

SA/06/15

MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **DEVELOPMENT CONTROL COMMITTEE B** held at the Council Offices, Needham Market on 18 March 2015

PRESENT: Councillor Kathie Guthrie – Conservative and Independent Group (Chairman)

Conservative and Independent Group

Councillor: Roy Barker
Caroline Byles
Stuart Gemmill
Poppy Robinson
Jane Storey

Suffolk Together, Green and Independent Group

Councillor: Gerard Brewster
John Matthissen

Liberal Democrat Group

Councillor: John Field
Michael Norris

In attendance: Corporate Manager – Development Management
Senior Development Management Planning Officer (ET/IW)
Planning Officer (LE)
Corporate Manager – Strategic Housing
Heritage Officer (MW)
SCC Landscape Planning Officer – Anne Westover
Governance Support Officer (VL)

SA31 APOLOGIES FOR ABSENCE/SUBSTITUTIONS

There were no apologies for absence.

SA32 DECLARATIONS OF PECUNIARY/NON-PECUNIARY INTEREST

There were no declarations of interest.

SA33 DECLARATIONS OF LOBBYING

It was noted that Members had been lobbied on application 4002/14.

SA34 DECLARATIONS OF PERSONAL SITE VISITS

Councillor Gerard Brewster advised that he had undertaken a personal site visit for application 4002/14.

SA35 MINUTES OF THE MEETING HELD 18 FEBRUARY 2015

The Minutes of the meeting held 18 February 2015 were confirmed as a correct record subject to minor amendment to Item 1, final bullet point, to delete the figure '8' in the word 'drainage'.

SA36 MINUTES OF THE PLANNING REFERRALS COMMITTEE MEETING HELD 4 FEBRUARY 2015

The Minutes of the meeting held 4 February 2015 were confirmed as a correct record.

SA37 SCHEDULE OF PLANNING APPLICATIONS

Application Number	Representations from
4002/14	Nick Perks (Parish Council) Jackie Ward (Objector)
3997/14	Ian Tippet
3995/14	Ian Tippet

Item 1

Application	4002/14
Proposal	Outline application for residential development of up to 190 dwellings with access, landscape, open space and associated infrastructure
Site Location	STOWUPLAND – Land between Gipping Road and Church Road
Applicant	Gladman Developments Ltd

The Corporate Manager – Development Management gave a short presentation to the Committee regarding the issue of the Council's five year land supply in relation to this application.

Members will have noted that the issue of five years land supply is considered within your Officers report.

The effect of paragraph 49 NPPF that relevant policies for the supply of housing should not be considered up to date if the planning authority cannot demonstrate a 5 year supply of deliverable sites is covered within paragraph 8 of your officer's report.

To put this into context Members should note that the NPPF applies a **presumption in favour of sustainable development**, in paragraph 14 of the Framework.

In relation to this application and its considerations the key point arising from an absence of 5 years supply is this:

That where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless:

– any adverse impacts of doing so would **significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole**; or

– specific policies in this Framework indicate development should be restricted.

It is our advice to you, that for the reasons set out within your officer report, there would be both significant and demonstrable adverse impacts which outweigh the benefits of additional housing supply having regard to the NPPF as a whole and specific policies indicate that development should be restricted.

Members were advised of an amended recommendation within the tabled papers wherein the final two bullet points were deleted and replaced with more detailed grounds for refusal.

Nick Perks, speaking on behalf of the Parish Council, said the decision to oppose the application was unanimous and noted that over 200 objections had been received. The proposed development was too large, in the wrong location and would overwhelm the village. There were major concerns regarding the applicant's capacity to deliver essential social and other infrastructure to accommodate such a significant increase in population. The proposal would increase the population by 20% putting unsustainable pressure on existing local infrastructure, facilities and services. The consultees responses made it clear there was insufficient money generated by the development to meet even the essential improvements needed for education, health care, highways, transport and waste. The proposal would urbanise a large, rural area and have a hugely harmful effect on the landscape character and biodiversity of the area and the additional vehicle movements would have a detrimental effect on the existing road network. The adverse impacts would significantly and demonstrably outweigh any benefits of providing such a large number of dwellings in Mid Suffolk.

Jackie Ward, an objector speaking on behalf of over 200 residents, said the community had welcomed new development for decades but felt threatened by this proposal. It was too large, unsustainable and would overwhelm available facilities. The combination of entrances and existing junctions on a road with a 50mph speed limit would cause traffic problems, particularly at peak times. If permitted the development would have a great adverse impact, changing the village dramatically and turning it into an urban landscape. It did not meet local housing need or deliver the affordable housing needed. If allowed it would set a precedent for all landowners to build on land outside the village.

Councillor Caroline Byles, Ward Member, said Stowupland had seen large growth over the years on the western side of the village. The proposed development was on the other rural side of the village with rural views over the Visually Important Open Space and there were well used footpaths on the site. There would be an adverse impact on the cluster of houses on Church Road and the nearby listed buildings. The number of dwellings proposed was too large and not sustainable with regard to infrastructure and local services. Occupants would rely on cars to access local services and this increase in vehicles would adversely impact on highway safety. She said the applicants were relying on paragraphs 14 and 49 of the NPPF but to do so it was necessary to show that the proposal was sustainable and the benefits outweighed the impacts. She agreed with the Planning Officer's advice that this was not so.

Members agreed with the Planning Officer's evaluation of the application. There were grave concerns regarding the adverse effect on highway safety, the landscape, biodiversity and the setting of the listed buildings, and the lack of provision for community infrastructure.

By a unanimous vote

Decision – That Outline Planning Permission be refused for the following reasons:

- The proposed development by virtue of the access onto Gipping Road would be detrimental to highway safety due to the narrow width, lack of footpaths and the potential vehicle speeds on this highway contrary to the objectives of saved policies H13 and T10 of the Mid Suffolk Local Plan and Paragraph 32 of the NPPF
- The proposed development by virtue of its scale, form and access arrangements would have a detrimental impact on the landscape character of the area including an area of Visually Important Open Space and would not conserve or enhance local distinctiveness contrary to Policies CS5 and SB3 of the Mid Suffolk Core Strategy, Policy FC1.1 of the Mid Suffolk Focused Review and saved Policy GP1 of the Mid Suffolk Local Plan and paragraphs 61 and 76 of the NPPF
- The proposed development would have detrimental impact on biodiversity due to the loss of hedgerows of high ecological importance contrary to Policy CS5 of the Mid Suffolk Core Strategy and Policy FC1 of the Core Strategy Focused Review and Paragraph 109 of the NPPF
- The proposed development by virtue of its scale and form would have a detrimental effect on the setting of heritage assets, including the cluster of Grade II listed buildings on Church Road and the Grade II* listed Columbine Hall and on that basis the proposal would be contrary to Policies CS5 of the Mid Suffolk Core Strategy, Policy 9.5 of the Stowmarket Area Action Plan and Policy FC1.1 of the Mid Suffolk Focused Review and Paragraph 132 of the NPPF
- The proposal fails to make adequate provision/contributions (and/or agreement to provide) community and other facilities/services for occupants of the dwellings. The applicants have not entered into the necessary legal agreement, which is required to ensure the following Community Infrastructure Requirements/Facilities are provided:
 - The provision of 35% of the dwellings as onsite Affordable Housing
 - Financial contributions towards Primary School and Secondary School Places, Pre-school Places, Libraries and Waste
 - Financial contributions towards Highway Improvements and a Traffic Regulation Order in order to address highway and pedestrian concerns and improvements to the Public Right of Way network
 - The provision of Play Space and Sports Space and Social Infrastructure
 - A Management Plan to deal with the provision of maintenance and transfer of open space and play space equipment
 - A financial contribution to Healthcare

The proposal is therefore contrary to the NPPF and saved Policy CS6 and saved Altered Policy H4 of the adopted Mid Suffolk Local Plan First Alteration and Stowmarket Area Action Plan 2013.

Item 2

Application	4029/14
Proposal	The demolition of 82-84 Steeles Road, Woolpit and the erection of three 2 bed dwellings including associated external works
Site Location	WOOLPIT – 82-84 Steeles Road
Applicant	Orbit Homes

Councillor Ray Melvin, Ward Member, commenting by email said the application did not raise any problems at all and he was glad to support it. He said it was an excellent proposal other than the closeboarded new Southern boundary which he felt presented a very hard and abrasive appearance on the skyline. It marked the new extended edge of the village and had a very urban look which would become worse when the next tranche of development was completed. He suggested a quick growing hedge be planted to cover it as soon as possible.

Mindful that the Code for Sustainable Homes would no longer apply from 1 April a motion for approval subject to an amendment to [b] to add the words 'or equivalent measures' was proposed and seconded.

By a unanimous vote

Decision – That authority be granted to the Corporate Manager (Development Management) to Grant Planning Permission subject to the applicant first entering into a Section 106 Planning Obligation to his satisfaction:

[a] to secure the provision of the dwellings as affordable

[b] construction of those dwellings to Level 3+ of the Code for Sustainable Homes or equivalent measures

[c] compliance monitoring costs

and that the planning permission be subject to conditions covering the following matters:

- Time limit for commencement
- As recommended by SCC Highways including parking
- Development to be carried out in accordance with approved plans and documents

Item 3

Application	3997/14
Proposal	Erection of 2 no dwellings and 4 no flats and associated parking. Installation of solar panels. Erection of screen wall and fencing. Alteration to vehicular access
Site Location	LAXFIELD – Land off Noyes Avenue
Applicant	Orbit Homes

It was noted that legal advice had been received and if the application was approved the Council would enter into a Section 106 Agreement with Suffolk County Council who would act as guardian to ensure the properties remained as affordable housing.

Ian Tippett, Strategic Housing Officer, speaking as the applicant said this was an application to develop Council owned land for housing and car parking. There was a strong need for affordable housing across the District and the Strategic Housing Team had worked closely with the Parish Council and Havebury Housing to bring the proposal forward. There had been local concerns regarding possible on-street parking problems but current parking standards were met and there were an additional four parking spaces provided. The open space would be maintained by the Council's Public Realm Department. The dwellings would be built using a fabric first approach and to life time homes standards.

Members found the application satisfactory but had concerns regarding the possibility of cars parking on the open space and requested that the landscaping condition be strengthened to prevent vehicle access to these areas.

By a unanimous vote

Decision – That on the satisfactory completion of an Agreement pursuant to Section 106 of the Town and Country Planning Act 1990 securing the properties for affordable rent, powers to Grant Full Planning Permission with conditions covering the following matters be delegated to the Corporate Manager (Development Management):

- Time limit
- As approved plans
- Materials to be agreed
- Visibility splays
- Parking and turning spaces to be functionally available and retained as such
- Parking spaces and turning spaces to be clearly marked on site
- Archaeology
- Boundary treatments and other means of enclosure to be installed before first occupation
- Development to accord with AIA
- Landscaping including a requirement for hard landscaping to include bollards or similar measures to prevent vehicle access onto landscaped/amenity areas adjacent to the vehicular turning head to be agreed, and implementation
- Noise level specification of air source heat pumps to be agreed
- Permeable surfacing materials to hard surfaces
- Removal of permitted development rights on dwellings
- Full details of bin store and implementation

Item 4

Application	3995/14
Proposal	Demolition of garage block, erection of 3 no bungalows and associated parking
Site Location	LAXFIELD – 39 Mill Road
Applicant	Mid Suffolk District Council

The Senior Planning Officer advised that additional conditions were now included in the recommendation as follows:

- Noise level specification for air source heat pumps to be agreed
- Contamination condition as advised by Environmental Protection Team as per late papers

Ian Tippett, Strategic Housing Officer, speaking as the applicant said the development had been designed to complement the previous application. It had been designed in response to the need for affordable housing and would provide additional parking which would be of community benefit. He was aware of the community concerns regarding parking hence the provision of two spaces per dwelling plus seven additional spaces. Hardstanding would be provided for the two neighbouring dwellings using the garages for parking and sheds for the remaining two using them for storage.

Members generally found the application satisfactory although a view was expressed that two storey dwellings would be a better use of the land.

By 9 votes to 1

Decision – That on the satisfactory completion of an Agreement pursuant to Section 106 of the Town and Country Planning Act 1990 securing the properties for affordable rent, powers to Grant Full Planning Permission with conditions covering the following matters be delegated to the Corporate Manager (Development Management):

- Standard time limit
- List of approved documents
- All parking spaces prior to occupation
- Hard and soft landscaping, including boundary treatments, to be agreed prior to commencement
- Landscaping timing and tree protection
- Details of facing and roofing materials to be agreed prior to work above slab level
- Archaeology if required
- Contamination condition as advised by Environmental Protection Team as per late papers
- Noise level specification for air source heat pumps to be agreed
- Solar panels to be included within the development and detailed specification to be agreed.