

MINUTES OF A MEETING OF THE DEVELOPMENT COMMITTEE HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON WEDNESDAY, 11 JULY 2012

PRESENT: Mr P K Beer – Chairman

Dr M F M Bamford	Mr A F D W Osborne
Mr M J Deacon	Mr J M Owen
Mr P J Holbrook	Mr D C Rose
Ms J A Jenkins	Mr R C Smith
Mr P Jones	Mr R W Thake.
Mr D H Keane	Mr A J Ward
Mrs M O Munson	

Mr C W Arthey, Mrs K S Grandon and Mr N MacMaster were unable to be present.

Mr D M Busby (Ward Member for Pinewood) was present at the meeting and spoke on Application No. B/11/01514/FUL with the consent of the Chairman.

18 SUBSTITUTES

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

Ms J A Jenkins (substituting for Mrs K S Grandon)
Mr J M Owen (substituting for Mr N MacMaster)

19 DECLARATION OF INTERESTS

Mr P K Beer and Mr J M Owen declared non-pecuniary interests in Application No. B/12/00473/FUL by virtue of being members of the Poplar Road Regeneration Group but stated that they were able to speak and vote on the item concerned.

20 MINUTES

RESOLVED

That the Minutes of the meeting held on [13 June 2012](#) be confirmed and signed as a correct record.

21 PETITIONS

The Head of Corporate Organisation reported, in accordance with Council Procedure Rule No.13, the receipt of the following petition submitted to the Chief Executive.

Application No. B/12/00599/FUL – Erection of single-storey building to accommodate 2 Class A1 Retail Units (Existing Workshop/Office and Bungalow to be demolished), Glemsford Motor Services, Bells Lane, Glemsford

Petition signed by approximately 320 residents of Babergh District opposing the grant of planning permission. The petition will be taken into account when the planning application is considered at a future meeting of the Development Committee.

In accordance with Council Procedure Rules, the Chief Executive will report the receipt of the petition to the Council meeting on 21 August 2012.

22 QUESTIONS FROM MEMBERS

None received.

23 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Members had before them an [Addendum](#) to [Paper M48](#) (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. [1](#), [2](#), [6](#), [7](#) and [8](#) of Paper M48 were reported to the meeting and considered and taken into account before a decision was made on each item.

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/11/01514/FUL	Mr J Reading (Objector)
B/11/01592/FUL	Mrs I Jaeger (Objector)
B/11/01343/FUL	Mr A Tricker (Agent for Applicant) Mrs R Barker (Applicant)
B/12//00353FUL and B/12/00390/LBC	Mrs R Shapland (Applicant)

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 M48 be made as follows:-

(a) NEWTON

Application Nos B/11/00705/FUL and B/11/00710/LBC Paper M48 – Item 3	Full Application and application for Listed Building Consent – erection of single storey rear extension and detached 2 bay cartlodge for Goulding Farm Cottage. Conversion extension and part rebuilding of existing barn and cartlodge to form 1 part 2 storey, part single storey dwelling (existing stables to be demolished).
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Erection of detached 2 bay cartlodge and conversion of existing outbuilding to provide 2 storey self contained annex in association with barn conversion. Conversion of existing outbuilding to provide 2 storey self contained annex in association with barn conversion.

The Corporate Manager – Development Management reported that issues relating to the merit of the listed building had been identified, as a result of which the Corporate Manager is re-assessing the scheme and recommendations set out in the report.

RESOLVED

That it be noted that, with the agreement of the applicant, this item has been removed from the Schedule in order to allow the Corporate Manager – Development Management to give further consideration to the application and the recommendations given impact on listed building issues and further, that there would be no discussion of the application at the meeting.

(b) GLEMSFORD

**Application No. B/11/01466/FUL
[Paper M48 – Item 1](#)**

Full application – Erection of 56 dwellings together with garages, parking, drainage, landscaping, open space and access, land north of Crownfield Road.

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:

- 20 affordable housing units**
- Public open space and Local Area of Play plus one additional piece of play equipment (LAP+1) and maintenance contribution figure**
- Contribution of £12,096 for libraries**
- Contribution of £23,936 for Early Years and Childcare Provision**
- Contribution of £5,432 for waste management.**

(2) That, subject to the completion of the Planning Obligation in Resolution (1) above to the satisfaction of the Solicitor to the Council, the Corporate Manager – Development Management be authorised to grant planning permission subject to conditions including:

- **Time limit**
- **Materials**
- **Hard and soft landscaping**
- **Local Area of Play and one additional piece of play equipment (LAP+1)**
- **Protection of trees and hedgerows during construction**
- **Mitigation for common lizards in accordance with recommendations of ecological report**
- **Archaeology**
- **Construction method statement for construction works**
- **As required by the LHA**
- **Detailed design of surface water scheme (prior to development taking place)**
- **Detailed means of discharging surface water through existing or alternative outlet to a suitable point of discharge off-site to include detailed design of any on line structures (prior to commencement of development)**
- **10% energy to be provided on site**
- **Provision of fire hydrants**
- **Waste and recycling**
- **Footpath links to existing footpaths and timing of provision**
- **Details of improvements to Footpath No 27 and timing of works**
- **Boundary treatment**
- **Slab levels**
- **Noise output from substation no more than 35db(A) at 1m from the substation**
- **Any other conditions as considered appropriate by the Corporate Manager – Development Management**

(3) That, in the event of the Planning Obligation referred to in Resolution (1) above not being secured, the Corporate Manager – Development Management be authorised to refuse planning permission, for reason(s) including:

- **Lack of provision of affordable housing, public open space and play equipment, libraries contribution, Early Years and Childcare provision and waste management contribution contrary to saved policies LP01, HS08, HS25 of the Babergh Local Plan Alteration No.2 (2006).**

Note: In response to a question from a Member about completion of highways to adoption standards, it was subsequently confirmed by the Local Highway Authority that an agreement under Section 38 of the Highways Act 1980 is in place, together with the requisite Bond.

(c) PINWOOD

Application No. B/11/01514/FUL
[Paper M48 – Item 2](#)

Full Application – Erection of veterinary centre and teaching practice (including temporary residential accommodation) and associated vehicular access and parking, land west of Suffolk One, Scrivener Drive.

Notwithstanding the recommendation of the Corporate Manager to grant planning permission subject to the conditions listed on page 30 of Paper M48, a motion to refuse planning permission was moved and carried on being put to the vote. The reason for refusal related to failure to meet the requirements of Policy EM17, specifically in relation to prestigious development.

RESOLVED

That planning permission be refused for the following reason:

- **The proposed development is not considered to be a prestigious or hi-tech business use, and is therefore contrary to saved Local Plan Policy EM17.**

(d) SPROUGHTON

Application No. B/11/01592/FUL
[Paper M48 – Item 4](#)

Full application – erection of 1 detached single-storey dwelling (following demolition of existing garage), 6 Collinsons.

RESOLVED

That planning permission be refused for reasons including the following:

- **Adverse impact of bungalow on the existing design, form and character of the estate which comprises two storey houses and associated, subordinate garages and which would set an undesirable precedent for development of other similar sites contrary to policies HS01, HS28 and CN01.**

(e) SPROUGHTON

Application No. B/11/01343/FUL
[Paper M48 – Item 5](#)

Full Application – change of use of private residential swimming pool to mixed use of residential and limited commercial use (as amplified by additional information received on 28 February 2012, 16 March 2012 and 18 June 2012), Bradgate, Elton Park.

RESOLVED

That planning permission be granted subject to conditions including the following:

- **Limit the number of lessons each week to a maximum of 20 hours (to be recorded in diary and made available for inspection by LPA at all reasonable times)**
- **Limit the number of pool parties to 18 in any calendar year (to be recorded in diary and made available for inspection by LPA at all reasonable times)**
- **No lessons to take place before 9am or after 7.30pm on Mondays to Fridays or before 9am or after 1pm on Saturdays, Sundays and Bank Holidays**
- **Pool parties to take place only between the hours of 1pm and 6pm on Saturday and Sunday afternoons**
- **Parties to only take place within pool building**
- **No music to be played during parties**
- **No car parking by pool clients to take place outside cartilage of site**
- **Parking area to be maintained at all times.**

(f) GREAT CORNARD

**Application No. B/12/00473/FUL
[Paper M48 – Item 6](#)**

Full application – change of use of shop 6 from Class A1 to Class A5, including installation of odour / extraction equipment and kitchen extract flue, Unit 6, Applegate Centre, Applegate Mews.

The recommendation of the Corporate Manager to grant planning permission subject to conditions was proposed and seconded, but lost on being put to the vote. Councillors Thake and Holbrook, who abstained from voting, asked for their abstentions to be recorded in the minutes.

A motion to refuse planning permission for reasons relating to loss of amenity for residents of the flats, potential for adverse effect on residents due to litter, the nature of the facility – effect on public health and increased traffic noise, and adverse effect on street scene was proposed and seconded notwithstanding the advice of the Corporate Manager in relation to the status of the proposed reasons for refusal. The motion was lost on being put to the vote. Councillor Thake, who abstained from voting, asked for his abstention to be recorded in the minutes.

At this point, the meeting adjourned for refreshments at 12.30 p.m. and resumed at 1.00 p.m. when the following Members were present:

Mr P K Beer – Chairman

Dr M F M Bamford	Mr A F D W Osborne
Mr M J Deacon	Mr J M Owen
Mr P J Holbrook	Mr D C Rose
Mr P Jones	Mr R C Smith
Mr D H Keane	Mr R W Thake.
Mrs M O Munson	Mr A J Ward

The Chairman permitted the debate on Item 6 to be re-opened following which a subsequent motion to grant permission subject to an additional condition to deal with the concerns expressed about litter was carried on being put to the vote.

Note: The advice given on a previous occasion by the Monitoring Officer in relation to the item and meeting remaining open was reiterated by the Senior Democratic Services Officer and noted by Members.

RESOLVED

That planning permission be granted subject to conditions including the following:

- **Standard time limit**
- **As recommended by Environmental Health**
- **As recommended by the LHA**
- **Litter management strategy**

(g) CAPEL ST MARY

**Application Nos B/12/00353/FUL
and B/12/00390/LBC
Paper M48 – Item 8**

Full Application and application for Listed Building Consent – erection of two storey front and side extension and single storey link and internal alterations, Old Coach House, Bluegate Lane.

Notwithstanding the Corporate Manager's recommendation to refuse planning permission and Listed Building Consent for the reasons relating to harm to a heritage asset and contrary to policies CN06, HS33 and CR0, as set out on page 67 of Paper M48, a motion for approval was moved and carried on being put to the vote. The grounds for approval related to the proposed development being considered to be an interesting extension which respected and was in proportion with the existing dwelling which would enhance the listed building and did not represent harm to surroundings including the countryside, and was not therefore in conflict with Policies CN01 and HS33, CN06, or CN01 and CR01.

RESOLVED

That planning permission and Listed Building Consent be granted subject to conditions to be imposed by the Corporate Manager – Development Management under the delegated powers, including the following:-

- **Standard time limit**
- **Samples of external materials**
- **Fenestration details and colours**
- **Type and finishes to external boarding**

(h) MONKS ELEIGH

Application No. B/11/01045/FUL
[Paper M48 – Item 7](#)

Full Application – temporary stationing of a mobile home in connection with the development of an agricultural holding, Fenshoe Farm, Swingleton Hill.

RESOLVED

That, subject to no adverse view from the LHA, the Corporate Manager Development Management be authorised to grant planning permission subject to conditions including the following:

- **The occupation of the mobile home shall be limited to a person solely or mainly employed in connection with the breeding and keeping of alpacas on the land along with any residential dependants.**
- **Only one mobile home to be placed on the land**
- **The mobile home will be placed on the land within one year of the approval date**
- **Temporary approval for three years only**
- **Within two months of the expiration of the three year timescales, the mobile home will be removed from the site and the land made good**
- **Colour of the mobile home to be agreed.**

The meeting adjourned for refreshments between 10.50 a.m. and 11.15 a.m.

The business of the meeting was concluded at 2.00 p.m.

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Chairman