

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON WEDNESDAY, 27 MAY 2015

PRESENT: Peter Beer - Chairman

Simon Barrett	Lee Parker
David Busby	Stephen Plumb
Michael Creffield	Nick Ridley
Derek Davis	David Rose
Michael Holt	Ray Smith
Jennie Jenkins	Stephen Williams
Adrian Osborne	

Melanie Barrett and Sue Burgoyne were unable to be present.

Peter Burgoyne, Ward Member for Pinewood, was present at the meeting and spoke on Application No. B/15/00124/FUL in [Paper R6](#) with the consent of the Chairman.

Bryn Hurren, Ward Member for Boxford, was present at the meeting and spoke on Application No. B/15/00052/FUL in [Paper R7](#) with the consent of the Chairman.

1 SUBSTITUTES AND APOLOGIES

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

Simon Barrett (substituting for Sue Burgoyne)  
Jennie Jenkins (substituting for Melanie Barrett)

2 DECLARATION OF INTERESTS

None declared.

3 MINUTES

**RESOLVED**

**That the Minutes of the meeting held on [22 April 2015](#) be confirmed and signed as a correct record.**

4 PETITIONS

None received.

5 QUESTIONS FROM MEMBERS

None received.

6 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Members had before them an [Addendum to each of Papers R6](#) and [R7](#) (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 the items contained in Paper R6, and item 1 of Paper R7 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, representations were made as detailed below relating to items contained in Papers R6 and R7:-

<u>Application No.</u>	<u>Representations from</u>
<u>Paper R6</u>	
B/14/00804/FUL	Mr J Hyam (Objector) Mr R Ricks (Agent for Applicant)
B/15/00124/FUL	Mr Ward (on behalf of the Applicant) Peter Burgoyne (Ward Member)
B/15/00029/OUT	Mr K Barwick (Parish Council) Mr Last (Agent for Applicant)
<u>Paper R7</u>	
B/12/00485/FUL	Mr N Willcocks (Objector) Mrs V Cooper (Applicant)
B/12/00455/LBC	Dr P Molyneux (Objector) Ms S Mapston (Applicant)
B/15/00200/FUL	Mr K Tamsett (Applicant)
B/15/00052/FUL	Mr Sturgeon (Parish Council) Mr P Cobbold (Agent for Applicant) Bryn Hurren (Ward Member)

**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 R6 be made as follows:-**

**(a) GREAT CORNARD**

**Application No. B/14/00804/FUL  
Paper R6 – Item 1**

**Full application – Erection of 166 dwellings. New vehicular, pedestrian and cycle access. Provision for public open space and play areas. Proposed woodland planting, provision of new wildlife habitat - as amended by revised Proposed Site Layout drawing no. 08.6716.400 (Rev CC) received 19 February 2015, revised Elevations Flat Block A (Plots 88 - 104) drawing no. 08.6716.368 (Rev D) (received 13 February 2015) and revised Plans Flat Block A (Plots 88 - 104) drawing no. 08.6716.368 (Rev D) drawing no. 08.6716.367 (Rev G) received 13 February 2015, land east of Carsons Drive.**

During the course of the debate on this application, the Case Officer clarified the points requested by the Cornard Tye Residents Association, as reported in the Addendum.

**RESOLVED**

**(1) That, subject to satisfactory resolution of the matters raised by the Corporate Manager – Waste, the Corporate Manager – Development Management be authorised to secure Section 106 Planning Obligations in respect of the following:-**

- **payment of developer contributions in respect of the following –**
  - **libraries;**
  - **waste handling;**
  - **pre-school provision;**
  - **primary school provision;**
  - **secondary school contribution age 11 years to 16 years;**
  - **secondary school contribution 16 years plus;**
  - **highway contribution;**
  - **Travel Plan monitoring;**
  - **Travel Plan Bond.**

- provision of Affordable Housing in the mix and forms of tenure agreed and constructed HCA Design & Quality Standards and a minimum of Level 3 of the Code for Sustainable Homes required by the HCA or such other specification as may be agreed and subject to (A) not more than 25% of the Open Market Dwellings being occupied until 50% of the Affordable Housing Dwellings (i) have been constructed to the satisfaction of the Registered Provider, (ii) are ready for occupation; and (iii) have been transferred to the registered provider and (B) not more than 75% of the Open Market Dwellings being occupied until all of the Affordable Housing Dwellings (i) have been constructed to the satisfaction of the Registered Provider, (ii) are ready for occupation; and (iii) have been transferred to the Registered Provider;
  - implementation of the Skylark Mitigation Scheme on the Skylark Mitigation Land;
  - the maintenance of the play-areas, the woodland planting, the wild-flower meadow, the other areas of habitat creation and the areas of public open-space, either by the developer at its cost or by such other party as may be agreed by the Local Planning Authority, in which case the payment of agreed monies to cover this for a period to be agreed will also be required.
- (2) That, subject to the satisfactory completion and delivery of the Planning Obligations 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:-
- time limit for commencement;
  - external finishing materials;
  - protection of all trees during construction – protected by Tree Preservation Orders or not;
  - as recommended by the Local Highway Authority (x10) - including details of storage for refuse and recycling and, in addition, no dwelling to be occupied until carriageways and footways serving the dwelling have been constructed to at least base course level;
  - provision and details of gateway facilities and raised table;
  - implementation of agreed Travel Plan;
  - hard and soft landscaping, including the detail of the planting of the woodland belt and linear park and the phasing of its implementation, and treatment of shared surfaces;

- details of the play-areas and the proposed woodland belt, the linear-park, the wildflower meadow and all habitat-areas to be created and a landscape and ecology management plan for all landscape areas;
- lighting of site, including footways, cycle-ways and play-areas;
- archaeological investigation of site;
- land contamination;
- boundary treatments – walls and fences;
- market-housing to be built to Level 4 Code for Sustainable Homes;
- 10% energy supply from decentralised or low-carbon energy sources;
- details of design, equipment and surface treatment of play areas;
- details of levels – existing and proposed – including finished floor levels of all buildings and structures;
- as recommended by the Environment Agency – surface water drainage to sustainable drainage principles and in accordance with Flood Risk Assessment, including adherence to Surface Water Management Strategy therein - in addition, a requirement for a plan to be submitted and agreed that addresses on-going management and maintenance of the entire system to be installed;
- retention of garages for use as garages;
- lighting scheme;
- provision of fire hydrants;
- provision of high speed broadband;
- details of recycling/waste management – including bin-storage and collection points where appropriate;
- construction management plan;
- Submission and approval of heritage interpretation boards relating to the history of Abbas Hall;

together with various informative notes to the applicant.

**(3) That, in the event that the Planning Obligations in Resolution (1) above not being secured, the Corporate Manager – Development Management be authorised to refuse planning permission for reasons including:-**

- **failure to provide compensatory benefits in terms of affordable housing and other social and physical infrastructure, including necessary highway and environmental improvements;**
- **contrary to Core Strategy policies CS07, CS08, CS09, CS10, CS14, CS15, CS19.**

**(b) PINWOOD**

**Application No. B/15/00124/FUL  
Paper R6 – Item 2**

**Full application – Erection of retail foodstore, and associated car parking and landscaping, as amplified by details received 10th April 2015, land west of Suffolk One, Scrivener Drive.**

The Case Officer clarified the Section 106 package offered. The Local Highway Authority has accepted the rationale and removed its requirement for the footpath. The Section 106 package has therefore been agreed at £36,000 to cover bus stop improvements and pedestrian crossings, as reported in the Addendum. An additional condition regarding surface water drainage was also suggested, as referred to in page 2 of the Addendum.

During the course of the discussion, it was agreed that provision of litter bins should be explored.

**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:-**

- **Financial contributions as recommended by the Local Highway Authority.**

**(2) That, subject to 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;**
  - **As recommended by IBC (that the area of floor space used for comparison goods is limited to 20% of net retail floor area and that the use class is limited to a Limited Assorted Discounter);**
  - **Parking to be in accordance with the submitted drawings and in place prior to the first use of the store;**
  - **Footpath along the site frontage to be provided prior to the first use of the store;**
  - **As recommended by EHO (mechanical plant, construction management, car parking management plan, hours of operation);**
  - **The development to be in accordance with the submitted drawings and details;**
  - **Archaeology investigation prior to commencement;**
  - **Ecology mitigation and enhancement with evidence supplied prior to first use;**
  - **Delivery hours to be approved;**
  - **Lighting to be approved;**
  - **Travel Plan to be approved;**
  - **BREEAM Excellent standard to be achieved with evidence submitted prior to first use;**
  - **CCTV Cameras to be installed at the car park;**
  - **Boundary treatment and landscaping to be approved;**
  - **Surface water drainage;**
  - **Provision of litter bins.**
- (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 infrastructure contrary to Core Strategy Policy CS20.**

**(c) SPROUGHTON**

**Application No. B/15/00029/OUT  
Paper R6 – Item 3**

**Outline application – Demolition of existing dwelling and erection of 14 dwellings with access from Ventris Close and erection of 2 dwellings with access from Hadleigh Road, Russetts, Hadleigh Road.**

The Case Officer outlined the amendments to the recommendations, as reported in the Addendum:

- Deletion of first bullet points of recommendations (1) and (3);
- Inclusion of a site drainage condition.

Notwithstanding the recommendation of the Corporate Manager – Development Management to grant planning permission subject to conditions, a motion to refuse was moved for reasons relating to the proposal being contrary to Policies CS11 (not well designed), CS15 (street scene), CS18 (mixed type and size of development), HS28 (overdevelopment) and vehicular access. The motion was lost on the Chairman's casting vote.

**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:-**

- A financial contribution towards primary school education;
- Affordable housing at a level not less than 35%.

**(2) That, subject to 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 for submission of reserved matters application;
- Standard – approval of reserved matters application before commencement of development;
- Reserved matters application to include: details of scale and appearance of buildings and samples of external facing and roofing materials; and a scheme of hard and soft landscaping works for the site including precise details of proposed screen walls and fences;
- Standard - list of approved plans and documents;



- **Those required by the Local Highway Authority with regards:-**
    - **Provision of access;**
    - **Gradient of vehicular access;**
    - **Surfacing of vehicular access prior to occupation;**
    - **Details of estate roads and footpaths;**
    - **Construction of estate roads and footpath to Binder course level before occupation;**
    - **Provision and retention of areas for manoeuvring and parking of vehicles;**
    - **Provision and retention of highway visibility splays.**
  - **Submission of a phase 2 intrusive contaminated land investigation strategy, written report of findings, schedule of remediation works, and evidence that remediation has been undertaken;**
  - **Written scheme of Archaeological works;**
  - **Details of the proposed disposal of surface water from the development;**
  - **Construction management plan;**
  - **Details of the number and location of fire hydrants;**
  - **Scheme/schedule of measures to demonstrate secured by design principles;**
  - **Details of proposed site levels and finished floor levels, and retaining walls.**
- (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 reasons including:-**
- **Inadequate financial contribution towards education, contrary to development plan policy CS21;**
  - **Inadequate provision of affordable housing, contrary to development plan policies CS19 and CS21.**

At this point, the meeting adjourned at 12.55 p.m. for refreshments. The meeting resumed at 2.00 p.m. when the following Members were present:-

Peter Beer – Chairman

Simon Barrett  
David Busby  
Michael Creffield  
Derek Davis  
Michael Holt  
Jennie Jenkins

Adrian Osborne  
Lee Parker  
Nick Ridley  
David Rose  
Ray Smith  
Stephen Williams

7 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 R7](#) be made as follows:-**

**(d) SHIMPLING**

**Application Nos. B/12/00485/FUL  
and B/12/00455/LBC  
[Paper R7– Item 1](#)**

**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.**

Following confirmation from the Corporate Manager – Environmental Health that no objection is raised with regard to land contamination, the Corporate Manager – Development Management amended the recommendations contained in pages 26 and 27 of Paper R7 as set out in pages 2 and 3 of the [Addendum to Paper R7](#).

**RESOLVED**

**(1) That Planning Permission be granted subject to conditions including:-**

- **Materials samples;**

- **As recommended by the Structural Report;**
- **As recommended by Local Highway Authority;**
- **As recommended by the Corporate Manager – Heritage;**
- **Surface water drainage scheme;**
- **Provision of a bin storage area;**
- **Provision of screen fencing and associated details;**
- **Prohibited use of the chimney or installation of stove;**
- **Removal of permitted development rights;**
- **Measures to protect bats, in accordance with bat assessment/Natural England comments.**

**(2) That Listed Building Consent be granted subject to conditions including:-**

- **Materials samples;**
- **As recommended by the Structural Report;**
- **As recommended by the Corporate Manager – Heritage;**
- **Prohibit works to the chimney (other than restoration/repair works agreed by the LPA) or installation of a stove.**

**(e) GREAT CORNARD**

**Application No. B/15/00200/FUL  
Paper R7– Item 2**

**Full application – Erection of a 2 Bedroom Bungalow and alteration to existing vehicular access, Lanark, 1 Canhams Road.**

Notwithstanding the recommendation of the Corporate Manager – Development Management that planning permission should be refused for reasons relating to overdevelopment of the plot, not in-keeping with the scale, form or character of development within the locality, a motion to grant permission was moved on grounds relating to Policy HS28 – infill and small sites but was lost on being put to the vote.

The recommendation for refusal was then moved and carried on being put to the vote.

**RESOLVED**

**That planning permission be refused for the following reason:-**

**The proposed bungalow would not provide adequate amenity space, and represents a contrived form of development, prominently positioned at a busy junction, out of keeping with neighbouring properties on Broom Street which are set back from the road and set in substantial gardens. The proposal is therefore considered to represent overdevelopment of the plot; is not in-keeping with the scale, form and character of development within the locality, and is thereby considered to be contrary to saved policies CN01 and HS28 of the Babergh Local Plan (Alteration No. 2) 2006.**

**(f) LINDSEY**

**Application No. B/15/00052/FUL      Full application - Erection of 1  
Paper R7- Item 3                      detached dwelling, Old Rectory,  
The Tye.**

Notwithstanding the recommendation of the Corporate Manager – Development Management to refuse planning permission for reasons relating to the principle of residential development in the countryside contrary to Policies CS2 and CS15 of the Core Strategy and Paragraph 55 of the NPPF, a motion to grant permission was moved and carried on being put to the vote, on the grounds that the proposed development was sustainable in this instance, was not an isolated dwelling and therefore was not contrary to paragraph 55 of the NPPF.

**RESOLVED**

**That planning permission be granted.**

**8 PLANNING PERFORMANCE – 1 JANUARY 2015 TO 31 MARCH 2015**

The Corporate Manager – Development Management introduced Paper R8 providing an overview of performance against various measures for the previous quarter. She highlighted some of the key areas and responded to Members' questions.

**RESOLVED**

**That the information contained in Paper R8 be noted.**

Note: The meeting adjourned for refreshments between 10.40am and 11.30am and for a short comfort break after consideration of Item 1 of Paper R7.

The business of the meeting was concluded at 3.45 pm.

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Chairman