

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON WEDNESDAY, 11 MARCH 2015

PRESENT: Peter Beer – Chairman

Michael Bamford	Mary Munson
Simon Barrett	Adrian Osborne
Dave Busby	Jack Owen
John Deacon	Nick Ridley
Kathryn Grandon	Ray Smith
Peter Jones	Rex Thake
Richard Kemp	

The following Members were unable to be present:-

Desmond Keane, David Rose and Trot Ward.

Bryn Hurren, Ward Member for Boxford, was present at the meeting and spoke on Application Nos. [B/14/00667/FUL](#) – Item 3 of Paper P111 and [B/15/00065/FUL](#) – Item 5 of Paper P111 with the consent of the Chairman.

123 SUBSTITUTES

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

Simon Barrett (substituting for Desmond Keane)
Dave Busby (substituting for Trot Ward)
Richard Kemp (substituting for David Rose)

124 DECLARATION OF INTERESTS

Simon Barrett stated that the applicant for Application No. [B/15/00065/FUL](#) was known to him, but that he was able to speak and vote on the item.

Adrian Osborne declared a pecuniary interest in Application No. [B/14/01520/RES](#) by virtue of owning property which abutted the site. He stated that he was in receipt of a dispensation from the Monitoring Officer which would allow him to speak on the item to the same extent as a member of the public, to ensure that his role as a Ward Member could be fulfilled by making representations to the Committee. After speaking for no more than three minutes, Councillor Osborne withdrew from the meeting.

125 MINUTES

RESOLVED

That the Minutes of the meeting held on [11 February 2015](#) be confirmed and signed as a correct record.

126 PETITIONS

None received.

127 QUESTIONS FROM MEMBERS

None received.

128 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Members had before them an [Addendum to Paper P111](#) (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, 3 and 5 were reported to the meeting and 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/14/00468/OUT	Mr A French (Objector) Mr J Walters (Applicant)
B/14/01520/RES	Mrs J Osborne (Town Council) Mr D Fletcher (Agent for Applicant)
B/15/00065/FUL	Mr K Warren (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 P111 be made as follows:-

(a) GLEMSFORD

**[Application Nos. B/14/00472/FUL
and B/14/00468/OUT](#)
Paper P111 – Item 1**

Full Application – partial demolition of mill building with retention of original building containing manager's house and office and Outline Application – Residential Development of 10 Dwellings following demolition of existing commercial buildings together with 1 House and 1 Flat, Silk Factory, Chequers Lane.

RESOLVED

(1) Application A – B/14/00472/FUL

That planning permission be granted for the partial demolition of the mill buildings subject to conditions including:-

- **Time limit;**
- **As recommended by the LHA;**
- **Construction Management Plan;**
- **Contamination;**
- **Making good of rear elevation of mill building (until development takes place);**
- **In accordance with the ecology survey, particularly timing of demolition works;**
- **Improvements to rights of way;**
- **Protection of trees;**
- **Provision of information board to enhance understanding of the sites heritage;**
- **Submission of a Construction Management Plan;**
- **No burning of waste on the site;**
- **As recommended by EA;**
- **Any other relevant conditions.**

(2) Application B – B/14/00468/OUT

That outline planning consent be granted subject to conditions including:-

- **Time limit;**
- **Standard reserved matters conditions;**
- **Housing Mix (including a maximum combined floor area of 1000 sqm);**
- **As recommended by the LHA;**
- **Improvements to rights of way;**
- **Waste minimisation and recycling strategy;**
- **In accordance with the recommendations of the Ecology Report;**
- **Landscaping and retention/protection of trees;**
- **Provision of information board to enhance understanding of the sites heritage;**
- **Submission of a Construction Management Plan;**
- **No burning of waste on the site;**
- **As recommended by EA;**
- **Contamination;**
- **Renewable Energy;**
- **Boundary treatment detail;**
- **Slab levels;**
- **Any other relevant conditions**

- (3) That the Corporate Manager – Development Management pursues with the Local Highway Authority the suggested relocation of the 30mph sign to give earlier warning to approaching traffic.

(b) **SUDBURY**

[Application No. B/14/01520/RES](#)
Paper P111 – Item 2

Submission of details under O.P.P. B/12/01198/OUT - Approval of Reserved Matters in respect of erection of 100 dwellings with associated garages, car parking and access roads. Provision of 1.8 hectares of public open space, a Neighbourhood Equipped Area for Play (NEAP) and a Locally Equipped Area for Play (LEAP). Landscape proposals and provision of cycle and pedestrian links between Acton Lane and Waldingfield Road. Harp Close Meadow (North), Waldingfield Road.

RESOLVED

That the reserved matters application be approved.

(c) **MILDEN**

[Application No. B/15/00065/FUL](#)
Paper P111 – Item 5

Full Application – erection of single storey outbuildings to form a cattery, April Cottage, Powney Street.

Notwithstanding the recommendation of the Corporate Manager – Development Management to refuse planning permission for highway safety reasons, a motion to grant permission was moved on the grounds that the likely level of vehicular use for the proposed development was not materially different to the existing situation and that there would be no significant harm to highway safety as a result of the development, having had regard for the officer's report and visual presentation. The motion was carried on being put to the vote.

RESOLVED

That planning permission be granted.

(d) BOXFORD

**[Application No. B/14/00667/FUL](#)
Paper P111 – Item 3**

Full Application – erection of 4 dwellings, to include one affordable housing unit, associated landscaping and sustainable urban drainage system, Cygnet Court, Swan Street.

RESOLVED

That the appeal be defended on the basis that planning permission would have been refused on the following grounds:-

- (1) The site is located in the Boxford Conservation Area, the character and appearance of which the Local Planning Authority has a statutory duty to ensure is preserved and/or enhanced when proposals for new development are considered. The proposed development would be of an inappropriately modern design and appearance that would be out-of-keeping with the conservation area and neighbouring buildings - the majority of which are Grade II listed buildings of traditional design reflecting their age (mostly 18th century) and whose setting the Local Planning Authority also has a duty to preserve. The proposals - by reason of their inappropriately modern design and appearance (including materials) - would, therefore, neither preserve nor enhance the character and appearance of the conservation area, nor would they preserve the setting of neighbouring listed buildings.**

This would be contrary to Policy CS15 of the Babergh Local Plan 2011 - 2031 Core Strategy and Policies and saved Policies CN01, CN06 and CN08 of the Babergh Local Plan (Alteration No 2) Adopted June 2006.

- (2) The proposed layout places houses around the perimeter of the site, which means the private rear garden provided would either be inappropriately small in area and short in depth, or both, and the house which they serve would appear as an excessively overbearing feature in the aspect enjoyed in the garden, which would be cast in shadow to a greater or lesser extent for much of the day. This would be especially serious for the houses on plots 1 and 2 which - because of their south-west orientation - would have gardens that would receive little sunlight and, because of their short depth, would also suffer from the houses they serve being excessively overbearing from the garden. The rear gardens of these two houses would not, therefore, be attractive places for private informal recreation by potential occupiers. The garden proposed for the house on plot 3 would also be unacceptably small and exceptionally short in depth, such that the house would appear unacceptably overbearing in the rear garden there too. The house on plot 4 would not have a**

rear garden beyond a small space that would be substantially filled by a cycle/bin-store building. The application seeks to compensate for the small rear gardens by providing areas at the front of the houses that would be available for private use. However - these areas would be neither appropriately private nor secure and it is not considered they would satisfactorily compensate for the inadequacy of the unacceptably small and unattractive areas that would be provided at the rear of the houses. Informal recreation at the front of the buildings could also result in an unacceptable appearance to the development in an area that should be providing an attractive setting for the development. The proposed layout would, therefore, be contrary to Policy CS15 of the Babergh Local Plan 2011 - 2031 Core Strategy and Policies and saved Policy CN01 of the Babergh Local Plan (Alteration No 2) Adopted June 2006.

- (3) **Saved Policy EM24 of the Babergh Local Plan (Alteration No 2) Adopted June 2006 states that proposals to redevelop or use existing or vacant employment land, sites and premises will only be permitted if an applicant can demonstrate that their retention for an appropriate employment use has been fully explored. This may be undertaken in one of the two following ways: by an agreed and sustained marketing campaign undertaken at a realistic asking price; or, where agreed in advance, an applicant can demonstrate that the land, site or premises are inherently unsuitable or not viable for all forms of employment related use. In this case the application site itself has not been marketed. Instead the applicant relies on the marketing of one of the two existing B1 buildings on the site and, argues that - because the marketing of that premises was unsuccessful - that is an indication of there being no demand for an employment use of the application site; moreover, based on projected rental returns, the costs of completing the development that could still be built under extant planning permission B/92/00201/FUL would exceed its anticipated market value and, in turn, there is no prospect of the permitted B1 scheme being completed, which is further justification to release the site for residential purposes. The Local Planning Authority does not accept these arguments. The marketing of the adjoining premises is not necessarily an indication of there being no demand for an employment use and it takes the view that the application site needs to be marketed in its own right.**

Moreover - even if the build-costs of the part of the development that remains to be completed under the extant planning permission do exceed its market value - that only shows that the particular scheme permitted may not be viable in the current market. It is not an indication that employment-related development of any kind is not viable. The proposal would, therefore, be contrary to Policy CS15 of the Babergh Local Plan 2011 - 2031 Core Strategy and Policies and saved Policy EM24 of the Babergh Local Plan (Alteration No 2) Adopted June 2006

(e) **BOXFORD**

[Application No. B/15/00021/FHA](#)
Paper P111 – Item 4

Full Application - Erection of fence to Southern and Northern boundaries 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, 24 Stone Street.

RESOLVED

That planning permission be granted subject to conditions including:-

- **Standard time limit;**
- **Development in accordance with the approved plans.**

Note: The meeting was adjourned for refreshments between 11.05 a.m. and 11.25 a.m.

The business of the meeting was concluded at 12.25 p.m.

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Chairman