

# Public Document Pack



	<b>DEVELOPMENT CONTROL COMMITTEE B</b>
<b>DATE:</b>	<b>WEDNESDAY, 31 MARCH 2021 9.30 AM</b>
<b>VENUE:</b>	<b>VIRTUAL TEAMS VIDEO MEETING</b>

For consideration at the meeting on Wednesday, 31 MARCH 2021, the following additional or updated papers that were unavailable when the Agenda was printed.

## **TABLED PAPERS**

		<u>Page(s)</u>
5	<b>SA/20/13 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 3 MARCH 2021</b>	3 - 12
	To Follow.	
b	<b>DC/20/04572 LAND REAR OF SIX BELLS, CHURCH ROAD, FELSHAM, SUFFOLK</b>	13 - 16

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact the Committee Officer, Robert Carmichael - [committees@babermidsuffolk.gov.uk](mailto:committees@babermidsuffolk.gov.uk) - 01449 724930

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Councillor Andrew Stringer and Councillor Andrew Mellen declared non-pecuniary interests as they were present at a meeting with Bellway Homes regarding another non-related application.

**58 DECLARATIONS OF LOBBYING**

Councillor Guthrie, Councillor Caston, Councillor Humphreys, Councillor Gould, Councillor Norris and Councillor Warboys declared they had been lobbied on application numbers DC/19/05956 and DC/20/01110.

Councillor Mellen declared he had been lobbied on application numbers DC/19/05956, DC/20/01110 and DC/20/04723.

**59 DECLARATIONS OF PERSONAL SITE VISITS**

Councillor Humphreys declared a personal site visit in respect of application number DC/20/01110.

**60 SA/20/11 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 3 FEBRUARY 2021**

It was Resolved that the Minutes of the meeting held on 3 February 2021 were confirmed as a true record.

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

None received.

**62 SA/20/12 SCHEDULE OF PLANNING APPLICATIONS**

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

Application Number	Representations From
DC/19/05956	Diana Warne (Parish Council) John Castro (Objector) Charlie Davidson (Applicant) Councillor Lavinia Hadingham (Ward Member)
DC/20/01110	Nicky Wilshere (Parish Council) Glenis Balhaam (Objector) Robert Barber (Agent) Councillor John Matthissen (Ward Member)
DC/20/04723	Laura Dudley-Smith (Agent) Cllr Dave Muller (Ward Member) Cllr Terence Carter (Ward Member)

**63 DC/19/05956 LAND OFF, POST MILL LANE, FRESSINGFIELD**

**63.1 Item 7a**

Application	DC/19/05956
Proposal	Outline planning application (all matters reserved) – Erection of up to 18 no. dwellings and associated new roads, infrastructure and open space.
Site Location	<b>FRESSINGFIELD</b> – Land off, Post Mill Lane, Fressingfield
Applicant	C.E.Davidson Ltd

63.2 The Strategic Projects and Delivery Manager presented the application to the committee which had been deferred by the committee on 25 November 2020 to enable Officers to take legal advice in respect of the approach to decision making. The Officer advised Members that the opinion received from Counsel were included with the Committee papers. The Officer then advised Members that an appeal had been lodged on the grounds of non-determination of the application, however confirmation had not yet been received confirming whether the appeal was valid or if a start date had been set.

63.3 The Strategic Projects and Delivery Manager outlined the proposal before Members, the layout and location of the site, the amendments made to the proposal since the application had been presented to Committee, the various policies applicable and the services in the area.

63.4 The Chief Planning Officer advised Members that the Council had sought Counsel's advice regarding the application, on Neighbourhood Plan Policies and the relationship with the NPPF.

63.5 Members considered the representation from Diana Warne of Fressingfield Parish Council who spoke against the application.

63.6 Members considered the representation from John Castro who spoke as an objector.

63.7 Members considered the representation from Charlie Davidson who spoke as the applicant.

63.8 The Strategic Projects and Delivery Manager and the Chief Planning Officer responded to questions from Members regarding the review process for the Neighbourhood Plan.

63.9 Members considered the representation from the Ward Member, Councillor Lavinia Hadingham who spoke against the application.

63.10 Members debated the application on issues including waste and sewage systems, the removal of the bus service, the further evidence before Members, the sustainability of the location and the Neighbourhood Plan,

63.11 Councillor Gould proposed that the application be refused as detailed in the officer recommendation.

63.12 Councillor Mellen seconded the motion.

63.13 By a unanimous vote

**It was RESOLVED:**

**1) That Members resolve to: refuse planning permission, or in the event that the appeal has begun agree putative reasons for refusal, for the following reasons:**

- i. The Fressingfield Neighbourhood Development Plan (“FNDP”) provides a comprehensive strategy for growth which positively plans for development to meet its identified needs. The FNDP is recently made and in relation to new housing identifies where sustainable housing development should, and should not, go.**

**The proposed development of up to 18 no. dwellings, outside of the settlement boundary in the countryside and without a justifiable need, fails to accord with policy FRES1 of the FNDP. It fails to accord with policies CS1, CS2, and H7, and in turn policy FC1.1.**

**Straightforwardly, the proposed development is inimical to the spatial strategy of an up to date development plan. It conflicts with the development plan as a whole, for this reason alone. It does not represent sustainable development and is contrary to the NPPF.**

**The development conflicts with the development plan when taken as a whole and there are no material considerations which indicate that a decision should be taken other than in accordance with the development plan.**

**2) That Members delegate authority to the Chief Planning Officer to defend the appeal for the reasons set out under 1) above, being amended and/or varied as may be required.**

**3) That Members endorse the recommendation that officers write to the PINS requesting that the appeal be dealt with by way of the public inquiry procedure on account of substantial local interest and the need for planning policy evidence to be tested through formal questioning by an advocate.**

**64 DC/20/01110 LAND TO THE SOUTH OF, UNION ROAD, ONEHOUSE, SUFFOLK**

64.1 A short comfort break was taken between 11:05-11:15 after the completion of DC/19/05956 but before the commencement of DC/20/01110.

64.2 Item 7B

Application Proposal	DC/20/01110 Outline Planning Application (access to be considered) for the erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, landscaping, associated highways, drainage and utilities infrastructure.
Site Location	ONEHOUSE – Land To The South Off, Union Road, Onehouse, Suffolk
Applicant	Endurance Estates Land Promotion Limited and Mr Paul

64.3 The Case Officer presented the application to the Committee outlining the application before Members, the layout and location of the site, the reason for the application being deferred by the Committee at the meeting on 6 January 2020, the amendments made to the application and the officer recommendation of approval.

64.4 The Case Officer responded to questions from Members on issues including: the location of the hedgerows to be removed.

64.5 Members considered the representation from Nicky Wilshere who spoke on behalf of Onehouse Parish Council.

64.6 Members considered the representation from Glenis Balaam who spoke as an objector.

64.7 The Case Officer provided confirmation to Members that the current investigation into seeping of site water in the area did not apply to this site.

64.8 Members considered the representation from Robert Barber who spoke as the Agent.

64.9 The Agent responded to questions from Members on issues including the proposed layout of properties on the site.

64.10 Members considered the representation from Councillor Matthissen who spoke as a Ward Member.

64.11 Members debated the application on issues including the Joint Local Plan.

64.12 The Area Planning Manager and Planning Lawyer advised Members on the status of the Local Plan following Appeal outcomes.

64.13 Members continued to debate the application on issues including sustainability, local transport services, potential flooding of the development, landscaping and preservation of the hedgerows, and housing allocation numbers in the area.

64.14 The Area Planning Manager advised Members on the application before them being about the principle of development, that a new bus service was due to be introduced into the area through the Chilton Leys development, the response from the lead flood authority and the Affordable Housing provision.

64.15 Members continued to debate the application on issues including: sustainability, housing allocation numbers, the potential flood risk,

64.16 Councillor Caston proposed that the application be approved as detailed in the officer recommendation with the additional conditions as follows:

- A scheme of advanced planting shall be agreed
- The development shall accord to the Landscape Context Plan.

64.17 Councillor Humphreys seconded the motion.

64.18 By 4 votes to 4

64.19 The Chair used their casting vote in favour of the proposal. The motion was thus carried.

It was RESOLVED:

**That authority be delegated to the Chief Planning Officer to grant outline planning permission:**

**(1) Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Chief Planning Officer to secure:**

- **Affordable housing - Minimum of 21% on-site affordable housing, with the tenure split and housing mix to be agreed with officers as part of the s106 negotiations.**
- **Travel plan administration**
- **Education**
- **Libraries books and records contribution with full amount deferred subject to any change in scheme viability.**
- **Waste**
- **Open space provision and maintenance**
- **NHS contribution - If not allocated prior to the first occupation money to convert to commuted sum for Affordable Housing.**

**(2) That the Chief Planning Officer be authorised to GRANT outline Planning Permission upon completion of the legal agreement subject to**

conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- Standard time limit for reserved matters and implementation
- Landscaping in general accordance with the 'retained and removed vegetation' plan
- Approved Plans
- Visibility splays
- Footway provision
- Access layout
- Estate roads details
- Parking details
- Travel Plan
- Resident's travel Pack
- Construction management plan
- Waste conditions
- Archaeology
- Hydrants
- Levels
- Construction environmental management plan
- Skylark mitigation
- Landscape and ecological management plan
- Biodiversity enhancement strategy
- Wildlife sensitive lighting design scheme
- SuDs conditions
- Resource efficiency and sustainability scheme to be agreed including EV charging prior or concurrent with the submission of the first reserved matter now includes water butts

- (3) And the following informative notes as summarised and those as may be deemed necessary: • Pro active working statement • SCC Highways notes • Support for sustainable development principles • Anglian Water
- (4) That in the event of the Planning obligations or requirements referred to in Resolution (1) above not being secured and/or not secured within 6 months that the Chief Planning Officer be authorised to refuse the application on appropriate ground

**Additional Conditions:**

- A scheme of advanced planting shall be agreed
- The development shall accord to the Landscape Context Plan.

**65 DC/20/04723 SITE 3C AND 3D LAND SOUTH OF, GUN COTTON WAY, STOWMARKET, SUFFOLK**

65.1 A lunch break was taken between 13:05-13:30 after the completion of DC/20/01110 but before the commencement of DC/20/04723.

65.2 Item 7C

Application	DC/20/04723
Proposal	Full Planning Application- Residential Development of No141 dwellings (49 affordable dwellings) with associated access, landscaping amenity space and parking.
Site Location	STOWMARKET- Site 3C and 3D Land South of, Gun Cotton Way, Stowmarket, Suffolk
Applicant	Bellway Homes Ltd (Eastern Counties)

65.3 The Case Officer presented the application to the Committee outlining the proposal before Members, the layout of the site, and the officer recommendation of approval as detailed in the Committee Report.

65.4 The Case Officer responded to Members' questions on issues including: the links into the existing cycle path network.

65.5 Members considered the representation from Laura Dudley-Smith who spoke as the Agent.

65.6 The Agent responded to Members questions on issues including: the number of triple parking spaces on site, whether the dwellings were NDSS compliant, Electric Charging Points on site, the proposed heating method for the dwellings, the open space provision on site and in the immediate area.

65.7 Members considered the representation from Councillor Dave Muller, Ward Member, who spoke against the application.

65.8 The Ward Member responded to Members' questions on issues including: the pond to the south of site 3C, and the lack of play area equipment on the site.

65.9 Members considered the representation from Councillor Terence Carter, Ward Member, who spoke against the application.

65.10 Members debated the application on the issues including; the proposed dwellings on site and their size, the lack of a play area on the site, the density of the proposal, the proximity to the Town and the railway station, road crossings in the area, and that the proposed dwellings would have gas boilers.

65.11 Councillor Kathie Guthrie proposed that the application be deferred for the reasons as follows:

- To allow officers to explore potential provision of a LEAP in accord with policy RT4.

65.12 Councillor Mike Norris seconded the proposal.

65.13 By a unanimous vote.

65.14 **RESOLVED**

**That application DC/20/04723 be deferred for the following reason:**

- **To allow officers to explore potential provision of a LEAP in accord with policy RT4.**

**66 SITE INSPECTION**

The business of the meeting was concluded at 2.44 pm.

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Chair

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# Agenda Item 7b

## MEMBER REFERRAL TO COMMITTEE

(Completed form to be sent to Case Officer and Corporate Manager – Growth & Sustainable Planning)

Planning application reference	DC/20/04572
Parish	FELSHAM
Member making request	PENNY OTTON
Please describe the significant policy, consistency or material considerations which make a decision on the application of more than local significance	<p>Policy HB1, H13, HB2 DESIGN AND RESIDENTIAL AMENITY</p> <p>Should respond to and safeguard the existing character.</p> <p>Be compatible to its location in terms of scale. Mass, form and siting.</p> <p>Protect and retain natural features such as trees or hedgerows.</p>

<p>Please detail the clear and substantial planning reasons for requesting a referral</p>	<p>A previous application was refused by Mid Suffolk and at appeal by the Inspector.</p> <p>A more recent application was refused by Mid Suffolk under delegated powers.</p> <p>To be “sympathetic to the neighbouring listed buildings and in the interest of visual amenity and the character and appearance of the area”</p> <p>Felsham is a conservation area, and adjacent to Grade 11 listed buildings.</p> <p>POLICY HB1, HB8,H13 support development principles that contribute to local distinctiveness and scale of the heritage asset, through the use of appropriate design and materials .I feel that this design is at odds with that and will have a detrimental effect on the surrounding listed buildings and does not therefore comply</p> <p>POLICY T10. There will be a significant increase in water run off on to the highway against flood risk; there is already a problem here which will be exacerbated.</p>
<p>Please detail the wider District and public interest in the application</p>	<p>This application will have a detrimental effect on the viability of the house despite the council wishing to support local businesses and</p>
<p>If the application is not in your Ward please describe the very significant impacts upon your Ward which might arise from the development</p>	
<p>Please confirm what steps you have taken to discuss a referral to committee with the case officer</p>	<p>I have spoken in depth to the planning officer who refused the application prior to this. This application , although with some minor amendments does not overcome the reasons</p>
	<p>Penny Otton</p>

**From:** Sam Harvey <[Sam.Harvey@suffolk.gov.uk](mailto:Sam.Harvey@suffolk.gov.uk)>

**Sent:** 18 March 2021 09:44

**To:** John Pateman-Gee <[John.pateman-Gee@baberghmidsuffolk.gov.uk](mailto:John.pateman-Gee@baberghmidsuffolk.gov.uk)>; Graeme Mateer <[Graeme.Mateer@suffolk.gov.uk](mailto:Graeme.Mateer@suffolk.gov.uk)>

**Subject:** RE: Felsham

Hello John

just had a conversation with Graeme and we are in agreement that as the site is using an existing access with no accident history and the access can achieve the required visibility from the channel of the carriageway 2.4m back, as this has been evidenced, the lines can be removed. It was really 'belt and braces' having the edge marked so that approaching traffic knew that there was an access to the left.

Let me know if I can help further.

Sam

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