

EXTRACTED FROM THE CONFIRMED MINUTES OF THE MEETING OF SUFFOLK COASTAL DISTRICT COUNCIL'S PLANNING COMMITTEE HELD ON THURSDAY 19 APRIL 2018

- 8. WOODBRIDGE and MELTON – DC/17/2840/FUL – Demolish all of the existing offices and surrounding buildings on the site and replace with a high-quality housing development providing 100 residential units (33 affordable) (C3) together with a community building (D1) and a retail unit that may be a coffee shop (A1/2/3) or retail unit. A landscape environment free from cars as they are located in an underground car park. Means of access and other associated works at Former Council Offices, Melton Hill, Woodbridge IP12 1AU for Active Urban (Woodbridge) Ltd**

Planning Permission was sought for the redevelopment of the former Suffolk Coastal District Council Offices site to a residential led scheme of 100 dwellings, with the policy requirement of affordable housing. The proposal also included community and café space towards the site frontage, pedestrian thoroughfare through to the river and underground parking.

The application was considered by the Planning Committee on the 13 October 2017, following a site visit, whereby the scheme was endorsed by the Committee but further details were sought in relation to car parking, the boundary treatment to Deben Road and the affordable housing provision, and that these matters were to be brought back to the Committee for determination, alongside confirmation that the Secretary of State did not wish to call in the application for his own determination.

The Committee received an updated presentation on the application by the Development Management Team Leader (South).

The Committee was advised that the original report on the application, presented to it on 13 October 2017, was appended to the updated report along with consultation responses from both the Arboriculture and Landscape Manager and the Principal Design and Conservation Officer, together with the Minutes of the meeting.

The recommendation, as set out on pages 90 and 91 of the report, was outlined.

The site was formally vacated by the Council in December 2016 and had remained vacant since that time. The Committee was reminded of its detailed site visit undertaken on 2 October 2017 which included taking in views of the site from the opposite side of the River Deben.

The proposal was described as being made up of fourteen blocks of varying height and scale; the taller blocks to be located towards Melton Hill, with more domestic size buildings towards the rear of the site. Vehicular access to the site was off Melton Hill with an additional pedestrian and cycle route through to Deben Road. In addition to the residential elements the scheme also includes community and retail facilities in the two frontage blocks. It was noted that the Drummer Boy statue, which had been located at the front of the site, had been moved to the Market Hill in Woodbridge.

The further details requested by the Committee on 13 October 2017 were outlined. The Development Management Team Leader referred to the update sheet circulated in advance of the meeting which included revised wording to the proposed affordable housing policy and updates to the report following internal review of the Committee report.

The Development Management Team Leader (South) referred the Committee to paragraph 5.2 of the report, which detailed the mechanism to deliver affordable housing in perpetuity.

She explained that condition 7 of the recommendation referred to the information contained in paragraph 5.2, stating that development would not begin until a scheme for the provision of affordable housing had been submitted and approved in writing by the local planning authority and that the numbers, type, tenure and location on the site of the affordable housing provision would consist of not less than thirty two affordable dwellings.

The Committee was shown a letter from the Secretary of State for Housing, Communities and Local Government that had been received following the meeting of the Committee on 13 October 2017, which confirmed that he did not wish to call-in the application and interfere in its determination.

Officers had discussed parking arrangements with the applicant. Through the slight relocation of the bin storage area, reduction in the boundary planting area to Melton Hill and using an area adjacent to Block B, it was possible to accommodate and addition seven parking spaces on the site, which was in excess of the 1:1 requirement sought by the Committee.

The boundary to Deben Road had also been reviewed by the applicant and the Arboriculture and Landscape Manager and it had been agreed that the Yew Tree could be retained on the boundary. One of the balconies overlooking Deben Road had also been removed from the scheme in Block J.

It was noted that part of the application site fell within the area of the Melton Neighbourhood Plan, which was made in January 2018, because it sat across the boundary of Melton and Woodbridge parishes. The Development Management Team Leader (South) referred to the sections of the report containing extracts of relevant policies from that plan and identified the areas of the site they applied to as Block G, parts of Blocks A, B and F and a majority of the parking.

The only policy from the Melton Neighbourhood Plan which the application was considered contrary to was MEL6, in relation to parking standards. Officers considered that the benefits of the scheme overall and the potential of the whole of the site for redevelopment outweighed the fact that the parking standards did not meet the requirements set out in MEL6.

The presentation was concluded and the Committee was advised that officers believed the matters arising from the previous meeting had been dealt with satisfactorily and that an assessment of the scheme under the “tilted balance” test, as policy SP2 was out of date, had concluded that the benefits of the scheme outweighed the harm.

The recommendation for approval, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the officer.

A member of the Committee referred to the determination made by the Committee on 13 October 2017 and was of the opinion that the purpose of the meeting, now, was to address the four points which required further information. These four points appeared to have been addressed. He asked officers if the Committee was expected to review the first principles again, or solely the updated information presented in the report.

In response, the Head of Planning and Coastal Management advised the Committee that it was entitled to go back to first principles, if it so wished.

He described the decision of 13 October 2017 as a holding position, by which Members had agreed to the scheme in principle whilst officers negotiated a satisfactory resolutions to the four points raised at that meeting. He made it clear to the Committee that the decision taken on 13 October 2017 was not closed and could be revisited, if the Committee so wished.

Another member of the Committee asked for clarification on the parking standards not being in accordance with policy MEL6 of the Melton Neighbourhood Plan and if this was because the net result was less than the nominal requirement.

The Development Management Team Leader (South) confirmed that assertion. She advised the Committee that the Highways Authority had deemed the parking arrangements to be acceptable, but that they did not meet the requirements of the Melton Neighbourhood Plan.

The Head of Planning and Coastal Management added that MEL6 was a restrictive policy; due regard had to be given to the fact that the parking ratio was below what MEL6 required, but that this was outweighed by the benefits of the scheme. In order for the whole scheme to be acceptable to the policy, one hundred and ninety two parking spaces were needed.

In response to a subsequent question from another Member on parking, who highlighted that the Melton Neighbourhood Plan was not applicable to the entire site, the Head of Planning and Coastal Management acknowledged that fact and advised the Committee that it needed to look at the application as a whole, but in doing so give the necessary weight to the Melton Neighbourhood Plan policy.

A member of the Committee asked if the security of the gardens to the rear of the properties in Deben Road had been a concern. The Development Management Team Leader (South) confirmed that the security of the gardens had been considered by officers and the presence of existing and proposed planting would overcome any harm. The Head of Planning and Coastal Management considered that the security of the gardens would be improved by the development.

The Chairman invited Mr Hughes, the applicant, to address the Committee. Mr Hughes was accompanied by his agent Mr Driver.

Mr Hughes advised that he had little to add to the report given by the officer. He considered that the items raised at the meeting on 13 October 2017 had been addressed and stated that he was present to answer any questions which the Committee may have.

There being no questions to Mr Hughes, the Chairman invited Mr Saggars, an objector, to address the Committee.

Mr Saggars explained that he was a nearby resident of the site and had been part of the objectors who attended the previous meeting.

He wished to address the Committee solely on the issue of affordable housing. He noted that the Committee had delayed the approval of its previous decision until a detailed scheme for the delivery of affordable housing had been approved. Mr Saggars considered that this was because, at the last meeting, the applicant could not provide details of the scheme.

Mr Saggars was of the view that the situation remained unchanged. Instead, he felt that officers had set out conditions which they felt would secure the delivery of the affordable housing. He did not see how these conditions would achieve this, but considered that they had been imposed to enable planning permission to be granted.

Rather, he suggested that a detailed scheme for the delivery of the affordable housing would give comfort to the Committee, as it enabled it to see that a registered provider had agreed to terms and could provide the mix of housing required. He queried why such a detailed scheme was not available and why no registered provider had been attracted to the site over the last eighteen months.

Mr Saggars said that the Committee required a detailed scheme so that there was no issue with the affordable housing being provided, after planning permission had been approved. He asked the Committee to ensure that before approval was given, a credible and well funded entity was in place to deliver the affordable housing required.

The Chairman invited questions to Mr Saggars.

A member of the Committee enquired if Mr Saggars' concerns related to the wording of paragraph 5.2 of the report and if he felt that it did not provide the certainty required. Mr Saggars reiterated that he felt that the conditions which had been laid out by the Committee for affordable housing had not been met by the applicant, as no detailed scheme had been approved.

At this point, the Head of Planning and Coastal Management revisited the first principles in relation to affordable housing. He reminded the Committee that originally, the scheme looked to deliver thirty three units of affordable housing.

Following the meeting of the Committee on 13 October 2017, discussions took place between officers and the applicant and a figure of thirty two units was agreed; this was because one of the proposed units of affordable housing was a single unit, located in Block B. Such a single unit would not have been practical or an attractive prospect to registered providers.

He advised the Committee that the applicant was in dialogue with a number of registered providers and had received varying levels of interest in the site, from them. He explained that the affordable housing market was an extremely challenging one and that offers from registered providers in the Suffolk Coastal area were generally at a lower value than offers in other areas.

He stated that policy DM3 was clear in requiring up to a third affordable housing for the development, and he was confident that the condition set out in the recommendation, as amended in the update sheet, would deliver the affordable housing scheme required. The condition as worded sought an approval to the mechanism for delivery before any development on the site commenced. Permission would however enable the site to be actively marketed to prospective providers.

He was clear that the wording “not less than thirty two dwellings” meant that anything lower than that would not satisfy the condition and would mean that it could not be lawfully discharged. He considered that the condition gave comfort to the Committee and to the public that the development would provide the required amount of affordable housing.

He outlined the mechanisms within the wording of the proposed (amended) condition of the report to deliver the required level of affordable housing via an alternative method, in the event that a registered provider did not acquire some or all of the affordable housing units, within a reasonable timescale.

The alternative method of delivery would allow for the potential for a commuted sum to be paid to the equivalent “value” of the affordable homes not delivered on site. The Head of Planning and Coastal Management advised the Committee that this was not an uncommon approach and recently the committee had accepted a commuted payment for a residential development behind the Notcutts garden centre in Woodbridge. This would ensure that the development was not stymied due to a registered provider not being willing to take on units on the site.

The Committee was strongly advised against refusing the application based on the limited risk of a registered provider not coming forward. The Head of Planning and Coastal Management stressed that the applicant was content with the condition and that its wording was lawful.

There being no further questions, the Chairman invited Lady Blois, representing Woodbridge Town Council, to address the Committee. Lady Blois was supported by the Mayor of Woodbridge.

Lady Blois advised the Committee that she was representing residents and organisations in Woodbridge, who remained unhappy that the application was progressing despite the large opposition to it in October 2017.

She stated that the meeting had heard that various impacts of the proposed development had been dealt with, but she considered that the application ignored the concerns of the residents of Woodbridge. She felt that the development would be unsightly and would spoil the town. She suggested that the development had the potential to attract young people who would have noisy parties, which would disturb nearby residents.

Lady Blois rejected the view of the applicants that the units would attract retired people who would not have cars. She said that in her experience, retired people did drive and considered parking to be an essential amenity in any development. The increase in parking provision agreed between the applicant and the Council was an insult to residents, given that the area was already short of the parking it required.

She said that a detailed scheme for the affordable housing was supposed to be presented to the Committee, and that this was essential to the development and the Local Plan. She noted that the tenure and mix of affordable housing was important and she considered that it was not addressed in the latest report. She was of the view that the Committee was being asked to rely on the judgement of Planning officers and she was concerned that the development would end up with no social housing.

She acknowledged that a commuted sum could be agreed, but was concerned that it would be used to fund social housing outside of Woodbridge.

Lady Blois suggested that the residents of Deben Road would not be happy with the amendments to the boundary; the proposed vegetation would take a long time to grow and she was of the opinion that the yew tree would be killed off by the development.

She urged the Committee to listen to the concerns of Woodbridge Town Council, Melton Parish Council and the residents of Woodbridge and Melton. She urged the Committee to reconsider and refuse what she considered to be an “ugly” application.

The Chairman invited questions to Lady Blois.

A member of the Committee thanked Lady Blois for her time and noted that her views had been taken on board. She asked Lady Blois if she considered that Woodbridge did not need the new dwellings which the development would offer.

In response, Lady Blois considered that Woodbridge did need the new dwellings, but not in the form of the design proposed for the development.

Another member of the Committee considered the concerns which Lady Blois had expressed about the design and asked if they were specific to the design itself or the mass of the development.

Lady Blois advised that both were of concern to her; she acknowledged that residents accepted that the site needed to be developed, but they wanted to see an alternative to what was being proposed.

There being no further questions, the Chairman invited Mr Porter, Chairman of Melton Parish Council, to address the Committee.

Mr Porter informed the Committee that Melton Parish Council remained resolutely against the application. Many residents saw it as a blot on the landscape.

He challenged the assertion that the community had been consulted when the design of the development was formulated.

He revisited the four items that the Committee had asked to be addressed at its meeting on 13 October 2017. He considered that no detailed scheme for affordable housing was in place and that the proposed changes to the boundary to Deben Road were insufficient.

He noted that one balcony had been removed from Block J but said that other balconies, which he felt overlooked properties on Deben Road, remained. He considered this to be contrary to policy DM23 of the Local Plan regarding residential amenity.

Mr Porter considered that the car park was not truly underground and created a two-tier building which was contrary to the Melton Neighbourhood Plan regarding the scale of the property. He was of the opinion that the structures would be visible to the residents of Melton.

He noted that at least two letters had been submitted to the Local Government Ombudsman regarding the sale of the site.

Mr Porter made reference to the Head of Planning and Coastal Management's advice to the Committee on the affordable housing solution, and described it as being "magical" and "David Blaine-esque".

He concluded that Melton Parish Council supported its colleagues at Woodbridge Town Council and urged the Committee to reject what he considered to be a "ridiculous" application.

The Chairman advised Mr Porter that she found his comment about the Head of Planning and Coastal Management's advice to be offensive. She invited the Head of Planning and Coastal Management to respond.

The Head of Planning and Coastal Management explained to the Committee that the advice given was bona fide, lawful and in line with local and national policies. He rejected the assertion that his advice was "magic" and was clear that it was not designed to achieve anything untoward. He stated that the advice to the Committee had been given to allow a lawful decision to be made on the application.

Mr Porter acknowledged the comments and stated that he had intended to praise the ingenuity of the wording used.

There being no questions, the Chairman invited Councillor Mulcahy, Ward Member for Woodbridge, to address the Committee.

Councillor Mulcahy reminded the Committee of the discussions at its meeting on 13 October 2017 and the significant debate on the benefits and harms of the application. She noted that the loss of two heritage buildings on the site was considered to be a significant harm at that meeting, but that the promise of affordable housing outweighed the loss.

Therefore, she considered that the affordable housing was one of the key benefits of the development and that this was why the Committee had asked for a detailed scheme.

She acknowledged that the recommended conditions had been designed to ensure such a scheme would be in place, but felt that it would have been prudent to see more information regarding a scheme, which registered providers were interested and detail on the reduction from thirty three to thirty two affordable units. She said that the people of Woodbridge deserved to know that information.

Councillor Mulcahy noted that a previous development in Woodbridge had not proceeded as planned, because the developer had stated that the affordable housing requirements were not economically viable.

She suggested that if it was not possible to achieve the scheme required, then the heritage buildings should be retained and the entire development revisited, providing an opportunity to reduce the development and consider alternative proposals. Councillor Mulcahy was of the opinion that Woodbridge needed a better scheme if the promised benefits of the current one could not be delivered.

The Chairman invited questions to Councillor Mulcahy.

A member of the Committee asked Councillor Mulcahy if her assertion was that one hundred new dwellings was not an advantage to Woodbridge.

Councillor Mulcahy replied that if the affordable housing could not be secured, the development would not be of an advantage to the town.

She reiterated that the affordable housing had been considered a benefit that outweighed the harm of losing the heritage buildings and repeated her view that if the affordable housing could not be delivered, then those buildings should be retained. She was of the opinion that a commuted sum would not be of benefit to Woodbridge.

In response, the Head of Planning and Coastal Management advised the Committee that the affordable housing was not the sole benefit of the development and referred the Committee to the original report presented on 13 October 2017.

He acknowledged the harm that would be caused by the loss of the heritage buildings; he also reminded the Committee of the controls on affordable housing and outlined how priority for affordable housing would be given to local residents in the first instance, followed by those from the nearby parishes.

He informed the Committee that should the affordable housing solution result in a commuted sum, this would be ring-fenced to be used on development in the Woodbridge/Melton area first. He again reminded the Committee of a similar situation that had resulted from the development of the Notcutts site in the town and stressed that any commutable sum would benefit the local community, with details to be defined in the discharge of the recommended planning condition.

In response to these comments, a member of the Committee asked if there was a suitable site in the local area where affordable housing could be delivered, if it could not be delivered on site. The Head of Planning and Coastal Management noted several sites in the area, including a site for approximately fifty five houses behind Riduna Park, Melton, which was identified in the Melton Neighbourhood Plan, where the affordable housing could be delivered.

He confirmed to the Committee that registered providers were interested in the Melton Hill site, and he was hopeful that all thirty two units could be delivered on site, but there needed to be a “backstop” for developers, if this was not the case.

There being no further questions, the Chairman invited Councillor Hedgley, Ward Member for Woodbridge, to address the Committee.

Councillor Hedgley acknowledged that his previous comments on the application had been recorded in the Minutes of the meeting on 13 October 2017 and he was not going to repeat them.

He remained unhappy with the overall design of the site, but acknowledged it was not going to change. He noted that improvements had been made to the boundary to Deben Road but felt that the privacy of residents had not been addressed sufficiently well.

He considered that the removal of a balcony from Block J was a step in the right direction but further amendments were required and residents had legitimate grievances.

Councillor Hedgley concluded by commenting that as a member of the Planning Committee, it was his intention, at that point, to vote against the application.

The Chairman invited the Committee to debate the proposal.

A member of the Committee shared the views that Councillor Hedgley had expressed as a Ward Member. He was equally worried about the design, the mass of the development and its impact on the residents of Deben Road. He considered that the latter point had not been addressed.

He was not satisfied that the amendments made addressed the concerns at the previous meeting and advised he would be voting against the proposal.

Another member of the Committee advised that his judgements would be based on the amendments put before the Committee; he acknowledged the lack of clarity on affordable housing and considered that the Planning officers needed to be given authority to make the best of that situation.

He noted that objectors had stated that an overtly modern set of buildings was somehow unacceptable. He considered that Woodbridge was made up of buildings that were statements of the age in which they were designed and built and he interpreted the development as such and as a statement for the current age.

During the Member's speech, the Chairman noted that a member of the public had formed his hand into the shape of a gun and pointed it at the Member. She instructed the member of the public to stop making the gesture immediately and said that it was out of order, offensive and inappropriate.

Members of the Committee considered that the first principles of the application had been covered in detail at the previous meeting and did not need to be revisited. One Member suggested that lateral thinking would be required to solve any potential issues with the affordable housing.

Another member of the Committee stated that he remained of the opinion that the development was unacceptable and that the concerns about the development's relationship

with Deben Road had not been resolved satisfactorily. He stated that he would be voting against the proposal.

The updates to the proposal were highlighted by a member of the Committee. She appreciated that car parking had been addressed and that the Secretary of State was not calling in the application. She stated that both the affordable housing and the number of dwellings as a whole were both needed by the local community.

She suggested the need to review the design, in particular the balconies, to address any remaining concerns about the privacy of residents in Deben Road and stressed the importance of delivering affordable housing on this Council site. She said that as a matter of general principle, she believed that the development could deliver on the affordable housing and she would be voting in favour, highlighting that any future issues could be brought before the Committee if required.

Another member of the Committee agreed with the previous speaker and suggested that the development could be award winning.

Both sides of the argument were considered by a member of the Committee, acknowledging its benefits but also its impact on the local community. She urged caution when considering the application and stated that she was swayed towards voting against the application.

A member of the Committee, who had previously spoken against the design, wished for it to be noted that he was not against contemporary buildings in general and that his concerns with the development related to its mass.

The Chairman moved to the recommendation to approve, as set out in the report, which was proposed and seconded.

As the number of votes for and against the application was equal, the Chairman exercised her casting vote and the application was determined as follows:

DETERMINATION

APPROVED subject to the following conditions (as initially reported on 13 October 2017):

1. Standard time limit (3 years)
2. Plans/drawings considered/approved
3. Materials – samples required of both the buildings and hard landscaping
4. Archaeological Conditions as proposed
5. Highways Conditions as proposed
6. Deben link to be for pedestrian and cycle on in perpetuity and not for use by motorised vehicles
7. Mechanism to deliver the affordable housing in perpetuity – including the mix and tenure (as per the text of paragraph 5.2 of the report, contained within the update sheet)
8. Details of mitigation measures in relation to the protected landscapes as requested by Natural England to be submitted prior to development commencing.

9. Details of any external lighting to be agreed in advance of being installed
10. Ecological conditions
11. Submission of and agreement of a Construction Management Plan prior to any commencement of development, including demolition. To include details in relation to operational hours, method of demolition, delivery times, details of banksman, dust suppression, hours restricted on any piling, road cleaning and landscape protection/fencing
12. Management plan for all areas of communal space (hard and soft landscaped) to include the railway boundary
13. Details of public art proposed to be submitted to and approved in writing prior to its installation
14. Detailed landscape proposals to be submitted and approved in writing prior to any development commencing
15. Replacement of any trees and landscaping that dies within five years
16. Tree/shrub protection during construction
17. Amended plans as requested by the Council's Design and Conservation Officer (see appended consultation response)
18. SUDS conditions as proposed by SCC Suds team
19. Plan detailing the location of fire hydrants within the site
20. Details of a traffic management plan
21. details to promote improvements to the PROW and bus stops

Following determination of the application, the Chairman adjourned the meeting at 11:05am for a short break. The Head of Legal and Democratic Services left at this point of the meeting.

The meeting was reconvened at 11:20am.
