

MINUTES OF A MEETING OF THE DEVELOPMENT COMMITTEE HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON WEDNESDAY 15 JUNE 2011

PRESENT: Mr P K Beer – Chairman

Dr M F M Bamford	Mr N MacMaster
Mr M J Deacon	Mr A F D W Osborne
Mrs K S Grandon	Mr D C Rose
Mr P J Holbrook	Mr R C Smith
Mr B D Hurren	Mr R W Thake
Mr P Jones	Mr A J Ward
Mr D H Keane	

Mr C W Arthey and Mrs M O Munson were unable to be present.

Mrs S M Wigglesworth, Ward Member for Lower Brett, was present at the meeting and spoke on Item No. 1 of Paper L20 with the consent of the Chairman.

Mr A J Hinton, Ward Member for Dodnash, was present at the meeting and spoke on Item No. 3 of Paper L20 with the consent of the Chairman.

Mr A C Bavington, Ward Member for Great Cornard (North), was present at the meeting and spoke on Item No. 6 of Paper L20 with the consent of the Chairman.

10 SUBSTITUTES

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

Mr B D Hurren substituting for Mrs M O Munson.

11 DECLARATION OF INTERESTS

Mr A F D W Osborne declared a personal and prejudicial interest in Item No. 6 of Paper L20 – Application No. B/11/00444 by virtue of representing Sudbury Town Council on the Bio Diversity Trail Group and left the meeting while the item was under consideration.

Mr B D Hurren subsequently declared a personal interest in relation to his attendance as a substitute on the Development Committee when it was considering its Annual Report which would then be considered by the Overview and Scrutiny (Stewardship) Committee, of which he is a member (Minute No 18 refers). He stated that he was able to speak and vote on the matter.

12 MINUTES

RESOLVED

That the Minutes of the meeting held on [25 May 2011](#) be confirmed and signed as a correct record subject to the following wording being added under the Declaration of Interest by Mr R C Smith relating to Item No. 2 of Paper L11:-

“However, [Mr R C Smith] was not present during consideration of this item”.

13 PETITIONS

None received.

14 QUESTIONS FROM MEMBERS

None received.

15 SITE INSPECTIONS

RESOLVED

- (1) **That a site inspection be held on Wednesday, 22 June 2011 in respect of the under-mentioned site, prior to consideration of the application by the Committee:-**

GREAT CORNARD

Application No. B/11/00235/FUL Full Application – Erection of detached two-storey dwelling and provision of vehicular parking for land north west of 1 Ash Grove.

Mr N MacMaster Ward Member for Great Cornard (North) requested a site inspection to assess the impact of the proposal upon the character of the area.

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

Mr C W Arthey	Mr A F D W Osborne
Mr P K Beer	Mr D C Rose
Mrs K S Grandon	Mr R C Smith
Mr D H Keane	Mr R W Thake
Mr N MacMaster	Mr A J Ward
Mrs M O Munson	

16 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Members had before them an [Addendum](#) to [Paper L20](#) (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, 5 and 6 of Paper L20 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/11/00182	Ms A McWilson (Parish Council)
B/11/01448	Dr P Cooper (Applicant)
B/11/00260	Mr P LeGrys, on behalf of Glenmore Developments (Applicant)
B/11/00470	Mrs Shapland (Applicant)
B/11/00444	Mr G Mansbridge (Objector)

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 L20 be made as follows:-

(a) POLSTEAD

Application No. B/11/00182
[Paper L20 – Item 1](#)

Full Application – Change of use of land to mixed agricultural and equestrian. Erection of stables, hay barn and hard standing, land east of Woodview, Stackwood Road.

Notwithstanding the recommendation of the Chief Planning Control Officer that planning permission be granted subject to conditions, a motion was moved to refuse planning permission on the grounds that the previous reasons for refusal referred to in paragraph 10 of Item 1 had not been sufficiently addressed and the proposal therefore remained contrary to the policies listed. Members also expressed concern about animal welfare in the light of the extent of the area proposed for the various uses. The motion was proposed and seconded and carried on being put to the vote.

RESOLVED

That planning permission be refused for the following reasons:-

- **Contrary to Policies CR01, CR07, CR08, RE06 and CN01 of the Babergh Local Plan Alteration No. 2 (2006)**
- **Animal Welfare concerns**

(b) LONG MELFORD

Application No. B/11/01448
[Paper L20 – Item 2](#)

Full Application – Conversion and extension of existing barn to dwelling, The Mount, Bridge Street.

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:-
- A payment for off-site public open space provision in accordance with Policy HS32.
- (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 refuse planning permission for reasons including:-
- The site of the proposed dwelling is beyond any defined built up area boundary of any town or village as defined within the adopted Babergh Local Plan and as such it is located within the countryside for settlement planning purposes where, in the interests of agriculture, rural amenity, road safety and economy of services, existing uses of land will remain for the most part undisturbed. Accordingly, applications for residential development will not normally be approved and new housing will be integrated into existing settlements.
 - The proposed development is therefore contrary to saved policies HS04 and CR01 of the Babergh Local Plan Alteration No.2 (2006) which seek to direct new housing development to existing built up areas and to protect the landscape quality and character of the countryside for its own sake. The surrounding countryside is designated as a Special Landscape Area and associated saved policy requires development proposals to maintain and harmonise with the special landscape qualities of the area.
 - The site is enclosed by countryside on three sides and although it is screened to some degree by trees, the proposed dwelling being of substantial size would be visible both from the main entrance onto Lavenham Lane and through the trees in winter. The scale and bulk of the building would therefore be harmful to the character and appearance of the surrounding countryside.
 - Moreover, the proposal would set an undesirable precedent for similar development elsewhere in the district which the Local Planning Authority would find difficult to resist, to the detriment of the character of the countryside and the aim of achieving sustainable development.

- **Government guidance in PPS7 on housing development in the countryside states that it should be strictly controlled new development outside established centres or allocated land and that isolated houses in the countryside will require special justification for planning permission to be granted which is normally based on the special needs of an agricultural or forestry worker to be based in the countryside. No such justification has been provided in support of the proposal.**
- **Paragraph 11 of PPS7 states that an isolated house in the countryside may be allowed as a special case where the building is of innovative design and exceptional quality in terms of materials, construction or contribution to the environment. However, it states that such schemes are expected to be truly outstanding and ground breaking and to come forward very occasionally. It is not considered that the proposed development falls into this category by reason of the fairly commonplace nature of the Passivhaus design form.**

(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 reasons as detailed in Resolution (2) above but including inadequate provision of public open space and play equipment contrary to Local Plan Policy HS32.

(c) EAST BERGHOLT

Application No. B/11/00260
[Paper L20 – Item 3](#)

Full Application– Erection of one two-storey detached dwelling with integral garage (existing dwelling to be demolished), Homedene, Elm Road.

RESOLVED

That planning permission be granted subject to conditions including:-

- **Standard time limit**
- **Highway conditions as recommended by the Highway Authority**
- **Details of materials and samples to be submitted and approved**
- **Landscaping and screen fencing to be implemented as submitted on the approved plans**
- **Removal of permitted development rights for further extensions and alterations to the dwelling**
- **Ground and slab levels.**

(d) SUDBURY

Application No. B/11/00283
[Paper L20 – Item 4](#)

Full Application – Erection of eight single-storey dwellings and associated garages (following demolition of existing bungalow). Construction of new access road and associated works, land east of 98-108 Waldingfield Road.

RESOLVED

That planning permission be granted subject to conditions including:

- **Samples of facing material**
- **Removal of permitted development rights in relation to extensions, roof alterations/roof lights and garden outbuildings**
- **As recommended by the Local Highway Authority**
- **Land contamination assessment**
- **Wildlife mitigation and enhancement measures.**

(e) CAPEL ST MARY

Application No. B/11/00470
[Paper L20 – Item 5](#)

Full Application – Change of use from agricultural outbuilding to residential dwelling, Old Coach House, Bluegate Lane.

Notwithstanding the recommendation of the Chief Planning Control Officer that planning permission be refused, a motion to grant planning permission was moved and carried on being put to the vote on the grounds that the proposed development would not cause any harm and was therefore a permissible exception to Policy CR19.

RESOLVED

That planning permission be granted subject to conditions including:

- **Removal of permitted development rights.**

(f) GREAT CORNARD

Application No. B/00/00444/DPA
[Paper L20 – Item 6](#)

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 Farm.

RESOLVED

- (1) That subject to the receipt of no new material issues being raised prior to the expiry of the notification period (28 June 2011) 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 footpath/cycleway (and bridge) be made available for the public to use.
- (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 the following:
- Standard time limit
 - Methodology for construction of the bridge
 - Surface finish to the path
 - Provision of a pedestrian barrier
 - The need to have a suitably qualified individual present on site when the footings for the bridge are being constructed so as to safeguard protected species and ecological interests.

17 AMENDMENTS TO HADLEIGH LEISURE FACILITY BUILDING – STONEHOUSE ROAD, HADLEIGH

The Chief Planning Control Officer submitted a report ([Paper L21](#)) asking Members to agree a non-material amendment to the design and appearance of the Hadleigh Leisure Facility building previously approved in January 2009.

RESOLVED

That the proposed non-material amendment to planning permission B/08/01760/FUL be approved.

18 DRAFT ANNUAL REPORT OF DEVELOPMENT COMMITTEE FOR 2010/11

The Chief Planning Control Officer submitted a report ([Paper L22](#)) summarising the work of the Development Committee for the financial year 2010/11. Members were asked to adopt Paper L22, subject to any amendments they wished to make following their consideration of the report and the appendices, for submission to the Overview and Scrutiny (Community Services) Committee on 21 June 2011.

The following were among the matters referred to during the course of the discussion:-

- Vacancy management
- Information on Member attendance at training sessions – supplied to Group Leaders
- Planning Obligations – quarterly updates are being made available to Members, who were asked to encourage their Parish Councils to bring forward relevant schemes for consideration. It was noted that different types of provision attract differing timescales in which the monies must be spent
- New Homes Bonus – explanation of the payment arrangements

Members were also asked to note that the number of cases subject to appeal referred to in paragraph 12.5 of Paper L22 should read 39 (as stated in paragraph 12.4) and not 34.

The Development Committee adopted the report for submission to Overview and Scrutiny (Community Services) Committee.

RECOMMENDED TO THE OVERVIEW AND SCRUTINY (COMMUNITY SERVICES) COMMITTEE

That Paper L22 be adopted as the Annual Report of the Development Committee for 2010/11.

Note: The meeting was adjourned between 11.00 a.m. and 11.20 a.m. for refreshments.

The business of the meeting was concluded at 13.40 p.m.

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Chairman