

MINUTES OF A MEETING OF THE DEVELOPMENT COMMITTEE HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON WEDNESDAY 25 MAY 2011

PRESENT: Mr P K Beer – Chairman

Mr C W Arthey	Mrs M O Munson
Mrs K Grandon	Mr A F D W Osborne
Mr D G Grutchfield	Mr C A Roberts
Mr P J Holbrook	Mr D C Rose
Ms J A Jenkins	Mr R C Smith
Mr P Jones	Mr R W Thake
Mr N MacMaster	

The following Members were unable to be present:-

Dr M F M Bamford, Mr M J Deacon, Mr D H Keane and Mr A J Ward.

1 SUBSTITUTES

It was noted that in accordance with Council Procedure Rule No. 5 substitutes were in attendance as follows:-

Mr D G Grutchfield substituting for Mr A J Ward.

Ms J A Jenkins substituting for Mr D H Keane

Mr C A Roberts substituting for Mr M J Deacon.

2 ELECTION OF VICE-CHAIRMAN

**RESOLVED**

**That Mr R W Thake be elected Vice-Chairman of the Committee for the ensuing year.**

3 DECLARATION OF INTERESTS

Mr P K Beer declared a personal and prejudicial interest in Item No. 2 of Paper L11 – Application No. B/11/00144 by virtue of being a close friend of the applicant and was not present at the meeting during the discussion of this item.

Mr C W Arthey declared a personal and prejudicial interest in Item No. 3 of Paper L11 – Application No. B/11/00182 by virtue of his interest in the land opposite the site and was not present during the discussion of this item.

Mr R C Smith declared a personal interest in Item No. 2 of Paper L11 – Application No. B/11/00144 because he was acquainted with the applicant but stated that his interest was such that he was able to speak and vote on the matter in question.

Ms J A Jenkins declared a personal interest in Item No. 2 of Paper L11 – Application No. B/11/00144 because the applicant was known to her but stated that her interest was such that she was able to speak and vote on the matter in question.

Mr N MacMaster declared a personal interest in Item No. 1 of Paper L11 – Application No. B/11/00240 because he was acquainted with the applicant as a former work colleague but stated that his interest was such that he was able to speak and vote on the matter in question.

4 MINUTES

**RESOLVED**

**That the Minutes of the meeting held on 13 April 2011 be confirmed and signed as a correct record.**

5 PETITIONS

None received.

6 QUESTIONS FROM MEMBERS

None received.

7 SITE INSPECTIONS

**RESOLVED**

- (1) **That site inspections be held on Wednesday, 1 June 2011 in respect of the under-mentioned sites, prior to consideration of the applications by the Committee:-**

**POLSTEAD**

**Application No. B/11/00182/FUL Full Application – Change of use of land to mixed agricultural and equestrian. Erection of stables, hay barn and hard standing. Alteration to existing vehicular access, land east of Woodview, Stackwood Road.**

Mrs S M Wigglesworth Ward Member for Lower Brett requested a site inspection to assess the impact of the proposal upon the character of the countryside.

Note: Mr C W Arthey having declared a personal and prejudicial interest in this item was not present when the request for the site inspection was put to the vote.

**LONG MELFORD**

**Application No. B/10/01448/FUL Full Application – Conversion and extension of existing barn to dwelling, The Mount, Bridge Street.**

Mr R E Kemp, Ward Member for Long Melford requested a site inspection to assess the impact of the proposal upon the character of the countryside.

**EAST BERGHOLT**

**Application No. B/11/00260/FUL Full Application – Erection of one two-storey detached dwelling with integral garage (existing dwelling to be demolished), Homedene, Elm Road.**

Mr A J Hinton, Ward Member for Dodnash, requested a site inspection to assess the size of the site and the impact of the proposal on the character of the street and on neighbouring properties.

**GREAT CORNARD**

**Application No. B/11/00444/DPA District Planning Application under Regulation 3 of the Town and Country Planning General Regulations 1992 – Change of use of land to amenity land and construction of foot/cycle path and erection of bridge over existing ditch, land north of Dove House Meadow.**

Mr N MacMaster, Ward Member for Great Cornard (North), requested a site inspection to assess the impact of the proposal on visual and residential amenity.

**(2) That a Panel comprising the following Members be appointed to inspect the sites:-**

**Mr P K Beer  
Dr M F M Bamford  
Mr M J Deacon  
Mrs K Grandon  
Mr D H Keane  
Mr N MacMaster**

**Mrs M O Munson  
Mr A F D W Osborne  
Mr D C Rose  
Mr R C Smith  
Mr R W Thake  
Mr A J Ward**

8 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Members had before them an [Addendum](#) to [Paper L11](#) (circulated to Members prior to the commencement of the meeting) summarising additional correspondence received since the publication of the Agenda, but before 12 noon on the working day before the meeting together with errata.

Details of further representations received in respect of Item Nos. 2, 11 and 12 of Paper L11 were reported to the meeting and considered and taken into account before a decision was made in each case.

In accordance with the Council's procedure for public speaking on planning applications, representations were made as detailed below:-

<u>Planning Application No.</u>	<u>Representations From</u>
B/11/00201	Mrs B Ruffell (Parish Council
B/11/00202	Mrs S Millward (Applicant)
B/11/00181	Mr Baker (Applicant)
B/11/00161	Mr K Smith (Applicant)
B/11/00031	Mr M Last (Objector)
	Mr M Lambert (Applicant)

NOTE:

Mr P K Beer, having declared a personal and prejudicial interest in Item No. 2, was not present in the Chamber for its consideration and Mr R W Thake, Vice-Chairman took the Chair.

**RESOLVED**

**That subject to the imposition of conditions or reasons for refusal (whether additional or otherwise), in accordance with delegated powers under Council Minute No. 48(a) (dated 19 October 2004), decisions on the items referred to in Paper L11 be made as follows:-**

**(a) ELMSETT**

**Application No. B/11/00144**  
**[Paper L11 – Item 2](#)**

**Full Application – Erection of poly tunnel, shade tunnel and packing shed in connection with use of land for seed propagation and distribution Elmsett Lodge, Whatfield Road.**

During the course of the discussion on this item, Members expressed the view that it would be appropriate to link the proposed development to Elmsett Lodge and it was suggested that this could be done either by an appropriate condition, or through the use of a Planning Obligation.

**RESOLVED**

- (1) That the Solicitor to the Council be authorised to secure a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 to link the development to Elmsett Lodge.**
- (2) That subject to the completion of the Planning Obligation referred to in Resolution (1) above to the satisfaction of the Solicitor to the Council the Chief Planning Control Officer be authorised to grant planning permission subject to conditions including:-**
  - **Standard time limit**
  - **No retail sales from the site**
  - **Details of lighting to be submitted and approved**
  - **Materials as per submitted information**
  - **Submission and implementation of a landscaping scheme and boundary treatment**
  - **Hours of use**

**NOTE:**

Subsequent to the meeting, the Solicitor to the Council advised that a Planning Obligation would be unnecessary as the matter could be addressed through the use of a planning condition. The approval would therefore be issued by the Chief Planning Control Officer subject to a condition limiting the use of the horticultural buildings to purposes ancillary to the occupation of Elmsett Lodge in addition to the conditions as listed above.

At this point in the meeting, Mr R W Thake vacated the Chair which was resumed by Mr P K Beer.

**(b) COCKFIELD**

**Application No. B/11/00201  
and B/11/00202/LBC  
[Paper L11 – Item 4](#)**

**Full Application – Conversion of attached Blacksmith Forge to provide additional living accommodation. Erection of detached cartlodge and store. Erection of two-storey extension to the rear of the Blacksmith Forge and construction of new vehicular access, Forge Cottage, Great Green.**

Notwithstanding the recommendation of the Chief Planning Control Officer to grant planning permission and Listed Building Consent subject to conditions, a motion to refuse permission was proposed and seconded on the grounds that the proposed development would have an adverse impact and did not therefore comply with the policies quoted in paragraph 45 of Item 4. The motion was lost on being put to the vote.

**RESOLVED**

**(1) That planning permission be granted subject to conditions including:**

- **Standard time limit**
- **Materials to be approved**
- **Window, doors and detailing to be approved**
- **Surface materials to the hardstanding and cross over to be approved**
- **As recommended by the LHA**
- **Landscaping scheme to be approved and safeguarded for five years**
- **Conversion of forge to be undertaken concurrently with the extension**
- **No insertion of roof lights**
- **Use of garage linked to dwelling**

**(2) That Listed Building Consent be granted subject to conditions including:**

- **Standard time limit**
- **Materials to be approved**
- **Window, doors and detailing to be approved**
- **Conversion of forge to be undertaken concurrently with the extension**

**(c) GLEMSFORD**

**Application No. B/10/00796 Full Application and Application for  
and B/10/00797/CAC Conservation Area Consent – Erection  
[Paper L11 – Item 6](#) of retail store, business units and  
21 dwellings with associated garaging  
(demolition of former office and  
workshop buildings). Construction of  
new vehicular access, 2 – 4 Brook  
Street.**

The Chief Planning Control Officer in presenting Item 6 of Paper L11 asked Members to read the item in conjunction with the report which was prepared for the Development Committee meeting on 16 March 2011 and was attached to Paper L11 as Appendix A.

The Chief Planning Control Officer referred to Item 6 of Paper L11 containing a summary of the consultation responses and additional representations received following the receipt of the amended drawings on 14 March and 1 April 2011. Members noted that the responses and representations in connection with the application when it was originally received, including the petition, were contained within the officer report that was produced for the meeting on 16 March 2011.

He also made reference to the situation regarding the report prepared for the meeting which omitted to include reference to the assessment that is required under PPS4 '*Planning for Sustainable Growth*'. The policies contained within PPS4 are a material consideration and can be applied directly by the decision-maker when determining planning applications. Paragraphs 93 and 94 of the previous officer report refer to the provisions of PPS4. In amplification of the points contained within paragraph 93 of the original report, Members were asked to note that in line with the requirements of Policy EC14.5 an assessment of the possible impacts arising from retail and leisure development of the type set out by Policy EC16.1 may be sought where:

- the proposed retail floor space is below 2,500 sq m,
- the development is not within an existing centre,
- the proposal is not in accordance with an up to date development plan,
- the development would be likely to have a significant impact on other centres.

In relation to the current proposal the retail unit would have a gross internal floor area of 385 sq m and would be located beyond the central hub of the village. As such the first two criteria to Policy EC14.5 are applicable in this case. While the principle of some form of retail development on the site is accepted by Local Plan Policy EM15, in the absence of a suitable assessment it is not known whether the proposal would accord with the provisions of Local Plan Policy SP04. Likewise it is also unknown whether the proposal is likely to have a significant impact upon shopping facilities in other villages, for example, Cavendish, Hartest, and Long Melford.

In the circumstances and in the absence of any information to the contrary it is not possible to conclude in planning terms whether the proposals would or would not have any adverse impacts upon existing shopping facilities in Glemsford.

Recommendation (1) in Item 6 of Paper L11 had been revised, as set out in the Addendum, to take account of the above.

## **RESOLVED**

- (1) **That had the applicant not appealed to the Secretary of State against non-determination, the application would have been refused for the following reasons:**
- **The proposed retail unit would conflict with Local Plan policies SP04 and CN01**
  - **Principle of residential development contrary to EM15**
  - **Absence of an agreed marketing campaign contrary to EM24 and SPD**
  - **In the absence of noise assessment cannot be satisfied that the proposal will not adversely impact on residential amenity contrary to Local Plan Policies CN01 and SP04**

- **Poor design and layout, namely poor landscaping, relationship to dwellings on Bells Lane and relationship of uses within the proposed development, poor amenity provision to plot 11,**
- **Absence of information on provision of 10% renewable energy contrary to Policy ENG1**
- **Inadequate provision of public open space and play equipment contrary to Local Plan Policy HS32**
- **Inadequate provision of affordable housing contrary to Local Plan Policy HS08**
- **Inadequate provision for education as required by LP01 and Supplementary Planning Guidance: Planning Obligations**
- **Contrary to Local Plan Policy CN06 – adverse impact on setting of Listed Building**

(2) **That the Chief Planning Control Officer (and LHA if appropriate) defend the Council's position on appeal on the above grounds.**

(3) **That the Solicitor to the Council seek to secure a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 so that in the event that the appeal is allowed, provision is made for:**

- **public open space and play equipment in accordance with Local Plan Policy HS32;**
- **affordable housing in accordance with Local Plan Policy HS08;**
- **education as required by LP01 and Supplementary Planning Guidance: Planning Obligations**

(4) **That had the applicant not appealed to the Secretary of State against non-determination the Council would have granted Conservation Area Consent.**

**(d) HADLEIGH**

**Application No. B/11/00181**  
**[Paper L11 – Item 7](#)**

**Full Application – Erection of part two-storey, part single-storey offices and associated parking area. Proposed weigh bridge and associated works, landscaping, removal of existing portable buildings on completion of offices and retaining one portable building, Stone Street Farm, Stone Street.**

**RESOLVED**

**That planning permission be granted subject to conditions including:**

- **Standard time limit**
- **Materials**
- **In accordance with the FRA**
- **Archaeology**
- **Control of external lighting**
- **Landscaping**
- **Removal of existing portable buildings**
- **Construction management.**

**(e) COPDOCK AND WASHBROOK**

**Application No. B/11/00161**  
**[Paper L11 – Item 9](#)**

**Full Application – Change of use of agricultural building to storage and distribution (use Class B8), Glebe Farm, London Road.**

**RESOLVED**

**That planning permission be granted subject to conditions including:**

- **Standard time limit**
- **Hours of operation and deliveries/collections**
- **Floodlighting**
- **No outdoor storage**
- **Use within building only**
- **No retail sales to visiting members of the public.**

**(f) HARTEST**

**Application No. B/11/00031**  
**[Paper L11 – Item 11](#)**

**Full Application – Change of use of existing single-storey agricultural building with single-storey extensions to provide a B1 (workshop)/B8 (storage) and ancillary office (following demolition of existing additions) Neat House, land east of Old Bakery, The Green.**

Members noted that the Local Highway Authority had withdrawn its objection.

Notwithstanding the recommendation of the Chief Planning Control Officer that planning permission be granted subject to conditions, a motion to refuse planning permission on the grounds of non-compliance with Policy CR18 was proposed and seconded. The motion was carried upon being put to the vote.

**RESOLVED**

**That planning permission be refused for reasons including:**

- **The development would represent significant rebuilding and impact on residential amenity contrary to Local Plan Policy CR18.**

**(g) LONG MELFORD**

**Application No. B/11/00066**  
**[Paper L11 – Item 13](#)**

**Full Application – Change of use from dentist (D1) to mixed use of office and professional services (Sui Generis use – comprising a mixed use of classes B1 and A2), Milestone, Hall Street.**

**RESOLVED**

**That planning permission be granted subject to conditions including:-**

- **Standard time limit**
- **Control hours of use (07.00 to 19.00)**

At this point the meeting adjourned for lunch at 1.10 p.m. and resumed at 1.35 p.m. when the following Members were present:-

Mr P K Beer – Chairman

Mr C W Arthey  
Mrs K Grandon  
Mr D G Grutchfield  
Mr P J Holbrook  
Ms J A Jenkins  
Mr P Jones  
Mr N MacMaster

Mrs M O Munson  
Mr A F D W Osborne  
Mr C A Roberts  
Mr D C Rose  
Mr R C Smith  
Mr R W Thake

**(h) GREAT CORNARD**

**Application No. B/11/00240**  
**[Paper L11 – Item 1](#)**

**Full Application – Erection of detached double garage, 42 Pot Kiln Road.**

Notwithstanding the recommendation of the Chief Planning Control Officer to refuse planning permission for reasons relating to non-compliance with Policy CN01 and the effect on the existing pattern of development, a motion to grant planning permission was moved on the grounds that the building line was unclear and that the development could be accommodated satisfactorily. The motion was lost upon being put to the vote.

**RESOLVED**

That planning permission be refused for the following reasons:-

- Policy CN01 provides that all new development proposals will be required to be of appropriate design and scale and must pay particular attention to the form and nature of adjacent development and the environment surrounding the site. Pot Kiln Road has a clear pattern of development with the houses set behind large front gardens giving the road an open spacious character. The application proposes the erection of a detached double garage at the front of the property. The proposal for a detached double garage by virtue of its siting, scale and prominence would have the effect of disrupting the street scene in this location and eroding the open and undeveloped frontage to the detriment of the character of the locality contrary to the Babergh Local Plan Alteration No.2 (2006). Furthermore the proposal would result in a cramped appearance to 42 Pot Kiln Road, a poorly proportioned garage and a blank frontage to the public realm, all to the detriment of the street scene.
- Approval of the application could set an unfortunate, undesirable precedent for development of this nature elsewhere in the estate by altering the pattern of development, and therefore character, of the area in the vicinity of the site.

**(i) BENTLEY**

Application No. B/11/00330  
[Paper L11 – Item 5](#)

Full Application – Temporary change of use of land for three years for stationing of 1 mobile home to supervise the equine business run from Dodnash Fruit Farm (retention of), Dodnash Fruit Farm.

**RESOLVED**

That planning permission be granted subject to conditions including:

- Temporary permission of 3 years
- Mobile home to be occupied by persons employed at the equine business
- Only one mobile home to be sited within the red line area at any one time.

**(j) SHIMPLING**

Application No. B/10/01636  
[Paper L11 – Item 10](#)

Full Application – Erection of 1 detached dwelling (for staff accommodation), Chadacre Hall.

**RESOLVED**

- (1) That the Solicitor to the Council be authorised to secure a Planning Obligation under Section 106 of the Town and Country Planning Act, 1990, to provide:
- That the dwelling is only used as staff accommodation and is not sold or leased separately to Chadacre Hall.
- (2) That, subject to the completion of the Planning Obligation in Resolution (1) above to the satisfaction of the Solicitor to the Council the Chief Planning Control Officer be authorised to grant planning permission subject to conditions including:
- Samples of materials
  - Removal of permitted development rights
  - Details of boundary treatment
  - Details of fenestration and joinery colours
  - Details of colour of render
- (3) That, in the event of the Planning Obligation referred to in Resolution (1) above not being secured, the Chief Planning Control Officer be authorised to refuse planning permission, for reason(s) including:
- Inappropriate housing in the countryside contrary to Policies HS04 and HS02 of the Local Plan.

9 PROPOSED NON MATERIAL AMENDMENT – AMENDMENTS TO 2 STOREY DWELLING – 2 PRIORY COTTAGES THE STREET PRESTON ST MARY

The Chief Planning Control Officer submitted a report ([Paper L12](#)) asking Members to approve a non-material amendment for planning permission B/10/01075/FUL.

**RESOLVED**

**That the proposed non-material amendment for planning permission B/10/01075/FUL; amendments to two-storey dwelling, to Priory Cottages, The Street, Preston St Mary be approved.**

Note: The meeting was adjourned between 10.55 a.m. and 11.15 a.m. for refreshments.

The business of the meeting was concluded at 3.00 p.m.

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Chairman