in the forthcoming 'Village Traffic' report referred to at 11.103 above.

11.105.04 Localism Bill.

Cllr. Sherwen referred to the report to Full Council [MPC(11)P174 and, whilst welcoming the proposed additional powers for town and parish councils, expressed concern business/ that the Bill as currently drafted proposed drastic changes to the planning system, including a 'presumption in favour of development', and suggested a response to the Department for Communities & Local Government was needed. The Chairman reported that he would be attending a meeting of the SALC Executive Committee's Planning Working Group convene specifically to discuss this.

11.105.05 Bentwaters Park Planning Application (C10/3239).

In response to a question on the current status of this application, the Chairman reported that it was yet to be programmed for consideration by SCDC's North Area Development Control Sub-Committee. However, it would be discussed at a meeting of the 'ParishLink' group of parishes on 6th September, to which he would be accompanied by Chairman of Council.

11.105.06 Land South of Beresford Drive (C11/0754 & C09/1827).

Cllr. Hilson drew attention to the dangers posed by vehicles used by contractors' working on this site being regularly parked on both sides of Beresford Drive. Agreed to raise issue with Dist. Cllr. Bond.

11.105.07 11.105.07 Traffic Regulation Order: Melton Hill.

Cllr. Martin reported that the double yellow lines protecting the junction with Turnpike Road had still not been completed. Agreed to raise issue with County Cllr. Bond.

11.106 DATE OF NEXT MEETING

Monday 26th September 2011 at 1900 in the Lindos Centre Conference Room 4.

There being no further business the meeting closed at 2100

Signed: _____

Date: _____

[Chairman]