

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON WEDNESDAY, 19 FEBRUARY 2014

PRESENT: Mr P K Beer – Chairman

Dr M F M Bamford	Mr N A Ridley
Mr D M Busby	Mr B Riley
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 Mrs K S Grandon were unable to be present.

Mr J R Cartlidge, Ward Member for Bures St Mary and Mr B D Hurren, Ward Member for Boxford were present at the meeting and spoke on [Item 1 of Paper N112](#) with the consent of the Chairman.

110 SUBSTITUTES AND APOLOGIES

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

Mr D M Busby (substituting for Mr M J Deacon)  
Mr B Riley (substituting for Mrs K S Grandon)

111 DECLARATION OF INTERESTS

None declared.

112 PETITIONS

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

- (a) Planning Application No. B/13/01519/ROC – Application under Section 73 of Town and Country Planning Act (1990) to vary conditions 8 and 9: reduce the potential number of Friday events from 52 to 27 per calendar year (Condition 8) and increase number of weekend events from 25 to 50 per calendar year (Condition 9) – Wherstead Park, The Street, Wherstead

Petition signed by approximately 25 residents of Babergh objecting to the proposal. The petition will be taken into account when the application is determined at a future meeting of the Committee.

- (b) Planning Application No. B/13/01107/FUL – Full Application – Change of use of agricultural land to use as solar farm for generation of electricity from solar energy together with associated works comprising solar panels mounted on frames, security fencing, inverters, transformers and a switch gear cabinet, Rogers Farm, Rogers Lane, Newton.

Petition signed by approximately 50 residents of Babergh objecting to the proposal. The petition was taken into account when the application was determined by the Committee (Minute No 115(a) below).

In accordance with Council Procedure Rules, the Chief Executive will report the receipt of the petitions to the Council meeting on 25 February 2014.

113 QUESTIONS FROM MEMBERS

None received.

114 SITE INSPECTIONS

The Corporate Manager – Development Management had requested a site inspection in respect of Application No. B/13/01365 – Hill Farm, Nedging Road, Nedging with Naughton for reasons relating to highway safety issues. Before Members were asked to vote on the request the Chairman asked the Case Officer to make a brief presentation to enable Members to decide whether they considered it necessary to visit the site.

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

Mrs A M Norman, Ward Member for Lavenham, had requested a site inspection in respect of Application No. B/13/01511 – Topaz, Sudbury Road, Lavenham for reasons relating to the potential impact on the neighbouring properties. Before Members were asked to vote on the request the Chairman asked the Case Officer to make a brief presentation to enable Members to decide whether they considered it necessary to visit the site.

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

**RESOLVED**

**That site inspections be not held in respect of the following applications:-**

**NEDGING WITH NAUGHTON  
Application No. B/13/01365**

**Application under section 73 of the Town and Country Planning Act 1990 to remove conditions 1 and 2 attached to Planning Permission No B/08/01195. Application under section 106a of the Town and Country Planning Act 1990 – Discharge of Section 106 Agreement Hill Farm, Nedging Road.**

**LAVENHAM  
Application No. B/13/01511**

**Full Application – Conversion of existing garage into additional living accommodation and erection of detached new garage Topaz, Sudbury Road.**

Mr A J Ward, Ward Member for Alton, had requested a site inspection in respect of Application No. B/13/01460/FHA – 2 Ash Ground Close, Brantham for reasons relating to the potential impact on the neighbouring properties. Before Members were asked to vote on the request the Chairman asked the Case Officer to make a brief presentation to enable Members to decide whether they considered it necessary to visit the site.

Following the presentation the Ward Member withdrew his request for a site inspection in respect of this application and consequently no vote was taken. Members noted that the application would be considered by the Committee in due course.

**115 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE**

Members had before them an [Addendum to Paper N112](#) (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 and 3 contained in [Paper N112](#) were reported to the meeting and considered and taken into account before a decision was made on the relevant item.

In accordance with the Council’s procedure for public speaking on planning applications and as agreed in Minute No 115 (a) below, representations were made as detailed below on the Items contained in [Paper N112](#):-

<u>Application No.</u>	<u>Representations From</u>
B/13/01107/FUL	Ms M Childs (Objector) Mrs R Wade (Objector) Mr A Allen (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 Paper N104 be made as follows:-**

**(a) NEWTON**

**Application No. B/13/01107/FUL  
[Paper N112 – Item 1](#)**

**Full application – Change of use of agricultural land to use as solar farm for generation of electricity from solar energy together with associated works comprising solar panels mounted on frames, security fencing, inverters, transformers and a switch gear cabinet, Rogers Farm, Rogers Lane.**

Following the Case Officer's presentation of this item, the Chairman invited the first public speaker to address the meeting at which point it became apparent that there were two objectors wishing to speak who had not agreed in advance on a spokesperson in accordance with the Council's published policy.

The Chairman clarified with the representative of the Newton Parish Council that Newton did not wish to take the opportunity to address Members, after which the meeting adjourned for legal advice and to allow the Chairman and the Senior Governance Support Officer to speak to the two objectors and the agent for the applicant.

The agreement of the two objectors and the agent was secured to a proposal to be put to the Committee which would allow each of the objectors to speak for three minutes and the agent to speak for six minutes. The meeting was reconvened and an appropriate motion was proposed by the Chairman and seconded by the Vice-Chairman.

**RESOLVED**

**That notwithstanding the Council's approved arrangements for public speaking, and taking into account the particular circumstances of this application and the consent of the parties, the following be agreed:-**

- (i) the objector Mrs R Wade and the representative of Edwardstone residents, Ms M Childs, each be allowed to address the Committee for up to three minutes**
- (ii) the Agent for the applicant, Mr A Allen, be allowed to address the Committee for up to six minutes.**

The recommendation of the Corporate Manager – Development Management to grant planning permission subject to the conditions set out on page 30 of Paper N112, was moved and debated in some detail before being put to the vote. The motion was lost as a majority of Members did not accept the conclusions set out under Planning Balance – paras 137 to 142 of Item 1.

A motion to refuse permission for reasons relating to adverse impacts on listed buildings and landscape character together with the loss of agricultural land was then moved, and was carried on being put to the vote.

**RESOLVED**

That planning permission be refused for the following reasons:-

- Loss of good quality agricultural land contrary to paragraph 112 of NPPF, other Government guidance and policies CS2 and CS15 of Babergh Core Strategy.
- Adverse impact on setting of listed buildings Rogers Farmhouse (Grade 2\*) and Edwardstone Church (Grade 1) contrary to paragraphs 132 – 134 of NPPF, policies CS13 and CS15 of the Babergh Core Strategy and saved policy CN06 of the Babergh Local Plan Alteration No. 2.
- Adverse impact on landscape contrary to NPPF, policies CS13 and CS15 of the Babergh Core Strategy and saved policies CR01 and CR04 of the Babergh Local Plan Alteration No. 2.

**(b) HADLEIGH**

Application No. B/13/01087/FUL  
[Paper N112 – Item 2](#)

Full Application – Erection of 1 detached two-storey dwelling. Construction of new vehicular access, as amended by agent's email dated 15 January 2014 and amended plans 13/1354/01A and 02B, land east of 4 Lady Lane.

**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 financial contribution towards public open space provision.

(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:-

- Standard time limit
- Facing materials
- Surfacing materials
- Landscaping
- As requested by LHA
- To ensure parking provision on site

(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 the following reason:-

- Inadequate provision of public open space and play equipment contrary to Local Plan Policy HS32.

(c) SHOTLEY

Application No. B/13/01487/FHA  
[Paper N112 – Item 3](#)

Full Application – Erection of single-storey rear extension with pitched roof (following demolition of existing side garage and single-storey rear, flat roof, elements) Serenity, Estuary Crescent.

**RESOLVED**

That planning permission be granted subject to conditions including:-

- Standard Time Limit

Notes:

1. The meeting adjourned for refreshments between 12.25 pm and 12.45 pm.
2. Mr A F D W Osborne left the meeting after consideration of Item 2 (Minute No. 115(b) above.

The business of the meeting was concluded at 1.05 pm.

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Chairman