

NOVEMBER 2019

It was resolved that the Minutes of the Meeting held on 27 November 2019 were confirmed and signed as a true record.

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

None received.

90 SA/19/16 SCHEDULE OF PLANNING APPLICATIONS

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

Application Number	Representations From
DC/19/03659	Anthony Bryant (Brundish Parish Council) Amy Finn (Objector) Rupert Durrant (Applicant) Cllr Julie Flatman (Ward Member)
DC/19/02878	Jonathan Miller (Old Newton Parish Council) Michael Helliwell (Objector) Leslie Short (Agent) Cllr Rachel Eburne (Ward Member)
DC/19/03924	Peter Dow (Elmswell Parish Council) Geoff Armstrong (Agent) Cllr Sarah Mansel (Ward Member) Cllr Helen Geake (Ward Member)

The Chair announced before the commencement of SA/19/16 that the applications would be taken in the following order:

1. DC/19/03659
2. DC/19/02878
3. DC/19/03924

91 DC/19/03659 NEWTONS FARM, STRADBROKE ROAD, BRUNDISH, WOODBRIDGE, SUFFOLK, IP13 8BG

91.1 Item C

Application	DC/19/03659
Proposal	Full Planning Application – Erection of 5 No dwellings (following demolition of agricultural buildings).
Site Location	BRUNDISH – Newtons Farm, Stradbroke Road, Brundish, Woodbridge, Suffolk, IP13 8BG

Applicant

Greenfield Durrant Ltd

- 91.2 The Case Officer presented the application to the Committee outlining the proposal before Members, the layout of the site, and the officer recommendation of approval with conditions.
- 91.3 The Case Officer responded to Members' questions on issues including: that no response had been received from Planning Policy, and that it was deemed as feasible that the trees could be moved across the site but that a condition could be added to replant the trees if this failed.
- 91.4 The Area Planning Manager and Case Officer responded to Members' questions on issues including: the conversion of agricultural buildings under Class Q applications, and that a pond was proposed to be re-introduced on site.
- 91.5 Members considered the representation from Anthony Bryant of Brundish Parish Council who spoke against the application.
- 91.6 Members considered the representation from Amy Finn, who spoke as an objector.
- 91.7 Members considered the representation from Rupert Durrant, who spoke as the Applicant.
- 91.8 The Applicant responded to Members' questions on issues including: that a housing needs survey had not been conducted and what the positive impact of the development would be.
- 91.9 Members considered the representation from Councillor Julie Flatman who spoke as the Ward Member.
- 91.10 The Ward Member responded to Members' questions on issues including: that there were no bus services in the area.
- 91.11 Members debated the application on the issues including: the relevance of Class Q applications with regards to the site as this was not a Class Q application, the footprint of the building being significantly larger than the existing agricultural buildings, that the sites location was not sustainable, and that the proposed design was not in-keeping with the layout of the area which included the proposed height of the development.
- 91.12 The Area Planning Manager advised Members that the previous Class Q permission was a relevant material planning consideration and that it was within the Committee's prerogative to decide whether the enlargement of the footprint of developed land was acceptable.
- 91.13 Councillor John Matthissen proposed that the application be refused for the reason detailed below:

The application was refused for the following reason:-

The site benefits from a potential fallback position created by the previous (and now lapsed) Class Q barn conversion (Ref 3481/16) and full planning permission for the creation of one residential dwelling (Ref DC/18/02008) on site. However, it is considered that this application far exceeds both the scale of development and footprint of development established under this position. The increase in the number of dwellings and increase in the developed area of the site is such that it is not considered to be directly comparable and beyond the permitted allowance of Class Q that accepts the burden of development within strict criteria based on the principles of reuse of existing buildings and to restrict potential harm. Therefore, it is necessary to consider whether the development of the site would represent sustainable development without any potential fallback position or when this position is exceeded. When weighed against the three strands of the sustainability set out within the NPPF, while some positive benefits can be found when considering the social and economic impacts of development, the location of the site poorly connected to serviced (including education) and there are no nearby facilities to speak of such that there would be an overwhelming dependency on the use of private car travel by future residents of the site. It is further considered that the design of the proposed development would be out of keeping and out of character with the surrounding development and rural environment. Consequently, the scale of the environmental harm identified and scale of the development, when balanced against benefits of the site and any fallback position, would clearly and demonstrably outweigh the benefits of approving the application judged on its merits. The development is considered contrary to Local Plan 1998 policies H7 and GP1, Core Strategy policies CS1, CS2 and CS5 and NPPF.

91.14 Councillor Barry Humphreys MBE seconded the motion.

91.15 Members continued to debate the application on the issues including: Planning Appeal decisions that had taken place in the area, the visual impact of the proposed development, and the scale of the development.

91.16 By a unanimous vote

91.17 **RESOLVED**

The application was refused for the following reason:-

The site benefits from a potential fallback position created by the previous (and now lapsed) Class Q barn conversion (Ref 3481/16) and full planning permission for the creation of one residential dwelling (Ref DC/18/02008) on site. However, it is considered that this application far exceeds both the scale of development and footprint of development established under this position. The increase in the number of dwellings and increase in the developed area of the site is such that it is not considered to be directly comparable and beyond

the permitted allowance of Class Q that accepts the burden of development within strict criteria based on the principles of reuse of existing buildings and to restrict potential harm. Therefore, it is necessary to consider whether the development of the site would represent sustainable development without any potential fallback position or when this position is exceeded. When weighed against the three strands of the sustainability set out within the NPPF, while some positive benefits can be found when considering the social and economic impacts of development, the location of the site poorly connected to serviced (including education) and there are no nearby facilities to speak of such that there would be an overwhelming dependency on the use of private car travel by future residents of the site. It is further considered that the design of the proposed development would be out of keeping and out of character with the surrounding development and rural environment. Consequently, the scale of the environmental harm identified and scale of the development, when balanced against benefits of the site and any fallback position, would clearly and demonstrably outweigh the benefits of approving the application judged on its merits. The development is considered contrary to Local Plan 1998 policies H7 and GP1, Core Strategy policies CS1, CS2 and CS5 and NPPF.

92 DC/19/02878 LAND OFF CHURCH ROAD, CHURCH ROAD, OLD NEWTON, IP14 4EF

92.1 A short comfort break was taken between 10:36-10:45 after the completion of DC/19/03659 but before the commencement of DC/19/02878.

92.2 Item B

Application Proposal	DC/19/02878 Outline Planning Application (some matters reserved – access and landscaping to be considered) – Erection of up to 64 dwellings (including up to 22 affordable dwellings).
Site Location	OLD NEWTON – Land Off Church Road, Church Road, Old Newton, IP14 4EF
Applicant	Mr North

92.3 The Case Officer presented the application to the Committee outlining the proposal before Members, the layout of the site, the previous approval on site, and the officer recommendation of approval with conditions.

92.4 The Area Planning Manager advised Members that the officer recommendation was updated to include the conditions as set out by the Environmental Management Officer as detailed in page 165 & 166 of the Agenda and that the Ecological measures be secured by condition.

- 92.5 The Case Officer responded to Members' questions on issues including: that the details of the dwellings locations would be available in a reserved matters application.
- 92.6 Members considered the representation from Jonathan Miller, of Old Newton Parish Council, who spoke against the application.
- 92.7 Members considered the representation from Michael Helliwell, who spoke as an objector.
- 92.8 The Objector responded to Members' questions on issues including: that the meadow associated with the application was not a Site of Special Scientific Interest (SSSI).
- 92.9 Members considered the representation from Leslie Short, who spoke as the Agent.
- 92.10 The Area Planning Manager clarified that the relevance of the Council's current policies had been tested at Appeals and were subsequently ruled as being out of date.
- 92.11 Members considered the representation from Councillor Rachel Eburne, who spoke as the Ward Member.
- 92.12 Members considered the written representation from Councillor Keith Welham, which was read out by the Chair.
- 92.13 Members debated the application on the issues including: the current Local Plan and settlement boundary, the Draft Joint Local Plan which included the proposed allocations and updated settlement boundary.
- 92.14 The Area Planning Manager advised Members that the Draft Joint Local Plan had negligible weight at its current stage, and that it and the previous local plan showed that the site was outside the settlement boundary.
- 92.15 Members continued to debate the application on the issues including: the Council's current and draft proposals for settlement boundary policies, the comments of the Parish Council, and the scale of the development.
- 92.16 In the absence of any further comments the Chair asked the committee to consider whether they would accept the resolution of a deferral to seek further Ecological comments due to the current holding objection.
- 92.17 The Area Planning Manager further advised that if Members were minded to defer then further information could be sought regarding the Deliverability of the site.
- 92.18 Councillor John Matthissen proposed that the application be deferred to seek further information on the Ecological mitigation measures and to confirm the deliverability of the site with the Applicant.

92.19 Members debated the merits of a deferment and whether the further information would significantly change Members view of the application to make a substantive resolution.

92.20 No seconder was found for the proposed deferral. The motion subsequently fell.

92.21 Councillor Harry Richardson proposed that the application be approved as detailed in the updated officer recommendation. Councillor Barry Humphreys MBE seconded the motion.

92.22 By 4 votes to 3

92.23 **RESOLVED**

That Outline Planning Permission is Granted subject to conditions.

(1) Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Chief Planning Officer to secure:

- **Affordable housing**
- **On site open space and includes management of the space to be agreed and requirement for public access at all times.**

(2) That authority be delegated to the Chief Planning Officer to GRANT Planning permission subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- **Standard time limit (3yrs for implementation of scheme/Outline/Reserved/Section73)**
- **RM to include layout, appearance etc. and detailed cross sections that show relationship of finished development with all adjoining sites + a minimum of 10% open space**
- **Approved Plans (Plans submitted that form this application)**
- **Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL)**
- **External Materials to be submitted and chosen from traditional vernacular palette**
- **Swift boxes installation scheme to be agreed**
- **Hedgehog fencing scheme to be agreed**
- **SuDs conditions**
- **Market housing mix prior to or concurrent with reserved matters to be agreed**
- **Renewable Energy scheme to be agreed**
- **Rainwater harvesting to be agreed**
- **Construction Plan to be agreed.**
- **Level access to enable wheelchair access for all dwellings/buildings.**

(3) And the following informative notes as summarised and those as may be deemed necessary:

- Proactive working statement
- SCC Highways notes
- Support for sustainable development principles

(4) That in the event of the Planning obligations or requirements referred to in Resolution (1) above not being secured and/or not secured within 6 months that the Chief Planning Officer be authorised to refuse the application on appropriate ground

Additional Conditions:

- Ecological Coniditions as set out in the updated Consultee response

93 DC/19/03924 LAND TO THE WEST OF THE FORMER BACON FACTORY, ELMSWELL

93.1 Item A

Application	DC/19/03924
Proposal	Outline planning application (some matter reserved – access to be considered) for site redemption works (phase 1) and the erection of up to 65 dwellings with the safeguarding of land for potential future delivery of a relief road, public open space, and associated landscaping (Phase 2).
Site Location	ELMSWELL – Land to the west of the Former Bacon Factory, Elmswell
Applicant	Harrow Estates PLC

93.2 The Case Officer presented the application to the Committee outlining the proposal before Members, the layout of the site, and the officer recommendation of approval.

93.3 The Case Officer and Area Planning Manager responded to Members' questions on issues including: the proposed access to the site, that there would be only one access, the advice that was given in the Suffolk Design Guide, the response from the Highways Authority, and the proposed vehicle routes that could be taken from the site to the A14.

94.4 Members considered the representation from Peter Dow of Elmswell Parish Council who spoke against the application.

94.5 Members considered the representation from Geoff Armstrong who spoke as the Agent.

94.6 The Case Officer responded to further questions from Members regarding the

capacity for healthcare and that this would be mitigated through the Community Infrastructure Levy (CIL).

94.7 Members considered the representation from Councillor Sarah Mansel who spoke as a Ward Member.

94.8 Members considered the representation from Councillor Helen Geake who spoke as a Ward Member.

94.9 The Ward Members responded to Members' questions on issues including: the expansion of schools in the area, and the current status of the Neighbourhood Plan.

94.10 Members debated the application on the issues including: the contents of the Suffolk Design guide , specifically regarding the access to the site and its suitability. Members continued to debate on issues including: the provision for education including the schooling provision, the proposed cycle benefits and the details of what these would be, and any risks of flooding downstream.

94.11 A short adjournment was taken between 12:55-13:01.

94.12 The Area Planning Manager addressed the Committee outlining concerns regarding the Highways comments and the proposed improvements and updated the officer recommendation as follows:

- That the application is deferred for the reason below:
- Officers Considered that given the questions raised on Highways matters during the presentation and debate that further consideration and detail was needed to provide Members with sufficient information to take a decision forward. Further details as to the highway considerations and improvements shall be compiled and the application would be returned to the MSDC Development Control B Committee.

94.13 Councillor Guthrie proposed that the application be deferred as detailed in the updated officer recommendation. Councillor John Matthissen seconded the motion.

94.14 By a unanimous vote

94.15 **RESOLVED**

That the application was deferred for the reason below:

- **Officers Considered that given the questions raised on Highways matters during the presentation and debate that further consideration and detail was needed to provide Members with sufficient information to take a decision forward. Further details as to the highway considerations and improvements shall be compiled and the application would be returned to the MSDC Development Control B Committee.**

94 SITE INSPECTION

94.1 None requested.

The business of the meeting was concluded at 1.03 pm.

.....
Chair