

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON WEDNESDAY 26 NOVEMBER 2014

PRESENT: Peter Beer - Chairman

John Deacon	Jack Owen
Kathryn Grandon	Nick Ridley
Peter Jones	Ray Smith
Bryn Hurren	Rex Thake
Desmond Keane	Trot Ward
Mary Munson	Sue Wigglesworth
Adrian Osborne	

Michael Bamford and David Rose were unable to be present.

Robert Lindsay, Ward Member for South Cosford, was present at the meeting and spoke on Application No. B/14/01086/FUL – [Item 1 of Paper P77](#) – with the consent of the Chairman.

90 SUBSTITUTES

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

Bryn Hurren (substituting for Michael Bamford)
Sue Wigglesworth (substituting for David Rose)

91 DECLARATION OF INTERESTS

Adrian Osborne declared a local non-pecuniary interest in Application No. B/11/01191/FUL – [Item 5 of Paper P77](#) – by reason of being a Sudbury Town Council representative on the Gainsborough Trail Group but stated that his interest was such that he was able to speak and vote on the item.

92 MINUTES

RESOLVED

That the minutes of the meetings held on [29 October](#) and [12 November 2014](#) be confirmed and signed as correct records.

93 PETITIONS

The Head of Corporate Organisation reported, in accordance with Council Procedure Rules, the receipt of the following petition:-

Proposed Housing Development off Crowcroft Road, Nedging Tye

Petition signed by 76 residents of Babergh objecting to any further building developments on land off Crowcroft Road.

Members were informed that the petitioners' objection to the proposal would normally be taken into account when the relevant planning application is determined. However, no application had been received to date so it was not possible to give any indication as to the future consideration of this matter. The petition organiser had been advised of the position and was aware that the petition would be retained on file in the event that a planning application is submitted for this site.

In accordance with Council Procedure Rules, receipt of the petition will be reported to the next Council meeting.

94 QUESTIONS FROM MEMBERS

None received.

95 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Members had before them an [Addendum to Paper P77](#) (circulated to Members prior to the commencement of the meeting) summarising additional correspondence received since the publication of the Agenda, but before 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 were reported to the meeting and were considered and taken into account before decisions were made on each item.

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/14/01086/FUL	Mr A Scott (Parish Council) Mr Whiting (Objector) Mr P Cobbold (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 P77 be made as follows:-

(a) HITCHAM

Application No. B/14/01086/FUL Paper P77 – Item 1	Full application – change of use of premises from public house with living accommodation to 1 dwelling, The White Horse, The Street.
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The Case Officer in presenting this item referred to an application made to the Council the previous day for the premises to be listed as an Asset of Community Value. The application would be assessed and responded to within the next eight weeks in accordance with the relevant provisions, which are separate from the planning application process.

During the subsequent discussion, Members considered whether the proposal was contrary to the relevant planning policies, while recognising the officer's view that saved Policy EM24 (marketing campaign) had been complied with by the applicants. Notwithstanding the recommendation of approval from the Corporate Manager – Development Management, a motion of refusal was moved on the grounds that the proposal was contrary to Policies CS15 and CS11, and paragraph 70 of the NPPF. The motion was lost on being put to the vote.

Prior to the vote, the possibility of deferring consideration, pending the outcome of the Asset of Community Value Application, had been suggested. Following the defeat of the motion to refuse planning permission, a motion to defer consideration for an appropriate period was carried.

Members were advised that if the ACV Application was agreed within the eight week period referred to above, there would be a six month moratorium to enable the community to put together a bid to purchase the Asset. The proposer and seconder confirmed that the motion to defer was to cover the maximum time which would be allowed for a successful bid under the process. Members were aware that the application could be returned to Committee at an earlier time in either of the following circumstances:-

- Rejection of the ACV Application within the eight week period (in which case the planning application can be determined by Committee)
- An appeal against non-determination being lodged (in which case the Committee would be asked to give a view on its likely decision if Members had been in a position to determine the planning application)

RESOLVED

That consideration of the application be deferred to enable the process for considering the Asset of Community Value Application to be followed through to the appropriate conclusion, and taking into account the six month moratorium if relevant.

(b) WOOLVERSTONE

**Application No. B/14/00703/FUL
[Paper P77 – Item 3](#)**

Full application – Erection of 4 dwellings, garages and associated works, Paul Double Nurseries Limited, Main Road.

RESOLVED

(1) That the Corporate Manager – Development Management be authorised to secure a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 to provide for:-

- A financial contribution for off-site public open space provision;
- A financial contribution for off-site affordable housing;
- Secure conversion works to the water tower to the development of the dwellings;
- The tying of the walled garden and associated structures; and their maintenance to Plot 11 and preventing the sale or lease of the walled garden separate to Plot 11;
- The preclusion of any sub-division of the walled garden;
- To ensure appropriate phasing of development;
- To ensure that plots 10 and 11 of planning permission B/08/01067 cannot be built in conjunction with the new dwellings.

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

- Standard Time Limit for Commencement;
- Materials (including fenestration and finishes);
- Design details;
- Landscaping;
- Details of Boundary Treatments/Screen Walls/Fences;
- Hard surface treatments;
- As required by LHA;
- Contamination;
- Removal of 'Permitted Development Rights' for extensions, alterations, roof additions, outbuildings, microgeneration and means of enclosure.

(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 reasons:

- The applications fail to secure the identified conservation works;
- The applications fail to make provision for public open space and affordable housing;
- The proposals would not represent an acceptable departure from the provisions of the Local Plan.

(c) WOOLVERSTONE

Application No. B/14/00704/LBC
[Paper P77 – Item 4](#)

Application for Listed Building Consent – part demolition of wall and erection of a glasshouse (to facilitate erection of 4 dwellings, garages and associated works) Paul Double Nurseries Limited, Main Road.

RESOLVED

That Listed Building Consent be granted subject to conditions including:-

- **Standard Time Limit for Commencement;**
- **Materials;**
- **Large scale details of the design including fenestration of glasshouse;**
- **To ensure the retention of the gate within the listed walls and prevent the alteration of the gate.**

(d) EAST BERGHOLT

Application No. B/14/01191/FUL
[Paper P77 – Item 2](#)

Full application – erection of mid terrace, single-storey dwellings (rebuild following fire damage), 4 Foxhall Close.

RESOLVED

(1) That subject to no new material issues being raised via the public consultation, the Corporate Manager – Development Management be authorised to grant planning permission, subject to conditions including:-

- **Standard time limit;**
- **Standard list of approved plans and documents;**
- **Material samples;**
- **Parking to be provided prior to occupation.**

(2) That the Corporate Manager – Development Management be authorised to impose, or not impose, a restriction on occupation to the over 65's depending on whether this is considered necessary following further research.

(3) That an advisory note be added to the decision notice advising the developer of the benefits of installing an automatic fire sprinkler system.

(e) GREAT CORNARD

**Application No. B/11/00444/DPA
[Paper P77 – Item 5](#)**

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, erection of self-closing gate, erection of bridge and associated fencing over existing ditch and alterations to existing fencing and surfacing (as amended by ecological survey, photographs of alteration to existing fence, revised Certificate B dated 26/05/11 and applicant's email dated 26/05/11 received by the Local Planning Authority on 26/05/11; further amended by applicant's emails (2) of 10th June together with amended plan, photo and statement from Adrian Walters (Sudbury Common Lands Charity) dated 09/06/11; further amended by Supporting Statement, site location plan, supporting photographs and drawing LA 01-01-1 Rev. D, received on 09/05/14). As amplified by drawing LA 01-01-1 Rev. E, Supporting Statement and photographs, received on the 4th June 2014. As amended by Ecological Assessment, received 3rd July 2014.

RESOLVED

- (1) That the Corporate Manager – Development Management 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 Corporate Manager – Development Management, the Corporate Manager – Development Management be authorised to grant planning permission subject to conditions including:-**

- **Standard time limit;**
- **Methodology for construction of the bridge;**
- **Prior to commencement, investigative and mitigation measures to be implemented, as required, by a suitably qualified ecologist;**
- **All development to be carried out in accordance with approved plans.**

Note: The meeting adjourned for refreshments between 10.50 a.m. and 11.10 a.m.

The business of the meeting was concluded at 11.50 a.m.

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Chairman