

**Minutes of the Planning Committee meeting held on Wednesday 13th February 2019 at 9:15am in the Council Chamber of Beccles Town Hall**

<b>PRESENT</b>	N Elliott (Chair)
	E Brambley-Crawshaw
	G Birrell (Deputy Chair)
	S Bubb
	J Harris
	R Stubbings
	Charlie Middleton, Deputy Town Clerk
	C Topping

**1. TO RECEIVE APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Brooks and Walmsley

**2. TO RECEIVE DECLARATIONS OF INTEREST OR ANY REQUESTS FOR THE GRANTING OF DISPENSATIONS IN RELATION TO ANY DISCLOSABLE PECUNIARY INTERESTS IN ITEMS ON THE AGENDA.**

A non-pecuniary interest was declared by all committee members with regard to DC/18/5268/FUL & DC/18/5269/LBC as Beccles Town Council is the applicant.

**3. TO RECEIVE THE MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON WEDNESDAY 23<sup>RD</sup> JANUARY 2019**

**RESOLVED** To approve the minutes of the Planning Committee meeting held on Wednesday 23<sup>rd</sup> January 2019

**4. TO RECEIVE AN UPDATE ON PREVIOUS PLANNING DECISIONS.**

Application DC/18/5262/ADI was discussed in relation to concerns about the height and visual impact of the illuminated billboards. Councillor Birrell tabled comments in response to the BTC refusal, in order to inform all of the concerns that the proposed LIDL store is mainly within a residential area and that due consideration should be taken of the surrounding area.

The specific points were:

- a) 4.5m high height of free standing billboards next to the 2m boundary fence suggests they will be easily visible from the two residential units of Waveney Residential Park immediately behind the fence.
- b) will there also be lamp posts in the car park then to enable the staff to leave in a "safe environment" or are the solely reliant on lit billboards/signs? If there will be lampposts, where will these be located in terms of impact to these residents?

Signed:.......... 6<sup>th</sup> March 2019

Planning Chairman

- c) Acceptance that signage is required, none of the other superstores in the town have illuminated billboards and we question the requirement in a location that is not exclusively an employment area.
- d) Don't want the appearance to be out of character with local surrounding's.

Councillor Birrell had closed her written statement by suggesting a meeting with the LIDL developer could be constructive to resolving these concerns.

The system for informing WDC and the BA of updates to planning decisions was reviewed, with all future updates to be sent for approval by the Chair of Planning before being submitted.

**5. TO RECEIVE AN UPDATE ON PRIOR NOTIFICATIONS AND CHANGE OF CONDITIONS FOR APPLICATIONS RECEIVED.**

The Chair updated all with respect to WDC planning conditions for DC/18/4179/COU and DC/18/4312/FUL, both of which had been refused by BTC. Copies of these conditions had been brought by the Deputy Town Clerk to the meeting, but it was requested that these are emailed in advance of the meetings in future.

**6. TO REVIEW THE PLANNING INSPECTOR'S MODIFICATIONS TO THE BROADS AUTHORITY LOCAL PLAN AND DETERMINE IF A RESPONSE TO THE CONSULTATION ON THESE MODIFICATIONS (RUNNING UNTIL 4PM ON 15 MARCH 2019) IS REQUIRED.**

The Chair updated outlined to all the following particular policies:

**MODSP14: Mooring provision**

The provision of a range of additional short term visitor moorings will be encouraged to ensure that visitor moorings are available in appropriate locations, and where they are most needed, and where they contribute to the management of a safe and attractive waterway. Existing short term visitor moorings will be protected. The Authority will also encourage the provision of residential moorings in appropriate locations.

**MODBEC1: Former Loaves and Fishes, Beccles**

**Policy map 2 and inset map.**

The Authority supports the retention of the building and the resumption of its use as a public house or other tourist facility. The Authority would also support the building being used as follows:

- a) Employment uses, particularly B1.
- b) Retail uses (A1, A2, A3) but only where proposals have been subject to the sequential test and any evidence base or Beccles retail policy produced by Waveney District Council.
- c) Potentially for live/work units whereby residential use is on the upper floors, subject to the policies in this Local Plan on flood risk.

The Authority would not support conversion of the lower floor to residential on flood risk grounds.

Proposals will need to address each of these criteria:

- i) Careful consideration will be given to the design, scale and layout of any proposals and potential additional impacts on nearby land uses;
- ii) Proposals must enhance the appearance and character of the area including the public realm;
- iii) The site is at risk of flooding and the type, siting and layout of development will need to take account of this in conformity with national policy; and
- iv) Appropriate measures

Following a short discussion, the Chair agreed to draft a formal response to the Broads Authority.

Signed:.....  ..... 6<sup>th</sup> March 2019

Planning Chairman

**RESOLVED** To accept the formal response of the Planning Committee to the Planning Inspector's Modifications To The Broads Authority Local Plan

**7. TO RECEIVE PLANNING APPLICATIONS AS LISTED**

APPLICATION REF	SITE ADDRESS	DESCRIPTION
BA/2019/0018/FUL	73 Northgate	Conversion of 1 x 4-bed flat to 1 x 2-bed and 1 x 1-bed flats. Replace 3 windows, install 3 rooflights (retrospective).
APPROVED		
DC/18/5269/LBC	Twyfords	Listed Building Consent - Installation of CCTV Camera, Transmitter and associated ducting, to the north end of the building as marked on the attached image
DC/18/5268/FUL	5-7 Exchange Square	Installation of CCTV Camera, Transmitter and associated ducting, to the north end of the building as marked on the attached image
No Comment		
DC/19/0336/TCA	39 London Road	Rear garden 1 x Eucalyptus - Fell and a replacement tree planted in more suitable location. Reason: tree outgrown location, lifting paving and has BT and electric cables near and below canopy
APPROVED		
DC/19/0357/FUL	39 Kemps Lane	Construction of a single storey rear extension
APPROVED		
DC/19/0313/FUL	Corner Cottage 6 Fen Lane	Retrospective application - Install a wooden gate in the existing wooden fence, in the south-eastern corner of the property, to provide pedestrian access to the public highway, "Ravensmere"
APPROVED		
DC/18/4202/LBC	Kings Head Hotel New Market	Listed Building Consent - Access hole to be formed in existing ground floor level between the previously approved extension and the basement staff room. A new fire escape ladder to be installed between basement and ground floor, with new enclosure to be formed at ground floor level, linked to previously approved fire escape doors.
APPROVED		
DC/19/0454/FUL	Castle House 79 Rigbourne Hill	Sound reduction measures and acoustic report. Operating Hours, Retain existing storage containers (retrospective)
<p>The Chair opened the discussion to inform all that this was a revised application addressing the concerns raised to the withdrawn application DC/18/4195/COU, which BTC had refused on the following grounds:</p> <ul style="list-style-type: none"> <li>• Noise and disturbance resulting from use</li> <li>• Adequacy of parking/loading/turning</li> <li>• Smells</li> <li>• Highway safety</li> <li>• Adequacy of parking</li> <li>• Traffic generation</li> <li>• That enforcement action should be taken to ensure with the B1 use classification.</li> </ul> <p>The Chair then invited Councillor Topping (representing WDC Beccles South &amp; BTC Rigbourne Ward), Mr M G Adams of 54 Rigbourne Hill, Mr B Hayes of 2 Old Castle Gardens and Mr G Hogg acting as the Agent for the new application, to present their cases.</p>		

Signed:.......... 6<sup>th</sup> March 2019

Planning Chairman

Councillor Topping informed all that she was recommending refusal of this application on the following grounds:

- a) That the working hours included within the application were being exceeded by the workers on site, who were starting at 4:30am and finishing up to 9pm. how were the hours going to enforced and if the stipulated hours were exceeded, what would be the consequences for the applicant?
- b) The container included within the retrospective application was visible from the road, yet had been ticked as not visible on the form.
- c) That whilst the chocolate factory is due to relocate to Common Lane North on 1<sup>st</sup> March 2019, with all associated deliveries to follow on 1<sup>st</sup> April 2019, the current application should be made subject to the Common Lane North units be up and running by the dates stated, otherwise the local residents of Rigbourne Hill will continue to suffer loss of amenity.
- d) Restriction of HGV delivery lorries to between 8am and 5pm: how is the size, number and parking of these lorries to be policed? Currently the footpath had been repaired twice during 2018 due to lorries parking on the kerb and there was an ongoing public nuisance and obstruction of the highway due to their presence. She considered that the site should be improved to allow delivery vehicles to enter the site before unloading.

Mr Adams informed all that in addition to the points raised by Councillor Topping:

- i. Where were the parking spaces for 79 Rigbourne Hill?
- ii. That there should be a ban on 40 foot HGV lorries in this area, particularly as they were reversing back to the Castle Hill junction.
- iii. That the location is unsuitable for a factory and why couldn't all production be moved to the Common Lane North location?
- iv. That the acoustic report outlined a background noise level of 45dB, yet the running noise was 30dB?

Mr Hayes, living next door to the site, outlined to all:

- a) That the closest bedroom was only 3.9 metres away, rather than the 11 metres mentioned in the Noise Impact Assessment.
- b) It should be noted that the noise assessment was carried out on the Fireworks weekend celebrations, which may have resulted in background noise being elevated above normal for the area.
- c) That large lorries were parking at least once a week outside his property and blocking visibility along the road.
- d) That the extraction fans actually ran 24/7, but did run on a reduced setting when no staff were in the building, but staff did start at 4am.

Mr Hogg, acting as agent for the application, outlined to all that the withdrawn application DC/18/4195/COU, had allowed them to determine the factors needing addressing with regard to the business. He then outlined the proposals regarding the changes being made:

- i. That the chocolate production would be moving to Unit 1, Common Lane North by 1<sup>st</sup> March 2019.
- ii. That nearly all deliveries would be made to Unit 5, Common Lane North by 1<sup>st</sup> April 2019. From this point forward, all deliveries to Rigbourne Hill would be made by small electric vans rather than lorries.
- iii. That the container mentioned under item b) in Councillor Topping's objections, had been marked correctly on the planning application and accorded with the guidelines.
- iv. He agreed that the current stipulated working hours were being exceeded, but that it was difficult to control staff hours. The hours worked reflected the needs of the business.
- v. That there would still be a need for one 7.5T delivery lorry per week, and whilst this will be monitored, it was difficult to control traffic on a public highway. Given deliveries to other businesses within the same area, the only way to restrict lorries would be a weight restriction for the whole area.
- vi. That whilst the extraction fan was currently an issue, this part of the production plant would be moving to Common Lane North.
- vii. That after March/April, only a bakery would be remaining producing pre-packed sandwiches etc.
- viii. That the previously applied for building extension was no longer required.

Signed:.......... 6<sup>th</sup> March 2019

Planning Chairman

The Chair thanked all for their contributions and opened the discussion to the committee. Councillor Birrell enquired if the staff contracts stipulated working hours, with GH informing all that he would find out and report back. Councillor Harris enquired how thye residents attending felt after hearing the feedback from GH, with MA still expressing concerns about the delivery lorries and the parking arrangements for the flats above the business premises., and BH also concerned about the lorries continuing to damage the kerbs and obstruct visibility outside his property.


Following further discussion, including concerns that currently the staff vehicles overflow into the surrounding neighbourhood, the committee determined to refuse the application on the following grounds

- a) The business has outgrown the original B1 classification for this site
- b) Noise and disturbance resulting from use
  - Delivery lorries
  - Working hours
- c) Highway safety
- d) Road access
  - Access to parking spaces on site not considered suitable.
  - Vehicles currently accessing the site over a dropped kerb in front of the neighbouring property.
- e) Inappropriate location

#### **REFUSED**

- The business has outgrown the original B1 classification for this site
- Noise and disturbance resulting from use
  - Delivery lorries
  - Working hours
- Highway safety
- Road access
  - Access to parking spaces on site not considered suitable.
  - Vehicles currently accessing the site over a dropped kerb in front of the neighbouring property.
- Inappropriate location

**8. DATE OF NEXT MEETING TO BE ON WEDNESDAY 6<sup>TH</sup> MARCH 2019.**

Signed:  ..... 6<sup>th</sup> March 2019  
 Planning Chairman

