

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON WEDNESDAY, 23 DECEMBER 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
Alastair McCraw	

David Rose was unable to be present.

84 SUBSTITUTES

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

Alastair McCraw (substituting for David Rose).

85 DECLARATION OF INTERESTS

None received.

86 MINUTES

Members noted that the minutes of the meeting held on [25 November 2015](#) would be confirmed and signed at a future meeting of the Committee.

87 PETITIONS

None received.

88 QUESTIONS FROM MEMBERS

None received.

89 SITE INSPECTIONS

The Corporate Manager – Development Management requested a site inspection in respect of Application No. B/15/01196/FUL (erection of 6 two-storey dwellings), land to the rear of 1-6, The Street, Kersey.

Reason – to allow Members to assess the cumulative impact of the proposed development on the neighbouring Grade II listed buildings, the conservation area and the village as a whole.

Sue Carpendale, Ward Member for Mid Samford, requested a site inspection in respect of Application No. B/15/01557/FUL (erection of a dwelling and associated works), land adjacent to No 1, Playfield Road, Capel St Mary.

Reason – to allow Members to assess the impact of the proposed development on the prominent corner site.

Before Members were asked to vote on the requests, the Chairman asked the Case Officers to make short presentations to enable the Committee to decide whether there was sufficient information available to Members to determine the applications.

RESOLVED

- (1) That site inspections be held on Wednesday 6 January 2016 in respect of applications No. B/15/01196/FUL and No. B/15/01557/FUL prior to their consideration by the Committee.**
- (2) That a Panel comprising the following Members be appointed to inspect the sites:**

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

90 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Members had before them an [Addendum to Paper R81](#) (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 in respect of Items 1 and 2 of [Paper R81](#) were reported to the meeting and taken into account before decisions were made on the relevant item.

In accordance with the Council's Charter on Public Speaking at Planning Committee, representations were made as detailed below, relating to items 1 and 2 of Paper R81, and speakers responded to questions put to them as provided for in the Charter.

<u>Application No.</u>	<u>Representations from</u>
B/15/01339/ROC	Miss E Aldous (Parish Council) Mrs Young (Objector) Mr M Ward (Agent for Applicant)
B/15/01490/OUT	Mrs F Self (Parish Council) Mr L Cole (Objector) Mr P Branton (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 R81 be made as follows:-

(a) FRESTON

Application No. B/15/01339/ROC [Paper R81 – Item 2](#) Application under section 73 of the Town and Country Planning Act (1990) to vary condition 4 attached to planning permission B/15/00758/FUL - Remove the requirement for the ground floor window on the eastern elevation of the dwelling to be non-opening, Curium, The Street.

The Case Officer drew Members' attention to the additional letter of representation (referred to in the Addendum to Paper R81) requesting the circulation of a number of documents from the case file. The documents subject of the request had not been circulated with the Addendum but were distributed prior to the commencement of the meeting. The Chairman gave Members ten minutes to allow them to read those documents before asking the Case Officer to present the item.

Notwithstanding the Officer recommendation to grant planning permission subject to conditions, a motion to refuse permission on grounds relating to loss of amenity for residents of the neighbouring property contrary to policies CS1, CS15, CN01 and paragraph 17 of the NPPF was moved and carried on being put to the vote.

RESOLVED

That planning permission be refused for the following reasons:-

- **Policy CS1 of the Core Strategy (February 2014) inter alia states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development and work proactively with applicants jointly to find solutions which mean that proposals can be approved where possible and to secure development that improves the social conditions in Babergh District. The development is contrary to policy CS1 as the proposal unacceptably steps away from the agreed position established with the previous application whereby negotiations took place to ensure that the windows were obscure glazed and fixed shut in order to mitigate harm to the occupier of the neighbouring property.**

- **Policy CS15 of the Core Strategy requires that proposals must respect the local context and character of the district and should demonstrate how the proposal addresses the key issues and contributes to meeting the objectives of this the Local Plan. The development must ensure adequate protection, enhancement and or mitigation as appropriate the features which characterises the built environment. The retention of an openable window in the side elevation would not ensure adequate mitigation to protect the amenities of the neighbouring property, through its built design.**
- **In addition saved policy CN01 of the Babergh Local Plan Alteration No.2 states that development proposals will be required to be of an appropriate detailed design for the location and the scale and form of adjacent development and the environment surrounding site. Furthermore, It is considered that the ability to open the ground floor window would lead to a loss of residential amenity by reason of noise, impact and disturbance, contrary to paragraph 17 of the NPPF which seeks high quality design and a good standard of amenity for all existing and future occupiers of buildings.**

(b) HINTLESHAM

Application No. B/15/01490/OUT [Paper R81 – Item 1](#) Outline application – Erection of 8 dwellings (means of access and landscaping for consideration), land between 2 Victoria Cottages and Red House Cottages, Duke Street.

Prior to presenting the application, the Case Officer referred to the amended recommendation in the Addendum to Paper R81, and reported that Suffolk County Council would consider seeking a contribution to fund two additional spaces at the local high school.

Notwithstanding the recommendation of approval in the report a motion to refuse permission was moved for reasons relating to the proposal being contrary to Policies CS2, CS11 and CS15. The motion was subsequently withdrawn following a suggestion from the Corporate Manager – Development Management that Members might wish to defer consideration of the application to enable Officers to clarify various points relating to local housing needs, public transport and local amenities. A motion to defer consideration was moved but lost on being put to the vote. The recommendation as set out in the Addendum was then moved and carried.

Note: As referred to by the Case Officer, Suffolk County Council will be consulted with regards to a contribution, if required, towards educational facilities and the developer will be made aware of the outcome.

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:

- Provision of 2 affordable houses
- Education contribution (if required by Suffolk County Council).

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

- Standard Time Limit
- List of approved drawings and documents, including Housing Area Schedule
- Provision of parking and turning areas
- Samples of external facing and roofing materials
- Levels
- Details of maintenance and management of public open space to be provided
- As required by the LHA.

(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 affordable housing contrary to Babergh Core Strategy Policy CS19.

(c) LINDSEY

**Application No. B/15/01520/FUL
Paper R81 – Item 3**

Full application – Change of use of residential outbuilding and part residential garden area (C3) to mixed use residential and wedding ceremony venue (Sui generis), Lodge Farm, Kersey Road.

RESOLVED

That planning permission be granted subject to conditions including:

- The use shall commence within 3 years
- The development shall be undertaken in accordance with approved plans
- There shall be no more than 28 events per year

- **Events shall be limited to within April to October only**
- **There shall be no amplified, or recorded speech or music**
- **The hours of use shall be limited to between 9am and 10pm**
- **The operation of the use shall be limited to the owner of Lodge Farm only and shall not be used as a separate business**
- **Details of any external lighting shall be submitted and agreed prior to use**
- **Prior to each wedding event, temporary fencing shall be erected, within the garden area, in accordance with the block plan.**

The business of the meeting was concluded at 11:30 a.m.

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Chairman