

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON WEDNESDAY 12 JUNE 2013

PRESENT: Mr P K Beer – Chairman

Dr M F M Bamford	Mr N A Ridley
Mrs K S Grandon	Mr C A Roberts
Mr P Jones	Mr D C Rose
Mr D H Keane	Mr R C Smith
Mrs M O Munson	Mr R W Thake
Mr A F D W Osborne	Mr A J Ward
Mr J M Owen	

Mr M J Deacon and Mr N MacMaster were unable to be present.

Mr D L Wood, Ward Member for Alton was present at the meeting and spoke on the Item in [Paper N13](#) with the consent of the Chairman.

Mr R E Kemp, Ward Member for Long Melford was present at the meeting and spoke on the Item in [Paper N14](#) with the consent of the Chairman.

Mrs J Antill, Ward Member for Waldingfield was present at the meeting and spoke on the Item in [Paper N15](#) with the consent of the Chairman.

19 SUBSTITUTES

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

Mr J M Owen (substituting for Mr N MacMaster)  
Mr C A Roberts (substituting for Mr M J Deacon)

20 DECLARATION OF INTERESTS

Mr D C Rose declared a non-pecuniary interest in Application No. B/12/01279/FUL (Paper N13) in his capacity as Babergh's representative on the Suffolk Coast and Heaths JAC but stated that he could speak and vote on the matter.

Mr C A Roberts declared a non-pecuniary interest in Application No. B/12/01279/FUL (Paper N13) in his capacity as a Babergh representative on the Suffolk Coast and Heaths JAC and also as a member of the Stour and Orwell Society. He stated that he would not take part in the discussion or the vote on this item.

21 PETITIONS

The Head of Corporate Organisation reported, in accordance with Council Procedure Rule No. 13, the receipt of the following petition which had been submitted to the Chief Executive, as detailed below:-

Planning Application B/13/00458 – Erection of a new village hall and associated parking with construction of vehicular access, Playing Field, Church Hill, Monks Eleigh

Petition signed by approximately 80 residents of Babergh objecting to the proposed development. The petition will be taken into account when the application is determined at a future meeting of the Planning Committee.

Babergh District Council (Parish of Stanstead Footpath No 9) Diversion Order 2013

Petition signed by more than 20 residents of Babergh District supporting the proposed diversion. This petition, and an earlier one objecting to the proposal, are now being treated as formal submissions in response to the Notice of the Diversion Order which appeared in the local press.

22 QUESTIONS FROM MEMBERS

None received.

23 SITE INSPECTIONS

Mr M J Deacon, Ward Member for Berners, had requested a site inspection in respect of Application No. B/12/01123 at the Butt and Oyster Public House, Chelmondiston for reasons relating to the potential impact of the proposal on visual/scenic amenity and the relationship between the external seating area and the driveway entrance to the pub car park.

Before Members were asked to vote on the request the Chairman asked the case officer to make a short presentation to enable the Committee to decide whether there was sufficient information available to Members to determine the application.

Following the presentation the Committee decided not to hold a site inspection in respect of this application.

**RESOLVED**

**That a site inspection be not held in respect of the following application:**

**CHELMONDISTON**

**Application No. B/12/01123/FUL**

**Full Application – Construction of tiered terraces enclosed by railed walls to front of Public House. As amended by drawing numbers 4191/2D and 3C received on 8 April 2013 to show revised surface treatment and railing/wall details, Butt and Oyster Inn, Pin Mill Road.**

24 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Members had before them an Addendum for each of Papers N13, [N14](#), N15 and [N16](#) (circulated to Members prior to 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 the Items in Papers N13, N14, N15 and N16 were reported to the meeting and considered and taken into account before decisions were made on the items.

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

<u>Application No.</u>	<u>Representations From</u>
B/12/01279/FUL	Mr A Collins (Parish Council) Mr P Hackett (Objector) Ms P Donkin (Agent for the Applicant)
B/12/00688/FUL and B/12/00689/CAC	Ms H Spear (Parish Council) Mr L Short (representing Objectors) Mr P Briggs (Agent for Applicant)
B/12/00748/FUL	Mr R Whitworth (Parish Council) Mr T Shepherd (Objector) Mr W Antony (Agent for 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 Papers N13, N14, N15 and N16 be made as follows:-**

**(a) TATTINGSTONE**

<b>Application No. B/12/01279/FUL</b> <b><a href="#">Paper N13 – Item 1</a></b>	<b>Full Application - Change of use of agricultural land to 38.43ha solar park generating up to 10MW of electricity (42,840 solar panels) and associated works comprising the installation of transformer housings, a control room, security fencing, CCTV cameras and internal roads as amended by drawings and details received 2nd May 2013, Land south of Valley Farm, Cox Hall Road.</b>
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The Case Officer updated Members in relation to the addendum which contained a summary of additional information submitted by the applicant, additional consultation responses, and an update from the Corporate Manager – Development Management.

Notwithstanding the recommendation of the Corporate Manager – Development Management that, provided no new material planning considerations were raised, planning permission should be granted subject to various conditions, a motion to refuse permission, subject to the completion of outstanding public consultation, for reasons relating to the impact of the proposed scheme and the loss of Grade 2 agricultural land was moved and agreed on being put to the vote.

**RESOLVED**

**That subject to no new material considerations being raised in the consultation period, the Corporate Manager – Development Manager be authorised to refuse planning permission for the following reasons:-**

- **The perceived benefits of the proposed development do not outweigh the adverse impact on visual amenity and landscape character which is therefore contrary to Policies CR04, CR01 and EN10.**
- **Unacceptable loss of Grade 2 agricultural land contrary to the NPPF.**

**(b) LONG MELFORD**

**Application No. B/12/00688/FUL  
and B/12/00689/CAC  
[Paper N14 – Item 1](#)**

**Full Application – erection of 51 dwellings with associated access, parking, open space and landscaping (following demolition of existing buildings) and application for Conservation Area Consent – demolition of commercial buildings, former Fleetwood Caravan Site.**

The Case Officer in introducing this item updated Members on the Affordable Housing Team’s view that the proposed 50:50 split between general and local needs housing was acceptable.

The Corporate Manager – Development Management explained the reasons behind the decision to seek independent highway advice from Create Consulting, whose representative, Mr Poulter was present at the meeting to answer questions, together with Peter Black and Carol Grimsey from the Local Highway Authority. She also made reference to the implications of the LHA’s statement that the roads within the proposed development would not be adopted because they could not be brought up to the required adoptable standard under the current application. Members noted that the LHA would not support a refusal on highway safety grounds.

Notwithstanding the Corporate Manager’s recommendation to approve the planning application, subject to the completion of a planning obligation, and to the conditions set out in Paper N14, a motion for refusal on grounds relating to overdevelopment and being contrary to policies TP01 and TP02 – pedestrian safety – was moved and carried on being put to the vote. The recommendation to grant Conservation Area Consent was approved.

**RESOLVED**

**(1) That planning permission be refused for reasons including the following:-**

- **over development of the site resulting in an adverse effect on pedestrian safety contrary to Policies TP01 and TP02.**
- **harm to pedestrians accessing the site, due to lack of footways and contrary to Policies TP01 and TP02.**

**(2) That Conservation Area Consent be granted subject to conditions including:-**

- **Standard time condition.**

At this point the meeting adjourned for lunch at 1.15pm and resumed at 1.50pm when the following Members were present:

Mr P K Beer – Chairman

Mrs K S Grandon  
Mr P Jones  
Mr D H Keane  
Mrs M O Munson  
Mr A F D W Osborne  
Mr J M Owen

Mr N A Ridley  
Mr C A Roberts  
Mr D C Rose  
Mr R C Smith  
Mr R W Thake  
Mr A J Ward

**(c) LAVENHAM**

**Application No. B/12/00748/FUL  
[Paper N15 – Item 1](#)**

**Full Application – Erection of 44 new dwellings with associated garages and parking. Proposed formation of new vehicle access points from Preston Road. Provision of Public Open Space and play area, former Armorex Site, Preston Road.**

**RESOLVED**

**(1) That subject to a satisfactory resolution of the outstanding matter relating to the specification and location of the affordable housing units, 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 for:**

- **Affordable Housing – 8 units**
- **Provision of open space on site and a financial contribution of £32,916 towards public open space maintenance**
- **A financial contribution of £251,847 towards education provision**
- **A financial contribution of £9,504 towards libraries provision**

- **A financial contribution of £15,600 towards health care provision**
- **A financial contribution of £18,276 towards early years provision**
- **A financial contribution of £4,268 towards waste provision**
- **A financial contribution of £15,000 towards bus stop improvements and dropped kerbs on footway routes into the village centre**

**(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 Corporate Manager – Development Management be authorised to grant planning permission subject to conditions including:-**

- **Materials**
- **Details of fire hydrant positions to be submitted**
- **Waste minimisation and recycling strategy to be agreed**
- **Mitigation to address ecological and protected species as identified in reports**
- **As recommended by the LHA**
- **Submission of a construction management plan**
- **As recommended by EA and AW (surface water)**
- **Management of open areas**
- **Hard and soft landscaping (including LAP + 1)**
- **Contamination**
- **Stability**
- **Scheme to demonstrate energy from decentralised, low carbon or renewables**
- **Boundary Treatment detail**
- **Removal of PD rights to convert garages**

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

- **Lack of completion of Section 106 legal agreement securing those obligations set out in Resolution (1) above with contingent harm to impacts of the development which would not be appropriately mitigated and/or contrary to the provision of the Local Plan.**

**(d) SHIMPLING**

**Application Nos. B/12/00485/FUL  
and B/12/00455/LBC  
[Paper N16 – Item 2](#)**

**Full Application – Part demolition of existing listed building, severance of (part side) garden to host dwelling, reinstatement of outbuilding to form two bedroomed dwelling, construction of new single garage and vehicular access to serve existing dwelling (as amended) and Application for Listed Building Consent – Part demolition of existing listed building, internal and external alterations to outbuilding to form two bedroomed dwelling (as amended), Trevilla, The Street.**

The Corporate Manager – Development Management referred to the information contained in the Addendum to Paper N16 regarding this item, and in particular to her comments on the responses of the Corporate Managers for Building Control and Heritage. As set out in the Addendum, her recommendation to Committee, which replaced those contained in Paper N16, was that consideration of the item should be deferred to a future meeting.

**RESOLVED**

**That, in the light of the comments received from the Corporate Managers for Building Control and Heritage, consideration of Application Nos. B/12/00485/FUL and B/12/00455/LBC be deferred without further discussion to a future meeting to enable a conclusion to be reached on the key issue of the effect of the proposed works on the structural stability of the adjacent building.**

**(e) LAVENHAM**

**Application No. B/13/00533/FHA  
[Paper N16 – Item 1](#)**

**Full Application – Erection of 3 bay garage/cartlodge following demolition of existing single garage, 1 Brandeston Hall Cottages, Sudbury Road**

**RESOLVED**

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

- **Standard time limit**
- **Facing materials to be as stated on application form**
- **Protection of trees and hedges**

- Note: (1) The meeting adjourned for refreshments between 11 a.m. and 11.20 a.m.  
(2) Dr Bamford left the meeting after consideration of Paper N13.

The business of the meeting was concluded at 3 p.m.

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Chairman

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