

BABERGH DISTRICT COUNCIL

MINUTES OF THE MEETING OF THE BABERGH PLANNING COMMITTEE HELD IN COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON WEDNESDAY, 26 APRIL 2017

PRESENT: Peter Beer - Chairman

Sue Ayres	Sue Burgoyne
David Busby	Tina Campbell
Derek Davis	John Hinton
Michael Holt	Adrian Osborne
Lee Parker	Stephen Plumb
Nick Ridley	David Rose
Ray Smith	

120 DECLARATION OF INTERESTS

Councillors Peter Beer and Dave Busby subsequently declared a local non-pecuniary interest in Application No B/16/01718 (Item 4 of Paper S134) - former Monks Eleigh C of E Primary School - in their capacity as Suffolk County Councillors.

121 MINUTES

**RESOLVED**

**That the minutes of the meetings held on 15 and 29 March 2017 be confirmed and signed as correct records.**

122 PETITIONS

None received.

123 QUESTIONS BY THE PUBLIC

None received.

124 QUESTIONS BY COUNCILLORS

None received.

125 PAPER S134 - PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

The Chairman referred to the decision taken in advance of the meeting to remove from the agenda Items 1 and 2 of Paper S134. Members were aware of the reasons for the decision which had been taken by the Chairman in consultation with the Corporate Manager – Growth and Sustainable Planning in accordance with paragraph 9.5 of the Council's Planning Charter.

Members had before them an Addendum to Paper S134 (circulated prior to the commencement of the meeting) updating them on Item 4, together with errata.

In accordance with the Council's Charter for public speaking at Planning Committee, a representation was made as detailed below relating to the item in Paper S134, and the speaker responded to questions put to him as provided for in the Charter:-

<u>Application No.</u>	<u>Representation from</u>
B/17/00214 and B/17/00215	Stuart Davis (Agent for Applicant)

## **RESOLVED**

- (1) That it be noted that Items 1 and 2 of Paper S134 were withdrawn from consideration in advance of the meeting for further investigation and evaluation of significant new information arising since the preparation of the Committee reports.**
- (2) 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 items referred to in Paper S134 be made as follows:-**

### **(a) SPROUGHTON**

**Application No.  
B/16/01216  
Paper S134 – Item 3**

Submission of details under O.P.P. B/11/00745/OUT - For the erection of 30 dwellings and associated works: Details submitted regarding access to the site; the appearance, layout and scale of the development and the landscaping of the site (Condition 2) with accompanying details relating to sustainability measures (Condition 21). As amended by sustainability information received 12 December 2016 and 14 March 2017; revised Access Layout SK03 Rev P3 and revised house types (Plots 8 - 17) received 27 January 2017; revised Layout Plan Drawing No CLS/03G received 25 April 2017 and as amplified by Photo Voltaic panel information received 4 April 2017, land south of Sproughton VC Primary School, Church Lane.

The Case Officer, Lynda Bacon, reported the receipt of an amended plan showing revisions to the tree/landscape strip and confirmed in response to Member queries that the outline permission included an appropriate archaeological condition and provision for the transfer to the Council of the public open space.

She also asked Members to include two additional conditions regarding the tree/landscaping strip revisions if they were minded to approve the reserved matters application.

## **RESOLVED**

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

- **Provision of footpath linking development to southern school boundary**
- **Submission of a planting specification for the amended tree/landscape strip**
- **Submission of a management plan for the future maintenance of the tree/landscape strip**

### **(b) MONKS ELEIGH**

**Application No. B/16/01718  
Paper S134 – Item 4**

Outline application – all matters reserved except means of access – redevelopment of former Monks Eleigh C of E Primary School site for residential development (Class C3) comprising up to 17 dwellings maximum; formation of new vehicular means of access off Church Field to replace existing together with associated landscape and related improvements, former Monks Eleigh School, Church Field.

The Case Officer, Steven Stroud, referred to the updated information in the Addendum to Paper S134, which confirmed that notwithstanding that the Council can no longer demonstrate a 5-year land supply, the Officer recommendation remained unchanged, subject to the minor amendment to the condition regarding the number of dwellings to be fixed 'as up to 17 no. maximum' as set out in the Addendum.

## **RESOLVED**

**(1) That the Corporate Manager – Growth and Sustainable Planning be authorised to secure a planning obligation under Section 106 of the Town and Country Planning Act, 1990, to provide:-**

- **35% Affordable Housing (on site);**
- **£25k, as required by Sport England;**
- **Arrangements for ongoing management of public spaces.**

**(2) That, subject to (a) the completion of the Planning Obligation in Resolution (1) above, and (b) the adequate resolution of outstanding ecological issues, the Corporate Manager – Growth and Sustainable Planning be authorised to grant Planning Permission subject to conditions including:-**

- **Standard time limit and Reserved Matters Conditions;**
- **Approved Plans: SLP and Layout (only in so far as relating to access);**
- **Quantum of total dwellings fixed as up to 17 no. maximum;**
- **Development to accord with agreed ecological details as may be required;**
- **Levels details;**
- **Detailed hard/soft landscaping with reserved matters;**
- **External lighting details with reserved matters;**
- **Sustainability/energy/emissions details with reserved matters;**
- **External facing materials samples/details;**
- **Construction management plan;**
- **Fire hydrants details;**
- **As requested by SCC Floods;**
- **As requested by SCC Highways;**
- **As requested by SCC Archaeology;**
- **As requested (and applicable) by Anglian Water;**
- **Waste management/recycling details;**
- **Arboricultural method statement/tree protection details.**

**(3) That, in the event of the Planning Obligation referred to in Resolution (1) above not being secured the Corporate Manager – Growth and Sustainable Planning be authorised to refuse Planning Permission, for reason(s) including:-**

- **Inadequate provision of infrastructure contributions which would fail to provide compensatory benefits to the sustainability of the development and its wider impacts, contrary to Policies CS19 and CS21 of the Core Strategy.**

**(4) That, in the event that, notwithstanding Resolutions (1) and (3) above, ecological matters are not resolved to the satisfaction of the Corporate Manager – Growth and Sustainable Planning, he be authorised to refuse planning permission, for the following reason (summarised):**

- **Lack of information and/or measures to mitigate impacts upon protected and/or priority species, contrary to local and national planning policies.**

**(c) POLSTEAD**

**Application Nos.  
B/17/00214 and B/17/00215  
Paper S134 – Item 4**

Full application and application for Listed Building Consent – the upgrading of the existing single storey rear lean-to extension and erection of single-story side extension to form an annexe, Tills Farm, Hadleigh Road.

Steven Stroud, Senior Planning Officer, presented the application which was recommended for refusal for reasons relating to the less than substantial harm which would not be outweighed by any public benefit.

After an initial discussion, and notwithstanding the Case Officer's recommendation in the report, a motion was proposed, but not seconded, to defer consideration for further discussions to take place with the applicant on possible amendments to the current proposals.

The Officer recommendation of refusal was then proposed and seconded and at this point the Corporate Manager – Growth and Sustainable Planning referred to the issues which should be addressed when deciding whether a proposal has an impact or whether it poses a degree of harm, less than substantial or otherwise, which is or is not outweighed by public benefit. After further discussion on these aspects, the motion to refuse was lost on being put to the vote.

Approval of both applications was then moved on the grounds that although there would be an impact on the Listed Building, the proposer and seconder did not consider that the applications as submitted constituted less than substantial harm, that the wider public benefits which would arise from the proposals would outweigh any impact, and that the applications were therefore compliant with Policy HS35. The motion included specific, as well as standard, conditions and was carried on being put to the vote.

**RESOLVED**

**That planning permission and Listed Building Consent be granted, subject to conditions including:-**

- **Materials**
- **Window details**
- **Annexe to be tied to the main dwelling**

126 PAPER S135 - FOOD ENTERPRISE ZONES - DRAFT LOCAL DEVELOPMENT ORDER FOR THE STEVIN'S SITE, WHERSTEAD

Dawn Easter, Economic Development Officer, introduced Paper S135 from the Corporate Manager – Open for Business, seeking Committee approval to the public consultation exercise on a draft Local Development Order for a second site within the Orwell Food Enterprise Zone.

**RESOLVED**

**That the draft Local Development Order (LDO) as contained in Appendix A to Paper S135 be adopted for the purposes of public consultation to run for a period of 28 days in relation to the Stevin's Site, The Strand, Wherstead.**

The business of the meeting was concluded at 11.10 a.m.

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Chairman