

BABERGH DISTRICT COUNCIL

MINUTES OF THE MEETING OF THE BABERGH PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON 2 AUGUST 2017

PRESENT: Nick Ridley - Chairman

Sue Ayres	Simon Barrett
Peter Beer	David Busby
Derek Davis	Alan Ferguson
Kathryn Grandon	John Hinton
Michael Holt	Adrian Osborne
Stephen Plumb	David Rose
Ray Smith	

Sue Burgoyne was unable to be present.

32 SUBSTITUTES

It was noted that, in accordance with Committee and Sub-Committee Procedure Rule No 20, a substitute was in attendance as follows:-

Simon Barrett (substituting for Sue Burgoyne)

33 DECLARATION OF INTERESTS

For transparency, Simon Barrett stated that although he had had a business relationship with the previous Applicant for Item 1 of Paper PL/17/8 (Application No B/15/00673) he did not have a declarable relationship with the current Applicant, Countryside Properties plc.

John Hinton stated that he had withdrawn his 2015 letter of objection, written in his capacity as Ward Member, to Application No B/15/00673 (Item 1 of Paper PL/17/4) and was able to give reasoned and impartial consideration to the application.

34 MINUTES

RESOLVED

That the Minutes of the meeting held on 30 June 2017 be confirmed and signed as a correct record.

35 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME

None received.

36 QUESTIONS BY THE PUBLIC

None received.

37 QUESTIONS BY COUNCILLORS

Questions from Councillor David Busby to the Chairman of the Planning Committee – 2 August 2017

Question

To meet the demand for housing over the next 20 years we have to build between 350 - 400 houses per year, especially 1 and 2 bedroom properties with the emphasis on lifetime homes that are energy efficient. Before we consider the next 3 items it would be useful to have a summary of how each application meets this demand - would the officers please provide this?

Answer

In relation to B/15/00673 the residential dwellings will conform to Lifetime Homes standard and conditions are recommended to secure a 10% reduction in carbon usage through details to be agreed (see p.86 and consultation advice p.32). The applicant has confirmed the target for the new homes is to exceed the standards for airtightness and thermal efficiency. The materials used in construction will be locally sourced and have low embodied energy, including transportation costs. The orientation of the houses allows the integration of photovoltaic panels along the south facing roof slopes.

In relation to B/15/01678 the scheme as it stands can achieve Lifetime Homes standard and a condition is recommended to ensure that an Energy Statement secures the appropriate standard / accreditation. For information it is noted that provision is made for electric car charging points within the submitted application drawing 1814.08B.

In relation to B/16/01092, as an Outline application, it is proposed that conditions be imposed to secure a Building for Life assessment, a BREEAM assessment and an Energy Strategy.

Further information will be given within the Officers' presentations.

Appendix 4 of the Ipswich and Waveney Housing Market Areas Strategic Housing Market Assessment Part 2 (May 2017) sets out the type and tenure of future housing need at District level.

Supplementary Question

If we approve all 3 schemes then this will provide an additional 229 homes (about 23%) in East Bergholt, as this is close to the predicted increase in population of 24% over the next 20 years will we be justified in resisting any further large developments in the village, and if not why?

Answer

Any future application would have to be considered on its merits in the context of the statutory responsibilities of the local planning authority and any relevant national and local policy applicable at that time. The planning authority cannot close its mind to the merits of any application and would not be justified in resisting a future application without significant and demonstrable evidence of adverse impacts.

For information, the official 2014 Sub National Population Projections identify an increase of approximately 8,000 people in Babergh over the period 2014 – 2036 (as shown in Table 5.1 of the Ipswich and Waveney Housing Market Areas Strategic Housing Market Assessment, Part 1, May 2017).

38 SITE INSPECTIONS

The Corporate Manager – Growth and Sustainable Development reported that the following application required a site inspection prior to its consideration by the Committee. The Case Officer, Steven Stroud, gave a brief presentation indicating the proposed extent of the visit.

B/15/01433/OUT

Outline Application - erection of 48 residential dwellings with detailed consideration of access, land east of Artiss Close and Rotheram Road Bildeston.

RESOLVED

- (1) That a site inspection be held on Wednesday 9 August 2017 in respect of Application No. B/15/01433/OUT, prior to its consideration by the Committee.**
- (2) That a Panel comprising the following Members be appointed to inspect the site:-**

**Sue Ayres
Simon Barrett
Melanie Barrett
Peter Beer
Sue Burgoyne
David Busby**

**Derek Davis
Kathryn Grandon
Adrian Osborne
Stephen Plumb
Nick Ridley
Ray Smith**

Members noted that a site inspection would also be required for the following application:-

B/17/00950

Full application – erection of 34 dwellings and associated access to Church Road and Lower Street. Land west of 35-40 Stutton Close, Stutton.

The visit was scheduled to take place on 23 August. The composition of the site inspection Panel would be confirmed at the meeting of the Committee on 16 August 2017.

RESOLVED

- (3) That a site inspection be held on Wednesday 23 August 2017 in respect of Application No. B/17/00950/FUL, prior to its consideration by the Committee.

39 PL/17/8 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Members had before them an Addendum to each of Papers PL/17/8 and PL/17/9 (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.

In accordance with the Council's arrangements for Public Speaking at Planning Committee, representations were made as detailed below relating to Paper PL/17/8 and the speakers responded to questions put to them as provided for under those arrangements. The length of time for each allocated speaking slot had been extended to five minutes by the Chairman, exercising his discretion.

Application No.

B/15/00673	Ben Redsell (on behalf of the Parish Council) Tony Brigden (Objector) Chris McEwen (Objector – Action East Bergholt) Christine Ireland (Objector – East Bergholt Society) Emma Woods (Applicant)
B/15/01678	Ben Redsell (on behalf of the Parish Council) Crispin Utley (Objector) Sharon Smith (Agent)
B/16/01092	Ben Redsell (on behalf of the Parish Council) Chris McEwen (Objector – Action East Bergholt) Kevin Coleman (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) decisions on the items referred to in Paper PL/17/8 be made as follows:-

(a) EAST BERGHOLT

Application No B/15/00673/FUL Paper PL/17/8 – 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
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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 and by Assessment against Neighbourhood Plan received 3rd April 2017 and Agents letter dated 4th April 2017. Land north west of Moores Lane.

The Case Officer, Ben Elvin, referred to the Addendum and Members confirmed that additional reading time was not required for the additional submissions circulated. He read out a representation from Mr Mark Hargraves which was received after the addendum was circulated, and made reference to the context which included the Neighbourhood Plan, the Judicial Review and the Council's lack of a 5 year housing land supply.

Having listened to, and questioned, the speakers at length, a proposal to refuse planning permission was moved for reasons relating to conflict with various CS and NP policies, and the NPPF, but failed to find a seconder.

During the subsequent debate, both Ben Elvin and the Corporate Manager – Growth and Sustainable Planning, Philip Isbell, clarified various aspects before the Officer recommendation was moved and after further debate was carried on being put to the vote.

RESOLVED

That the Corporate Manager - Growth and Sustainable Planning be authorised to grant planning permission subject to the prior completion of a Section 106 or Undertaking on terms to his satisfaction to secure the following heads of terms:

- **Delivery of 50 Affordable dwellings;**
- **Travel Plan Evaluation and Support Contribution - £5,000**
- **Travel Plan Implementation Bond - £136,933 (indicative cost based on proposed travel plan measures)**

- **Delivery and implementation of the Travel Plan**
- **HRA mitigation - £10,750**
- **Delivery of the footway widening scheme.**

and that such permission be subject to the conditions as set out below:

- **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**
- **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**
- **Electric charging points**

(b) EAST BERGHOLT

**Application No B/01678/FUL
Paper PL/17/8 – Item 2**

Full application – erection of 10 single-storey– Item 2 dwellings for the over 55s, along with refuse, bicycle / gardeners store buildings and associated landscaping works, land south of Gatton House, Hadleigh Road.

The Case Officer, Gemma Pannell, updated Members on amendments to the original application which included the removal of a green space area and alterations to the access arrangements. Further submissions from various parties were included in the Addendum. She referred to the context of the application in relation to the Council's lack of a five year housing land supply, the Neighbourhood Plan and outcome of the Judicial Review and the consequential updates to the Conclusion of the report (paragraphs 202 – 203). The Corporate Manager – Growth and Sustainable Planning reiterated the balancing exercise required by the NPPF in relation to public benefit where an application is identified as having less than substantial harm.

Officers responded to Members' questions, following which the Officer recommendation of approval was moved on the basis of the Conclusions set out in the report. Arising from the subsequent debate, a motion to include a condition for the removal of PD rights was lost on being put to the vote. The motion to approve was then carried.

RESOLVED

That the Corporate Manager - Growth and Sustainable Planning be authorised to grant planning permission subject to the prior completion of a Section 106 or Undertaking on terms to his satisfaction to secure the following heads of terms:

- **Secure the maintenance and retention of landscaping for a period of 10 years;**
- **Restriction on occupation of dwellings to over 55s.**

and that such permission be subject to the conditions as set out below:

- 1) Standard Time Limit Condition.**
- 2) Approved Plans**
- 3) Archaeological work and monitoring**
- 4) Details of fire hydrants to be submitted**
- 5) As recommend by Highways**
- 6) The recommendations of the ecological report to be adhered to**
- 7) Detailed hard/soft landscaping**
- 8) External lighting details**
- 9) Tree Protection/Arb Method Statement**
- 10) Energy Statement – post construction**

At this point, the meeting adjourned for refreshments at 1.20 p.m. and resumed at 1.40 p.m. when the following Members were present:-

Nick Ridley - Chairman

Sue Ayres
David Busby
Alan Ferguson
John Hinton
Adrian Osborne
David Rose

Simon Barrett
Derek Davis
Kathryn Grandon
Michael Holt
Stephen Plumb
Ray Smith

(c) EAST BERGHOLT

Application No B/16/01092/OUT Paper PL/17/8 – Item 3 **Outline - (all matters reserved) mixed use development including up to 75 dwellings, a pre-school and a neighbourhood hub, comprising a swimming pool, office space and a local shop, public open space, and associated infrastructure and landscaping as amended by drawings received on 11 November 2016 (omission of school land) land east of Constable Country Medical Centre, Heath Road.**

The Case Officer, Gemma Pannell, referred to a correction to the information in paragraphs 64 and 182 of the report to cover a pre-condition requiring an archaeological trench to be undertaken. The Addendum contained detailed submissions from various parties.

In response to a Member question about the 5 year housing supply position, the Corporate Manager – Growth and Sustainable Planning referred to the need for significant and demonstrable adverse effects to be identified, if Members were minded to refuse permission, in the current absence of the Council's 5 year housing land supply, for which no firm indication was available of when it would be met. He also referred to the test in the NPPF regarding the overall requirements of framework policies.

RESOLVED

That the Corporate Manager - Growth and Sustainable Planning be authorised to grant outline planning permission subject to (a) a prior archaeological evaluation and (b) the prior completion of a Section 106 or Undertaking on terms to his satisfaction to secure the following heads of terms:

- **Affordable Housing**
- **Travel Plan Requirements**
- **HRA mitigation**

and that such permission be subject to the conditions as set out below:

- 1) Standard Time Limit Condition.**
- 2) Reserved Matters to be submitted and agreed**
- 3) Approved Plans**
- 4) Sustainability**
- 5) As required by the Local Highway Authority**
- 6) Detailed scheme of landscaping, landscape planting, and boundary treatment plan to be provided at reserved matters,**
- 7) Fire Hydrants**
- 8) Submission and implementation of Energy Strategy**

- 9) Submission and implementation of Building for Life Assessment for each style of dwelling proposed
- 10) Submission and implementation of BREEAM assessment
- 11) Submission of foul water strategy prior to commencement and implementation of agreed strategy prior to occupation
- 12) Submission of updated FRA and drainage strategy with reserved matters and implementation as approved
- 13) Submission of surface water drainage scheme with reserved matters and implementation as approved
- 14) Submission and implementation of sustainable urban drainage system prior to occupation
- 15) Submission and implementation of construction surface water management plan prior to commencement
- 16) Archaeological evaluation and implementation of agreed programme of archaeological works prior to commencement
- 17) Submission of Phase I investigation Land Contamination Report
- 18) Construction Management Plan
- 19) Implementation of Recommendations of Ecological Surveys

(d) COPDOCK AND WASHBROOK

Application No B/16/01362/OUT Paper PL/17/9 – Item 1 **Outline application – erection of 3 detached dwellings, and construction of new vehicular access (means of access and landscaping of the site to be considered) Clements, 3 Church Lane Washbrook.**

The Case Officer, Lynda Bacon, referred Members to the errata listed in the Addendum together with the addition of a revised recommendation of refusal. Members were aware that the application was for Outline planning consent.

RESOLVED

That outline planning permission be refused for the following reasons –

1. **Policy CS2 of the Babergh Core Strategy (2014) states that planning permission will be permitted only in the Countryside in exceptional circumstances subject to proven justifiable need. In addition policy CS11 of the Core Strategy requires that development must be in or adjacent to Hinterland Villages, and well related to the existing settlement. CS15 requires new development to demonstrate how the proposal addresses the key issues and objectives identified in the Core Strategy. The site is not well related to existing settlements, and no supporting evidence has been provided that justifies exceptional need for the proposal, or that the site is a sustainable location. The overall layout of the site creates a cramped development that is poorly designed and orientated. As a result the proposal does not constitute sustainable development as required by the NPPF taken as a whole and conflicts with requirements of saved policy CN01 and policies CS2, CS11 and CS15.**

2. **Paragraphs 120 and 121 of the NPPF state that to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location and that adequate site investigation information, prepared by a competent person, is presented with applications. Policy CS15 of the Core Strategy, in line with the NPPF, requires all new development to ensure any risk of contamination is identified and adequately managed. The required information relating to land contamination has not been submitted to support the application and in the absence of which, there is insufficient information to demonstrate the suitability of the site for its intended use contrary to the aforementioned Policy and national guidance.**

Note:-

The meeting adjourned for refreshments from 11.55 a.m. and 12.10 p.m. and for a short comfort break after consideration of Item 3 of Paper PL/17/8.

The business of the meeting was concluded at 3 p.m.

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Chairman