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| PLANNING COMMITTEE | |
| DATE: | WEDNESDAY, 16 JUNE 2021 9.30 AM |
| VENUE: | KING EDMUND CHAMBER, ENDEAVOUR HOUSE, 8 RUSSELL ROAD, IPSWICH |

For consideration at the meeting on Wednesday, 16 JUNE 2021, the following additional or updated papers that were unavailable when the Agenda was printed.

TABLED PAPERS

| | | <u>Page(s)</u> |
|---|--|----------------|
| 3 | PL/21/3 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 4 JUNE 2021 | 3 - 8 |
| | To follow. | |
| a | DC/20/04663 LAND EAST OF THE CONSTABLE COUNTRY MEDICAL CENTRE, HEATH ROAD, EAST BERGHOLT, SUFFOLK | 9 - 10 |
| b | DC/20/04615 LAND OFF LADY LANE, HADLEIGH, SUFFOLK | 11 - 14 |
| c | DC/20/05137 LAND AT COBBOLDS FARM, IPSWICH ROAD, HADLEIGH, IPSWICH, SUFFOLK, IP7 6BG | 15 - 16 |

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Agenda Item 3

BABERGH DISTRICT COUNCIL

Minutes of the meeting of the **PLANNING COMMITTEE** held in the King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Friday, 4 June 2021 – 09:30AM

PRESENT:

Councillor: Stephen Plumb (Chair)
Susan Maria Ayres B.Ed Hons (Vice-Chair)

Councillors: Melanie Barrett
John Hinton
Mary McLaren
Alison Owen

David Busby
Leigh Jamieson
Jan Osborne
Lee Parker

Ward Member(s):

Councillors: None

In attendance:

Officers: Planning Lawyer (IDP)
Strategic Projects and Delivery Manager (SS)
Planning Officer (SS)
Governance Officer (RC)

1 SUBSTITUTES AND APOLOGIES

Apologies of absence were received from Councillors Adrian Osborne and Peter Beer.

Councillor Jan Osborne substituted for Councillor Adrian Osborne.

2 DECLARATION OF INTERESTS

None declared.

3 PL/21/1 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 19 MAY 2021

It was resolved that the minutes of the meeting held on th 19 May 2021 were confirmed and signed as a true record.

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

None received.

5 SITE INSPECTIONS

The Chair made a statement regarding site inspections that advice had been sent to all Members from the Chief Planning Officer and the Corporate Manager – Health and Safety regarding site visits and how these related to Covid working restrictions and guidance.

The Chair outlined that there had been significant interest from Members for going on a site visit for DC/20/03247 and that if Members did want to go on a site visit then Members could put forward this proposal after the officer presentation.

6 PL/21/2 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

In accordance with the Council’s arrangements for Public Speaking at Planning Committee, representations were made as detailed below relating to the items in Paper PL/18/ and the speakers responded to questions put to them as provided for under those arrangements.

| Application Number | Representations From: |
|--------------------|---|
| DC/20/03247 | Simon Pearce – Woolverstone Parish Council Stevie Kent – Objector Roger Balmer – Agent Alastair Davidson - Agent |

It was 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/21/2 be made as follows:-

7 DC/20/03247 SITES AND CYCLE PATHS WOOLVERSTONE TO HOLBROOK, WOOLVERSTONE TO CHELMONDISTON, MAIN ROAD, WOOLVERSTONE, SUFFOLK

7.1 Item 6A

| | |
|----------------------|---|
| Application Proposal | DC/20/03247 Full Planning Application – Erection of phased development of 22no. dwellings, creation of cycle path links to Holbrook and Chelmondiston, improvements to Berners Hall car park, provision of public open space and landscape enhancements. |
| Site Location | WOOLVERSTONE- Sites and Cycle Paths Woolverstone to Holbrook, Woolverstone to Chelmondiston, Main Road, Woolverstone, Suffolk |
| Applicant | Geoffrey Mayhew Farms Ltd. |

7.2 The Case Officer presented the application to the Committee outlining the proposal before Members, the location and layout of the sites before Members,

the location of the proposed cycle paths, the contents of the tabled papers, and the updated officer recommendation of approval as detailed in the tabled papers.

- 7.3 The Case Officer responded to Members' questions on issues including: the footpath from site 1, conditions for electric car charging points, secure cycle storage, and that Woolverstone is currently considered a Hinterland Village in the current Local Plan and is due to be downgraded to a Hamlet in the proposed Joint Local Plan.
- 7.4 The Case Officer responded to further questions from Members on issues including: that Harkstead Road is a single track Road, the distances of the footpaths and cycleways, the current capacity of the Car Park at the Hall, the Public Open space and the possibility of CIL funding.
- 7.5 It was noted that before the public speaking began the Chair that all Parish Councils which the application spanned had been contacted regarding speaking at the meeting.
- 7.6 Members considered the representation from Simon Pearce of Woolverstone Parish Council who spoke against the application.
- 7.7 Members considered the representation from Stevie Kent, who spoke as an Objector.
- 7.8 The Parish Council representative and Objector responded to Members questions on issues including: the education provision in the area including school transport, the timing of the traffic survey being undertaken in the summer, and the use of the hall.
- 7.9 A short break was taken between 10:26-10:28
- 7.10 Members consider the representation from Roger Balmer and Alastair Davidson who spoke as the Agents.
- 7.11 The Agents responded to Members questions on issues including: the distances of the proposed cycle paths and their proposed use, the vehicle access to the hall being widened, the proposed passing places in Harkstead Lane, the public benefits of the proposal, the connectivity that the application would ensure, the sustainable design features and the heritage considerations.
- 7.12 The Agents responded to further questions from Members on issues including: the accessibility of the proposed homes, and why there are less affordable homes than in the Councils policy.
- 7.13 Members debated the application on the issues including: that the application was finely balanced, the applications relationship to the Councils policies, that not needs assessment had been undertaken, the Council's Affordable Housing Policy and possible allocations if approved, the proposed cyclepath's and footways, the cycling routes in the areas, and the width of Harkstead Lane.

7.14 Members continued to debate the applications on the issues including: the Current Local Plan and the Draft Joint Local Plan that had limited weight and the possible benefits associated with the application and the responses from consultees.

7.15 Councillor Dave Busby proposed that the application be approved as detailed in the updated officer recommendation in the tabled papers and the additional condition as follows:

- Provision for High standard of energy efficiency and sustainability TBA.

7.16 Councillor Sue Ayres seconded the motion.

7.17 By 7 votes to 3.

7.17 RESOLVED

That authority be delegated to the Chief Planning Officer to grant full 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 as summarised below and those as may be deemed necessary by the Chief Planning Officer to secure:

- Two affordable housing units
- On site open space and includes management of the space to be agreed and requirement for public access at all times.
- Car park extension to the village hall
- RAMS Contribution
- Cycleways to be open at all times for public access
- Highway improvements

(2) That the Chief Planning Officer be authorised to grant 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 (3yrs for implementation of scheme/Outline/Reserved/Section73?)
- Approved Plans (Plans submitted that form this application)
- Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL)
- Visibility splays
- Footways to be provided
- Details of accesses to be agreed • Parking • Bin Storage and Presentation to be agreed
- Cycle Path to be secured
- Construction Management Plan

- **Cycle Path Details to be agreed (including surface material)**
- **Ecological Mitigation**
- **LEMP to be submitted and agreed**
- **External lighting to be agreed**
- **Sample of brickwork**
- **Details of external materials**
- **Details of rainwater goods**
- **Details of windows and doors**
- **Detailed sections of eaves and verges**
- **Details of boundary treatments and hard surfaces**
- **Landscape plan (hard and soft)**
- **Landscape time limit**
- **Landscape Management Plan**
- **No burning on site**
- **Construction hour limit**

(3) And the following informative notes as summarised and those as may be deemed necessary:

- **Proactive working statement**
- **SCC Highways notes**
- **Support for sustainable development principles**
- **Land Contamination**

(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 Condition:

- **Provision for High standard of energy efficiency and sustainability TBA.**

The business of the meeting was concluded at 11.16 am.

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Chair

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Agenda Item 6a

DC/20/04633 – Tabled Paper – Housing Mix

The table should read as follows:

| Dwelling Type | Affordable | Private | Total |
|----------------------|-------------------|------------------|--------------|
| 1 bedroom apartment | 6 | 0 | 6 |
| 2 bedroom apartment | 2 | 0 | 2 |
| 2 bedroom house | 13 | 10 (5 bungalows) | 23 |
| 3 bedroom house | 5 | 11 | 16 |
| 4 bedroom house | 0 | 28 | 28 |
| Total | 26 (35%) | 49 | 75 |

Regards

Emma

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Agenda Item 6b

LATE PAPERS

DC/20/04615 Land Off Lady Lane Hadleigh, Suffolk

Further to the Officer's committee report, we have now received additional comments from Environmental Health (Noise/Odour/Light/Smoke) as well as the Policy Team.

The following comments from Environmental Health were received on Friday 11th June.

**“SUBJECT: Land off, Lady Lane, Hadleigh, IPSWICH, Suffolk.
Outline Planning Application (some matters reserved, access and landscaping to be considered) Town and Country Planning Act 1990 -
Erection of 45No dwellings (including up to 15 affordable dwellings)
(following demolition of three existing buildings).
*Please find below my comments regarding noise/odour/light/smoke matters only.***

Thank you for your re-consultation on the above application.

It appears that the site operates under an Environment Agency which is regulated by the Environment Agency and I note they have been consulted on this application. I would recommend that you seek further comment from them, if you have not already done so. This is because any substantiated complaints could result in the fettering of the activity of the chemical factory.

I have had regard to the document 'odour assessment' (produced by Redmore Environmental, reference 4369r1, dated 12th May 2021) which has been carried out in accordance with IAQM methodology and has found the impacts of the chemical factory to be between 'negligible' and 'slight' and therefore deemed to be 'not significant' overall. The prevailing wind at the site does not come from the direction of the chemical factory.

There is some ambiguity as to whether CK chemicals were operating throughout the time of all the survey, although the odour description given in the field odour surveys suggests they were operating.

I would conclude that there is potential for a degree of loss of amenity due to odour at the proposed development, but that this may be deemed fairly low and potentially in-keeping with the industrial nature of the area.”

The following comments from the Policy Team were received on 9th June.

“

Planning Application – Strategic Planning Consultation Response

| | |
|--|--|
| Planning Application Reference: | DC/20/04615 |
| Site: | Outline Planning Application (some matters reserved, access and landscaping to be considered) - Erection of up to 45No dwellings (including up to 15 affordable dwellings) (following demolition of three existing buildings). |
| Proposal: | Land Off Lady Lane Hadleigh Suffolk |
| Prepared by: | Strategic Planning - Policy |
| Date: | 9/6/21 |

Background and Policy Context

The Policy context for the determination of this application comprises:

- NPPF
- Babergh Local Plan, 2006 (saved policies)
- Babergh Core Strategy, 2014 (saved policies)
- The Pre-Submission Babergh and Mid Suffolk Joint Local Plan, 2020 (now submitted)

Policy Background

The site is allocated in the Babergh Local Plan (2008), policy EM02 for a General Employment Area. The emerging planning strategy for both Districts is contained the Pre Submission Babergh and Mid Suffolk Joint Local Plan, 2020 (now submitted). Once adopted, the Babergh and Mid Suffolk Joint Local Plan (JLP), and the policies contained therein, will replace all of the Local Plans and alterations (saved policies), the Core Strategies, and Area Action Plan(s) in both Babergh and Mid Suffolk.

Application DC/20/04615 is for outline permission with access to be considered. Accordingly, the policy response shall be based on considering the principles of the proposal against the relevant policy framework.

Policy Considerations

The application proposes the erection of up to 45 dwellings (including up to 15 affordable dwellings) (following demolition of three existing buildings).

Planning law requires that each application for planning permission be determined on its individual merits in accordance with the development plan unless material considerations indicate otherwise.

The site is allocated for employment use in the Babergh Local Plan (Policy EM02). Policy EM24 (Babergh Local Plan, 2006) seeks to support the retention of employment land, unless it could be demonstrated that the site is not viable or suitable for employment use. Through the planning application process the site has not been marketed for alternative use in accordance with the requirements of Policy EM24. The agents have set out that the site has not had any use or interest to demonstrate demand, however this does not accord with EM24. Whilst it is recognised that the site is constrained being bordered by housing on one side and the other being part of the more intensive occupancy of uses within the Hadleigh Lady Lane Strategic Employment Area if the site were to be developed for housing this would not address this issue. Rather, additional housing would adjoin the intensively occupied employment uses

which operate within the Hadleigh, Lady Lane site. The application site has not demonstrated that it is not suitable or viable for employment use.

It is noted that the application refers to application (DC/20/05137) as an 'offset' to the loss which would arise should application (DC/20/04615) to be developed for residential. However, the proposed alternative site (DC/20/05137) is on a largely unallocated greenfield site. It is an arable site which, whilst connected to an established employment use (identified locally as Beestons) it is disjointed from the town of Hadleigh without comparable accessibility as Lady Lane. It should also be noted that proposed alternative application has limited information on phasing and delivery. The alternative proposal it is also considered contrary to policy (please see relevant consultation response).

In accordance with the NPPF paragraph 48, the Local Planning Authority may give weight to the JLP and the supporting evidence in the determination of this application. This includes, where relevant, Part 1 strategic policies, Part 2 delivery policies and Part 3 place and allocation policies (specifically LA035) and have regard to the JLP evidence base as appropriate (<https://www.babergh.gov.uk/assets/Strategic-Planning/JLPExamination/CoreDocLibrary/JLP-Core-Document-Library-live.pdf>) in the determination of the above application.

The application site (DC/20/04615), as proposed for residential use, is identified in Part 1, Strategic Policy SP05 (Employment Land). The Hadleigh Lady Lane site (which includes the application site) is identified as one of the Districts strategic employment locations which should be protected to meet need through the Plan (Babergh and Mid Suffolk Joint Local Plan [JLP]) up to 2037. The proposed change of use of the allocated employment site for residential use is contrary to the strategic policy position on employment land.

The separate site (DC/20/05173) is not proposed for allocation in the emerging strategy.

Conclusion

For the reasons set out above, the application is not considered consistent with policy (current and draft) and therefore is not supported by planning policy.”

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Agenda Item 6c

LATE PAPERS

DC/20/5173 Land at Cobbolds Farm, Ipswich Road, Hadleigh, IP7 7BG

Further to the Officer's committee report, we have now received additional comments from the Policy Team.

The following comments from the Policy Team were received on 9th June.

“

Planning Application – Strategic Planning Consultation Response

| | |
|--|---|
| Planning Application Reference: | DC/20/05173 |
| Site: | Outline Planning Application. (Access and Landscaping to be considered) Employment land for use as Class E Business buildings up to 1900m ² and Classes B2 and B8 buildings up to 4200m ² |
| Proposal: | Land At Cobbolds Farm Ipswich Road Hadleigh Ipswich Suffolk IP7 6BG |
| Prepared by: | Strategic Planning - Policy |
| Date: | 9/6/21 |

Background and Policy Context

The Policy context for the determination of this application comprises:

- NPPF
- Babergh Local Plan, 2006 (saved policies)
- Babergh Core Strategy, 2014 (saved policies)
- The Pre-Submission Babergh and Mid Suffolk Joint Local Plan, 2020 (now submitted)

Application DC/20/ 05173 is for outline permission. Accordingly, the policy response shall be based on considering the principles of the proposal against the relevant policy framework.

Policy Considerations

Planning law requires that each application for planning permission be determined on its individual merits in accordance with the development plan unless material considerations indicate otherwise.

In accordance with the NPPF paragraph 48, the Local Planning Authority may give weight to the JLP and the supporting evidence in the determination of this application. This includes, where relevant, Part 1 strategic policies, Part 2 delivery policies and Part 3 place and allocation policies (specifically LA035) and have regard to the JLP evidence base as appropriate

(<https://www.babergh.gov.uk/assets/Strategic-Planning/JLPExamination/CoreDocLibrary/JLP-Core-Document-Library-live.pdf>) in the determination of the above application.

Based upon Babergh Core Strategy (policy CS2) considerations the site is in the countryside where development will only be permitted in exceptional circumstances and subject to a proved justifiable need. The application site is not allocated for employment use (Babergh Local Plan EM02) and the proposed justification for the outline planning application to offset the proposed loss of the land, as allocated in the current and draft policy at Lady Lane in Hadleigh (EM02 & SP05), is considered contrary to policy.

Conclusion

For the reasons set out above, the application is not considered consistent with policy (current and draft) and therefore is not supported by planning policy.