

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON WEDNESDAY, 2 SEPTEMBER 2015

PRESENT: Peter Beer – Chairman

Melanie Barrett	Adrian Osborne
Sue Burgoyne	Lee Parker
David Busby	Stephen Plumb
Michael Creffield	Nick Ridley
Derek Davis	Ray Smith
Michael Holt	Stephen Williams

David Rose was unable to be present.

Alan Ferguson, Ward Member for South Cosford, was present at the meeting and spoke on Application Nos B/15/00191/FUL and 193/FUL with the consent of the Chairman.

Siân Dawson and Tina Campbell, Ward Members for Hadleigh (North), were present at the meeting and spoke on Application No B/15/00691/FUL with the consent of the Chairman.

39 DECLARATION OF INTERESTS

None declared.

40 MINUTES

RESOLVED

That the minutes of the meetings held on [22 July](#) and [5 August 2015](#) be confirmed and signed as correct records.

41 PETITIONS

None received.

42 QUESTIONS FROM MEMBERS

None received.

43 SITE INSPECTIONS

Tina Campbell, Ward Member for Hadleigh (North) requested a site inspection in respect of Application No B/15/00691/FUL – 1A Bradfield Avenue.

Prior to asking the Committee to vote on the request, the Chairman asked the Case Officer to make a brief presentation with photographs to enable Members to decide whether a site visit was necessary.

Members voted against holding a visit and the Case Officer then continued with his presentation (Minute No 44(a) refers).

44 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Members had before them an [Addendum to Paper R38](#) (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 Items 2 and 5 contained in [Paper R38](#) were reported to the meeting and considered and taken into account before decisions were made on the relevant items.

In accordance with the Council's Charter on Public Speaking at Planning Committee, representations were made as detailed below relating to Items 1, 2 and 5 of Paper R38 and speakers responded to questions put to them as provided for in the Charter:-

<u>Application No.</u>	<u>Representations from</u>
B/15/00691/FUL	Mrs Barbara Thompson (Objector) Mr Richard Shiel (Applicant)
B/15/00191/FUL and B/15/00193/FUL	Mr Ian Pick (Agent)
B/15/00641/ROC B/15/00647/ROC and B15/00648/ROC	Mr Geraint Pugh (Parish Councillor)

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 R38 be made as follows:-

(a) HADLEIGH

Application No. B/15/00691/FUL Paper R38 – Item 2	Full application – Erection of 2 semi-detached, and 1 new detached, two-storey dwellings and construction of new vehicular accesses (following partial demolition of existing dwelling and demolition of existing detached garage building) 1A Bradfield Avenue.
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During the course of the discussion on the application, it was agreed to include additional conditions to require a landscaping scheme and to secure the retention of some of the existing trees.

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 public open space and play equipment provision, with the Corporate Manager – Development Management given delegated authority to negotiate the final level, subject to CIL regulations;
 - Affordable housing at 35%, with the Corporate Manager – Development Management given delegated authority to negotiate the final level, subject to a viability case being made.
- (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;
 - Standard - list of approved plans and documents;
 - Precise details and colours of external facing and roofing materials;
 - Those required by the County Highways Authority, as set out in the Addendum;
 - Written scheme of Archaeological works;
 - First floor rear windows to be obscure glazed and fixed closed and thereafter retained;
 - Removal of PD rights for alterations, extensions and provision of outbuildings;
 - Retention of identified trees;
 - Landscaping scheme to front and rear of the property
- (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 financial contribution towards public open space and play equipment, contrary to development plan policies CS21 and HS32; and/or
 - Inadequate provision of affordable housing, contrary to development plan policies CS19 and CS21.

(b) **ELMSETT**

Application Nos. B/15/00191/FUL and B/15/00193/FUL Paper 38 – Item 1	Full applications – Erection of an agricultural livestock building (Building 1); and Erection of an agricultural livestock building (Building 2) land north of Elmsett Hall Farm, Offton Road.
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During the course of discussion, Members queried the use of Priory Road and other minor routes to take traffic from the site to the A1071. The meeting was adjourned for a brief period to enable the officers to seek further information on this aspect from the Applicant.

The Senior Development Management Officer reported that the applicant did not wish to be restricted to the use of alternative routes, that the issue was with the turnout of the site and that alternative routes would be difficult to enforce.

Members were aware that the LHA had no objection to the proposed development subject to a Planning Obligation restricting traffic in a northerly direction. It was suggested that the LHA could be asked to consider additional signage to assist vehicle movements to and from the site, but this did not proceed as a formal motion.

RESOLVED

That in respect of both applications B/15/00191/FUL and B/15/00193/FUL:

(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, in order to ensure:

- **That no HGV movements, associated with the development, travel either to or from the site via the section of Offton Road to the north-east of the site access, towards Offton, Willisham and Somersham.**

(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 condition;**
- **Standard plans and documents condition;**
- **Precise details and colours of external facing and roofing materials;**
- **Landscaping scheme and aftercare;**
- **Surface Water Drainage Condition – as recommended by the Environment Agency;**
- **Precise details of proposed external lighting;**
- **No burning of manure anywhere on the application site;**
- **Buildings shall be dismantled and removed from the site, and the site returned to its existing condition, following cessation of the rearing and finishing of pigs business.**

(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:-

- **Impact on highway safety of users of the public highway, in accordance with paragraph 32 of the NPPF (2012).**

(c) SHOTLEY

**Application Nos.
B/15/00641/ROC
B/15/00647/ROC and
B/15/00648/ROC**

Paper R38 – Item 5

Application 1 - Application under section 73 of the Town and Country Planning Act (1990) to vary conditions attached to planning permission B/06/00606/ROC (Residential development of 150 dwellings) - Removal of planning conditions 1, 2, 3 - Limiting the use of King Edward VII Drive.

Application 2 - Application under section 73 of the Town and Country Planning Act (1990) to vary conditions attached to planning permission B/06/00607/FUL (Residential development of 150 dwellings) - Removal of planning condition 2 - Limiting the use of King Edward VII Drive.

Application 3 - Application under section 73 of the Town and Country Planning Act (1990) to vary conditions attached to planning permission B/06/00608/FUL (Residential development of 150 dwellings) - Removal of planning condition 2 - Limiting the use of King Edward VII Drive, Shotley Marina Ltd, King Edward VII Drive.

During the course of their consideration, Members discussed the Parish Council's suggestion of an alternative to the provision of a pedestrian crossing, and it was agreed that the Case Officer would work with the developer on an acceptable solution.

RESOLVED

- (1) That the Corporate Manager – Legal and Monitoring Officer be authorised to secure a Planning Obligation under Section 106 of the Town and Country Planning Act, 1990 for Application No B/15/00641 to provide:**
- **Restrict occupation to a berth holder, spouse or dependent of a berth holder, a widow or widower of a berth holder or a person over the age of 65 who owned a berth when 65**
 - **To provide information to the Council upon request to demonstrate compliance with the above**

- **Maintain King Edward VII drive at its current standard or better.**
 - **Provide, maintain and permit unencumbered use of the pedestrian steps between the HMS Ganges site and the Marina**
 - **Pedestrian crossing or other suitable alternative to be provided by 70 homes threshold**
 - **Obligations relating to the provision of the amenity area and prohibiting any development within it**
 - **All other relevant clauses within the original agreement.**
- (2) That, subject to (a) the completion of the Planning Obligation in Resolution (1) above to the satisfaction of the Corporate Manager – Development Management, and (b) the completion of the HMS Ganges Section 106 Agreement securing the highway link to King Edward VII Drive by the 100th home, the Corporate Manager – Development Management be authorised to grant planning permission subject to conditions including:-**
- **The development to be implemented in accordance with the reserved matters approved under B/03/1744**
 - **Car parking to be provided and retained**
 - **The development to be implemented in accordance with the approved landscaping scheme**
 - **Landscaping to be protected for five years**
 - **Those trees identified as being protected to be protected**
 - **Remove PD rights for garages extensions and alterations**
 - **Development in accordance with approved levels**
 - **Provision of public open space/amenity area of not less than 7000sqm**
 - **The open space to be set out and managed in accordance with the approved details**
 - **Details of foul drainage to be approved**
 - **Archaeological works to be approved**
 - **Exclude any development from the SSSI**
- (3) That, in the event of the Planning Obligation referred to in Resolution (1) above not being secured by the Corporate Manager – Development Management be authorised to refuse planning permission, for reason(s) including:-**
- **Inadequate provision of public open space and play equipment contrary to Local Plan Policy HS32.**
- (4) That the Corporate Manager - Development Management be authorised to grant planning permission for B/15/647 and 648 without condition 2 (on each permission):**
- (5) That in the event that the Section 106 Agreement relating to the HMS Ganges development is not sealed, or sealed without securing the spine road to King Edward VII Drive, all three applications are to be referred back to Planning Committee for further consideration.**

(d) LONG MELFORD

**Application No
B/15/00391/FUL
Paper R38 – Item 3**

Full application – Erection of part two storey and part single storey side extensions, 11 Martyns Rise.

This application was referred to Committee for a decision on defending an appeal against non-determination.

Members were aware that the principle of development was acceptable, subject to being in accordance with the relevant policies. However, the Case Officer in making his presentation confirmed that, if the Committee had been able to determine the application, the officer recommendation would have been one of refusal, for reasons relating to design and the impact of the proposal on the street scene and residential amenity, as set out in Paper R38. Members also noted the position regarding the negotiations between officers and the applicant, as outlined in paragraph 33 of Item 3 of the report.

As a result of their deliberations, Members concluded that the proposed development would result in harm, and that the appeal should therefore be defended.

RESOLVED

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

- **Contrary to saved Policies CN01 and HS33 of the Babergh Local Plan Alteration No 2 (2006), as set out in Paper R38, for the following reasons:**
 - **Design not subservient to that of the host dwelling**
 - **Detrimental to the appearance of the area by reason of its form and scale**
 - **Overbearing nature, also contrary to para 17 of the NPPF**

(e) STUTTON

**Application No
B/15/00811/FHA
Paper R38 – Item 4**

Full application – Erection of single storey rear extension for disabled accommodation, 2 Lower Street.

RESOLVED

That planning permission be granted subject to conditions including:

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

- Notes:1. The meeting adjourned for refreshments between 11.15 a.m. and 11.35 a.m. for refreshments.
2. Christine Thurlow was not present during the consideration of Paper R38, Item 2 by reason of being acquainted with a nearby resident.

The business of the meeting was concluded at 12.50 p.m.

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Chairman