



PLANNING AND TRANSPORT COMMITTEE

Minutes of an ordinary meeting of the Parish Council Planning and Transport Committee on Monday 26th March 2012 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 EJG Hilson

Cllr Mr MW Sherwen
Cllr Mr ML Webb

Absent:

Mr JE Bale

In Attendance:

Mr D Steptoe
Mr MJ Green Clerk to Melton Parish Council

12.30 TO RECEIVE APOLOGIES FOR AND CONSENT TO ABSENCE

12.30.01 Mr JE Bale - Holiday

Council considered this apology and it was **RESOLVED** to accept the apology and consent to the absence.

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

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

12.31.01 Item 12.35.03 Tollgate Cottage Yarmouth Road Melton IP12 1QF

Cllr Butterwick declared a personal interest in this application as he was a close neighbour.

12.32 PUBLIC PARTICIPATION SESSION

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

There were no representations from councillors as none had declared a prejudicial interest.

12.32.02 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.

As there were no members of the public present it was not necessary to lift standing orders.

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

There were no members of the public present.

12.34 TO APPROVE THE MINUTES OF PREVIOUS MEETING

12.34.01 Meeting held on 27th February 2012

It was **RESOLVED** that minutes PLA(12)M02 previously circulated be received, noted and signed as correct record by the Chairman.

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

12.35 TO REVIEW NEW PLANNING APPLICATIONS RECEIVED

12.35.01 C10/3239/FUL – Former RAF Bentwaters, Bentwaters Park Rendlesham

Change of use of buildings and land and moving a section of fence.

Copy of the further information provided by the applicant on 27th February 2012 was duly received and noted.

The Chairman advised the meeting that he had studied the various new documents but that there were only minor changes to the original application. It was noted that Rural Services Network Online had just reported that the National Planning Policy Framework [NPPF] was due to be published by Government on 27th March 2012. It was also noted that the applicant's Addendum to the Planning Statement relied heavily on the draft NPPF, but it was confidently anticipated that the final NPPF would be much less laissez faire than the draft.

The application was duly considered by the committee which concluded that the original objections to the application as follows remain valid:

1. Traffic Impact.

a) A1152 Road.

The Transport Assessment makes no mention of the impact of additional traffic resulting from the granting of consent to the development of approximately 90,000m² of floorspace for business use, including B8 Storage & Distribution. This use can be HGV intensive, as the local example of Debach Airfield (coincidentally in common ownership with Bentwaters Parks) well demonstrates. The A1152 road is *not* part of the county's Strategic Lorry Route network, but only a Zone Distributor to it. With the exception of a section of new alignment near Rendlesham and Wilford Bridge Road in Melton, it is an unimproved, narrow, single-carriageway country lane, quite unsuited to regular, frequent use by HGV's.

According to official Suffolk County Council figures, the A1152 in Melton has seen a 38% increase in traffic between 1992 (before the US Air Force left the site) and 2008, peaking at an Annual Average Daily Traffic (AADT) of almost 15,000 vehicles. To give a context, this is comparable with the "intolerable" volume of traffic on the A12 through Farnham. The A1152 (as Wilford Bridge Road and Woods Lane) effectively bisects the village, deterring pedestrians from crossing from homes on one side to the other, and from walking along it from the Bury Hill part of the village to the centre. The additional traffic will render conditions intolerable.

b) Railway Level Crossing.

The A1152 also crosses the East Suffolk Railway line at a level crossing adjacent to the station. This crossing has no protection in the form of gates or barriers, and is monitored only by the drivers of trains using the line. This category of crossing (Automatic Open Crossing Locally Monitored - AOCL) is acknowledged as having the highest safety risk.

Owing to the right-angle bend immediately to the north-west of the crossing, it is not possible for two HGV's to pass, or for an HGV to pass a car, either on the crossing or its immediate approaches. The number of trains using the line doubled with effect from December 2010. The additional HGV traffic resulting from consent to this application would significantly increase the congestion on the road, especially at peak times, and would increase the risk of an accident at the crossing.

On visiting the Post-Application Consultation Event held by the developer's agent on 22nd February 2011, the parish council's Planning Committee Chairman discussed the traffic issues with the relevant consultant. This can be summarised thus:-

- Q - Have you appraised the traffic impact the A1152 in Melton?
A - No. The additional traffic generated by the application will be negligible.
- Q - Does that include traffic from existing uses which are unlawful, *i.e.* Don't have planning consent?
A - I'm not getting drawn on that.
- Q - Have you appraised the traffic impact the railway level crossing in Melton, where HGV's cannot pass each other, or even a car?
A - I'm aware of the situation, but we haven't assessed it because the additional traffic generated by the application will be negligible.
- Q - Have you discussed the impact on the railway level crossing with Network Rail?
A - No.
- Q - Has Network Rail been consulted about the application?
A - I don't know, I'm sure if SCDC considered they had an interest they would have consulted them.

According to the SCDC planning website, Network Rail does not feature amongst the 26 statutory consultees. Network Rail was apparently not consulted during the Environmental Impact Assessment Scoping Report for the site last year, despite local suggestions that NR should be considered a stakeholder. This omission is a cause for concern.

c) Conclusion.

The parish council considers that a Transport Assessment which omits to consider the impact of increased traffic on the designated Zone Distributor where it passes through the largest population centre before gaining the Strategic Lorry Route network, nor at the one point at which it crosses the railway network, is seriously flawed. It cannot be relied upon by the local planning authority when reaching its decision.

2. Impact on Suffolk Coast & Heaths AONB.

The development of a business park in the middle of an Area of Outstanding Natural Beauty would not, in normal circumstances, be entertained. It is acknowledged that the circumstances in this case are different, as the site was used as a military airfield from World War 2 through to the end of the Cold War. Once its use as such had ended, it should have been decommissioned and returned to its previous agricultural use. Failing that, a Master Plan for sustainable re-use and development should have been drawn up. Indeed, this is what the local community was led to believe would happen, as borne out by report DC 03/09 to the Development Control Committee which states "*The site was bought by the present owner in the knowledge of these requirements and presumably at a price reflecting the need for considerable demolition, costly enhancement/landscape restoration and both the cost and implications of the increased public access to the site as a result of the public rights of way requirements and security fence removal*".

As unpaid volunteers, members of the parish council have had neither the time nor the appetite to read the box-full of documents provided in support of this application, nor should they. However, they are aware of the recent legal advice (in the case of the LDF Core Strategy) regarding the applicability of UK regulations based on the European Habitats Directive to the Suffolk Sandlings Special Protection Area "in the area around Tunstall and Rendlesham Forests". Special attention needs to be given to the extent to which this application complies with those regulations.

3. Unauthorised Development and 'Planning Gain'.

This application seeks to 'regularise' the currently unauthorised use of buildings comprising about two-thirds of this 90,000m² site, as is borne out by Report ADCN 16/09 to the 11th November 2009 meeting of the North Area Development Control Sub-Committee. It flies in the face of logic, common sense and justice to say (as the developer's agent does) that, because unauthorised use has taken place over the years, its impact on the environment and on local communities should not be mitigated.

The established mechanism for doing this is by the implementation of 'Section 106 Agreements'. These recognise that where development resulting (quite properly) in profit for the private sector brings dis-benefits to the community, the cost of mitigating which would be borne by the public sector, then those costs should be recouped from the developer. Government advice is also that s106 agreements should be drawn up in consultation with the communities affected. It is clear that, from the restricted nature of the Transport Assessment, that no assessment has been made of the mitigation measures required either on the route of the A1152 road, or at the railway crossing.

In the conditional withdrawal of Network Rail's objection to application C09/0584/FUL (Girdlestone site, Melton), NR stated "*Naturally should further development occur in proximity to the level crossing were the number of movements should increase further contributions from the relevant developers will be expected. This is supported by the following policy from the Suffolk Coastal Local Plan: AP117 Planning Obligations.*" This application clearly fulfils the criterion of generating an increase in traffic over the crossing.

As the public finances are, as we are repeatedly told, currently at a low ebb, the parish council suggests that, should it be minded to approve the application, the local planning authority should negotiate an s106 agreement which provides significant developer funding for improvements to both the A1152 road and the railway crossing.

4. Control by Means of Conditions.

A central plank to the developer's case appears to be that the intensity of traffic generated by the proposed use of the site could be mitigated by conditions. In this respect, the parish council is bemused by the use by the applicant of the terms 'B8 storage only' or 'B8 agricultural storage', as it understands there is no provision in planning law for such use categories. It seems highly likely that any attempt to enforce conditions relating to such use would be overturned on appeal, rendering any attempt to control use nugatory.

It was RESOLVED to reaffirm the original objection as detailed above.

Proposed by: Cllr Butterwick

Seconded by: Cllr Hilson.

12.35.02 C12/0298/FUL – Rustic Cottage Daines Lane Melton IP12 1PA

Application for erection of one and a half storey dwelling & garage [existing bungalow to be demolished.

Copy of application previously circulated.

Extension of consultation period until after Planning and Transport Committee meeting on 26th March 2012 requested and granted.

Council considered the application and made the following observations:

- (a) It does not conserve or enhance the natural and built environment SP1
- (b) It does not meet the needs of younger people or an aging population wishing to remain in the village due to the size [5 bed] and therefore potential value SP3
- (c) This would represent an overdevelopment of the site out of character with the street scene DM7
- (d) It would create a cramped form of development DM7
- (e) Inappropriate curtilage for overall size of development DM7

- (f) The proposed car parking space seems inadequate given the size of the existing and proposed accommodation. DM19
- (g) It will reduce the residential amenity to neighbouring properties DM23

It was RESOLVED object to the application on the above grounds.
Proposed by: Cllr Butterwick **Seconded by:** Cllr Corston.

12.35.03 C12/0340/FUL – Tollgate Cottage Yarmouth Road Melton IP12 1QF

Application for change of use from residential dwelling to physiotherapy clinic.
 Copy of application previously circulated.
 Council considered the application and made the following observations:

- (a) The provision of employment outside of the village envelope will cause loss of amenity value to local residents DM12
- (b) The proposed car parking spaces are very cramped in relation to the overall size of the development DM19.
- (c) The space allowed for manoeuvring vehicles in the car parking spaces is very limited and likely to encourage drivers to park on the adjoining road. DM19
- (d) The exit onto Yarmouth Road from St Audrys Lane does not provide the driver with a clear view and as there will be increased traffic due to this application is therefore a potential accident hazard DM19.

It was RESOLVED to object to the application for the reasons listed above.
Proposed by: Cllr Corston **Seconded by:** Cllr Hilson.

Council expressed their surprise and concern that none of the following documents had been provided to support the application:

- Planning Statement
- Design & Access Statement
- Traffic Impact Assessment

12.35.04 C12/0440/FUL – Part Side Garden, 2 Saxon Way Melton IP12 1LG

Application for erection of detached dwelling [revised scheme to C11/0814/FUL]
 Copy of application previously circulated.
 Extension until after Planning and Transport Committee on 26/03/2012 requested.
 Previous application C11/0814/FUL granted by SCDC was considered by Melton Parish Council Planning and Transport Committee and the following decision minuted:

C11/0814/FUL – Part Side Garden 2 Saxon Way Melton IP12 1LG

Erection of a detached building.
 Copy of application previously circulated.
 Extension of consultation until after 23rd May 2011 requested.

Council carefully considered this application and made the following comments:

- The development would lead to a cramped form of development DM7
- It would out of character with the street scene DM7
- The reduction in curtilage of the existing building would have a detrimental impact DM7
- In-filling a large garden in a prominent position at the entrance to an established development would erode the character of the surroundings DM7
- It does not conserve or enhance the natural and built environment SP1
- It does not meet the needs of younger people or an aging population wishing to remain in the village due to the size [4 bed] and therefore potential value SP3

Council also expressed concern that there had not been:

- A site notice
- Press Notice
- Consultation with neighbours

It was RESOLVED to object to the application for the above reasons.

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

Council carefully considered this new application but concluded that as this was in fact a larger design than the previous application C11/0814/FUL their original reasons for objecting to the development remain.

The reasons for objecting are:

- (a) It does not conserve or enhance the natural and built environment SP1
- (b) It does not meet the needs of younger people or an aging population wishing to remain in the village due to the size [4 bed] and therefore potential value SP3
- (c) The in-filling of a landscaped gap would be detrimental to the visual aspect of the areas SP15
- (d) The development would lead to a cramped form of development DM7
- (e) It would out of character with the street scene DM7
- (f) The reduction in curtilage of the exiting building would have a detrimental impact DM7
- (g) In-filling a large garden in a prominent position at the entrance to an established development would erode the character of the surroundings DM7

It was RESOLVED to object to the application for the above reasons.

Proposed by: Cllr Butterwick

Seconded by: Cllr Corston.

12.35.05 C12/0482/FUL – 17 Cages Way Melton IP12 1TE

Application for erection of single storey rear extension.

Copy of application previously circulated.

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.

12.35.06 C12/0560/FUL – Cedars, Old Church Road Melton IP13 6DH

Application for the construction of a new cart lodge

Copy of application received at the meeting. As the closing date of 13th April was more than two weeks before the date of the next Committee councillors agreed to consider it at this meeting, subject to deferring a formal response until nearer the closing date to allow time for any neighbours' comments to be taken into consideration.

Subject to the above **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.

Proposed by: Cllr Butterwick

Seconded by: Cllr Corston

12.36 TO REVIEW PLANNING APPLICATION NOTICES RECEIVED

12.36.01 C11/0665/FUL – BMX Trail Melton Playing Field Melton IP12

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

12.37 TO RECEIVE A REPORT FROM THE PARISH COUNCIL LOCAL TRANSPORT REPRESENTATIVE

The Chairman reported that a Spring 2012 edition of the Local Transport Guide would be available within the next week.

12.38 TO RECEIVE A REPORT FROM THE TRAFFIC AND TRANSPORT STRATEGY WORKING GROUP

It was agreed to defer this item to the following meeting.

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

Paper PLA(12)P39 previously circulated was received and noted.

12.43.02 Bentwaters Park

The Chairman reported that Waldringfield Parish Council had lodged a request for a Protective Judicial Review for the Adastral New Town. As a similar procedure may be required for the Bentwaters Park Development, the committee reaffirmed their commitment to minute MPC11.195.01 'to agree in principle to a contribution of up to £500 from reserves to the cost of seeking Barrister opinion with regards to the Bentwaters Park Planning Application' and to roll over this commitment into the 2012/13 financial year.

12.43.03 Leiston Town Council

The Chairman advised members that a major government policy statement on large planning applications including pre-application discussions had been issued as a direct result of the initiative the initiative instigated by Leiston Town Council and ultimately supported by over 1,500 town and parish councils across England.

12.43.04 Empowering Town and Parish Councils

The Chairman referred to the recently distributed email from Cllr Ron Bailey at Leiston Town Council regarding the Early Day Motion 2824 which urges MPs to support the Planning Applications [Appeals by Town and Parish Councils] Bill.

Councils and councillors are encouraged to contact their MP to ask them to support the EDM. The Clerk was requested to write on behalf of the council.

12.43.05 Heavy Goods Vehicles - Incident Reporting

The chairman advised of an SCC Website where incidents regarding HGV's can be lodged.

<https://www.csduk.com/CSD/Transportandstreets/Trafficmanagement/gBizProduct.htm?ProductID=PHGV01>

A link is now on the planning pages of the Melton Parish Council website.

12.43.06 Pytches Road – Speed Checks

Concerns have been expressed by Mr Bale by email to the Chairman regarding the recent accident on Pytches Road when a car hit a tree and was written off. Issues surrounding the broken bollards at the chicane and lack of pavement at North Hill also add to this concern. It was agreed to include these issues in consideration of the Traffic & Transport Strategy.

12.43.07 Boat Constance

Concern was expressed about the apparent ease with which a large extension to a boat can be allowed without planning consent once a certificate of lawfulness has been issued. The Clerk was asked to refer the matter to SCDC Planning Department for comment about the development

12.44 DATE OF NEXT MEETING

The next meeting will take place on Monday 30th April 2012 at 1900 in the Lindos Centre Conference Room 4.

There being no further business the meeting closed at 2120

Signed: _____

Date: _____

[Chairman]