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PLANNING COMMITTEE	
DATE:	WEDNESDAY, 1 DECEMBER 2021 9.30 AM
VENUE:	FRINK ROOM (ELISABETH) - ENDEAVOUR HOUSE

For consideration at the meeting on Wednesday, 1 DECEMBER 2021, the following additional or updated papers that were unavailable when the Agenda was printed.

TABLED PAPERS

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3	PL/21/20 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 17 NOVEMBER 2021	3 - 10
	To follow	
a	DC/21/05017 FORMER LORRY PARK, STATION ROAD, SADBURY, CO10 2SS	11 - 14
b	DC/21/04056 CHILTON WOODS MIXED DEVELOPMENT TO NORTH OF, WOODHALL BUSINESS PARK, SADBURY, SUFFOLK	15 - 16

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact the Committee Officer, C. Philpot on: 01449 724930 or Email: Committees@baberghmidsuffolk.gov.uk

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

75.1 The Governance Officer advised the Committee that a valid petition, with 233 signatures, had been received in respect of application DC/21/03644 as follows:

“We the undersigned petition the Council to We would like the planning committee to reject the plans in application DC/21/03644 to convert the ground floor of ‘The Cyclist’ in Ballingdon into a shop/private flat.

Our local community has always had somewhere to come together. This is our last chance to keep something.

The current owners of the building have been granted permission to convert the upstairs into private flats and build homes in the garden, but this latest application goes too far, removing more of the space from the community forever. We feel this is just a plan to eventually convert the entire building to private residential use.

The change to a Shop also could impact on our much loved convenience store, Strawberry Stores.

The venue has been central to forming a sense of community in recent years and should not be lost.

We feel the venue can be made to be profitable and would be interested in running it as a community project.”

76 SITE INSPECTIONS

76.1 None received.

77 PL/21/19 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/21/19 and the speakers responded to questions put to them as provided for under those arrangements.

Application Number	Representations From
DC/21/03643	Theo Bird (Applicant)
DC/21/03644	Theo Bird (Applicant)
DC/21/05221	None

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/21/19 be made as follows:-

78 DC/21/03643 53 BALLINGDON STREET, SUDBURY, SUFFOLK, CO10 2BZ

78.1 Item 6A

Application Proposal	DC/21/03643 Full Planning Application - Change of use from cafe to part retail and part office space on ground floor, change of use from shed to holiday let, change of use of disused ancillary cellar to commercial use and associated works to facilitate these as detailed in the Design and Access Statement, Planning Statement and Heritage Statement and drawings
Site Location	SUDBURY – 53 Ballingdon Street, Sudbury, Suffolk, CO10 2BZ
Applicant	Mr Theodore Bird

78.2 Councillor Ayres confirmed to the Chair that she would remain on the Committee for the duration of the application and not speak as Ward Member.

78.3 The Case Officer presented the application to the Committee outlining the proposal before Members including: the location and layout of the site, proposed plans for the site, site history, and the Officer recommendation of approval.

78.4 The Case Officer and the Area Planning Manager responded to questions from Members on issues including: how much of the boundary wall would be removed and the potential impact on traffic if removed, access to the cellar, and the buildings on site included in the application.

78.5 Members considered the representation from Theodore Bird who spoke as the applicant.

78.6 The Applicant responded to questions from Members on issues including: the viability of the previous business, the plans for the offices, employment opportunities, the intended use of the retail area of the site, and whether a bid had been made for the former public house to be an Asset of Community Value.

78.7 Following questions from Members the Area Planning Manager provided clarification of the classification of the application before Members.

78.8 Members debated the application on issues including: the need for holidays

lets in the area, the number of alternative venues in the local area, the petition received, and the lack of representation at the meeting from the petitioners.

78.9 Councillor McCraw proposed that the application be approved as detailed in the Officer recommendation.

78.10 Councillor Beer seconded the proposal.

By a vote of 9 votes for and 1 against

It was RESOLVED:

That the application is GRANTED planning permission and includes the following conditions:-

**Standard time limit
Approved Plans
Heritage design details
Highways
Holiday let occupation restriction
Construction hours
External lighting scheme**

79 DC/21/03644 53 BALLINGDON STREET, SUDBURY, SUFFOLK, CO10 2BZ

79.1 Item 6B

Application Proposal	DC/21/03644 Application for Listed Building Consent - Change of use from café to part retail and part office space on ground floor, change of use from shed to holiday let, change of use of disused ancillary cellar to commercial use and associated works to facilitate these as detailed within the Design and Access Statement, Planning Statement and Heritage Statement and drawings.
Site Location	SUDBURY – 53 Ballingdon Street, Sudbury, Suffolk, CO10 2BZ
Applicant	Mr Theodore Bird

79.2 Councillor Ayres confirmed to the Chair that she would remain on the Committee for the duration of the application and not speak as Ward Member.

79.3 The Case Officer advised Members that there were no further updates to the presentation which was identical to application DC/21/03643 and that any plans could be referenced on the previous presentation.

79.4 The Area Planning Manager advised the Committee that the recommendation should read as follows:

That the application is GRANTED listing building consent and includes the following conditions:-
Standard time limit
Approved Plans (Plans submitted that form this application)
Heritage design details.

79.5 Councillor Beer proposed that the application be approved as detailed in the Officer recommendation, and with the amendment as advised by the Area Planning Manager.

79.6 Councillor McCraw seconded the proposal.

By a vote of 9 votes for and 1 against

It was RESOLVED:

**That the application is GRANTED listing building consent and includes the following conditions:-
Standard time limit
Approved Plans (Plans submitted that form this application)
Heritage design details**

80 DC/21/05221 GENESIS CORNER, CLAY HALL LANE, ACTON, SUFFOLK, CO10 0AQ

80.1 Item 6C

Application Proposal	DC/21/05221 Householder Application – Erection of front porch extension
Site Location	ACTON – Genesis Corner, Clay Hall Lane, Acton, Suffolk, CO10 0AQ
Applicant	Mrs M Maybury

80.2 The Case Officer presented the application to Committee outlining the proposal before Members including: the location of the site, the reason for referral to Committee, the proposed works, and the officer recommendation of approval.

80.3 The Case Officer responded to questions from Members on issues including: the size of the existing porch roof, and the proposed height of the new roof.

80.4 Councillor Hinton proposed that the application be approved as detailed in the Officer recommendation.

80.5 Councillor Beer seconded the application.

By a unanimous vote

It was RESOLVED:

That the application be GRANTED planning permission and include the following conditions: -

1. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: COMMENCEMENT TIME LIMIT

The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. APPROVED PLANS & DOCUMENTS

The development hereby permitted shall be carried out in accordance with the drawings/documents listed under Section A above and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard. Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved under Section A, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

Reason - For the avoidance of doubt and in the interests of proper phased planning of the development.

POSITIVITY STATEMENT

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The NPPF encourages a positive and proactive approach to decision taking, delivery of sustainable development, achievement of high-quality development and working proactively to secure developments that improve the economic, social and environmental conditions of the area. While the applicant did not take advantage of the service, the Council provides a pre-application advice service prior to the submission of any application. The opportunity to discuss a proposal prior to making an application allows potential issues to be raised and addressed pro-actively at an early stage, potentially allowing the Council to make a favourable determination for a greater proportion of applications than if no such service was available.

INFORMATIVES

You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control Section of Babergh and Mid Suffolk District Councils.

The business of the meeting was concluded at 10.25 am.

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Chair

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Agenda Item 6a



Date: 23rd November 2021

Our Reference: SJC/SUD/DC/21/05017

Mrs. Samantha Summers
Principal Planning Officer
Babergh and Mid Suffolk District Councils
Endeavour House,
8 Russell Road,
Ipswich
IP1 2BX

Dear Samantha,

RE. DC/21/05017 - Former Lorry Park Station Road Sudbury CO10 2SS

Following on from our recent discussions in connection with the above application, I wanted to set out our responses in relation to the request for S106 contributions from

Suffolk County Council.

Consultee: Suffolk County Council PROW Team

Subject: Public Rights of Way and Access Response

Date: 22 September 2021

- Sudbury Public Footpath 14 is diverted to align with the walked route on the ground. This requires legal order making and must be provided as a Section 106 Contribution of £5,000.
- The development should fund the development of new promotional material and interpretation panels to encourage use of The Valley Trail and locally promoted walks. A Section 106 contribution of £5,000 is requested for this.

Applicant Response

The S106 contributions requested above are accepted. It is also accepted that the monetary contributions should be documented via a S106 agreement.

Consultee: Suffolk County Council Highways

Consultee Reference: SCC/CON/4227/21

Subject: Travel Plan and Highways

Date: 30 September 2021

Travel Plan Officer Comments:

- If a Section 106 Agreement is going to be produced to support this application a £1,000 per annum Travel Plan Evaluation and Support is payable for five years from occupation of the development, as overseeing the implementation and monitoring of the Travel Plan is a discretionary function of the County Council and chargeable in

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WALES
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Springs Business
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Apollo Capital Projects Development Limited (now part of Assura plc)

www.apollomedical.co.uk

accordance with Section 93 of the 2003 Local Government Act and Section 3 of the 2011 Localism Act.

Applicant Response:

The S106 contributions requested in relation to the ongoing monitoring of the Travel Plan for the proposed medical centre is accepted and we also accept that this requirement be documented via a S106 agreement.

Highways

- Upgrade FP14 from Corporal Lillie Close to FP15 (150mx3m) to Cycle Track, with sealed surface, diversion to match the walked route.
- Upgrade FP14 and FP13 from FP15 to rail crossing (400mx3m) to Bridleway/ Cycle Track with unsealed surface and 2 new Bridleway bridges
- Dedicate section between rail crossing and Conard Road (50mx3m) to Bridleway and sealed surface.
- Resurface FP12 between rail crossing and rail station (150mx2m).
- Estimated total cost = £156,000 (Section 106 contribution requirement).

Applicant Response:

S106 contributions sort in respect of the upgrading footpaths and cycle tracks is not accepted as these are deemed onerous and not particularly beneficial to patients of the proposed new medical centre. It should also be noted that following a site visit, the condition and surface of the surrounding footpaths were considered in generally good condition. The response provided mirrors our comments raised within a meeting with SCC Highways on the 10th of November where it was accepted by SCC that the request for s106 contributions relating to these items would no longer be pursued.

- **Pedestrian Route Improvements:** The proposed minor improvements to the pedestrian route from Great Eastern Road to the site shown on drawing C-105 P01 are welcomed, however, the most northern section of footway suffers from overhanging vehicles from the neighbouring car park spaces, that can potentially reduce the useable width down to as little as around 1 metre wide. This is not acceptable for vulnerable road users over this distance (as detailed in the Government's Inclusive Mobility document). Therefore, measures are required to ensure that a suitable width facility is maintained when the spaces are occupied.

Applicant Response:

Following a meeting with SCC Highways dated the 10th of November. Furthermore, it was raised in the meeting that any technical solution to this would either result in the narrowing of the path, or reduction in the size of nearby parking bays. In the case of the latter, it was respectfully pointed out that this would involve undertaking work on land that is not within the control of the applicant and this would also likely lead to a complete re-ordering of the layout of parking bays which would seem onerous. It was agreed that this issue would not be pursued on the basis that the pathway in question was deemed adequately wide enough for pedestrians to use safely.

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- **Lorry Signage:** There are several existing Lorry Parking direction signs on the approach to the existing lorry parking area and at nearby junctions. These will need to be amended to suit the new proposal to avoid lorries being unnecessarily directed to the development, resulting in excessive HGV waiting and manoeuvring, that may be detrimental to the safety of users of the development. It is envisaged that a suitably planning condition requiring a survey and revision of this signage may be able to address this comment.

Applicant Response:

The request to remove lorry park signs from the local highway network as part of the development is rejected on the basis that the applicant is not responsible for the closure and re-location of the lorry park. SCC have requested that the requirement to undertake the removal of lorry park signs rests with the applicant but our discussions to date have not provided us with sufficient information to provide any comfort in relation to either the process or cost for removing the lorry park signs if the onus is placed on the applicant to progress the works. On this basis, we cannot accept the proposed planning condition.

We trust that the LPA finds our responses acceptable. Please do not hesitate to contact us should you have any further questions in relation to the above.

Yours sincerely,



Stuart Clarke
Development Manager
For Apollo Capital Project Developments (an Assura PLC Company)

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Agenda Item 6b

Tabled Paper DC/21/04056 Chilton Woods, Discharge of Condition 30 (CEMP) on B/15/01718.

The recommendation should include an additional amendment to enable a review mechanism within the CEMP:

- The addition of a review mechanism whereby both the developer and Local Planning Authority can agree to amendments to the approved CEMP in the event of unforeseen circumstances.

For the avoidance of any doubt the full recommendation reads as below:

That authority be delegated to the Chief Planning Officer to approve condition 30 of the Outline planning permission B/15/01718 subject to securing the following amendments:

- The addition of information in the CEMP which specifies an approval mechanism for construction works required outside of the agreed working hours. Such approval mechanism to include: details of such works outside of agreed hours, hours of such works, mitigation methods required as a result of such works and method to notify neighbours shall be submitted to the Local Planning Authority for approval no later than 7 working days before such event.
- The addition of details of the appearance of the compounds in the CEMP.
- The addition of a review mechanism whereby both the developer and Local Planning Authority can agree to amendments to the approved CEMP in the event of unforeseen circumstances.

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