

## MID SUFFOLK DISTRICT COUNCIL

Minutes of the **PLANNING COMMITTEE** held at the Council Offices, Needham Market on Wednesday 16 July 2014 at 2.00pm

**PRESENT:** Councillor: Matthew Hicks – Chairman

Councillors:	Roy Barker	John Matthissen
	Gerard Brewster	Lesley Mayes
	David Burn	Ray Melvin
	Stuart Gemmill	Mike Norris
	Kathie Guthrie	Derek Osborne
	Diana Kearsley	Poppy Robinson
	Sarah Mansel	Jane Storey
	Wendy Marchant	

**In attendance:** Corporate Manager – Development Management (PI)  
Senior Development Management Planning Officer (ET)  
Economic Development Officer (DE)  
Housing Development Officer (DC)  
Viability Officer (RL)  
Governance Support Officer (VMC)

### RF11 APOLOGIES/SUBSTITUTIONS

An apology for absence was received from Councillors John Field, Barry Humphreys and Stephen Wright.

### RF12 DECLARATIONS OF PECUNIARY OR NON-PECUNIARY INTEREST

Councillor Matthew Hicks declared a non-pecuniary interest in the application as the Suffolk County Councillor with Assistant Cabinet Member for Education and Skills responsibility.

### RF13 DECLARATIONS OF LOBBYING

There were no declarations of interest.

### RF14 DECLARATIONS OF PERSONAL SITE VISITS

There were no declarations of personal site visits.

### RF15 APPLICATION 0846/13

In accordance with the Council's procedure for public speaking on planning applications representations were made as detailed below:

Planning Application Number      Representations From

0846/13

Peter Dow (Parish Council)  
Lesley Reed (  
Tim Booth (Applicant)

Application Number:

**0846/13**

Proposal:

Outline planning application for demolition of all buildings on site (comprising redundant factory buildings in Use Class B2, settlement tanks and 6 derelict residential properties) and erection of up to 190 residential dwellings and pumping station. Construction of a new access road to Station Road. (Appearance, landscaping, layout and scale to be the subject of a future reserved matters application

Site Location:

**ELMSWELL** – Former Grampian Harris, St Edmunds Drive

Applicant:

Harrow Estates plc

The application had been considered by Development Control Committee B on 7 May 2014. At that time Members had supported the proposal in line with the recommendation, but agreed that having regard to the location, scale and strategic nature of the application it should be reported to Planning Committee following further negotiation with the applicant regarding the provision of mixed use development. Since that date additional consultation responses had been received from Network Rail, Economic Development and Suffolk County Council Highways Department. The applicant had also provided further information regarding employment uses on the site.

Members were advised that Network Rail had submitted a further response to consultation and had now revised their position in relation to the application. Following consideration of this new information Officers had amended the recommendation in the report to include an additional condition. The Network Rail response and the revised recommendation were contained in the tabled papers and the Chairman advised that the meeting would be adjourned for a few minutes to allow Members to read them.

The Economic Development Officer informed the Committee that the site had been vacant for a considerable time. There had been no employment use since 2006 and although it had been extensively marketed no interest had been shown. It had therefore been agreed that the site could be used for residential development and it was no longer included in the sites allocated for employment use. However, there were two measures included in the application that would support employment: improved broadband speeds for the business premises located on the adjacent Station Road industrial estate; and fibre (FTTP) connections for the proposed dwellings which would encourage working from home and reduce outward commuting.

Peter Dow said that the Parish Council had submitted a full response detailing their objections to the proposal. Although the Highways Authority and Network Rail considered the application to be satisfactory the residents of Elmswell did not.

He said that a pedestrian footbridge must be ramped in order to allow access to mothers with pushchairs, the elderly and the disabled and this was not possible at the Hawks End Crossing due to space restrictions. No other location for a ramped bridge was available but an alternative site had been identified with the space for a road and pedestrian bridge to be constructed where the proposed relief road would go. This would alleviate the current problems of traffic delays at the level crossing and allow pedestrian access. He asked that if Members were minded to approve the application that the conditions be amended to allow the proposed contribution towards a footbridge to be for a road and pedestrian bridge.

Lesley Reed, commenting on the application, advised that there was still a great deal of work to be done with regard to a Neighbourhood Plan for the village. She said she was unsure if a referendum was held on whether a relief road should be built she was unsure of the outcome. The application was for outline permission only and much could change before the reserved matters application was received. She said it was important that the Hawks End Crossing was made safe.

Tim Booth, the applicant, advised that consultations with the Parish Council had first taken place two years previously and he believed it was now time for a decision to be made and urged approval of the Officer's recommendation. He said that all political parties were urging development of previously used land to provide housing and this application was policy compliant and there were no technical objections preventing development of the site. He suggested that if the Committee wished to consider funding being made available for a relief road it could look to divert Section 106 funding, with the exception of the Network Rail payment. He also believed that there would be a surplus from the footbridge payment which would come back to the Council for alternative use.

Councillor Sarah Mansel, Ward Member, said that most residents accepted that development would happen but wished to see a benefit to the community resulting in a Neighbourhood Planning Group being started. Although she understood the argument for no employment use on the site and agreed the improved broadband would go some way to mitigate this loss, she agreed with the Parish Council that a relief road would encourage increased employment to the north of the railway line. She said that a step bridge was not acceptable and there was insufficient room for a ramped bridge. She considered that the £1.3m contribution for a footbridge at Hawks End Lane would be a waste of money and she urged an amendment to the condition to remove the words 'pedestrian footbridge' and for this to be replaced with 'bridge elsewhere'.

Councillor Jane Storey, Ward Member, said that the site had an employment use for many years and she regretted the proposal was not for mixed development. Although the village had trebled in size local employment opportunities had dwindled and she considered that industry should be encouraged. She felt the increase in traffic from the proposed development would have such a severe impact on queues at the railway crossing that the application should be refused on transport grounds. She said if Members were minded to approve the proposal that conditions for mixed use and requiring a relief road to be built should be included.

Members agreed that the proposed housing was needed, particularly the affordable housing, and that Elmswell was a sustainable village with the capacity to accommodate the development. However, great concern was expressed regarding

the adverse impact on the railway crossing from the additional traffic resulting from the development and it was considered that it would be preferable if a road and pedestrian bridge was constructed and the existing pedestrian crossing at Hawks End lane closed. Whilst recognising that the Committee was unable to condition the construction of such a bridge or relief road it was felt that this would be a better use of Section 106 monies and it was suggested that 50% of any residual funds arising from the proposed contributions should be used for this purpose if possible, the remaining 50% of residual funds to be applied for affordable housing. A motion to approve the revised recommendation subject to amendments to the rail crossing condition and the S106 heads of terms was proposed and seconded.

By a unanimous vote

**Decision** – Grant planning permission as per the amended recommendation subject to S106 and conditions with the following amendments:

Add rail risk mitigation condition:

- No development, with the exception of demolition and remediation, shall take place on the site until a strategy for mitigating risk at Hawk End lane crossing has been agreed in writing by the planning authority. The strategy shall have been the subject of consultation by the developer with Network Rail and the Parish Council and shall demonstrate the steps taken to address advice given. The strategy shall include a clear timetable for delivery of mitigation of risk relative the construction and occupation of the development. The development and any risk mitigation measures shall thereafter be delivered in accordance with the agreed strategy and timetable

Add new Section 106 heads of terms:

- Contribution toward risk mitigation strategy measures for Hawk End lane crossing
- Any residue commuted sums to be applied [a] 50% to affordable housing provision and [b] 50% reserved for 24 months from the date of decision to be applied towards the advancement of the Elmswell link road infrastructure providing this infrastructure forms part of the development plan by that time

In the event that the link road infrastructure does not form part of the development plan within 24 months of the date of decision then that residue to be applied to affordable housing provision at the discretion of the Corporate Manager – Development Management

Amend existing S106 heads of terms:

- Phased on site public open space delivery and maintenance. In the interim public open space to include reservation of land to be made available for link road in the event that such link road forms part of development plan for the locality

Guillotine as recommended