

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON WEDNESDAY, 23 MARCH 2016

PRESENT: Peter Beer - Chairman

Sue Ayres	Adrian Osborne
Sue Burgoyne	Lee Parker
David Busby	Stephen Plumb
Tina Campbell	Nick Ridley
Michael Creffield	David Rose
Derek Davis	Stephen Williams
Michael Holt	

Melanie Barrett and Ray Smith were unable to be present.

John Hinton, Ward Member for Dodnash, was present at the meeting and spoke on Application No. B/15/00673/FUL in Paper R106 and Application No. B/15/01678/FUL in [Paper R107](#) with the consent of the Chairman.

Bryn Hurren, Ward Member for Boxford, was present at the meeting and spoke on Application Nos. B/16/00084/FUL, B/16/00108/FHA and B/16/00148/FHA in Paper R107 with the consent of the Chairman.

116 SUBSTITUTES AND APOLOGIES

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

Sue Ayres (substituting for Melanie Barrett)
Tina Campbell (substituting for Ray Smith).

117 DECLARATION OF INTERESTS

None received.

118 MINUTES

RESOLVED

That the Minutes of the meeting held on 24 February 2016 be confirmed and signed as a correct record.

119 PETITIONS

None received.

120 QUESTIONS FROM MEMBERS

None received.

121 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Members had before them an Addendum to each of Papers [R106](#) and [R107](#) (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 a further representation received in respect of the item contained in Paper R106 was reported to the meeting and considered and taken into account before a decision was made on the item.

In accordance with the Council's Charter on Public Speaking at Planning Committee, representations were made as detailed below relating to items contained in Papers R106 and R107, and speakers responded to questions put to them as provided for in the Charter:-

<u>Application No.</u>	<u>Representations from</u>
Paper R106	
B/15/00673/FUL	Dr P Ireland (Parish Council) Mr M Hargraves (Objector) Ms R Rejzek (Agent)
Paper R107	
B/15/01678/FUL	Ms J Miller (Parish Council) Mr C Utley (Objector) Mr R Balmer
B/15/01348/FUL	Ms H Wallace (Parish Council) Ms K White (Objector) Mr T Thain (Applicant)
B/16/00127/FUL	Mr R Carpenter (Agent)

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 the item referred to in Paper R106 be made as follows:-

(a) EAST BERGHOLT

**Application No. B/15/00673/FUL
Paper R106 – Item 1**

Full application – Erection of 144 dwellings including 360sqm of single storey courtyard development to contain 4 B1 (business) units, public open space, associated landscaping and infrastructure, as amended by The Ecology Consultancy Preliminary Ecology Assessment received 21st September 2015, Stage 1 and 2 Road Safety Audit received 28th September 2015, Fenn Wright Employment Units Marketing Strategy, Soil Report and the email from the agent all received 19th October 2015, Revised Landscape and Visual Impact Assessment received 20th October 2015, The Ecology Consultancy Habitats Regulations Screening Assessment received 23rd October 2015 and plans 46489_PP_SK01D, 46489_PP_SK02B, 46489_PP_SK03C, 46489_PP_SK04C, 46489_PP_SK05D and 46489_PP_SK06A received 27th October 2015. Further amended by Archaeological Evaluation and Metal Detecting Survey and Geophysical Survey received 24th February 2016, Land North West of Moore’s Lane

Andrew Pearce, Senior Development Management Engineer, Suffolk County Council, was present at the meeting to answer questions relating to highway matters. In addition, the Professional Lead – Growth and Sustainable Planning, Professional Lead – Key Sites and Infrastructure, Senior Policy Strategy Planner and Interim Planning Solicitor were also in attendance.

Prior to presenting the application, the Case Officer drew Members’ attention to the further comments and the amended recommendation in the Addendum to Paper R106 and read out a further representation received from East Bergholt Parish Council and circulated to Members prior to commencement of the meeting.

During the debate Members considered issues raised in relation to the application, including the location of the proposed development site and its proximity to the AONB and Conservation Area and local amenities, public highway-related matters, the emerging East Bergholt Neighbourhood Plan and any potential effect on the local health and educational facilities.

Councillor Stephen Williams requested that the names for and against the motion or abstaining from voting be taken down in writing and entered into the Minutes in accordance with Council Procedure Rule 23.6. The demand for a recorded vote was seconded but failed to attract the support of further three Members.

RESOLVED

(1) That the Professional Lead – Growth and Sustainable Planning be authorised to secure a Planning Obligation under Section 106 of the Town and Country Planning Act, 1990, to provide:-

- Affordable housing;
- Secondary education - £422,165, to be spent at East Bergholt High School;
- Highway works – £27,000 is required for bus shelters, RTP1 screens and kerbing;
- Libraries - £31,104 to be spent at Capel St Mary library.
- Waste - £7,344
- Travel Plan Evaluation and Support Contribution - £5,000
- Travel Plan Implementation Bond - £136,933 (indicative cost based on proposed travel plan measures)
- HRA mitigation - £10,750.
- Delivery of the footway widening scheme
- NHS Contribution - £16,240, to be spent at Constable Country Rural MP (including its branch practice at Capel St Mary)

(2) That in the event that the applicant fails to provide an executed Section 106 Planning Obligation on terms to the satisfaction of the Professional Lead – Growth and Sustainable Planning by 10th April 2016 that he be authorised to determine the application and secure appropriate developer contributions by a combination of Section 106 Planning Obligation (for on-site contributions) and the Council’s CIL charging schedule in accordance with the S106 and CIL paragraphs above. To prevent duplication of developer contributions this is achieved by:-

- [a] having regard to those matters which would have been planning obligations under Section 106 and which are detailed in the Council’s CIL charging regulation 123 infrastructure list, to omit those from the requisite Section 106;**
- [b] to secure funding for those remaining infrastructure items removed from the Section 106 Planning Obligations under the CIL charging schedule, and;**
- [c] to secure those matters which are not infrastructure items by the requisite Section 106.**

(3) That, subject to the completion of the Planning Obligation in Resolution (1) or CIL and Planning Obligation in Resolution (2) above to the satisfaction of the Professional Lead – Growth and Sustainable Planning, the Professional Lead – Growth and

Sustainable Planning be authorised to grant planning permission subject to conditions including:-

- **Commencement within 3 years;**
- **Development to be implemented in accordance with submitted details;**
- **As recommended by the LHA**
- **As recommended by SCC Archaeology**
- **Submission of a foul water strategy**
- **10% reduction in predicted carbon to be achieved with details to be approved**
- **All external lighting, including any street lighting, to be approved;**
- **Hard and soft landscaping to be submitted and agreed**
- **Tree and hedgerow protection fencing to be installed with details to be approved;**
- **Ecological enhancement strategy to be approved;**
- **No burning to take place on the site**
- **Implementation of the Interim Travel Plan**
- **Provision of welcome packs (Travel Plan)**
- **Provision of a full Travel Plan within 6 months of occupation**
- **Construction Management Plan**
- **Details of play equipment to be installed to be agreed**
- **Provision of open space**
- **Maintenance of open space**
- **Rainwater harvesting**
- **SUDS details to be agreed**
- **SUDS to be completed**
- **Surface water management plan**
- **Details of the footway widening scheme**

(4) That, in the event of the Planning Obligation and/or CIL regulation referred to in Resolution (1) or (2) above not being secured the Professional Lead – Growth and Sustainable Planning be authorised to refuse planning permission, for reason(s) including:-

- **Inadequate provision of public open space and/or infrastructure contrary to Local Plan Policy HS31 of the Local Plan and/or Policy CS21 of the Core Strategy without the requisite S106 obligation or CIL being in place.**

At this point, the meeting adjourned at 1.50 p.m. for refreshments. The meeting resumed at 2.15 p.m. when the following Members were present:-

Peter Beer - Chairman

Sue Ayres	Adrian Osborne
Sue Burgoyne	Lee Parker
David Busby	Stephen Plumb
Tina Campbell	Nick Ridley
Michael Creffield	David Rose
Derek Davis	Stephen Williams
Michael Holt	

122 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 R107 be made as follows:-

(b) EAST BERGHOLT

Application No. B/15/01678/FUL
[Paper R107 – Item 1](#)

Full application - Erection of 10 single-storey dwellings for the over 55s, along with refuse, bicycle/gardeners store buildings and associated landscaping works, Land South of Gatton House, Hadleigh Road.

Prior to presenting the application, the Case Officer drew Members' attention to further neighbour representations received after publication of the Agenda.

During the debate that ensued Members considered various matters related to the application, including the location of the proposed development site, its proximity to the AONB and listed buildings, the loss of some green space and the emerging East Bergholt Neighbourhood Plan.

Notwithstanding the officer recommendation to grant planning permission subject to conditions, a motion to refuse permission on grounds relating to the semi-urban design of the proposed development, its proximity to the AONB and that the proposed development was contrary to policy CR02 and paragraph 115 of the NPPF was proposed and seconded but lost when put to the vote. The motion to approve the officer recommendation was then moved and seconded, with addition of a further condition that PD Rights be removed in relation to the roof.

RESOLVED

- (1) That the Professional Lead - Growth and Sustainable Planning be authorised to secure a Planning Obligation under Section 106 of the Town and Country Planning Act, 1990, to provide:-
- Contribution towards affordable housing delivery off-site;
 - Secure the maintenance and retention of landscaping for a period of 10 years;
 - Restriction on occupation of dwellings to over 55s.
- (2) That in the event that the applicant fails to provide an executed Section 106 Planning Obligation on terms to the satisfaction of the Professional Lead - Growth and Sustainable Planning by 10th April 2016 that the Professional Lead be delegated authority to proceed to determine the application and secure appropriate developer contributions by a combination of Section 106 Planning Obligation (for on-site contributions) and the Council's CIL charging schedule in accordance with the S106 and CIL paragraphs above. To prevent duplication of developer contributions this is achieved by:-
- [a] having regard to those matters which would have been Planning Obligations under Section 106 and which are detailed in the Council's CIL charging regulation 123 infrastructure list, to omit those from the requisite Section 106;
 - [b] to secure funding for those remaining infrastructure items removed from the Section 106 planning obligations under the CIL charging schedule, and;
 - [c] to secure those matters which are not infrastructure items by the requisite Section 106.
- (3) That, subject to the completion of the Planning Obligation in Resolution (1) or CIL and Planning Obligation in Resolution (2) above to the satisfaction of the Professional Lead - Growth and Sustainable Planning, he be authorised to grant planning permission subject to conditions including:-
- Archaeology;
 - As recommended by LHA;
 - Fire Hydrants;
 - Materials;
 - Soft Landscaping;
 - Hard Landscaping;
 - External Lighting;
 - Tree Protection/Arb Method Statement;
 - Energy Statement – post construction;
 - Ecology Mitigation;
 - Occupation Limited to Over 55s;
 - Removal of PD rights in relation to roofs.

(4) That, in the event of the Planning Obligation and/or CIL referred to in Resolutions (1) or (2) above not being secured by the Professional Lead - Growth and Sustainable Planning, he be authorised to refuse planning permission, for reason(s) including:-

- Inadequate provision of affordable housing in accordance with Policy CS21 of the Core Strategy without the requisite S106 obligation or CIL being in place.

(c) **ASSINGTON**

Application No. B/15/01348/FUL
[Paper R107 – Item 2](#)

Full application - Change of use to Caravan and Camping site including provision for static, seasonal and touring caravans, tented camping and winter storage of caravans, The Barn at Assington, The Street.

RESOLVED

That planning permission be granted subject to conditions including:

- Standard time limit for implementation (3 years);
- Listing of approved plans;
- Prior to commencement, site management plan to be submitted and agreed;
- Prior to commencement, details of footpath improvements to be submitted, agreed and have been implemented;
- No more than 22 touring caravans or tents, 19 static caravans and 22 storage caravans to be present on the site at any one time and only in plots and locations specified on the approved plans;
- The caravans shall only be used for holiday purposes and not as sole residence; 28 day time limit and break between stays. Occupancy break period 31st December to 1st of February every year;
- Retention of hedgerows as shown on the plans;
- Removal of permitted development rights for lighting, buildings and walls/fences.

(d) **MONKS ELEIGH**

Application No. B/16/00036/FUL
[Paper R107 – Item 3](#)

Change of Use of land and buildings from horticultural Nursery and ancillary shop to C3 Use Class, 1 no. dwelling and domestic garden curtilage; demolition of existing rear range attached to principle barn; extension and alteration of existing barn to form 1 no. two-storey dwelling; erection of single-storey

detached three-bay garage building; and construction of new vehicular access (existing access to be stopped up), Former Rushbrooks Nursery Site, The Street.

The Chairman drew Members' attention to the amended recommendation in the Addendum to Paper R107.

RESOLVED

That consideration of Application No. B/16/00036/FUL be deferred to enable consultation to be carried out on amended plans received.

(e) STANSTEAD

Application No. B/16/00127/FUL
[Paper R107 – Item 4](#)

Full application - Erection of 1 dwelling (following demolition of barn). (Resubmission of B/15/01478/FUL), Highbank Nursery, The Hill.

Members considered that the proposed development was not an isolated dwelling in terms of paragraph 55 of the NPPF, and that it was a sustainable development in accordance with policies CS11, CS13 and CS15 of the Core Strategy. Therefore notwithstanding the officer recommendation to refuse planning permission, a motion to grant permission was proposed and seconded and carried when put to the vote.

RESOLVED

That planning permission be granted subject to appropriate conditions.

(f) GROTON

Application No. B/16/00084/FUL
[Paper R107– Item 5](#)

Full application - Erection of detached dwelling, Rose Cottage, 2 Daisy Green.

Members considered that the proposed development was not an isolated dwelling in terms of paragraph 55 of the NPPF and would not give rise to any harm to the adjacent listed building. Members also considered that it was a sustainable development in accordance with Policy CS15 of the Core Strategy. Therefore notwithstanding the officer recommendation to refuse planning permission, a motion to grant permission subject to a condition to secure details of boundary treatment was proposed and seconded and carried when put to the vote.

RESOLVED

That planning permission be granted subject to appropriate conditions, including the following:

- Agreement of boundary treatment details.

(g) BOXFORD

Application No. B/16/00108/FHA
[Paper R107– Item 6](#)

Full application - Erection of first floor extension, ground floor front extension and elevational alterations (including new first floor side window), Fleur Cottage, 19 Fen Street.

RESOLVED

That planning permission be granted, subject to conditions including:-

- Standard time limit for implementation (3 years);
- Materials to match, unless agreed otherwise.

(h) BOXFORD

Application No. B/16/00148/FHA
[Paper R107– Item 7](#)

Full application - Erection of extension to garage to provide cartlodge and wood store, 15 Boxford Lane.

RESOLVED

That subject to the satisfactory resolution of the outstanding issues regarding materials the Professional Lead - Growth and Sustainable Planning be authorised to grant planning permission subject to conditions including:

- Standard time limit;
- Development to be implemented in accordance with the approved plans;
- Details of materials;
- Provision of parking and turning area.

(i) COPDOCK AND WASHBROOK

Application No. B/15/00526/ROC
Paper R107– Item 8

Application under Section 73 of the Town and Country Planning Act (1990) to vary conditions attached to planning permission B/03/01394/FUL – Variation of condition 3 – Hours of Work to be permitted between 0700-1900 Monday to Friday and 0700 – 1700 Saturday. Restriction in transporting employees to site by means of passenger vehicles only – Restriction of no vans/heavy goods vehicles before 0800, Apple Tree Barn, Folly Lane.

RESOLVED

Grant planning permission subject to conditions including:-

- **Standard Time Limit condition;**
- **Standard plans and documents condition;**
- **Removal of permitted development rights for change of use to anything other than B1;**
- **Hours of operation condition – 0700 to 1900 Mondays to Fridays and 0700 to 1700 Saturdays with no working on Sundays or Bank Holidays;**
- **Retention of existing on-site parking and manoeuvring provision;**
- **Restriction of no more than 4 no. passenger vehicle movements to the site between the hours of 0500 and 0800 Mondays to Saturdays;**
- **As recommended by Environmental Protection.**

(j) SHOTLEY

Applications Nos.
B/15/00641/ROC, B/15/00647/ROC
and B/15/00648/ROC
Paper R107– Item 8

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 and

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

dwelling) - Removal of planning condition 2 - Limiting the use of King Edward VII Drive and

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 dwelling) - Removal of planning condition 2 - Limiting the use of King Edward VII Drive, Shotley Marina Ltd, King Edward VII Drive.

RESOLVED

(1) That the Professional Lead – Growth and Sustainable Planning be authorised to secure a Planning Obligation under Section 106 of the Town and Country Planning Act, 1990 for application B/15/00641 to provide:

- **Restrict occupation to a berth holder, spouse or dependant 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;**
- **Commuted Sum towards Pedestrian Safety Measures;**
- **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 the completion of the Planning Obligation in Resolution (1) above to the satisfaction of the Professional Lead – Growth and Sustainable Planning, he 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, the Professional Lead – Growth and Sustainable Planning 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 following the granting of B/15/00641/ROC the Professional Lead – Growth and Sustainable Planning be authorised to grant planning permission for B/15/00647/ROC and B/15/00648/ROC.

123 PUBLIC SPEAKING ARRANGEMENTS – APPLICATION NO B/15/00263/FUL BRANTHAM INDUSTRIAL ESTATE AND LAND TO THE NORTH AND THE PENINSULA (PART OF) FACTORY LANE BRANTHAM

The Senior Governance Support Officer reported that, under the Council’s Charter on Public Speaking at Planning Committee, only one individual would normally be allowed to speak in each capacity. Provision has been made in the Charter for the Chairman to exercise his discretion in particular circumstances and having regard to the guidance in the Charter, but there is also provision for special public speaking arrangements to be agreed in advance by the Planning Committee in the case of complex applications such as that referred to above.

Officers had discussed with the Chairman the arrangements for public speaking at the Planning Committee when Application No B/15/00263/FUL was to be considered and recommended that the Committee approve special public speaking arrangements on the application.

RESOLVED

- (1) That the Parish Clerk or a Parish Councillor representing Tattingstone Parish Council be entitled to speak for up to 3 minutes (in addition to the representative of Brantham Parish Council).**
- (2) That a representative of HOGS (Hands off our Green Space) be entitled to speak as an objector for up to 3 minutes (in addition to the normal provision for an objector to speak).**
- (3) That no change be recommended to the normal arrangements for a supporter and the applicant or professional agent/representative to speak.**

- (4) That potential speakers as referred to above be made aware that, in line with the provisions of the Charter, in the event that more than the specified numbers wish to speak, they be asked to agree on one representative in each capacity, failing which the Chairman will consider exercising his discretion to split the available time equally between them to ensure that their cumulative time does not exceed that of others speaking in a different capacity in order to safeguard balance.

Note: The meeting adjourned between 2.50 and 2.55 for a short comfort break.

The business of the meeting was concluded at 4.20 pm.

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Chairman

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