

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON WEDNESDAY 17 DECEMBER 2014

PRESENT: Peter Beer - Chairman

Michael Bamford	Jack Owen
Dave Busby	Nick Ridley
Kathryn Grandon	David Rose
Peter Jones	Ray Smith
Desmond Keane	Rex Thake
Mary Munson	Trot Ward
Adrian Osborne	

John Deacon was unable to be present.

Peter Burgoyne, Ward Member for Pinewood and David Wood, Ward Member for Alton were present at the meeting and spoke on Application No. B/13/01476/FUL ([Item 1 of Paper P84](#)) with the consent of the Chairman.

Bryn Hurren, Ward Member for Boxford, was present at the meeting and spoke on Application No. B/14/01259/FUL ([Item 2 of Paper P86](#)) with the consent of the Chairman.

Bryn Hurren, Ward Member for Boxford, was present at the meeting and spoke on Application No. B/14/01300/FUL ([Item 3 of Paper P86](#)) with the consent of the Chairman. After speaking he left the meeting.

96 SUBSTITUTES

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

Dave Busby (substituting for John Deacon).

97 DECLARATION OF INTERESTS

Adrian Osborne declared a non-pecuniary interest in Application No. B/14/0499/FUL – [Item 1 of Paper P85](#) – by reason of his wife’s involvement with the West Suffolk NHS Foundation Trust but stated that he was able to speak and vote on the item.

The following Members declared local non-pecuniary interests in the applications referred to below but stated that their interests were such that they were able to speak and vote on the relevant item:-

Peter Jones in Application No. B/13/01476/FUL ([Item 1 of Paper P84](#)) by reason of being a member of Belstead and Copdock Parish Councils.

Michael Bamford in Application No. B/13/01476/FUL ([Item 1 of Paper P84](#)) by reason of being a member of Bentley Parish Council.

Jack Owen in Application Nos. B/14/00499/FUL and B/14/00585/FUL ([Items 1 and 2 of Paper P85](#)) by reason of being a member of Sudbury Town Council.

Mary Munson stated that she would leave the Council Chamber when Application Nos. B/14/00961/FUL and B/14/00964/LBC were under consideration and did so, by reason of being acquainted with the applicant.

98 MINUTES

RESOLVED

That the minutes of the meeting held on [26 November 2014](#) be confirmed and signed as a correct record.

99 PETITIONS

None received.

100 QUESTIONS FROM MEMBERS

None received.

101 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Members had before them an [Addendum to each of Papers P84, P85 and P86](#) (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 the items contained in [Paper P84](#) and [P85](#), and [items 1, 2, 3 and 4](#) of Paper P86 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, as amended by the decisions of the Planning Committee on 3 September 2014 and 17 December 2014 representations were made as detailed below relating to the item contained in Paper P84:-

<u>Application No.</u>	<u>Representations From</u>
B/13/01476/FUL	Mr D Cobbold (Parish Council) Ms B Carver (Pinewood Parish Council) Mr R Harrison (Belstead Parish Council) Mr L Mayer (Woolverstone Parish Council) Mr A Collins (Tattingstone Parish Council) Mr P Evans representing S.I.T. Action Group (Objector) Mr Sturman (Agent for Applicant) Mr Jacobs (Supporter)

In accordance with the Council's procedure for public speaking on planning applications, representations were made as detailed below on items contained in Paper P86:-

<u>Application No.</u>	<u>Representations From</u>
B/14/01259/FUL	Mr R Gates (Parish Council) Mr T Beven (Objector) Mr M Vanoli (Agent for Applicant)
B/14/01300/FHA	Mrs N West (Objector) Mr R Meekings (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) a decision on Item 1 of Paper P84 be made as follows:-

(a) WHERSTEAD

Application No. B/13/01476/FUL <u>Paper P84 – Item 1</u>	Full application – Erection of 1 wind turbine with a maximum overall height (to vertical blade tip) up to 130 metres; together with; one new vehicular access from the public highway, new on-site access tracks, associated crane pad and transformer kiosk, control; building and on-site underground cables, temporary construction compound and lay down area and, other ancillary works, land South of Pannington Hall, Pannington Hall Lane.
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RESOLVED

That planning permission be refused for the following reasons:-

- (1) The proposal is considered to present an unacceptable risk to air traffic safety through potential interference with ATC radar systems at RAF Honington as confirmed in an objection by the DIO/MOD. This is a material consideration as identified in the Planning Practice Guidance for Renewable and Low Carbon Energy (2014) and the proposed development is considered contrary to that advice and the safeguarding of aviation operations.**

- (2) There are significant deficiencies within the Environmental Statement which was reviewed for the Local Planning Authority by the Temple Group. The application and supporting Environmental Statement are based on a 'typical' wind turbine, with a 50 metre 'micro-siting parameter.' The 50 metre parameter as proposed however cannot be satisfactorily achieved within the application site identified in the submitted red-edge location plan. In addition there is a lack of clarity in the submission over the eventual turbine type and associated infrastructure (identified as typical), resulting in assessment of the likely impacts of the proposal possibly being understated or equally overstated within the Environmental Statement. The Local Planning Authority considers the development to have been inadequately assessed under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Given these deficiencies the proposal would also be contrary to the requirements of Policy CS1 of the Babergh Core Strategy in failing to effectively and clearly demonstrate that any adverse environmental impacts would be outweighed by the benefits of the proposal.
- (3) The wider public benefit in likely carbon reduction from the scheme would not outweigh the resultant combined negative impacts upon the landscape and heritage assets in the locality. As such the proposal is considered to be contrary to policy CS15 of the Babergh Core Strategy, and paragraphs 109 and 134 of the National Planning Policy Framework.

102 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE
(continued)

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 P85 be made as follows:-

(b) **SUDBURY**

Application No. B/14/00499/FUL
[Paper P85 – Item 1](#)

Full application – Conversion of former hospital buildings to 42 residential units and erection of 7 town houses and demolition of redundant buildings. Alterations to access and footpaths and associated landscaping works, Walnut Tree Hospital, Walnut Tree Lane.

The Corporate Manager – Development Management reported that although some progress had been made in relation to the viability assessment, it was not sufficient to allow the case to be considered and given that this is a key issue, Members were asked to defer consideration.

RESOLVED

That consideration of Application No. B/14/00499/FUL be deferred pending the provision of a full viability assessment in compliance with Policy CS19.

(c) SADBURY

Application No. B/14/00585/FUL
[Paper P85 – Item 2](#)

Full application – Redevelopment to provide total of 12 new dwellings - Consisting of conversion of existing original hospital building to provide 3 No. 4 Bed houses (including erection of 2 No. two storey extensions to rear) and erection of 9 No. new dwellings - consisting of 3 No. 3 Bed houses (2 No. 3 Bed Semi-Detached and 1 No. 3 Bed detached house) on Burroughs Piece Road frontage and 6 No. new dwellings across remainder of site - Consisting of 3 No. 3 Bed houses (1 No. detached and 2 No. semi-detached units), 2 No. 2 Bed, 1 No. 1½ storey chalet-style bungalows and 1 No. 1 bed flat over garage block. Demolition of existing structures; Alterations to existing accesses and associated landscaping works, St Leonards Hospital, Newton Road.

Members were aware that the viability assessment issue was also to be addressed in relation to this application.

RESOLVED

That consideration of Application No. B/14/00585/FUL be deferred pending the provision of a full viability assessment in compliance with Policy CS19.

At this point, the meeting adjourned at 12.20 p.m. for refreshments. The meeting resumed at 1:35 p.m. when the following Members were present:-

Peter Beer - Chairman

Michael Bamford
Dave Busby
Kathryn Grandon
Peter Jones
Mary Munson
Adrian Osborne

Jack Owen
Nick Ridley
David Rose
Ray Smith
Rex Thake
Trot Ward

103 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE
(continued)

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 P86 be made as follows:-

(d) MILDEN

Application No. B/14/01323/FHA <u>Paper P86 – Item 5</u>	Full application – Erection of single-storey rear extension and single-storey outbuilding, 1 Church Road.
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RESOLVED

That planning permission be granted subject to conditions including:

- **3 year time limit**
- **Development undertaken in accordance with approved plans.**

Jack Owen was not present in the Council Chamber when this item was considered.

(e) SADBURY

Application No. B/14/01362/FHA <u>Paper P86 – Item 6</u>	Full application – Erection of detached single garage and erection of single-storey rear extension, following demolition of existing garage and conservatory, 21 Rochester Way.
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RESOLVED

That planning permission be granted subject to conditions including:

- **Standard time limit**
- **Development to be implemented in accordance with approved plans.**

At this point the meeting adjourned for a short break and resumed at 2.00 p.m.

(f) NEDGING WITH NAUGHTON

**Application Nos. B/14/00898/ROC
and B/14/00882/ROC**
[Paper P86 – Item 1](#)

B/14/00898/ROC – Application under Section 73 of the Town and Country Planning Act 1990 - Variation of conditions 1 & 2 of permission B/08/01195/FUL to allow an increase in the days and hours of bus operations & increase parking limit to 5 at any time as amended by details received 8 August 2014 and B/14/00882/ROC – Application under Section 106A of the Town and Country Planning Act 1990 - To discharge a Section 106 agreement dated 2 April 2009 associated with P.P. B/08/001195/FUL as amended by details received 8 August 2014, Hill Farm, Nedging Road.

The Corporate Manager – Development Management made a statement as set out in the resolution below, strongly recommending that consideration of the applications for variation of conditions be deferred. Members accepted the Corporate Manager’s recommendation and resolved accordingly.

RESOLVED

That consideration of Application Nos. B/14/00898/ROC and B/14/00882/ROC be deferred for the following reason:-

The Council had received further representations from an objector the evening before the meeting raising a number of issues including suggested inaccuracies in the Addendum paper. In order to give full weight to all the issues raised and, as the publicity period had not expired (23/1/14) on this case, the Corporate Manager’s recommendation was that consideration of this item should be deferred. In making this recommendation the Corporate Manager took legal advice which was fully in agreement with the recommendation to defer.

(g) BOXFORD

Application No. B/14/01259/FUL
[Paper P86 – Item 2](#)

Full application – Erection of 15 no. homes (20 affordable and 5 market), land east of Boxford Court, Sand Hill.

RESOLVED

- (1) That the Corporate Manager – Legal be authorised to secure a Planning Obligation under Section 106 of the Town and Country Planning Act, 1990, to provide:-
- Public open space
 - £73,086 for primary education
 - A capital contribution towards libraries of £5,400
 - £5,250 is required to enable the bridleway to be widened to 3m (for 70m) and to surface it with a hoggin surface to provide adequate provision of pedestrians, cyclists and equestrians
 - Affordable housing at a level not less than 35% with the Corporate Manager Development Management given delegated authority to negotiate the final level.
- (2) That, subject to (a) no new material issues arising as a result of the re-consultation on the potential loss of trees to achieve the proposed pavement/footpath and (b) the completion of the Planning Obligation 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
 - Materials to be submitted and approved
 - Landscaping to be set out as per the submitted drawings prior to occupation with additional hedge planting adjacent to Plots 13 – 14
 - Ecology mitigation secured
 - As recommended by LHA
 - Lighting – details of external and street lighting to be submitted and approved
 - Details of the design of the pavement along Sand Hill
 - Precise surface water drainage details
 - Waste and recycling strategy to be submitted and approved
 - As recommended by SCC Archaeology (if required)
 - Precise levels to be submitted and approved
 - Screen walls and fences to be approved and implemented prior to occupation
 - Details of the gateway features to the parking courts to be submitted and approved
 - Details of the finishing material to the shared surface area to be submitted and approved.
- (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:-

- **Inadequate provision of public open space, infrastructure and/or affordable housing contrary to Core Strategy Policy CS21.**

(h) BOXFORD

Application No. B/14/01300/FHA
[Paper P86 – Item 3](#)

Full application – Erection of fence close to South boundary and privacy screening (retention of). Infill wall to rear of covered patio and erection of raised pitched roof as replacement for existing lean-to roof to side of outbuilding. As amplified by measurement information and scale amendment to dwg.01, received 27 November 2014, 24 Stone Street.

Notwithstanding the recommendation of the Corporate Manager – Development Management to grant planning permission subject to conditions, a motion to refuse the application for reasons relating to the detriment of (a) residential amenity (26-30 Stone Street) (b) the Listed Building (26-30 Stone Street) and (c) the Boxford Conservation Area was moved, and carried on being put to the vote.

However, there were elements of the application which Members considered would not cause harm, and it was agreed that a note to that effect should be attached to the Decision Notice.

RESOLVED

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

- **CN01**
- **CN06**
- **CN08**

(2) That a note be included with the Decision Notice stating that the Committee found no harm that would justify a refusal of planning permission in relation to the [other] elements of the application, being boundary fencing works, alterations to an existing outbuilding and screen fence nos. 2,3 and 6.

(i) **EAST BERGHOLT**

Application Nos. B/14/00961/FUL and B/14/00964/LBC
[Paper P86 – Item 4](#) **Full application and application for Listed Building Consent – Erection of single-storey extension with alterations. Erection of part single and part two-storey detached building providing guest accommodation and associated landscaping works, The Kings Head, Rectory Hill, Burnt Oak.**

Notwithstanding the recommendation of the Corporate Manager – Development Management to grant planning permission subject to conditions, a motion of refusal on the grounds of being contrary to Policies EM20 and CN08 was moved but lost on being put to the vote.

RESOLVED

That planning permission be granted subject to conditions including:-

- **Standard time limit**
- **Development to be implemented in accordance with the approved plans**
- **Details of external facing and roofing materials to be used**
- **Joinery details**
- **Highway access and parking**
- **Hard and soft landscaping**
- **External lighting**
- **Amplified music and speech**
- **Details of ventilation/filtration equipment**
- **Details of levels**

Note: The meeting adjourned for refreshments between 11.30 a.m. and 12.10 p.m. The business of the meeting was concluded at 4.25 p.m.

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Chairman