

## MID SUFFOLK DISTRICT COUNCIL

Minutes of the **DEVELOPMENT CONTROL COMMITTEE 'A'** held at the Council Offices, Needham Market on Wednesday 6 January at 9:30am.

**PRESENT:** Councillors: Matthew Hicks (Chairman)  
Gerard Brewster  
David Burn  
Lavinia Hadingham  
Derrick Haley \*  
John Levantis  
Wendy Marchant\*  
Lesley Mayes  
Keith Welham \*  
David Whybrow

Denotes substitute \*

**Ward Members:** Councillor: Kevin Welsby

**In Attendance:** Senior Development Management Planning Officer (JPG)  
Development Management Planning Officer (MP)  
Senior Legal Executive (KB)  
Governance Support Officers (VL/GB)

### **NA25 APOLOGIES/SUBSTITUTIONS**

Councillors Derrick Haley, Wendy Marchant and Keith Welham were substituting for Councillors Diana Kearsley, John Field and Sarah Mansel respectively.

### **NA26 DECLARATIONS OF INTEREST**

Councillors Gerard Brewster and Lesley Mayes declared a non-pecuniary interest in application 3010/15 as members of the Stowmarket Town Council Planning Consultation and Strategy Committee.

### **NA27 DECLARATIONS OF LOBBYING**

Councillor Keith Welham had been lobbied by email on application 3010/15.

### **NA28 DECLARATIONS OF PERSONAL SITE VISITS**

There were no declarations of personal site visits.

### **NA29 MINUTES OF THE MEETING HELD 2 DECEMBER 2015**

Report NA/01/16

The minutes of the meeting held 2 December 2015 were confirmed as a correct record subject to a minor typographical amendment to page D, penultimate paragraph, to delete 'X' from 'AXCV Status'.

### **NA30 MINUTES OF THE PLANNING REFERRALS COMMITTEE MEETING HELD 18 NOVEMBER 2015**

#### **Report NA/02/16**

The minutes of the Planning Referrals Committee meeting held 18 November 2015 were confirmed as a correct record subject to a minor typographical amendment to page J to read 'small developments'.

### **NA31 PETITIONS**

None received.

### **NA32 QUESTIONS FROM MEMBERS**

None received.

### **NA33 SCHEDULE OF PLANNING APPLICATIONS**

#### **Report NA/03/16**

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

<b>Planning Number</b>	<b>Application</b>	<b>Representations from</b>
3010/15		Trevor Connick (Objector) Phil Cobbold (Agent)
2986/15		Ian Southcott (Applicant)

#### **Item 1**

Application Number: **3010/15**  
Proposal: Proposed residential development, associated highway, car parking and open space  
Site Location: **STOWMARKET** – Land at Chilton Leys, Bury Road  
Applicant: Laurence Homes (Eastern) Ltd

Note: Councillor Lavinia Hadingham was delayed, therefore she was unable to participate in consideration of Application 3010/15.

Trevor Connick addressed the Committee to express the residents' objection to development on the proposed site. He commented that the land provided a much needed recreational and visual open space for the residents of the estate and should be retained as such.

Phil Cobbold, the Agent for the Applicant, commented that the site and the footpath were privately owned and currently the public use and access were at the owner's discretion and with their informal agreement. Once the development was completed, the remainder of the land would be transferred to the ownership of the Council for the benefit of local

residents and to provide a permanent link between the existing estate, the proposed new school and the new development currently being constructed by a different developer. Mr Cobbold said the land had originally been designated as a Visually Important Open Space (VIOS) to provide a transition between the town and the countryside, but since the new development had been implemented this was no longer pertinent. In his opinion, where policies relevant at the time were now out of date, permission should be granted unless to do so was outweighed by the adverse impacts caused. Mr Cobbold also answered Members' questions with regards to the historic designation and purpose of the open space and the terms of its current use by the public.

Councillor Gary Green, Ward Member, commenting by email said he fully endorsed Stowmarket Town Council's (STC) reasons for refusal. The site was an important green corridor on an estate with minimal green space. It was widely used by walkers throughout the year as it linked to Chilton Fields sports fields and also Onehouse village. It had a lovely visual aspect and provided a green barrier to the new Chilton Leys development. Residents in the vicinity who bought their houses from new had been assured by the developer that this land would not be built on and were rightly against the application. Although homes were needed and he accepted Stowmarket would bear the brunt of development, this was totally the wrong place and he urged the Committee to refuse the application using the policies mentioned by STC.

Councillor Dave Muller, Ward Member, commenting by email said he supported the comments of Councillor Green and STC and urged refusal on the grounds mentioned. The area was well used by residents and would be greatly missed if built on.

The Case Officer answered Members' questions with regards to the proposed transfer of the remaining open space to the ownership of the Council, the land's current status and its use by the public.

During the debate Members expressed their opinion that the benefit of the open space to support health and wellbeing of the local community far outweighed the need for a further housing development in this location. They also considered the land's current status, its use by the public and the Council's future responsibility for maintaining the remainder of the open space once it was transferred to its ownership. Members also concurred with the opinion of the Suffolk County Council's Landscape Planning Officer that further development would negatively affect the green space infrastructure in this location. Notwithstanding officer recommendation to grant planning permission subject to appropriate conditions, a motion to refuse permission was moved and seconded. The Senior Development Management Planning Officer drew Members' attention to the goodwill nature of the informal consent from the Applicant that permitted the public to use the open space.

By a unanimous vote

**Decision** – That outline planning permission be refused for the following reason:

- The site forms part of a designated, visually important open space within the saved 1998 Local Plan and the adopted 2008 Stowmarket Area Action Plan (SAAP). The development of up to 10 dwellings on part of this land would reduce the open amenities of that land and reduce the space between buildings to the detriment of local amenity. Moreover, the development would not result in equivalent or better replacement of that open space, and it has not been clearly demonstrated that this open space is surplus to requirements, having regard to the local community interest in its retention. On that basis the development would be contrary to Saved

Policy SB3 of the adopted 1998 Local Plan, contrary to policy 9.1 of the adopted 2008 Stowmarket Area Action Plan and contrary to paragraph 74 of the NPPF

Item 2

Application Number: **2986/15**  
Proposal: Residential development of up to 130 homes, including affordable homes, with areas of landscaping and public open space, a new access from The Street and associated highway infrastructure  
Site Location: **BRAMFORD** – Land adjacent Bramford Playing Field, The Street, IP8 4DU  
Applicant: Cemex UK Properties Ltd

The Chairman drew Members' attention to the tabled papers, which contained an amended recommendation detailing two additions to the proposed obligations:

- Contribution towards the provision of NHS Healthcare provision at Deben Road Surgery - £42,780
- Provision of on-site open space, management and maintenance including an appropriate commuted sum and scheme to ensure delivery of parkland area phased relative to occupation of the residential development and continued availability for public use

Ian Southcott, the Applicant, advised that the proposal was the result of extensive consultation and engagement with the local community through parish council meetings and a public exhibition, and comments received had been taken on board and positively reacted to. He considered the proposed development to be appropriate in size and location and a logical extension to the existing built up area. It would help to meet the need for new homes and contribute to the affordable housing requirements. Approval would also result in significant contributions to community facilities.

Councillor John Field, Ward Member, commenting by email said he recognised the need for development to meet the needs of the area but was concerned by the level of expansion in this County Division. It was important that such expansion did not produce dramatic change to the environment by overloading infrastructure. School provision, transport and shops were most critically affected but the leisure and recreational facilities, including the countryside, must not be significantly compromised. He believed current developments or development proposals would impact on transport and educational facilities in the area. Some infrastructure aspects, e.g. sports facilities and education capacity, were being addressed but medical and transport capacity was not. The development proposed was in a part of the village favoured by the Village Plan and the impact was acceptable. The local recreational facilities could accommodate additional clients, with some expansion and it was essential that the proposed funding was implemented without renegotiation for reduction. The increased customer base would make local facilities more sustainable. Public transport was currently barely adequate and clearly insufficient to service many forms of employment and the night-time economy in Ipswich. The requirements of a travel plan must be agreed and the Corporate Manager's discretion should not include an acceptance of no action. Impact on highways would be manageable if the mitigation proposals by County Highways were implemented as defined, but these proposals must be delivered in good time. Schools were currently at or near capacity, but were on sites that could accommodate expansion. It was essential, should the developments take place, that funding identified by the County was provided and the resultant education and pre-school provision plan executed in good time. In summary, he was in favour of the development and believed the majority of local residents would be supportive, providing essential protections for quality of life and improvements to

infrastructure were designed and put in place. The funding and actions identified in the proposal must be enshrined in a legal agreement and not just proposed to get the application accepted then abandoned or re-negotiated.

Councillor Kevin Welsby, Ward Member, said that he was grateful to the applicant for the care and consideration that had been given to residents during the application process. Concerns had been listened to and taken into account. Although the site was outside the Settlement Boundary it had good connectivity to the village through the adjacent playing field and playground. He fully supported the application.

Members unanimously agreed that the application was satisfactory and a motion to approve the recommendation as contained in the tabled papers was proposed and seconded.

By a unanimous vote

**Decision** – That authority be delegated to the Corporate Manager (Development Management) to grant outline planning permission subject to the prior completion of a Section 106 on terms to his satisfaction to secure the following heads of terms and that such permission be subject to the obligations as set out below:

- Contribution towards the provision of Suffolk County Council Infrastructure including the following:
  - Pre-school provision - £79,183
  - Education - £961,935
  - Libraries - £28,080
- SCC Highways improvements
  - Zebra crossing and Acton Road junction improvement - £40,000
  - Bus stop improvement - £20,000
  - Bus shelter provision (subject to land availability) - £6,000
- Contribution towards the provision of NHS Healthcare provision at Deben Road Surgery - £42,780
- 35% Affordable housing of a tenure, mix and timing to be agreed
- Provision of on-site open space, management and maintenance including an appropriate commuted sum and scheme to ensure delivery of parkland area phased relative to occupation of the residential development and continued availability for public use
- Provision of play space
- Contribution towards the provision of off-site open space and social infrastructure
- Provision of sustainable urban drainage system
- Provision of requirements for Travel Plan to be agreed at discretion of Corporate Manager

Conditions:

1. 3 year time limit
2. Compliance with plans
3. Submission of reserved matters application
4. A scheme of archaeological investigation to be undertaken and agreed
5. Details of surface water drainage to be agreed
6. Details of wildlife mitigation to be agreed
7. Highways – Details of estate roads and footpaths
8. Highways – No dwelling to be occupied until roads provided
9. Highways – Details of parking, turning and manoeuvring to be agreed
10. Highways – Visibility splays to be provided

11. Lighting design scheme to be agreed
12. Construction environmental management plan
13. Fire hydrants to be provided
14. Tree protection plan to be agreed
15. Arboricultural method statement to be agreed
16. Scheme of hard and soft landscaping to be agreed and implemented
17. Details of existing and proposed ground levels to be agreed