

SA/13/16

MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **DEVELOPMENT CONTROL COMMITTEE B** held at the Council Offices, Needham Market on 11 May 2016 at 09:30 am

PRESENT: Councillor Kathie Guthrie – Chairman – Conservative and Independent Group
Councillor Roy Barker – Vice-Chairman – Conservative and Independent Group

Conservative and Independent Group

Councillor: Jessica Fleming
Derrick Haley *
Diana Kearsley *
John Levantis
Dave Muller

Green Group

Councillor: Sarah Mansel *

Liberal Democrat Group

Councillor: Mike Norris

Denotes substitute *

Ward Members:

In attendance: Professional Lead – Growth and Sustainable Planning
Senior Development Management Planning Officer (JPG)
Interim Planning Lawyer
Governance Support Officer (VL/KD)

SA74 APOLOGIES FOR ABSENCE/SUBSTITUTIONS

Councillors Derrick Haley, Diana Kearsley and Sarah Mansel were substituting for Councillors Julie Flatman, Jane Storey and Keith Welham respectively. An apology for absence was received from Councillor Barry Humphreys MBE.

SA75 DECLARATIONS OF PECUNIARY/NON-PECUNIARY INTEREST

Councillor Dave Muller declared a non-pecuniary interest in Application 3308/15 as the Ward Member for Stowmarket North and having had contact with Crest Nicholson Eastern Ltd, Cedars Park Action Group and residents.

SA76 DECLARATIONS OF LOBBYING

It was noted that there had been receipt of lobbying by email.

SA77 DECLARATIONS OF PERSONAL SITE VISITS

Councillor Sarah Mansel declared that she had visited the site for Application 1709/16.

SA78 QUESTIONS FROM MEMBERS

None received.

SA79 SCHEDULE OF PLANNING APPLICATIONS

Application Number	Representations from
1709/16	Sam Rogers (Objector) Michael Smith (Applicant)

Item 1

Application Proposal	1709/16 Creation of 89 no one, two, three and four bedroom houses, bungalows and apartments, plus associated roads, car parking, public open space and landscaping, including vehicle access from Wagtail Drive and cycleway/emergency access from Stowupland Road (scheme includes provision for temporary construction access from Stowupland Road)
Site Location	STOWMARKET – Phase 6C Cedars Park
Applicant	Crest Nicholson Eastern

The Senior Development Management Planning Officer (JPG) drew Members attention to the tabled papers which included the response from Stowmarket Town Council, Environmental Health, Highways England, Landscape Officer, Natural Environment Team and further representations from residents. The Chairman adjourned the meeting to allow Members to read the papers.

The Professional Lead – Growth and Sustainable Planning outlined the major concerns to the community, the changes in policy since the earlier Wagtail Drive development, the Highways Authority response, relevant NPPF guidance, the reasons for refusal of the previous application and the position regarding the lack of a five year land supply.

The Senior Development Management Planning Officer (JPG) advised that 22% Affordable Housing was proposed and that the CIL figure was likely to be £360,000. He also recommended that all the conditions suggested by Highways and the SCC Ecology Officer be included if permission was granted.

Sam Rogers, speaking on behalf of the Cedars Park Action Group, said that development was not opposed but that it must be appropriate to its setting. A meeting had been held with Crest Nicholson since the previous application was refused and although some concerns had been addressed, eg the inclusion of bungalows along the Elizabeth Way boundary, which was welcomed there were still concerns remaining. The ancient meadow to the south of the site was a designated area of biodiversity in the Master Plan; the tree line view on the Gipping Valley Ridge was the only such view from the town; the planned housing in the Master Plan had already been exceeded; a proposed roundabout had been replaced with a T-junction which was a major cause of the existing traffic problems; and the proposed development was not in keeping with Norton House, a Listed Building. Stowmarket Area Action Plan Policy 4.2 said that build must enhance the town and views which this development did not, and Policy 9.1 said a designated meadow as a key biodiversity area should not be developed.

Michael Smith, the applicant, said the proposed scheme addressed the issues for the previous refusal. The previously proposed houses to the south of Hill Farm had been removed allowing the trees to remain, landscaping was to be enhanced to strengthen biodiversity and the field access was not to be used for traffic again allowing for enhanced

planting. The number of dwellings had been reduced and bungalows now replaced the proposed houses along Elizabeth Way to overcome overlooking concerns. Although he accepted the concerns regarding parking problems on Wagtail Drive, these were not related to the development site and the proposed parking would mean that the problem was not exacerbated. It was a sustainable location within the Settlement Boundary with facilities within walking distance. The scheme was compliant with planning policy and there were no technical or policy objections from the statutory consultees.

Councillor Dave Muller, Ward Member, advised that although there were some positives from this revised application and Crest Nicholson had listened to residents regarding some concerns there were still many objections. The major concern was still the Wagtail Drive road access. Many cars parked on the road and some on the pavement, if all the cars were parked on the road emergency access would not be possible and those on the pavement caused an obstruction to pedestrians. There were many roads leading on to Wagtail Drive and he received numerous complaints about reduced vision caused by the parked cars. He said emergency vehicles might not be able to get through Wagtail Drive quickly enough causing a danger to life and he was also unhappy with the proposed emergency access as this would require the driver to use a key to remove the pillar to gain entry again causing delay. He felt that notwithstanding the Highways Authority comments an access from Stowupland Road would be preferable as this was the shortest route to the town. Other concerns were the lack of infrastructure (schools, doctors, dentists) to cope with the additional demand from the new homes. He considered the application should be refused on safety grounds.

Councillor Barry Humphreys MBE, Ward Member, commented by email. He said that he knew the area well and understood the concerns of the residents over the increased traffic on Wagtail Drive. The current traffic issues were well documented and there was no evidence of mitigation to reduce the congestion on this narrow road. He was dismayed that much of what was previously stated by the Town Council, Ward members and residents had been ignored, particularly as it concerned road safety. He asked the Committee to seriously consider the safety aspects concerning the scheme and also to listen to the very well made and researched comments of the residents and Town Council. Most people accepted the need for the development but could not agree to the road plan and use of Wagtail Drive, it was dangerous.

Louise Humphreys, Interim Planning Lawyer, drew Members' attention to the previous refusal for an application for 97 dwellings. She advised that as none of the reasons for refusal pertained to Wagtail Drive or access arrangements, and there was now a reduction in the number of properties, it would be difficult for the Council to sustain this as a reason for refusal on appeal.

Whilst understanding residents' concerns regarding the density of traffic Members found the application a great improvement on the previous one. It was considered that the reduction in dwelling numbers, bungalows along Elizabeth Way, retention of trees, additional protection to Hill House and the good design meant the application was now acceptable. It was to be hoped that the Traffic/Parking Review would result in mitigation measures to the current problems.

A motion to approve the application subject to two additional conditions:

- Scheme of construction delivery and contractor access arrangements and signage to be agreed
- All conditions recommended by SCC Ecologist and SCC Landscape Officer

was proposed and seconded.

By a unanimous vote

Decision – authority be delegated to the Professional Lead – Growth and Sustainable Planning 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 and that such permission be subject to the conditions as set out below:

Education Travel Contribution of £66,750 towards the provision of free travel facilities to students of Trinity Church of England Voluntary Aided Primary School who live at the Site to Trinity Church of England Voluntary Aided Primary School

- Affordable Housing
- Provision of on-site public open space
- Traffic/Parking Review £10,000 for Wagtail Drive and associated roads to be carried out at an appropriate agreed time

and that such permission be subject to the following conditions:

- Standard time limit
- Approved plans
- Archaeological programme of works
- A waste minimisation and recycling strategy to be approved
- Travel plan to be agreed
- Obscured glazing to all bathrooms and landings to be retained
- Removal of permitted development for loft/roof works to create additional openings above ground floor and roof
- Removal of permitted development for extensions
- Provision of fire hydrants to be agreed
- Highway conditions (as per SCC recommendations)
- Foul and surface water drainage strategy to be agreed
- Lighting strategy (with reference to protected species)
- Landscape, tree and root protection measures
- Landscape management of non-domestic areas
- Construction methodology to be agreed, including operation hours
- Control of emergency access to be agreed
- The residential accommodation shall be constructed so as to provide sound insulation against external noise as indicated in Figure 3 of the acoustic report by Grant Acoustics (Ref: GA-2015-0002-R1-RevA). Construction of the residential premises shall not commence until a scheme detailing the specific acoustic mitigation measures for individual plots has been submitted to the local Planning Authority and approved in writing
- Scheme of construction delivery and contractor access arrangements and signage to be agreed
- All conditions recommended by SCC Ecologist and SCC Landscape Officer

Informative: Provision of salt boxes to be prepared for bad weather conditions and in order to promote prompt and effective emergency access to the site the planning authority strongly recommend keyless access/bollards arrangements

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Chairman