

MINUTES of the meeting of the **DEVELOPMENT CONTROL COMMITTEE** held on 18 October 2007 at 10.30 am in the Elisabeth Room, Endeavour House, Ipswich.

Present: Councillors Charles Michell (Chairman), Malcolm Cherry, John Goldsmith, Richard Kemp, Rae Leighton, Roger Pendleton, Bill Quinton, Morris Rose, John Taylor and Ron Ward

Also present: There were no other Councillors present at the meeting.

31. **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillor Allyson Barron
Councillor Malcolm Cherry attend as her substitute.

32. **DECLARATIONS OF INTERESTS AND DISPENSATIONS**

There were none declared.

33. **CONFIRMATION OF THE MINUTES**

The minutes of the meeting held on 6 September 2007 were confirmed as a correct record and signed by the Chairman.

34. **FELIXSTOWE FERRY PRE SCHOOL, FERRY ROAD, FELIXSTOWE**

CO7/1593/CRG3: Retention of a prefabricated building, used by Old Felixstowe Nursery, for a further five years, at Kingsfleet Primary School, Ferry Road, Felixstowe.

The Committee considered a report at Agenda item 4, that sought the Committee's consent for the retention of a prefabricated building, used by Old Felixstowe Nursery, for a further five year period, at Kingsfleet Primary School, Ferry Road, Felixstowe.

The Committee was advised that Felixstowe Town Council had recommended approval of the application and that no objections had been received from local residents.

Decision: The Committee agreed that the application be **GRANTED**, subject to the conditions recommended in the report by the Head of Development Control.

Reason for Decision: The Committee agreed that the retention of the prefabricated building in its current location was acceptable for a further five year period.

Other Comments: There were no other comments under this item.

Alternative options: There were none considered.

Declarations of interest: There were none declared.

Dispensations: There were none reported.

35. **HEATH COUNTY PRIMARY SCHOOL, BELL LANE, KESGRAVE, IPSWICH**

CO7/1588/CRG3: Retention of temporary classroom unit (no. 539), for a period of five years, at Heath County Primary School, Bell Lane, Kesgrave, Ipswich.

The Committee considered a report at Agenda item 5, that sought the Committee's consent for the retention of a temporary classroom unit at Heath County Primary School, Bell Lane, Kesgrave for a further five-year period.

The Committee was advised that no objections had been received from Suffolk Coastal District Council or Kesgrave Town Council.

Decision: The Committee agreed that the application be **GRANTED**, subject to the conditions recommended in the report by the Head of Development Control.

Reason for Decision: The Committee agreed that the retention of the temporary classroom in its current location was acceptable for a further five-year period.

Other Comments: There were no other comments under this item.

Alternative options: There were none considered.

Declarations of interest: There were none declared.

Dispensations: There were none reported.

36. **EYKE PRIMARY SCHOOL, THE STREET, EYKE**

C07/1573/CRG3: Retention of Temporary Classroom Units 109 and 302 at Eyke Primary School, The Street, Eyke

The Committee considered a report at Agenda item 6, that sought the Committee's consent for the retention of two temporary classroom units at Eyke Primary School, The Street, Eyke, for a further five year period.

The Committee was advised that no objections had been received from Suffolk Coastal District Council and that Eyke Parish Council had recommended approval.

The Committee was also advised that a written representation had been received from Councillor Rosemary Clarke who was the Local Member for

Wilford. Councillor Clarke had asked the Committee to note that, whilst she was unable to attend the meeting, she had no objections to the proposal and recommended that the application be approved.

Decision: The Committee agreed that the application be **GRANTED**, subject to the conditions recommended in the report by the Head of Development Control.

Reason for Decision: The Committee agreed that the retention of the temporary classroom units in their current location was acceptable for a further five-year period.

Other Comments: In answer to a question, the Committee was advised that if the application was approved, it would be subject to a condition that would require a planned programme of refurbishment and improvement to be submitted and approved, in writing, by the County Planning Authority. The Committee was further advised that a system to monitor the progress of compliance with planning conditions was in place and that enforcement action could be taken against applicants who failed to comply with planning conditions.

Alternative options: There were none considered.

Declarations of interest: There were none declared.

Dispensations: There were none reported.

37. **LAND AT MARSTON'S QUARRY, CAVENHAM**

F/07/0430: Extraction of sand and gravel from eastward extension to Marston's Quarry, with restoration to dry acid grassland integrated into the approved quarry restoration on land at Marston's Quarry, Cavenham.

The Committee considered a report at Agenda item 7, that sought the Committee's consent for the extraction of sand and gravel from the eastward extension to Marston's Quarry, with restoration to dry acid grassland integrated in to the approved quarry restoration on land at Marston's Quarry Cavenham.

Decision: The Committee agreed that the application be **GRANTED**, subject to the conditions recommended in the report by the Head of Development Control.

Reason for Decision: The Committee agreed that the proposals were consistent with the policies of the Approved County Minerals Local Plan, the emerging policies of the Draft Minerals Core Strategy (Submission Document), and had been identified for mineral working in the Site Specific Allocations Development Plan Document (Preferred Options), views on which were considered by Cabinet on 9 October 2007. The Committee went on to agree that there were no overriding objections regarding environmental impact. The Committee also agreed that the special nature conservation interests of the Breckland Farmland Site of Special Scientific

Interest (SSSI), the Cavenham and Icklingham Heaths SSSI, and the setting of the Black Ditches Scheduled Ancient Monument, were suitably protected and compensated for through the proposals for restoration. The Committee concluded by agreeing that the proposals would enable the logical progression of extraction of the mineral resources up to the eastern limits defined by the Black Ditches Ancient Monument, contributing to the forecast demand for primary aggregates for the Plan period 2006-2021.

Other Comments: In answer to a question, the Committee was advised that, should the application be approved, a planning condition would require the groundwater levels within the Ash Plantation to be monitored throughout the period of extraction, in accordance with the Approved Groundwater Monitoring Scheme, as approved under Planning Permission F97/386.

In answer to a further question, the Committee was advised that an Environmental Impact Assessment had identified no adverse impacts after mitigation on conservation or amenity aspects and a positive gain from the proposed restoration of the site. The Committee was further advised that the proposals were also supported by Natural England and the Royal Society for the Protection of Birds (RSPB) in respect of the contribution of the proposed restoration to extending bird ground nesting habitat.

In response to a request, the Committee was advised that no comments had been received from Councillor Colin Noble, the Local Member for Row Heath, although he had attended both the briefing on the planning application in February and the local liaison meetings.

In response to concern expressed by the Committee, the Planning Advisor confirmed that the two dwellings nearest to the site would not be unduly affected by the proposal and that a Noise Impact Assessment provided by an Acoustic Consultant and audited by the Council's Noise Engineer had shown that the proposed workings would all be within existing noise limit controls at the site.

Alternative options: There were none considered.

Declarations of interest: There were none declared.

Dispensations: There were none reported.

38. **OUTSTANDING ENFORCEMENT MATTERS – APPEALS LODGED**

The Committee considered a report at Agenda item 8, that set out details of the progress being made in relation to breaches of planning control.

Decision: The Committee noted the report.

39. **DEVELOPMENT CONTROL MANUAL**

The Committee considered a report at Agenda item 9, that sought the Committee's consent for a Development Control Manual.

The Committee was advised that the report provided details of the proposed “Development Control Manual” that set out how the Development Control Section would deal with planning applications for which it was responsible.

Decision: The Committee agreed that the contents of the Development Control Manual be endorsed, subject to an amendment to section 8 of the Manual (public speaking at Committee), that allowed for the Chairman to use discretion on the day of the meeting in relation to individuals who had failed to register their intent to speak on the day before Committee but expressed their intention to address the Committee on the day of the meeting.

Reason for Decision: The Committee agreed that the Development Control Manual would be a reference document for Development Control Staff and be of value in explaining the County Council’s procedures on planning matters to members of the public. The Committee went on to agree that the Manual would set down clear procedures and practices which would help the Development Control Section to respond to comments about its handling of planning applications, along with any possible complaints to the Ombudsman.

Other Comments: The Committee expressed its concern that the Manual would require persons wishing to speak at Committee to register with the Committee Clerk by 12 noon on the day before the Committee meeting. The Committee was advised that only individuals who had submitted written representations would be allowed the opportunity to address the Committee and that this information would be made clear well in advance of the meeting.

The Legal Advisor advised the Committee that there was no requirement in law for public speaking at Committee meetings, however, any process that was put in place needed to be fair and allow for equality of arms to all parties concerned.

In answer to a question, the Committee was advised that the General Development Procedure Order (GDPO) clearly outlined the minimum requirements for publicising planning applications. These required one or more of the following depending on the nature and development of the site:

- site notice;
- neighbour notification; or
- press advertisement.

Councillor Morris Rose, seconded by Councillor John Goldsmith, moved an amendment that the Chairman be authorised to use his discretion in relation to those persons who had not registered to speak by 12.00 noon on the day before the meeting, but expressed their intention to address the Committee on the day of the meeting.

On being put to the vote, the motion to endorse the Development Control Manual was approved unanimously approved, as submitted.

Alternative options: There were none considered.

Declarations of interest: There were none declared.

Dispensations: There were none reported.

40. **URGENT BUSINESS**

There was no urgent business considered.

The meeting closed at 11.50 am.

Chairman