

MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **MID SUFFOLK PLANNING REFERRALS COMMITTEE** held in the MSDC Council Chamber, MSDC Offices, Needham Market - Council Offices, High Street, Needham Market on Wednesday, 1 November 2017- 2:00pm

PRESENT:

Councillor: Kathie Guthrie – Chair

Councillors:	Roy Barker	Gerard Brewster
	Michael Burke	David Burn
	John Field	Julie Flatman
	Diana Kearsley	Anne Killett
	Sarah Mansel	Wendy Marchant
	Lesley Mayes	Derek Osborne
	Keith Welham	David Whybrow

Ward Members:

Councillors: Derrick Haley
Esther Jewson

In attendance:

Corporate Manager- Growth and Sustainable Planning (PI)
Area Planning Manager (BE)
Planning Lawyer (IDP)
Transport Policy and Development Manager, Suffolk County Council Highways
Department (SM)
Governance Support Officer (RC)

51 APOLOGIES FOR ABSENCE/SUBSTITUTIONS

51.1 An apology of absence was received from Councillors' Matthew Hicks, Jessica Fleming, Lavinia Hadingham, Barry Humphreys MBE and Jane Storey.

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

52.1 Councillor Roy Barker declared a non-pecuniary interest in applications 4963/16, 5070/16, 4386/16 and 02232/17 as he knew the land owners.

53 DECLARATIONS OF LOBBYING

53.1 It was noted that all Members had been lobbied.

54 **RF/17/7 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 6 SEPTEMBER 2017**

54.1 The minutes of the meeting held on 6 September 2017 were confirmed and signed as a correct record.

55 **RF/17/8 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 4 OCTOBER 2017**

55.1 The minutes of the meeting held on 4 October 2017 were confirmed and signed as a correct record.

56 **DECLARATIONS OF PERSONAL SITE VISITS**

56.1 Councillors Sarah Mansel, David Whybrow, Anne Killet, Gerard Brewster and Kathie Guthrie declared personal site visits.

57 **RF/17/9 SCHEDULE OF PLANNING APPLICATIONS**

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

Schedule of Planning Applications

Application Number	Representations from
4963/16	Vicky Waples (Thurston Parish Council) Jonathan Masters (Objector) Darren Cogman (Agent)
5070/16	Chris Dashper (Thurston Parish Council) Andrew Adams (Objector) Rob Snowling (Agent)
4942/16	Richard Fawcett (Thurston Parish Council) David Moss (Objector) Phil Cobbold (Agent)
2797/16	Richard Fawcett (Thurston Parish Council) David Moss (Objector)
4386/16	Vicky Waples (Thurston Parish Council) Ian Stammers (Objector) Leslie Short (Agent)
02232/17	Vicky Waples (Thurston Parish Council) Julian West (Objector) Leslie Short (Agent)

57.1 The Corporate Manager – Growth and Sustainable Planning outlined the proposed order of proceedings as follows:

- i. OVERVIEW OF APPLICATIONS AND UPDATES SINCE PLANNING REFERRALS COMMITTEE ON 12 JULY 2017**
- ii. OFFICER PRESENTATION AND PUBLIC SPEAKING 4693/16 & 5070/16**
- iii. DEBATE AND MOTIONS 4693/16 & 5070/16**
- iv. OFFICER PRESENTATION AND PUBLIC SPEAKING 4942/16 & 2797/16**
- v. DEBATE AND MOTIONS 4942/16 & 2797/16**
- vi. OFFICER PRESENTATION AND PUBLIC SPEAKING 4386/16 & 02232/17**
- vii. DEBATE AND MOTIONS 4386/16 & 02232/17**

(i) OVERVIEW OF APPLICATIONS AND UPDATES SINCE THE PLANNING REFERRALS COMMITTEE ON 12 JULY 2017

57.2 The Corporate Manager – Growth and Sustainable Planning advised that the proposed school sites (4963/16 and 5070/16) would be decided upon first due to their relationship to the proposed infrastructure. He stated that a further application had been received that was detailed in the papers (02232/17) which was a second application from Bovis Homes Ltd on the same parcel of land as application 4386/16 and proposed that said applications be dealt with as the last order of business.

57.3 The Corporate Manager also advised the Committee that the appeal to The Planning Inspectorate for application 5010/16 had been allowed (Appeal Ref: APP/W3520/W/17/3172098) and outlined the contents of paragraph 33 of the appeal decision.

57.4 The Corporate Manager summarised Paragraph 34 of the Planning Inspectorates statement, which identified concern about the congestion under the railway bridge, and deemed that the likely effect would not be severe. He expanded by adding that in paragraph 37 the Inspector identified that Mid Suffolk District Council had identified public transport improvements in its Community Infrastructure Levy (CIL) 123 list and that Network Rail would be open to bid into the fund for any scheme. He concluded by noting that the Inspector took the view that there are provisions through CIL to fund such infrastructure improvements if justified and required and this is therefore not a reason to withhold permission.

57.5 The Corporate Manager also clarified that in paragraph 44 of the appeal statement that Mid Suffolk District Council could not demonstrate a five-year land supply and advised that under paragraph 49 of the National Planning

Policy Framework (NPPF), relevant policies for the supply of housing should not be considered up to date.

- 57.6 The Case Officer provided an overview of the updates since the previous Committee meeting on 12 July 2017 outlining that there had been no formal objection from Network Rail to any of the developments individually or to the developments cumulatively, that in the updated report information had been included of the gradings of agricultural land and the cumulative impact. The Case Officer reported an additional representation from Andrew Adams.
- 57.7 Steve Merry, Transport Policy and Development Manager, Suffolk County Council Highways Department, provided an overview of the Cumulative Development in the Thurston consultation letter; dated the 13 October 2017. He outlined that the County Council had commissioned AECOM to undertake further studies into the proposed mitigation measures for the A143 Bury Road/ Thurston Road “Bunbury Arms” junction and to add further detail to the study of individual junctions and roads within the village of Thurston. He explained that the Traffic data had been sourced from the dataset Temprow which was used for regional growth statistics.
- 57.8 The Highways Manager responded to Members’ questions regarding additional measures that could be implemented, that additional growth from the area had been considered using regional data, that funding for the mitigations would be secured through the section 106 agreement, what the accident rate was at the Fishwick Corner, and that proposed works under the railway bridge and other mitigations were outside of the highway boundary.

(ii) OFFICER PRESENTATION AND PUBLIC SPEAKERS 4693/16 & 5070/16

57.9 Item 1

Application	4963/16
Proposal	Outline Planning Application sought for up to 250 new dwellings, open space and associated infrastructure, and up to 4.4ha of land for educational uses for Thurston Community College and new Primary School site, including details of access on land west of Ixworth road.
Site Location	THURSTON – Land West of Ixworth Road, Thurston, IP31 3PB
Applicant	Persimmon Homes Limited

- 57.10 The Case Officer presented the application with the amended recommendation to the Committee noting that the new report contained further information as requested from the meeting on 12 July 2017.
- 57.11 Vicky Waples, Thurston Parish Council, outlined the Parish Council’s objections, agreed with the consultation response from the Police, that there

was a lack of parking on the site, that this was not the best site for a school, that many more lives would be put at risk on the railway, and that Network Rail might close the crossing. She concluded that the Parish Council was appalled at the forward planning, that CIL funding was not guaranteed, asked that the report be reviewed, and that there were critical safety issues.

- 57.12 The Parish Clerk responded to Members' questions regarding the possible re-opening of a walkway under the railway bridge and that the Parish Councils concerns regarding the proposed highways mitigations were contained within the papers.
- 57.13 Jonathan Masters, Objector, outlined how the development was contrary to the Joint Local Plan consultation, that a footbridge over the railway line was not feasible, that there was an impasse between Officers and Network Rail, and that it had been known since May 2017 that Network Rail wanted to close the crossing. He concluded by quoting Councillor Fleming from the meeting on July 12 regarding the railway infrastructures sustainability and quoting Councillor Guthrie regarding highways considerations.
- 57.14 Darren Cogman, Agent, outlined that the application had been minded to approve, the partnership working for the highways mitigations the details of the Fishwick junction highways improvements and expressed the importance of these considering the Hopkins Homes Appeal decision and, that the proposal would provide 87 affordable homes.
- 57.15 The Agent responded to Members' questions regarding the access to the site and that there were no plans for 3 storey development.
- 57.16 Councillor Esther Jewson, Ward Member, outlined that the community was being ignored, that there were the safety concerns, that the community felt let down by Suffolk County Council, that she supported the evidence from the Parish Council, and that not all the development should be approved especially the current application having the most issues.
- 57.17 Councillor Derrick Haley, Ward Member, outlined his hope that the Committee would listen to the community, that if all the proposed development went ahead the village would become a town, that there were concerns regarding the proposed highways mitigations, that there was no time frame for delivery, and asked Mid Suffolk District Council to conduct a survey of the affected junctions before the applications are decided.
- 57.18 The Ward Members responded the Committees' questions regarding the proposed highways mitigation works and infrastructure.

57.19 Item 2

Application	5070/16
Proposal	Outline planning permission sought for the erection of up to 200 homes (including 9 self-build plots), primary school site together with associated access, infrastructure, landscaping and amenity space (all matters reserved except for access)
Site Location	THURSTON – Land at Norton Road, Thurston
Applicant	Pigeon Capital Management 2 Ltd and Mr Peter Hay

57.20 The Case Officer presented the application to the Committee noting the updated report and the amended Officer recommendation.

57.21 Chris Dashper, Chairman of Thurston Parish Council, outlined that this was the preferred school site, that railway safety was of the highest concern, that the Parish Council was concerned about the proposed Highways proposals, that the Fishwick Corner had not been viably mitigated, and it would be premature to decide on any of the applications.

57.22 The Chairman of the Parish Council and the Parish Clerk responded to Members' questions regarding the accident rate at Fishwick Corner, and the Parish Council's preference of the two proposed school sites.

57.23 Andrew Adams, Objector, outlined agricultural land policy and the possible cumulative impact of the loss of agricultural land, that a worst first approach should be undertaken regarding the sites, and that the land was a non-renewable resource.

57.24 Rob Snowling, Agent, outlined that they had engaged with the Parish Council and Planning Officers, that the applicant would ensure financial contributions were made as soon as work on the site began, that the loss of land would be 10 hectares, that a draft Section 106 agreement had been agreed, that there were large areas of open land on the site that the site, and had the lowest density of the applications.

57.25 The Agent responded to Members' questions regarding the breakdown of the type of housing, the footways, crossing points and routes to the school, and the availability of the school site for Suffolk County Council.

57.26 Councillor Esther Jewson, Ward Member, outlined that the site would bring infrastructure for the school, but that the cumulative effect of all the applications would put pressure on the infrastructure and supported the evidence provided by the Parish Council.

57.27 Councillor Derrick Haley, Ward Member, outlined that out of the two proposed school sites, that this application was preferable. The Ward Member raised concerns over cumulative impact of the sites, the traffic routes from the site and the impact upon infrastructure.

57.28 The Ward Members responded to the Committee's questions regarding concerns of queuing at junctions.

57.29 The Transport Policy and Development Manager, Suffolk County Council Highways Department, clarified the projected analysis of the junctions, and that the mitigation work at Fishwick Corner would have to be completed if any development was approved.

(iii) DEBATE AND MOTIONS 4693/16 & 5070/16

57.30 Item 1

Application	4963/16
Proposal	Outline Planning Application sought for up to 250 new dwellings, open space and associated infrastructure, and up to 4.4ha of land for educational uses for Thurston Community College and new Primary School site, including details of access on land west of Ixworth road.
Site Location	THURSTON – Land West of Ixworth Road, Thurston, IP31 3PB
Applicant	Persimmon Homes Limited

57.31 The Corporate Manager – Growth and Sustainable Planning advised Members that due to the Hopkins Homes Appeal Decision outcome some of the conditions in the original report had been amended to take these into account.

57.32 The Case Officer outlined the changes to the recommendations noting that the Section 106 agreement be altered to omit the travel plan contribution and bond.

57.33 Members' debated the application discussing issues including the agricultural impact, the traffic movements along Ixworth Road, the impact on the school and college, railway safety issues, the assessment from Suffolk County Council Highways Department and the proposed mitigations.

57.34 The Corporate Manager – Growth and Sustainable Planning advised Members that the Planning Inspectorate had allowed the appeal on application 5010/16 without a solution for the railway situation and that Network Rail had raised no formal objection to the proposals.

57.35 Councillor David Whybrow Proposed that the application be approved as per the amended Officer Recommendation and was Seconded by Councillor Gerard Brewster.

57.36 The Committee continued debating the application on issues including a possible scheme of mitigation for the railway. The Corporate Manager – Growth and Sustainable Planning advised Members that a condition could be

included to delegate authority to him to draft a condition to safeguard risk management and mitigation for future occupiers in relation to the railway station. The Proposer and Secunder of the motion agreed that the extra condition be included.

57.37 By 9 votes to 6

57.38 **DECISION:**

That the Corporate Manager – Growth and Sustainable Planning be authorised to grant outline planning permission subject to the prior completion of a Section 106 or Undertaking on terms to his satisfaction to secure the following heads of terms:

- **£1,018,598 is required towards the building of a new primary school in Thurston.**
- **£80,228 towards the cost of the land to provide the new primary school.**
- **£208,325 is required for the provision of new pre-school facility in Thurston.**
- **35% Affordable Housing to be transferred over to a Registered Provider.**
- **To secure the provision of public open space to be managed by a dedicated management company.**
- **Up to £197,777 to secure off-site highway improvement works as listed below (dependant on the decision reached on the other applications in the village):**
 - **Improvements to PRow Thurston 001 between Meadow Lane and Ixworth Road. A contribution of £8889 is required on completion of 50% of the total number of dwellings.**
 - **Contribution towards provision of pedestrian crossing facilities at Norton Road/ Station Hill/ Ixworth Road Junction. A contribution of up to £32765 is required on occupation of the first dwelling.**
 - **Contribution towards improvements at the A143 Bury Road/ C691 Thurston Road/ C649 Brand Road, junction at Great Barton. A contribution of up to £129,183 is required on commencement of construction work on site.**
 - **Contribution toward safety improvements at the C693 Thurston Road/ C692 Thurston Road/ C693 New Road including a 40MPH speed limit on the C692 Thurston Road. A contribution of up to £18940 is required on commencement of the first dwelling.**
 - **Extension of the 30MPH speed limit to Thurston Rugby Club. A contribution of £8000 is required on commencement of work on site.**

And that such permission be subject to the conditions as set out below:

- (1) Two-year time limit for submission of reserved matters (as opposed to the usual three years)**

- (2) Reserved matters (outline)**
- (3) Construction management agreement**
- (4) Archaeology**
- (5) Highway conditions**
- (6) Surface water drainage**
- (7) Skylark Mitigation**
- (8) Delegate to Corporate Manager to draft condition to safeguard risk management and mitigation for future occupiers in relation to railway station safety.**

57.39 Item 2

Application	5070/16
Proposal	Outline planning permission sought for the erection of up to 200 homes (including 9 self-build plots), primary school site together with associated access, infrastructure, landscaping and amenity space (all matters reserved except for access)
Site Location	THURSTON – Land at Norton Road, Thurston
Applicant	Pigeon Capital Management 2 Ltd and Mr Peter Hay

57.40 Members debated the application noting the land available for a school, the woodlands, and the self-build plots.

57.41 Councillor Roy Barker Proposed that the application be approved as per the amended Officer recommendation and that the delegation to the Corporate Manager- Growth and Sustainable Planning regarding a condition of safeguarding risk management and mitigation for future occupiers in relation to railway station safety be included. The proposal was seconded by Councillor Julie Flatman.

57.42 By 13 votes to 2

57.43 DECISION:

That the Corporate Manager- Growth and Sustainable Planning be authorised to grant outline planning permission subject to the prior completion of a Section 106 or Undertaking on terms to his satisfaction to secure the following heads of terms:

- **£821,450 is required towards the building of a new primary school in Thurston.**
- **£64,700 towards the cost of the land to provide the new primary school.**
- **£166,660 is required for the provision of new pre-school facility in Thurston.**
- **35% Affordable Housing to be transferred over to a Registered Provider.**
- **To secure the provision of public open space to be managed by a dedicated management company.**
- **Up to £172,588 to secure off-site highway improvement works as listed below (dependant on the decision reached on other applications in the**

village):

- Improvements to PRow Thurston 001 between Meadow Lane and Ixworth Road. A contribution of £7111 on commencement of the 100th Dwelling.
- Improve PRow 007 (un metalled) north of Meadow Lane. A contribution of £16500 in commencement of the 100th dwelling.
- Contribution towards extension of speed limit on Norton Road. A contribution of £4267 on commencement of any construction work on site.
- Contribution towards provision of pedestrian crossing facilities at Norton Road/ Station Hill/ Ixworth Road junction. A contribution of up to £26212 on occupation of the first dwelling
- Contribution towards improvements at the A143 Bury Road/ C691 Thurston Road/ C649 Brand Road, junction at Great Barton. A contribution of up to £103,346 on commencement of any works on site.
- Contribution towards safety improvements at the C693 Thurston Road/ C692 Thurston Road / C693 New Road. A contribution of up to £15,152 on commencement of the first dwelling.
- Provision of Skylark Mitigation
- Setting up of a management company to look after the open space and sustainable drainage parts of the scheme.

And that such permission be subject to the conditions as set out below:

- (1) Two-year time limit for the submission of the reserved matters (as opposed to the usual three years)
- (2) Reserved Matters (outline)
- (3) Construction management agreement
- (4) Archaeology
- (5) Highway Conditions
- (6) Surface water drainage
- (7) Housing mix to be secured
- (8) Delegate to Corporate Manager to draft condition to safeguard risk management and mitigation for future occupiers in relation to railway station safety.

(iv) OFFICER PRESENTATION AND PUBLIC SPEAKING 4942/16 & 2797/16

57.44 Item 3

Application	4942/16
Proposal	Residential development consisting of 64 dwellings and associated highway, car parking and public open space.
Site Location	THURSTON – Land at Meadow Lane, Thurston, IP31 3QG
Applicant	Laurence Homes (Eastern) Ltd

57.45 The Case Officer presented the application to the Committee.

57.46 Richard Fawcett, Thurston Parish Council, commented on the railway safety issues, the need for a masterplan design, parking issues at the railway station, and the movements of school busses, all leading to significant harm.

57.47 The Parish Councillor responded to Members' questions that a first draft of the Neighbourhood plan would be completed in December, that there was a land issue at the station with regards to car parking and that the cost of a new railway station would be approximately £30 million.

57.48 David Moss, Objector, commented on developments outside of Thurston that would impact on the highways mitigations, and that the proposed highways improvements were flawed.

57.49 The Objector responded to Members' questions on transport links.

57.50 Phil Cobbold, Agent, outlined that the site had been identified in the 2006 SHLAA and was allocated in the Neighbourhood Plan. He expanded that the application had no unresolved objections.

57.51 The Agent responded to Members' questions regarding the housing mix of the site.

57.52 Councillor Derrick Haley, Ward Member, commented on the impact of the applications with other developments in the area, and that the village would become a town with the developments causing significant harm.

57.53 Councillor Esther Jewson, Ward Member, commented on the lack of benefits of the application, that the proposal did not comprise of sustainable development, and that the applications would cause serious harm to the communities.

57.54 The Ward Members responded to the Committees' questions on issues including parking at the station and the possibility of permit parking being introduced.

57.55 Item 4

Application	2797/16
Proposal	Outline Planning Application with (with all matters other than means of access reserved) for residential development of up to 175 dwellings with associated car parking, landscaping, public open space areas, allotments, and vehicular access from Sandpit Lane.
Site Location	THURSTON- Land to the South of Norton Road, Thurston, IP31 3QH
Applicant	Hopkins Homes

- 57.56 The Case Officer presented the Application to the Committee noting the Appeal Decision on application 5010/16, granting permission for the application, which was identical to application 2797/16. The Case Officer recommended that in light of the appeal decision that the conditions detailed by the Planning Inspector be replicated as the Officer recommendation.
- 57.57 Richard Fawcett, Thurston Parish Council, outlined that health and parking issues needed to be taken into account, the holistic impact on the village, the health impact, the assessment from the Clinical Commissioning Group (CCG), and that further approval of applications would be premature.
- 57.58 The Corporate Manager- Growth and Sustainable Planning clarified that Mid Suffolk District Council had been working with the NHS on Community Infrastructure Levy (CIL) contributions and that conversations were taking place with the CIL team.
- 57.59 The representative of the Parish Council responded to Members' questions regarding parking at the railway station and cumulative impact of the proposed developments.
- 57.60 David Moss, Objector, raised concerns over the data provided by Suffolk County Council's highways Department and spoke of the Morton Hall development in relation to the applications before the Committee and concluded that the applications could not be determined.
- 57.61 The Transport Policy and Development Manager, Suffolk County Council Highways Department, clarified that background growth had been taken into consideration when conducting the extra analysis and included regional growth data including growth from the development cited by David Moss.
- 57.62 Councillor Derrick Haley, Ward Member, commented on the CCG, that there was no Doctors surgery in Thurston, and that patients would be travelling to Bury St Edmunds for healthcare rather than to receive it in their local community.

57.63 Councillor Esther Jewson, Ward Member, commented on her disappointment that the appeal had been allowed but reminded the Committee that they could refuse applications and commented that Thurston would be at a critical stage with the previous applications already approved.

(v) DEBATE AND MOTIONS 4942/16 & 2797/16

57.64 Item 4

Application	2797/16
Proposal	Outline Planning Application with (with all matters other than means of access reserved) for residential development of up to 175 dwellings with associated car parking, landscaping, public open space areas, allotments, and vehicular access from Sandpit Lane.
Site Location	THURSTON- Land to the South of Norton Road, Thurston, IP31 3QH
Applicant	Hopkins Homes

57.65 The Corporate Manager – Growth and Sustainable Planning, reminded the Committee that the outcome of the appeal on application 5010/17 was a material consideration for the Committee. The Planning Lawyer clarified that the current proposal was an application in its own right and that if the Committee chose to diverge from the Inspectorates planning decision the applicant could choose between the aforementioned planning permission granted by appeal or from a permission that was granted on the current application (2797/16).

57.66 Members' debated the applications noting the Planning Inspectors decision on the identical application.

57.67 Councillor Roy Barker Proposed that the application be approved as per the amended Officer recommendation in line with the Planning Inspectorates decision. The motion was seconded by Councillor Sarah Mansel.

57.68 By a Unanimous vote

57.69 **Decision:**

That the Corporate Manager – Growth and Sustainable Planning be authorised to grant outline planning permission subject to the conditions as set out in Appeal Decision APP/W3520/W/17/3172098.

57.70 Item 3

Application	4942/16
Proposal	Residential development consisting of 64 dwellings and associated highway, car parking and public open space.
Site Location	THURSTON – Land at Meadow Lane, Thurston, IP31 3QG
Applicant	Laurence Homes (Eastern) Ltd

57.71 Members' debated the application.

57.72 Councillor Barker proposed that the application be approved as per the amended Officer recommendation with the added conditions that a scheme of Superfast broadband be agreed, that a scheme of resource and energy efficiency with car charging points be agreed, and that the Corporate Manager- Growth and Sustainable Planning be delegated to draft a condition on safeguarding risk management and mitigation for future occupiers in relation to rail way station safety.

57.73 Councillor Lesley Mayes seconded the motion.

57.74 By 12 votes to 3

57.75 **DECISION:**

That the Corporate Manager- Growth and Sustainable Planning, be authorised to grant planning permission subject to the prior completion of a Section 106 or Undertaking on terms to his satisfaction to secure the following heads of terms:

- **£246,435 is required towards the building of a new primary school in Thurston.**
- **£19,410 towards the cost of land to provide the new primary school.**
- **£49,998 is required for the provision of new pre-school facility in Thurston.**
- **35% Affordable Housing.**
- **Up to £50,308 to secure off-site highway improvement works as listed below (dependant on the decision reached on other applications in the village):**
- **Contribution towards improvement at the A143 Bury Road/ C691 Thurston Road/ C649 Brand Road, junction at Great Barton. A contribution of up to £33,071 is required on commencement of construction work on site**
- **Contribution towards safety improvements at the C693 Thurston Road/ C692 Thurston Road/ C693 New Road. A contribution of up to £4849 is required on the commencement of the first dwelling.**
- **Contribution towards provision of pedestrian crossing facilities at the junction of Norton Road/ Station Hill/ Ixworth Road. A contribution of up**

- to £8,388 is required on commencement of the first dwelling
- Contribution towards bus stops on Norton Road. A contribution of £4000 is required on commencement of the first dwelling.
- Setting up of a management company to look after the open space and sustainable drainage parts of the scheme.

And that such permission be subject to the conditions as set out below:

- (1) Two-year time start time (as opposed to the usual 3 years)
- (2) Existing tree protection
- (3) Construction management agreement
- (4) External Lighting
- (5) Commencement period for landscaping
- (6) Protection of birds during construction period
- (7) Works to be carried out in line with the ecological report
- (8) Materials
- (9) Landscaping
- (10) Residential Boundary Treatment
- (11) Highway Conditions (site access, estate road layout, refuse bins and highway drainage and residential travel plan)
- (12) Surface water drainage
- (13) Foul water drainage
- (14) Fire hydrant requirements
- (15) Archaeology
- (16) Parking and garage spaces to be used for parking only.
- (17) Scheme of resource and energy efficiency measures, including car charging points to be agreed.
- (18) Scheme to provide super-fast broadband to be agreed.
- (19) Delegate to Corporate Manager- Growth and Sustainable Planning to draft condition to safeguard risk management and mitigation for future occupiers in relation to rail way station safety.

(vi) OFFICER PRESENTATION AND PUBLIC SPEAKING 4386/16 & 02232/17

57.76 Item 5

Application	4386/16
Proposal	Erection of 138 dwellings including the construction of a new vehicular access and provision of cycle/ pedestrian link to Barton Road together with the provision of road and drainage infrastructure, landscaping, and open space.
Site Location	THURSTON – Land on West side of Barton Road, Thurston
Applicant	Bovis Homes Ltd

57.77 The Corporate Manager – Growth and Sustainable Planning clarified that Members had been minded to refuse the application at the Referrals meeting

on 12th July 2017 and that application 02232/17 was a second application on the same site by Bovis. He added that in the response from Mr Adams there had been no objection on the grounds of agricultural land classification and advised that this would not be a justifiable reason for refusal.

57.78 The Case Officer presented the application to the Committee.

57.79 Vicky Waples, Thurston Parish Council Clerk, commented on the consultation response from the Police for the application, Thurston's Neighbourhood plan, Mid Suffolk's lack of five-year land supply and the weighting given to the Neighbourhood Plan.

57.80 Ian Stammers, Objector, commented on how the application should not go ahead after the approval of the previous applications, the site being furthest from the A14, that the application was outside the existing settlement boundary and that he understood that housing was required but not of this magnitude.

57.81 Leslie Short, Agent, commented on listening to the previous criticisms of the proposal and that application 02232/17 had been amended to resolve these issues.

57.82 Councillor Esther Jewson, Ward Member, asked the committee to refuse the application.

57.83 Item 6

Application Proposal	02232/17 Erection of 129 dwellings (including 45 affordable dwellings), construction of new vehicular access and provision of cycle/ pedestrian link to Barton Road. Provision of road and drainage infrastructure and open space (second application)
Site Location	THURSTON – Land on West side of Barton Road, Thurston
Applicant	Bovis Homes Ltd

57.84 The Case Officer presented the application to the Committee outlining that there were no three-story buildings in the proposal, and that there were less proposed dwellings than application 4386/16.

57.85 Chris Dashper, Thurston Parish Council, commented on the consultation response from the Police, that the applications were premature and would cause an adverse impact, that approval would undermine the Neighbourhood Plan, and that there would be a loss of agricultural land.

57.86 Julian West, Objector, outlined that 70 objections had been received, that the application had been twin tracked, the number of approved homes in the

area, that this was development in the countryside, the distance to local amenities, that traffic problems would increase, and that the road network would become dangerous.

- 57.87 In response to Members' questions the Corporate Manager- Growth and Sustainable Planning clarified that a legal order would be required to change the footpath.
- 57.88 Leslie Short, Agent, outlined that in comparison to the previous application, (4386/16), the application had a lower density, that there were no three storey buildings, that there was affordable housing and 30 bungalows, that the landscaping strategy would have a minor negative effect on the landscape as detailed in the appeal statement, and that the design improvements outweighed the loss of agricultural land.
- 57.89 The Agent responded to Members' questions regarding the density of the application, the consultation response from the Police, the footpath links, cycle access and the balancing pond.
- 57.90 Councillor Esther Jewson, Ward Member, outlined that there was a lack of parking at the railway station, that the application provided no benefits, that there was a lack of mitigation for the railway station, that the Neighbourhood plan should be given due weight, and that there were fears of crime along the proposed footpath.
- 57.91 Councillor Derrick Haley, Ward Member, outlined that he did not feel that people had listened, that the government said that they needed homes in the right place, that the arguments had been well rehearsed and that he was disappointed by the decisions that had been made.

(vii) DEBATE AND MOTIONS 4386/16 &02232/17

57.92 Item 5

Application	4386/16
Proposal	Erection of 138 dwellings including the construction of a new vehicular access and provision of cycle/ pedestrian link to Barton Road together with the provision of road and drainage infrastructure, landscaping, and open space.
Site Location	THURSTON – Land on West side of Barton Road, Thurston
Applicant	Bovis Homes Ltd

- 57.93 Councillor Roy Barker proposed that the application be refused on the grounds that the application did not represent good design and layout, that the development would neither conserve or enhance the local character of the

area and that it would fail to make a positive contribution to making the place better for people.

57.94 Members' debated the application on the issues including, the proposed three storey buildings, the proposed number of dwellings, the cumulative impact of the developments, highways issues, railway safety issues and the outcome of the Planning appeal.

57.95 The Proposal was Seconded by Councillor Wendy Marchant.

57.96 By 12 votes to 2 with 1 abstention

57.97 **DECISION:**

Refuse Planning Permission for the following reasons:

1. Having regard to the scale and mix of dwellings located in proximity to the western and southern boundary of the site and the inclusion of 3 story apartment accommodation within the scheme the proposal would not represent good design and layout, having regard to the relationship with adjacent development, its character and local distinctiveness. On that basis, the proposal would neither conserve nor enhance the local character of the area. Notwithstanding the benefits of delivering new dwellings on the site on that basis the proposal would be contrary to NPPF paragraph 56 and CSFR FC 1.1 failing to make a positive contribution to making the place better for people.

2. The proposed development would unacceptably develop and lead to a cumulative loss of best and most versatile agricultural land, contrary to the principles of paragraph 112 of the NPPF, in a way which would divide the field in a manner that would not support the efficiency of the agricultural economy.

57.98 Item 6

Application	02232/17
Proposal	Erection of 129 dwellings (including 45 affordable dwellings), construction of new vehicular access and provision of cycle/ pedestrian link to Barton Road. Provision of road and drainage infrastructure and open space (second application)
Site Location	THURSTON – Land on West side of Barton Road, Thurston
Applicant	Bovis Homes Ltd

57.99 Members debated the application on the issues including possible deferral, the cumulative impact of the approved developments, the proposed walkway, that there were no unresolved consultee objections, the lack of five-year land supply, the impact on the railway system, the health provision in Thurston, the

consultation response from the Police, and the provision of Section 106 monies.

57.100 The Corporate Manager clarified that planning regulations did not allow pooled obligations for Section 106 Agreements from more than 5 applications.

57.101 Members continued debate the application with some Members raising significant concerns over the cumulative impact of the developments, the design of the site and the density of the site.

57.102 Councillor David Whybrow proposed that the application be approved as per the amended Officer recommendation with the additional conditions of a scheme for resource and energy efficiency measures, scheme of superfast broadband, and that the Corporate Manager- Growth and Sustainable Planning be delegated to draft a condition on safeguarding risk management and mitigation for future occupiers in relation to rail way station safety, and that garaging to be used for domestic parking purposes only.

57.103 The Proposal was Seconded by Councillor Michael Burke.

57.104 By 8 votes to 7

57.105 **DECISION:**

That the Corporate Manager – Growth and Sustainable Planning be authorised to grant planning permission subject to the prior completion of a Section 106 or Undertaking on terms to his satisfaction to secure the following heads of terms:

- **£476,441 is required towards the building of a new primary school in Thurston.**
- **£37,526 towards the cost of the land to provide the new primary school.**
- **£116,662 is required for the provision of new pre-school facility in Thurston**
- **35% Affordable Housing to be transferred over to a Registered Provider.**
- **To secure the provision of public open space to be managed by a dedicated management company**
- **Up to £73,530 to secure off-site highway improvement works as listed below (dependant on the decision reached on other applications in the village):**
 - **Contribution towards improvements at the A143 Bury Road/ C691 Thurston Road/ C649 Brand Road, junction at Great Barton. A contribution of up to £41,717 is required on commencement of work on site.**
 - **Contribution towards safety improvements at the C693 Thurston Road/ C692 Thurston Road/ C693 New Road including a 40MPH speed limit on the C692 Thurston Road. A contribution of £8,711 is required at the commencement of the first dwelling.**

- **Contribution towards extension of the 30MPH speed limit on the Barton Road west of Mill Lane. A contribution of £8000 is required on commencement of construction work on site.**
 - **Contribution towards provision of pedestrian crossing facilities at the junction of Norton Road/ Station Hill/ Ixworth Road. A contribution of up to £15,068 is required on occupation of the first dwelling.**
 - **Creation of new Prow to Heath Road (Cycle Route 51) by means of a contribution of £34,000 is required on completion of 50% of the total number of dwellings.**
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- **Provision of Skylark mitigation**

 - **Setting up of a management company to look after the open space and Sustainable Drainage parts of the scheme.**

And that such permission be subject to the conditions as set out below:

- (1) Two-year time start time (as opposed to the usual 3)**
- (2) Existing tree protection**
- (3) Construction management agreement**
- (4) External Lighting**
- (5) Landscaping details**
- (6) Commencement period for landscaping**
- (7) Works to be carried out in line with the ecological report**
- (8) Materials**
- (9) Landscaping**
- (10) Residential boundary treatment**
- (11) Highway Conditions (covering site access, internal layout, Construction Management plan, highway drainage, footway, and cycle connectivity)**
- (12) Surface water drainage**
- (13) Fire Hydrant requirements**
- (14) Scheme of resource and energy efficiency measures, including car charging points to be agreed.**
- (15) Scheme to provide super-fast broadband to be agreed**
- (16) Delegate to Corporate Manager – Growth and Sustainable Planning to draft condition to safeguard risk management and mitigation for future occupiers in relation to rail way station safety.**
- (17) Garaging to be used for domestic parking purposes only.**

The business of the meeting was concluded at 9.30 pm.

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Chairman