

## MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **MID SUFFOLK DEVELOPMENT CONTROL COMMITTEE A** held in the King Edmund Chamber - Endeavour House, 8 Russell Road, Ipswich on Wednesday, 13 December 2017

### PRESENT:

Councillor: Matthew Hicks – Chair

Councillors:	Gerard Brewster	David Burn
	John Field	Lavinia Hadingham
	Diana Kearsley	Sarah Mansel
	Lesley Mayes	David Whybrow

### Ward Members:

Councillors: Suzie Morley  
Rachel Eburne  
Kathie Guthrie

### In attendance:

Area Planning Manager (JPG)  
Planning Lawyer (IDP)  
Development Management Planning Officer (RB/AS)  
Governance Support Officer (RC)

### 48 APOLOGIES FOR ABSENCE/SUBSTITUTIONS

48.1 Councillor John Matthissen substituted for Councillor Anne Killet.

### 49 TO RECEIVE ANY DECLARATIONS OF PECUNIARY OR NON-PECUNIARY INTEREST BY MEMBERS

49.1 Councillor David Whybrow declared a non-pecuniary interest in application DC/17/04113 as one of the reports contained within the late papers had been produced by the same company that employed him, but that he had no knowledge of the report prior to publishing of the late papers.

49.2 Councillor John Field declared a non-pecuniary interest in application 0191/17 as a Governor of Claydon Primary School and as the County Councillor for Barham.

49.3 Councillor Matthew Hicks declared a non-pecuniary interest in applications 0030/17 and DC/17/04419 as the County Councillor for Debenham and Stonham Aspal.

50 **DECLARATIONS OF LOBBYING**

50.1 Councillor Matthew Hicks and Councillor Field declared that they had been lobbied.

51 **DECLARATIONS OF PERSONAL SITE VISITS**

51.1 Councillor Matthew Hicks declared that he had undertaken a personal site visit for application 0030/17.

52 **NA/17/10 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 20 SEPTEMBER 2017**

52.1 The minutes of the meeting held on 20 September 2017 were confirmed and signed as a correct record.

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

53.1 None received

54 **NA/17/11 SCHEDULE OF PLANNING APPLICATIONS**

In accordance with the Council's procedure for public speaking on planning applications a representation was made as detailed below:

<b>Planning Number</b>	<b>Application</b>	<b>Representations from</b>
0191/17		Jon Lainchbury (Applicant)
DC/17/04419		Councillor Suzie Morley (on behalf of Stonham Aspal Parish Council) Ian Wright, (Objector) Phil Cobbold (Agent)
DC/17/04113		Sheila Crossman (Haughley Parish Council) Martin Last (Agent) Phil Cobbold (Agent)
0030/17		Dina Bedwell (Debenham Parish Council) Martin Price (Agent) Jeff Horner (Flooding consultant)

54.1 The items of business were taken in the order as follows as set out by the Chairman at the beginning of the meeting:

1. 0030/17 Land Bounded by Derry Brook Lane and Little London Hill, Debenham.
2. DC/17/04113 Land East of King George's Field, Green Road, Haughley, IP14 3RA
3. DC/17/04419 Land Rear of The Leas, Quoits Meadow, The Street, Stonham Aspal, IP14 6DE
4. 0191/17 Land Rear of De Saumarez Drive, Norwich Road, Barham, IP6 0SN

54.2 Item 4

Application Number: **0030/17**  
Proposal: Use of land for the erection of up to 25 dwellings. Formation of Vehicular Access to Little London Hill (revised proposal)  
Site Location: **DEBENHAM** – Land Bounded By Derry Brook Lane and Little London Hill, Debenham  
Applicant: Park Properties (Anglia) Ltd

54.3 The Case Officer presented the application to the Committee noting that a late representation had been submitted from a neighbouring property but clarified that it did not change the Officer recommendation.

54.4 Steve Merry, Suffolk County Council Highways Department, Transport Policy and Development Manager outlined the two main issues being verge erosion on Little London Hill and parking issues around the School.

54.5 The Transport Policy and Development manager responded to Members' questions on the proposed double yellow lines and the conditions as recommended by Suffolk County Council Highways Department. He added that the highway was deemed suitable for pedestrians due to the 30mph speed limit, that no crashes had taken place in the last 5 years and that light traffic travelled on the road.

54.6 The Case Officer responded to Members' questions on the other developments in the area, the route from the site to the school, footways, the surface water drainage, the location regarding the settlement boundary, and the vehicular access to the site.

54.7 Dina Bedwell, Debenham Parish Council, commented on issues including opposition of the proposal from residents, the extension of the double yellow lines being unsuitable, that other sites for development had been identified, that there were risks of flooding, and the overall suitability of the site.

54.8 The Parish representative responded to Members' questions regarding school allocations and extensions.

- 54.9 Martin Price, Agent, outlined that the proposal had no statutory objections, that the site would provide betterment for flood risk, off site highways improvements, that the site was a logical extension to the village, that the proposal included 9 units of affordable housing, and that all technical issues had been addressed.
- 54.10 The Agent and Jeff Horner, Flooding Consultant, responded to Members' questions regarding drainage from the site and the risk of flooding.
- 54.11 Councillor Kathie Guthrie, Ward Member, commented that the site was well laid out, but raised concerns over flooding, congestion, and footpaths. She concluded by asking Members to visit the site.
- 54.12 Councillor David Whybrow proposed that the application be approved as per the Officer recommendation with the technical amendment from the Area Planning Manager that the Affordable homes description be changed to 35% in the recommendations.
- 54.13 Members continued debating the application raising significant concern over the issue of highways and access. Upon request from the chairman the Ward Member clarified that the Neighbourhood plan was currently drafted and would be going to consultation in January.
- 54.14 The Area Planning Manager advised that little weight should be given to the neighbourhood plan as it was still in a draft format.
- 54.15 The motion to Approve was seconded by Councillor Gerrard Brewster.
- 54.16 Members continued by debating the application with some members raising concerns over the access to the site and the route that residents of the proposed dwellings would have to take to travel to the school.
- 54.17 Councillor Whybrow asked that the proposed recommendation be altered to make sure that the road widening be part of the pre-commencement works and be completed before the occupation of the first dwelling to which the seconder agreed.
- 54.18 By 4 votes to 5 with 1 abstention
- 54.19 The motion was lost
- 54.20 Councillor Diana Kearsley proposed that a site visit be undertaken which was seconded by Councillor David Burn.
- 54.21 Members debated whether a site visit was appropriate for the application and whether further insight could be gained.
- 54.22 By 3 votes to 7
- 54.23 The motion was lost

54.24 Members' continued debating the application highlighting issues around the access to the site with significant concerns over safe access for all users.

54.25 Councillor Sarah Mansel proposed that the application be refused on the grounds that the proposed development by reason of its location would lead to pedestrians using Little London Hill where there is no footpath/way available to access the rest of the village. This represents a risk in respect of highway safety and would be contrary to policy T10 of the Local Plan 1998 that gives regard to the provision of safe access to and egress from the site and the suitability of existing roads giving access to development in terms of safe and free flow of traffic and pedestrian safety. Opportunities to create a footpath/way are not available for the entire route given ownership and other constraints. It is concluded that the benefits of the development would not outweigh the highway safety matter identified with consideration of the NPPF. Councillor John Field Seconded the Motion.

54.26 Members debated the proposed refusal and considered the option of the item being sent to the Planning Referrals Committee.

54.27 By 6 votes to 4

54.28 **Decision:**

Refused

The proposed development by reason of its location would lead to pedestrians using Little London Hill where there is no footpath/way available to access the rest of the village. This represents a risk in respect of highway safety and would be contrary to policy T10 of the Local Plan 1998 that gives regard to the provision of safe access to and egress from the site and the suitability of existing roads giving access to development in terms of safe and free flow of traffic and pedestrian safety. Opportunities to create a footpath/way are not available for the entire route given ownership and other constraints. It is concluded that the benefits of the development would not outweigh the highway safety matter identified with consideration of the NPPF.

54.29 Item 3

Application Number:	<b>DC/17/04113</b>
Proposal:	Outline Planning Application for the erection of 98 dwellings (including 34 affordable homes), provision of a junior football pitch, areas of public open space and off site highway improvements.
Site Location:	<b>HAUGHLEY</b> – Land East of King George's Field, Green Road, Haughley, IP14 3RA
Applicant:	Ruby Homes (East Anglia) Ltd

54.30 The Case Officer presented the application to the Committee informing Members that in the 1998 Local Plan a section of the application site had been allocated for a possible school. The Case Officer explained that the allocation

should still be considered but that it should be given little weight.

- 54.31 The Area Planning Manager clarified to Members that Suffolk County Council had a strategic role in planning applications but that the Committee had to decide upon the application. He expanded that the education allocation for the land had very little weight and explained that it would be unreasonable to refuse the application on an Education allocation alone. He added that Suffolk County Council's formal objection to the application had not been withdrawn.
- 54.32 The Case Officer responded to Members' questions regarding the footpath link, zebra crossing, and the education provision at the school.
- 54.33 Sheila Crossman, Haughley Parish Council, commented on the safety concerns regarding the crossing, the number of children that would be attending the school and the education provision.
- 54.34 The representative of the Parish Council responded to Members' questions regarding the zebra crossing and the use of the field as a footpath.
- 54.35 Martin Last, Agent, outlined that the applicant had taken pre-application advice with the Parish, that the number of houses had been reduced and a sports pitch had been integrated into the design, that the development was in proximity to local amenities, the response from Historic England, and that expert advice said that the land allocation for education should be given no weight.
- 54.36 The Agent responded to Members' questions regarding the proposed crossing, the provision of a footway and links to footpaths and the current speed limit on Bacton Road.
- 54.37 Councillor Rachel Eburne, Ward Member, outlined significant concerns over the crossing, that the issue of the school needed to be resolved, that the pre-school was at capacity and concluded that the highways issues needed to be resolved.
- 54.38 The Ward Member responded to Members' questions that a Neighbourhood Plan was currently being drafted.
- 54.39 Members' debated the application on the issues including the education provision, the proposed crossing and highways issues, the connectivity to the village, the impact on the economy, and the provision of affordable housing.
- 54.40 Councillor John Field Proposed that the application be approved as per the officer recommendation with an amendment to the Section 106 requirement; that the Zebra Crossing shall be secured adjacent or as close as possible to the school and if not possible be returned to Committee for further consideration and that the crossing shall be in place prior to first occupation of any approved dwelling, and that an advisory note to ask if 20mph zone can be secured for the school zone area.

54.41 The proposal was Seconded by Councillor Matthew Hicks.

54.42 Members' continued to debate the application on the issues of environmental impact, the educational provision, and the Zebra Crossing.

54.43 By 8 votes to 1 with 1 abstention

**54.44 Decision:**

- (1) Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Corporate Manager – Growth and Sustainable Planning to secure:
  - 35% Affordable units including mix and tenure
  - Provision and detail of footway links
  - Contributions and provision of Highways Improvements – Zebra Crossing, footway improvements, VAS Sign and movement of 30MPH zone.
  - The Zebra Crossing shall be secured adjacent or as close as possible to the school and if not possible shall be returned to Committee for further consideration. The Zebra Crossing shall be in place prior to the first occupation of any approved dwelling.
  - Landscape Management Plan
  - Provision of Open Space and Play Space
  
- (2) That the Corporate Manager – Growth and Sustainable Planning be authorised to Grant Outline Planning Permission subject to conditions including:
  - Standard time limit
  - Submission of reserved matters
  - Land contamination condition
  - Landscaping scheme concurrent with reserved matters and including tree protection measures
  - Implementation of Landscaping scheme
  - Secure and implement sustainability and energy strategy
  - Secure written scheme of investigation and implementation of programmed archaeological work
  - Submit and agree site investigation and post investigation assessment (archaeology)
  - Secure provision of fire hydrants
  - Reserved matters for landscaping and layout shall include a landscape and visual impact assessment
  - Concurrent with reserved matters to submit foul and surface water drainage strategy
  - Approved drainage scheme to be implemented in full as approved
  
  - Concurrent with reserved matters details of the implementation, management, and maintenance shall be submitted and agreed. They

shall be implemented in accordance with the approved plans.

- SUDs details shall be submitted and approved for inclusion in Lead Local Flood Authority's Flood Risk Asset Register.
- Details of construction surface water management shall be submitted and agreed. Development implemented in accordance with approved details.
- Implement Ecological mitigation measures
- Secure and implement Reptile Method Statement
- Concurrent with reserved matters to secure biodiversity enhancement plan.
- Lighting Design Scheme to be agreed and implemented
- Agree and implement construction of carriageways and footways
- Agree and implement parking, cycling, and manoeuvring areas
- Provide and maintain visibility splays
- Construction management plan
- Details of materials
- Details and position of footway

(3) That in the event of the Planning Obligation referred to in Resolution (1) above not being secured that the Corporate Manager- Growth and Sustainable Planning be authorised to refuse planning permission on appropriate grounds.

54.45 Item 2

Application Number: **DC/17/04419**  
Proposal: Outline Planning Application (Access to be considered) –  
Erection of 9 no. dwellings and construction of new  
access  
Site Location: **STONHAM ASPAL** – Land Rear of The Leas, Quoits  
Meadow, The Street, Stonham Aspal, IP14 6DE  
Applicant: Mr R Tydeman

54.46 The Case Officer presented the application to the Committee.

54.47 The Case Officer responded to Members' questions regarding public transport links, local amenities, the proposed access for the site, the results of the public consultation and the portion of the house that will need to be demolished to access.

54.48 Councillor Suzie Morley, on behalf of Stonham Aspal Parish Council read out a statement that outlined that the development was not sustainable, that the development was in the countryside and that residents would have to walk the road with cars travelling at the national speed limit.

54.49 Ian Wright, Objector, commented on the sustainability of the application, the loss of residential amenity, the impact of the loss of trees, the density of the site, the impact of flooding, the impact on the listed building, and that the village was already well supplied with housing.

54.50 Philip Cobbold, Agent, outlined that the application was outside the settlement boundary, that pre-application advice had been sought, that the village was sustainable and that a footway would be provided. He added that there were no technical objections subject to conditions, and that the gap between the houses with the section being demolished would be 12m wide.

54.51 The Agent responded to Members' questions regarding the sustainability of the site, public transport links, proposed footways in the area, emergency vehicle access and where the development was in relation to Stonham Barns.

54.52 Councillor Suzie Morley, Ward Member, outlined that the site was outside the proposed settlement boundary, that the proposal did not include exceptional housing, that there was a presumption from the Supreme Court ruling against development on Green land. She added that walking from the site would be dangerous for residents, that there were limited public transport links and that the area was subject to flooding.

54.53 The Ward Member responded to Members' questions regarding the connectivity and footpaths along the A1120.

54.54 Members debated the application on the issues including the proposed access to the site, pedestrian access and footways, the impact on the listed building, that the site was not within the settlement boundary, the detrimental impact on residential amenity, the connectivity of the site and that no indicative layout had been submitted with the application.

54.55 Councillor Diana Kearsley Proposed that the application be Refused on the grounds that the development would lead to a significant reduction in residential amenity and there was insufficient information to judge the acceptance of the access route and development in respect of its relationship and impact on the place and character of the locality and that the proposal fails to demonstrate that the development would not result in harm to the setting of the nearby Listed building. The motion was Seconded by Councillor Lesley Mayes.

54.56 By a unanimous vote

54.57 **Decision:**

**Refused**

Refused for the following reasons:

- (1) The proposed access would by reason of its location likely result in detriment to adjoining neighbours in respect of significant reduction in amenity. On this basis the development is contrary to Policy H16, GP1 and H13 of the Local Plan 1998 as well as the NPPF.
- (2) There is insufficient information to judge the acceptance of the access route and development in respect of its relationship and impact on the place and character of the locality. Accordingly, the development fails to enhance local

character in accordance with Core Strategy Review FC1.1 and Local Plan Policies GP1, H13 and H15.

- (3) The proposal fails to demonstrate that the development would not result in harm to the setting of the nearby Listed building. This is contrary to policies H13, HB1 and NPPF.

54.58 Councillor Gerrard Brewster and Councillor Diana Kearsley left the meeting at 13:50.

54.59 Item 1

Application Number: **0191/17**  
Proposal: Erection of 23 dwellings, garages, parking, drainage, Estate Road, Public Open Space and associated external works  
Site Location: **BARHAM** – Land Rear of De Saumarez Drive, Norwich Road, Barham, IP6 0SN  
Applicant: Jon Lainchbury

54.60 The Case Officer presented the application to the Committee.

54.61 The Case Officer responded to Members' questions regarding pedestrian connectivity to Norwich Road.

54.62 Councillor John Field, County Councillor for Barham, outlined that the settlement boundary for Barham had been removed and that a number of appeals in Barham had been allowed due to the distance to the Coop food store.

54.63 Jon Lainchbury, Applicant, outlined that the development was congruous onto an existing development respecting the amenity of the current homes, that water could be drained from the site, that the development had good connectivity and public transport links and that a construction traffic management scheme had already been formalised.

54.64 The Applicant responded to Members' questions that a full noise analysis had been undertaken with two tests being conducted and that measures had been recommended.

54.65 The Chairman read out an email from Ward Members' John Whitehead and James Caston that although the development was outside the settlement boundary it was a logical infill between existing developments and related well to the previous homes built on De Saumarez drive. They added that they welcomed the provision of open space, 35% affordable homes and that they understood the concerns of the Parish Council with regards to noise and conclude that this would be an important condition to prevent future problems.

54.66 Members' debated the application on issues including the noise created by the proximity to the A14, the provision of lighting on the site, and High speed broadband provision.

54.67 Councillor John Matthissen Proposed that the application be Approved as per the Officer recommendation with the addition of the lighting conditions (recommended by Place Services) and a provision of High Speed Broadband. The motion was Seconded by Councillor Sarah Mansel.

54.68 By a unanimous vote

54.69 **Decision:**

That authority be delegated to the Corporate Manager Growth and Sustainable Planning to Grant Planning Permission Subject to the prior completion of a Section 106 or Undertaking on terms to their satisfaction to secure on site provision of 8 no. affordable housing units in the tenure advised by Council Strategic Housing Officers (above), and for delivery of the proposed Public Open Space and its transfer to a management company, subject to the following conditions, including:

- (1) Standard Time limit
- (2) Standard approved plans and documents condition
- (3) External facing materials and colours
- (4) Those required by the local highways authority
- (5) Landscape scheme and aftercare
- (6) Tree protection measures during construction
- (7) Programme of archaeological works prior to commencement
- (8) Land contamination investigation and remediation prior to commencement
- (9) Implementation of noise mitigation measures prior to occupation
- (10) Ecological mitigation in accordance with approved details
- (11) Provision of fire hydrants as recommended
- (12) Construction management plan prior to commencement
- (13) Surface water drainage scheme
- (14) Removal of permitted development rights for extensions and curtilage buildings and structures.
- (15) Lighting conditions (as recommended by Place Services)
- (16) Provision of High speed broadband

The business of the meeting was concluded at 2.19 pm.

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Chairman