

**MID SUFFOLK DISTRICT COUNCIL**

Minutes of the **DEVELOPMENT CONTROL COMMITTEE 'A'** held at the Council Offices, Needham Market on Wednesday 30 March 2016 at 9:30am.

**PRESENT:** Councillor: Matthew Hicks (Chairman)  
Gerard Brewster  
David Burn  
John Field  
Lavinia Hadingham  
Derrick Haley \*  
John Levantis  
John Matthissen \*  
Lesley Mayes  
David Whybrow

Denotes substitute \*

**Ward Members:** Councillor: Suzie Morley  
Derek Osborne

**In Attendance:** Senior Development Management Planning Officer (JPG)  
Senior Planning Officer (GW/IW)  
Development Management Planning Officer (SLB/RB/LE/SB)  
Enabling Officer – Heritage (WW)  
Senior Legal Executive (KB)  
Senior Development Management Engineer (Central Area) –  
Suffolk County Council  
Governance Support Officers (VL/KD)

**NA50 APOLOGIES/SUBSTITUTIONS**

Councillors Derrick Haley and John Matthissen were substituting for Councillors Diana Kearsley and Sarah Mansel respectively.

**NA51 DECLARATIONS OF INTEREST**

Councillor John Field declared a non-pecuniary interest in Application 0072/16 as he knew the applicant.

Councillor Lavinia Hadingham declared a non-pecuniary interest in Application 2285/15 as her son belonged to the First Fressingfield Scout Group and she knew the applicant.

Councillor Gerard Brewster declared a non-pecuniary interest in Application 2285/15 as he was the Chairman of the Stowmarket District Scouts.

Councillor John Field declared a non-pecuniary interest in Application 2285/15 as he knew the First Fressingfield Scout Group Scoutmaster.

Councillor Gerard Brewster declared a non-pecuniary interest in Application 4188/15 as in his role as Economy and Stowmarket Regeneration Portfolio Holder he had previously met with the applicant.

Councillor Matthew Hicks declared a non-pecuniary interest in Application 4188/15 as the Suffolk County Councillor for the Thredling Division.

#### **NA52 DECLARATIONS OF LOBBYING**

It was noted that Members had been lobbied on Applications 2285/15, 4188/15 and 0610/15.

#### **NA53 DECLARATIONS OF PERSONAL SITE VISITS**

None received.

#### **NA54 MINUTES OF THE MEETING HELD 3 FEBRUARY 2016**

##### **Report NA/08/16**

The minutes of the meeting held 2 March 2016 were confirmed as a correct record.

#### **NA55 PETITIONS**

None received.

#### **NA56 QUESTIONS FROM MEMBERS**

None received.

#### **NA57 SCHEDULE OF PLANNING APPLICATIONS**

##### **Report NA/09/16**

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>
0072/16		Kate Wood (Agent) Julian Cunningham (Applicant)
0150/16		Kate Wood (Agent) Julian Cunningham (Applicant)
2285/15		Philip Eastgate (Objector) Dawn Carmen-Jones (Supporter) Robert Williams (Applicant) Mark Allen (Agent)
3622/15		John Blakeway (Objector)
4188/15		Nick Hardingham (Parish Council) Trevor Stiff (Applicant)
3701/15		Marion Ravenhill (Parish Council) Roger Gilles (Agent)

0610/15

Peter Dow (Parish Council)  
Jennifer Tooke-Merchant (Objector)  
John Moore (Applicant)

2982/15

Alan Cowell (Applicant)

Item 1

Application Number: **0072/16**  
Proposal: Change of use and conversion of former dairy and adjoining workshop into 2 no one bedroom dwellings  
Site Location: **ELMSWELL** – Dagwood Farm, Ashfield Road IP30 9HJ  
Applicant: Mr J Cunningham

In response to Members' questions the Officer clarified the area of shared parking and proposed garden size for the dwellings.

Kate Wood, the agent advised that the dairy and workshop were no longer required for any agricultural purpose and the intention of the proposal was to bring them back into use. The other agricultural buildings connected to the farm had already been converted and the proposed changes to the building were not significant. Current Government policy supported the principle of conversion. Although a previous application for listed building consent had been refused, policy had changed since that time. Paragraph 14 of the NPPF stated that permission should be granted unless the impacts significantly and demonstrably outweighed the benefits and in this case they did not. She advised that the change of use was to prevent the building falling into disrepair.

In response to Members' questions Julian Cunningham, the applicant, advised that conversion to holiday lets had been considered but this was not felt suitable for the area. He confirmed that the building was no longer required for agricultural purposes.

Councillor John Levantis, Ward Member said it was a finely balanced application. There had been some concern regarding the impact of the conversion on the listed building, the density of dwellings within the site and the hazardous pedestrian access to the village. However, the proposal would provide two small, energy efficient dwellings which were much needed. On balance, he supported the application.

Councillor Sarah Mansel, Ward Member, commenting by email said she supported this application and that for listed building consent. She advised that Elmswell was working on a Neighbourhood plan and information gathered showed that there was a need for smaller properties. Elmswell was a large key service centre with numerous facilities, and although the site was outside the Settlement Boundary the lack of a five year land supply meant that development was supported in sustainable locations. There was a pavement in close vicinity which led to the village centre and facilities could be accessed on foot. The use of the building for dwelling purposes would not constitute any further harm to the listed building over and above the development already underway on the site. The work already carried out had improved the appearance of both the barn and the dairy building, and it could be argued that it had enhanced the setting of the listed building. She had a slight concern regarding the increase in density of housing within the site but felt this was a minor issue outweighed by the benefits.

It was generally felt that although the Planning and Heritage Officers had given some sound reasons for refusal the earlier development on site had changed the situation. It was a sustainable location and the already approved solar panels were felt to have a greater impact on the setting of the listed building than the proposed conversion. There was support from both Ward Members and the Parish Council.

It was considered that the application accorded with planning policy FC1 and paragraph 55 of the NPPF and a motion to approve the application subject to appropriate conditions was moved and seconded.

By 5 votes to 3 with 1 abstention

**Decision** – Grant Planning Permission subject to the following conditions:

- Time limit for commencement
- Approved plans
- Details of boundary treatment and timetable for being carried out/maintained
- No external lighting
- Wildlife survey and mitigation
- Details of windows to be agreed
- Surface and foul water drainage to be agreed
- Highways condition on parking
- Details of bin storage

## Item 2

Application Number: **0150/16**  
Proposal: Works associated with the change of use and conversion of former dairy building to two dwellings  
Site Location: **ELMSWELL** – Dagwood Farm, Ashfield Road IP30 9HJ  
Applicant: Mr J Cunningham

Kate Wood, the agent, said that the only issue was the impact of the gable windows, roof lights and changes to the internal structure. All the other buildings on the site had already been converted and she did not feel this proposal caused any harm to the setting of the listed building which was some distance away. The conversion would provide two needed one bedroom homes and had the support of both Ward Members. She advised that the applicant would be happy for conditions regarding landscaping, hard surfacing and removal of permitted development rights to be included with an approval.

The Ward Member comments for Application 0072/16 were reiterated.

By 6 votes to 3

By a unanimous vote

**Decision** – That Listed Building Consent be approved subject to the following conditions:

- Time limit for commencement of works
- Approved plans
- Details of insulation and internal works to be agreed

## Item 3

Application Number: **2285/15**  
Proposal: Full Planning permission – Erection of new Scout Headquarters with associated facilities and new access road. Outline Planning Permission – Erection of 30 new dwellings with all matters reserved (except the new road access to serve the properties)  
Site Location: **FRESSINGFIELD** – Land and buildings at red house Farm, Priory Road IP21 5PH  
Applicant: Mr and Mrs Barrett and The First Fressingfield Scout Group

It was noted that the recommendation should be amended to read 'for reason(s) in resolution 1 and 2' not 'for reason(s) in resolution A'.

Phil Eastgate, an objector, said there was strong local opinion against the proposal because of traffic concerns and the destruction of a natural habitat. It was not possible to guarantee the required visibility splays and as much traffic exceeded the speed limit this would result in an increased danger. The additional traffic from the Scout Hut, which he did not feel was a replacement for the existing one, but an activity centre which would hold evening and camping activities more appropriate elsewhere, would also adversely impact on residents. The bungalows in Priory Crescent would be overlooked by the new development and the infrastructure needed to be increased to cope with the additional residents.

Dawn Carmen-Jones, a supporter, said that 'scouts' referred to the Scout Association and members' ages ranged from 5 to 15 years of age. The Fressingfield Group had grown over the last five years and there was much concern over the existing hall which had no running water and very poor facilities. The area used by parents to drop off children was also very dangerous. Other halls had been approached but none could provide what was required and no other landowner had offered a suitable site. The proposed development represented in fill and provided a safe pedestrian/cyclist access. The applicant had worked with agencies to ensure the proposed housing was suitable for requirement and no harm would be caused by the proposal.

Robert Williams, the applicant and Mark Allen, the agent shared the speaking time. Robert Williams advised that he had first met with a Planning Officer in July 2014 and been briefed on the required surveys, including Highways. He had met with Peter Black, the Highways Officer at that time who had given acceptance in principle to the proposal, including the entrance from New Street. The first objection from Highways was received in September 2015 citing reasons for refusal as the lack of a footway and inadequate visibility splays. An alternative professional opinion was commissioned and this found that the access point on New Street provided visibility splays within the tolerances and the new footway and illuminated bollards provided a safe route for pedestrians. The development on the adjoining site had not been required to provide footways. He said that Highways had withdrawn from an arranged site meeting and he was not aware that the current officer had visited the site.

Mark Allen, advised that he was a Chartered Planner in Highways and felt the objections put forward were unfounded. He believed the proposed visibility splay was within guidelines for sites within the Settlement Boundary\* on a road with speeds well below 40mph. He believed the SCC Highways Officer was measuring the visibility splay within standards usual for trunk roads and was therefore over provisioning what was required. He felt that the information used was out of date and misleading. (\* Note: It was confirmed that the site was outside the Settlement Boundary)

Andrew Pearce, Senior Development Management Engineer (Central Area), Suffolk County Council advised that he was unaware of any comments made by the previous officer dealing with the application. He confirmed that he had visited the site and that in view of the results of the speed survey, which showed that traffic regularly travelled at speeds above the 30mph limit, that the correct guidance had been used in coming to the decision to recommend refusal.

Councillor Lavinia Hadingham, Ward Member, said that the new Scout Hall was needed as the existing had no running water, toilets, was cold in winter and poorly lit outside. She was not overly concerned regarding the lack of a footpath in New Street as many people used the footpath across the field and only walked a short distance along New Street.

There were other facilities in the village, eg the Methodist Church and shop, where there was no pavement along New Street to access them. The applicant had done everything possible to comply with guidance and it was frustrating that the change of Highways Officer had resulted in a change to the guidance given. Fressingfield was a primary village and the proposed development would provide much needed affordable units and a recreational area.

Member opinion was divided.

Some Members considered the application was satisfactory as the housing was needed in the village to support sustainability and provided a pedestrian route to the school and although there was no footpath to the shop most people would drive anyway. The road was like many others in Suffolk which did not have a pavement or lighting and some provision had been made for a footpath. Permission had already been given for houses either side of the site with no requirement for a footpath to be provided. The visibility splay was across mown grass and the original Highways advice had been that it was acceptable.

Others, while having sympathy for the applicant and accepting the need for both the new Scout Headquarters and the housing considered that the professional opinion of the Highways Officer could not be ignored. He had visited the site and confirmed his opinion was that a safe access and pedestrian link could not be provided in the proposed location.

A motion to refuse the application as per the recommendation was drawn by four votes for, four against and one abstention.

By the Chairman's casting vote

**Decision** – That Full and Outline Planning permission be refused for the following reasons:

1. The development does not provide adequate pedestrian links to the services and facilities in Fressingfield. The development would lead to an increase in pedestrian activity within the road resulting in greater conflict between pedestrians and traffic. The proposal does not provide suitable and safe pedestrian links to services and facilities. The development does not provide or promote viable infrastructure necessary for the development, or prioritise pedestrian access and as such does not contribute to the achievement of sustainable development. The proposal is deemed contrary to policy T10 of the Mid Suffolk Local Plan 1998, policies FC1 and FC1.1 of the Core Strategy Focused Review 2012 and paragraphs 6, 31, 32, 34, 35 and 72 of the NPPF
2. Part of the visibility splay required for the new road entrance and exit are not within the Highway Authority's or applicant's ownership or control. Their provision and future retention cannot be secured and on that basis the development cannot deliver safe and secure access as required by Policy T10 of the Mid Suffolk Local Plan and paragraph 32 of the NPPF

**At such time Committee determine the application without a Planning Obligation being secured the Professional Lead – Growth and Sustainable Planning be authorised to refuse full planning permission for reasons in resolution above and including the following reason for refusal:**

Inadequate provision of open space and/or infrastructure contrary to policy CS6 or the Core Strategy 2008 without the requisite S106 obligation or CIL being in place

Item 4

Application Number: **3622/15**  
Proposal: Proposed residential development consisting of 3 no four bedroom detached houses with detached garages and proposed access  
Site Location: **WALSHAM-LE-WILLOWS** – Land to rear of 1 and 2 Upper Meadow IP31 3AY  
Applicant: Mr Farrow

It was noted that the date in Recommendation 2 should be amended to read 10 8 April 2016, and that the site area on page 138, paragraph 3, should read 0.29ha.

John Blakeway, an objector, said that the views he was expressing were supported by all neighbours in Upper Meadow. He said the site was outside the Settlement Boundary, and although the NPPF had overruled previous guidance, questioned whether some weight should still be given to this. He said the NPPF stated that any adverse impacts should not outweigh the advantages of development and this proposal would severely impact on the residential amenity of neighbouring properties. He questioned the adequacy and safety of the proposed access and noted that the driveway was owned by himself and the owners of 2 Upper Meadow and when purchasing their properties no mention had been made of access being to multiple owners. As the owners of the driveway there was no intention of making any alterations so the access could not be amended. The proposals would double the use of the driveway which was single lane with bushes to each side. There was no footway along the driveway limiting access to village facilities.

Councillor Derek Osborne, Ward Member, said that he had visited the site and considered that the access was onto a large road and should not pose a problem for anyone entering or exiting the site.

Councillor Jessica Fleming, Ward Member, commenting by email advised that she had visited the site and wished to make the following comments:

- The proposal was for 4 bed detached homes with detached garages when local need was for more modest and affordable dwellings
- The access had poor visibility
- The rural nature of the site access both onto the road and from the site itself posed challenges for construction traffic and to enable sufficient width for two vehicles
- Manging construction would be important if approved due to close proximity of homes
- There was a likelihood of buried resources of high archaeological interest
- The effect on the Conservation Area did not appear to have been considered

She said she could not support the application.

In response to a Member's question Andrew Pearce, Senior Development Management Engineer (Central Area), Suffolk County Council advised that he had not visited the site but on looking at the plans he had no concerns regarding the access. He believed that sufficient land was in Highway ownership and the hedges could be cut back sufficiently to meet the visibility splay requirements.

Members generally found the application acceptable. It was felt the site was contiguous with the Settlement Boundary and the proposed development was consistent with the existing and did not cause any significant harm to residential amenity. A motion for approval was proposed and seconded.

By 9 votes to 1

**Decision** – That Full Planning Permission be granted subject to:

**(1) The Professional Lead – Growth and Sustainable Planning being authorised to secure a planning obligation under Section 106 of the Town and Country Planning Act 1990 to provide:**

- Financial contribution of £54,933 towards off site affordable housing

and the following conditions

1. Time limit
2. Development in accordance with approved plans
3. Details of facing and roofing materials to be agreed
4. Access to be improved in accordance with requirements of the Highway Authority
5. Visibility splays to be provided in accordance with requirements of the Highway Authority
6. Parking and manoeuvring area to be provided
7. Archaeological investigation to be undertaken and findings discharged
8. Construction management plan to be agreed and implemented
9. Recommendations of the arboricultural report to be implemented

**(2) In the event the applicant fails to provide an executed Section 106 planning obligation to the satisfaction of the Professional Lead – Growth and Sustainable Planning by 10 April 2016 that the Professional Lead be delegated authority to proceed to determine the application and secure appropriate developer contributions by a combination of Section 106 planning obligation and the Council's CIL charging schedule subject to the following conditions:**

1. Time limit
2. Development in accordance with approved plans
3. Details of facing and roofing materials to be agreed
4. Access to be improved in accordance with requirements of the Highway Authority
5. Visibility splays to be provided in accordance with requirements of the Highway Authority
6. Parking and manoeuvring area to be provided
7. Archaeological investigation to be undertaken and findings discharged
8. Construction management plan to be agreed and implemented
9. Recommendations of the arboricultural report to be implemented

Item 5

Application Number: **4188/15**  
Proposal: Hybrid application comprising: (a) Outline application for 52 dwellings including access and associated works (matters to be reserved layout, scale, appearance and landscaping) (b) Full planning application for a proposed new training facility, workshop and parking area  
Site Location: **CREETING ST MARY** – J Breheny Contractors Ltd, Flordon Road IP6 8NH  
Applicant: Mr T Stiff

It was noted that the date in Recommendation 3 should be amended to read 8 April 2016 and that an additional condition was to be included in Recommendation 3: 'To secure the provision of and adoption of public footpath'.



Nick Hardingham, speaking for the Parish Council advised the Committee that a public meeting held to discuss the application had been very well attended with much concern being expressed regarding the scale of the development and its impact on the village. The development was not sustainable as there were inadequate facilities locally to cope with the increase in residents; the local school and that in Needham Market were full as was the doctor's surgery. Flordon Road was narrow, as was the footpath which was also on a blind bend and there would be safety issues for both vehicles and pedestrians. The proposal was for urban style development on an isolated site with poor connectivity and was not appropriate for the location. There was also inadequate parking provided. There had not been any community engagement in any pre-application discussions.

Trevor Stiff, the applicant, began by giving the Committee a brief history of the site and company. He advised that due to the recession the company expanded its boundaries and as such, the site was no longer logistically sensible. During the recession the company had not been able to take on youngsters for training but it was now able to do so but current laws did not allow under 18 year olds to be trained on the job. The company had therefore decided to build a facility to enable young people to be brought into the business and provided with the training to give them the necessary skills and allow the company to provide further employment for local people.

Councillor Suzi Morley, Ward Member, stated that although this was a large application for the village of 52 dwellings, it did include 18 affordable houses and open space provision, which would contribute to the wider housing needs of the District. The developers had made themselves available at a public meeting and site visit. She advised that she felt that all objections regarding Highways and pedestrian safety had been addressed and concerns had been satisfied. She concluded by stating that she concurred with the Officers recommendation.

Members commended the applicant on building a centre that would be used to train young people in the area, and during the debate that followed they considered matters including:

- HGV movements on Flordon Road
- The proposed footpath
- Noise impact
- Use of the training facility by other organisations.

Having considered all the representations Members generally felt that the proposal was sustainable, with the footpath link, and would not have a detrimental effect on the characteristics of the village. Large lorry movements were reduced as equipment was now kept at a site in the West Midlands and the noise issue was resolved by the bund topped with acoustic fencing. Members requested that the condition for the training centre to be used only by Breheny Contractors was changed so that other local organisations could also use the facility.

By 6 votes to 2 with 2 abstentions

**Decision** – Subject to no new material planning considerations being raised:

**(1) That the Professional Lead – Growth and Sustainable Planning be authorised to secure a planning obligation under Section 106 of the Town and Country Planning Act 1990 to provide:**

- On site affordable housing (35%)
- Provision of public open space and play equipment and management
- Contributions to education, libraries, public rights of way, health and waste

**(2) That, subject to the completion of the Planning Obligation in Resolution (1) above to the satisfaction of the Professional Lead – Growth and Sustainable Planning be authorised to grant outline planning permission and full planning permission:**

#### Full Planning Permission

- Time limit
- Approved plans
- Details of materials
- Training centre use
- Parking and turning area to be provided before first use of either the training or workshop buildings
- Details of hard and soft landscaping and implementation
- Details of preventing surface water discharging on to the highway
- Hours of operation 07:30 to 18:00 (Monday to Friday); 08:00 to 18:00 (Saturdays); and no working on Sundays or Bank Holidays
- Details of external lighting
- Tree protection measures
- Provision and adoption of public footpath

#### Outline Planning Permission

- Standard time limit
- Reserved matters
- Approved plans
- Phasing of development to be agreed in writing by the LPA
- Concurrent with the submission of reserved matters – surface water management strategy
- Concurrent with the submission of reserved matters – an Arboricultural Impact Assessment
- Details of materials to be agreed by the LPA
- Concurrent with the submission of reserved matters application details of the new footway and kerbing shall be submitted to and approved in writing by the LPA. The approved details to be laid out, constructed and functional available for use prior to occupation of the first dwelling
- Concurrent with the submission of reserved matters – details of the estate road, any other roads and parking and turning areas
- Details showing means to prevent discharge surface water from the development on to the highway
- Details of fire hydrants to be installed within the development
- Details of hedgehog friendly fencing
- Timings of work – wildlife mitigation
- Details of lighting scheme (wildlife mitigation)
- Mitigation measures identified in Mill House Ecology Report to be implemented in full
- A strategy for investigating land contamination, details of any remedial works required and those required to be implemented in full
- Details of surface water drainage
- Details of a foul water strategy
- Removal of permitted development rights (extensions and outbuildings)
- Concurrent with the submission of reserved matters – details of the attenuation bund and acoustic barrier

- Any first floor bedrooms on the northern and eastern boundary of the site facing the A14 to have acoustic double glazing with a minimum weighted sound reduction index of 35 dB Rw + Ctr or better
- Details of passive ventilation to any first floor bedrooms for dwellings in the eastern and northern parts of the site
- Details of boundary treatments
- Details of waste bins and garden composting bin storage
- Tree protection including method statement and monitoring schedule
- Hard and soft landscaping scheme and implementation
- Levels
- External lighting
- Concurrent with the submission of reserved matters – details of the play equipment to be provided on the open space

**(3) In the event that the applicant fails to provide an executed Section 106 planning obligation on terms to the satisfaction of the Professional Lead – Growth and Sustainable Planning by 10 April 2016 that the Professional Lead be delegated authority to proceed to determine the application and secure appropriate developer contributions by a combination of Section 106 planning obligation (for on-site contributions and obligations) and the Council’s CIL charging schedule. To prevent duplication of developer contributions this is achieved by:**

- a. Having regard to those matters which would have been planning obligations under Section 106 and which are details in the Council’s CIL charging regulation 123 infrastructure list, to omit those from the requisite Section 106;
- b. To secure funding for those remaining infrastructure items removed from the Section 106 planning obligation under the CIL charging schedule; and
- c. To secure those matters which are not infrastructure items by the requisite Section 106

**(4) That, subject to the completion of the Planning Obligation in Resolution (1) or CIL in Resolution (2) above to the satisfaction of the Professional Lead – Growth and Sustainable Planning, the Professional Lead be authorised to grant outline and full planning permission subject to the conditions listed in (2) above**

**(5) That in the event of the Planning Obligation and/or CIL regulation referred to in Resolution (1 and 2) or (3 and 4) above not being secured the Professional Lead – Growth and Sustainable Planning be authorised to refuse full planning permission for reason(s) including:**

Inadequate provision of affordable housing, open space and/or infrastructure contrary to Policy CS6 of the Core Strategy 2008 and Altered Policy H4 without the requisite S106 obligation or CIL being in place

Item 6

Application Number:	<b>3701/15</b>
Proposal:	Conversion of Kelly House to residential use, conversion of the Old Chapel to residential use, demolition of workshop adjoining the Old Chapel, demolition of free-standing workshop building and the erection of 7 no new houses
Site Location:	<b>THORNDON</b> – Kerrison Conference and Training Centre, Stoke Ash Road IP23 7JG
Applicant:	Winesham Ventures Ltd

The Case Officer clarified that as the flats had independent gardens that are accessible to the rear of the property, cycle storage was not a problem. The date in the Recommendations should read 8 April 2016, not 10 April 2016.

Marion Ravenhill, speaking for the Parish Council gave full support to the application. She praised the Developers for working with both the Parish Council and the Community, in order to provide a proposal that was suitable. She did comment that a report from the Water Company was required as no comments from them regarding this development had been received.

Roger Gilles, the Agent spoke to the Committee and advised that there had been a great deal of positive input and support from the local community and that all recommendations and comments received had been taken on board and addressed.

Members debated the Application and commented that it was positive to see community engagement on this level. It was agreed that this development would support existing services in the community, and as the site was currently dis-used the development would enhance the area. Members took into account the comments from the Parish Council regarding surface and foul water drainage and requested that this be added to the Recommendation as a condition.

By a unanimous vote.

#### **Decision –**

**(1) Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Professional Lead – Growth and Sustainable Planning to secure:**

- Affordable housing contribution of £68,587
- Education contribution – £73,086 primary contribution to Thorndon CEVP School; £73,420 secondary contribution and £19,907 sixth form contribution to Eye Hartismere School
- Estate management

**(2) In the event that the applicant fails to provide an executed Section 106 planning obligation on terms to the satisfaction of the Professional Lead – Growth and Sustainable Planning by 10 April 2016 that the Professional Lead be delegated authority to proceed to determine the application and secure appropriate developer contributions by a combination of Section 106 planning obligation (for on-site contributions and obligations) and the Council's CIL charging schedule. To prevent duplication of developer contributions this is achieved by:**

- (a) Having regard to those matters which would have been planning obligations under Section 106 and which are details in the Council's CIL charging regulation 123 infrastructure list, to omit those from the requisite Section 106;
- (b) To secure funding for those remaining infrastructure items removed from the Section 106 planning obligation under the CIL charging schedule; and
- (c) To secure those matters which are not infrastructure items by the requisite Section 106

**(3) That, subject to the completion of the Planning Obligation in Resolution (1) or CIL in Resolution (2) above to the satisfaction of the Professional Lead – Growth and Sustainable Planning, the Professional Lead be authorised to grant full planning permission and full planning permission subject to conditions including:**

- Standard time limit
- Approved plans
- Tree protection plan and method statement
- Assessment and mitigation of activities around retained trees
- Engineering and construction methods for any works required within Root Protection Areas
- Auditable system of arboricultural site monitoring
- Hard and soft landscaping scheme and implementation
- Demolition carried out prior to first occupation
- Land contamination
- Biodiversity enhancement measures
- Scheme for carrying capacity of pumping/high reach appliances
- Vehicular access surfaced prior to first occupation
- Details to show means to prevent discharge surface water from the development on to the highway
- Construction of carriageways and footways
- Provision of parking and manoeuvring areas
- Scheme for cycle parking and storage to be agreed
- Removal of permitted development rights Schedule 2 Part 1 Class A, B, C, D, E and G
- Construction management to include demolition management and construction working hours
- Provision of walls and fences prior to first occupation and subsequently retained
- Material details to include road surfaces
- Details of lighting columns and bollards
- Surface and foul water drainage to be agreed

**(4) That in the event of the Planning Obligation and/or CIL regulation referred to in Resolution (1 and 2) or (3 and 4) above not being secured the Professional Lead – Growth and Sustainable Planning be authorised to refuse full planning permission for reason(s) including:**

- Inadequate provision/contribution towards infrastructure and management contrary to policy CS6 of the Core Strategy 2008 without the requisite S106 obligation and/or CIL being in place

Item 7

Application Number: **0610/16**  
Proposal: Change of use and conversion of redundant church to dwelling house with provision of parking and formation of new vehicular access  
Site Location: **ELMSWELL** – Elmswell Methodist Church, School Road IP30 9EW  
Applicant: Mr J Moore

The Case Officer drew Members attention to the tabled papers, and in particular comments from Councillor Sarah Mansel regarding investigating the location of where any graves might be, and appropriately managing this.

Peter Dow, speaking for the Parish Council advised the Committee that there were a range of objections for this development from the Parish Council, the village itself and other organisations. He advised that the building played an important role in the community of the village and would continue to do so in the future. There would be major growth in Elmswell in the future, and this building would be required to continue to support local amenities. The designation as an ACV showed the great support for the retention of the buildings for community use.

Jennifer Tooke-Marchant, an objector supported comments made by the Parish Council. She advised that the building was used by villagers and people from the surrounding area. Without the use of the building some of the groups that currently used it would cease. It was in a central location in the village making it easily accessible.

John Moore, the applicant, advised the Committee that the Methodist Church were keen that the community retained the site, but at a fair price to the Church, and for this reason planning permission had been sought. He advised that the site was still available for purchase. The proposal would not affect groups using the site, as there were numerous meeting rooms in the village. Although the NPPF sought the preservation of community facilities, e.g. shops, he did not believe this related to Churches, or that an ACV could be placed on a Church.

Councillor John Levantis, Ward Member, stated that the site contained both a hall and a chapel, and the site was well maintained and easily accessible. As the population of Elmswell was due to increase he felt that more community space was required to support this in the future. If the site was split and the Church converted to a dwelling this would make the remainder of the site unviable.

Councillor Sarah Mansel, Ward Member, commenting via email asked the Committee to refuse the application. She agreed with comments made by the Parish Council and reiterated that Elmswell was a thriving village that needed the community space offered by Wesley Hall. She commented that parking provided in the proposal was inadequate and would cause future issues. The Parish Council were trying to purchase the whole site and had plans for the future community use of the Church in perpetuity.

During the course of the debate Members commented on the roof lights on the proposal and agreed that these would be detrimental to the character of the historic building. It was requested that this reason be added to the reasons for refusal. Members remarked that a comprehensive case from the Parish Council had been presented, and it was felt that it was important to support the community in their endeavours to preserve a much valued building.

By a unanimous vote.

**Decision** – That Full Planning Permission be refused for the following reasons, subject to the receipt of any additional consultation response

The Methodist Church, together with the Wesley and Exchange Halls has been designated as an Asset of Community Value for which significant community support has been demonstrated. The loss of the church as a community facility would be harmful to the provision of community facilities in the area and adversely affect the vitality of the locality to the detriment of sustainable development with particular regard to the social role performed by those facilities. The conversion of the church to residential use would also be likely to prejudice the continuing viability and sustainable operation of the remaining halls with which it currently shares off street parking provision.

On that basis the proposal is contrary to paragraphs 7, 28 and 70 of the National Planning Policy Framework that seek to guard against the unnecessary loss of valued facilities and promotes the retention of such uses, and Policies FC1 and FC1.1 of the Core Strategy Focused Review which translates the guidance contained in the NPPF to local circumstances in seeking to deliver Sustainable Development

The introduction of roof lights on the west elevation would be detrimental to the character of the historic building contrary to policy HB1 of the Local Plan

Item 8

Application Number: **2982/15**  
Proposal: Change of use from retirement home to 18 flats and one staff flat  
Site Location: **WHITTON** – Whitton Park, Thurleston Lane IP1 6TJ  
Applicant: Mr Cowell

Members were advised that the recommendation should be amended as follows:

- Recommendation 2 – Condition 5 – add ‘of first dwelling’
- Include Recommendation 3 as per the tabled paper

Alan Cowell, the applicant, advised that when he originally purchased the park in order to manage the Care Home he had always wanted to provide low cost housing for the community at some point in the future. The opportunity to do so had now arisen and the architect had designed a sympathetic scheme for 19 flats and the bank had agreed to fund the development. A footpath would be put in to provide pedestrian access and SCC Highways had agreed to widen the road to improve this for car users.

Councillor John Whitehead, Ward member, commenting by email said that he supported the application. He considered the proposal to be in a sustainable location, albeit in the ‘countryside’, and welcomed the reuse of the existing building. The plans and elevation showed an attractive development set in a pleasant rural setting which provided easy access to all local facilities close by in North Ipswich. It was crucial, however, that the highway improvements and footpath provision were implemented prior to occupation.

Members fully supported the proposal and a motion for approval was proposed and seconded, subject to an additional condition to remove permitted development rights.

By a unanimous vote

**Decision – That authority be delegated to the Professional Lead – Growth and Sustainable Planning to grant planning permission subject to the prior completion of a Section 106 on terms to his satisfaction to secure the following heads of terms:**

Financial contribution towards:

- Affordable housing (payable on occupation of fourth dwelling)
- Education
- Libraries
- Waste collection

Provision of new footway along Thurleston Lane to Whitton Park Lane prior to occupation

**(2) And that such permission be subject to the conditions as set out below:**

- Standard time limit
- List of approved documents
- Highways – improvements to access prior to any other works
- Highways – details of footpath to be agreed prior to commencement
- Highways – footpath to be completed prior to occupation of first dwelling
- Details of hard and soft landscaping
- Timescale for landscaping
- Details of surface water drainage to be agreed prior to commencement
- Arboricultural impact assessment to be submitted prior to any works to form parking spaces
- ‘No dig’ construction in root protection area of oak tree
- Removal of permitted development rights \*

\* **Note:** This was later confirmed as not necessary as flats do not have permitted development rights for outbuildings

**(3) In the event that the applicant fails to provide an executed Section 106 planning obligation on terms to the satisfaction of the Professional Lead – Growth and Sustainable Planning by 8 April 2016 that the Professional Lead be delegated authority to proceed to determine the application and secure appropriate developer contributions by a combination of Section 106 planning obligation (for on-site contributions and obligations) and the Council’s CIL charging schedule. To prevent duplication of developer contributions this is achieved by:**

- (a) Having regard to those matters which would have been planning obligations under Section 106 and which are details in the Council’s CIL charging regulation 123 infrastructure list, to omit those from the requisite Section 106;
- (b) To secure funding for those remaining infrastructure items removed from the Section 106 planning obligation under the CIL charging schedule; and
- (c) To secure those matters which are not infrastructure items by the requisite Section 106

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 Chairman