BABERGH DISTRICT COUNCIL

Minutes of the meeting of the **PLANNING COMMITTEE** held in the King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Wednesday, 19 May 2021 09:30AM

PRESENT:

Councillor: Peter Beer (Chair)
Stephen Plumb (Vice-Chair)

Councillors: Sue Ayres, Melanie Barrett, David Busby, John Hinton, Mary McLaren, Adrian Osborne, Alison Owen, Lee Parker

Ward Member(s):

Councillors: Cllr Bryn Hurren

In attendance:

Officers: Planning Lawyer (IDP)
Governance Officer (RC)
Area Planning Manager (MR)
Planning Officer (JW/SS)

Apologies:

Leigh Jamieson

74 SUBSTITUTES AND APOLOGIES

Apologies of absence were received from Councillor Leigh Jamieson.

75 DECLARATION OF INTERESTS

Councillor Lee Parker declared a Local Non-Pecuniary interest for applications DC/21/00476 and DC/21/00510 as the Ward Member for the items of business.

76 PL/20/19 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 5 MAY 2021

It was resolved that the minutes of the meeting held on the 5 May 2021 were confirmed and signed as a true record.

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

The Governance Officer outlined that one petition had been received with regards to planning application DC/20/0330 which had previously been reported to the Committee at the last hearing of the application.

The Governance Officer outlined that the petition would be reported to the Planning Committee again for completeness following the judicial review and subsequent decision.

The petition was reported as follows.

That 96 valid signatories had signed the petition supporting the following statement:

We the undersigned petition the planning committee at Babergh District Council to reject Catesby Estates application DC/20/00330 to build new homes on Land to the East of Sand Hill, Boxford.

78 SITE INSPECTIONS

None requested.

79 PL/20/20 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

In accordance with the Council's arrangements for Public Speaking at Planning Committee, representations were made as detailed below relating to the items in Paper PL/20/20 and the speakers responded to questions put to them as provided for under those arrangements.

Application Number	Representations From
DC/20/00330	None
DC/21/00476	Andrew Hill (Assington Parish Council) Helen Wallace (Objector)
DC/21/00510	Andrew Hill (Assington Parish Council) Helen Wallace (Objector)

It was RESOLVED

That subject to the imposition of conditions or reasons for refusal (whether additional or otherwise) in accordance with delegated powers under Council Minute No. 48(a) (dated 19 October 2004) decisions on the items referred to in Paper PL/20/20 be made as follows:-

80 DC/20/00330 LAND TO THE EAST OF SAND HILL, BOXFORD, CO10 5AD

80.1 Item 6A

Application DC/20/00330
Proposal Outline Planning Application (Access to be considered all other matters reserved) – Erection of up to 64no. dwellings and

	provision of land for a community building (Use class D1)
Site Location	**BOXFORD –** Land to the East of Sand Hill, Boxford, CO10 5AD
Applicant	Catesby Development Land Limited.

80.2Councillor Peter Beer proposed deferral for the following reason:

[a] Instruct the Chief Planning Officer and Corporate Manager - Governance review the risk assessment and mitigation measures appropriate to facilitate a Committee site visit having regard to the principles for such site visits in the Planning Charter and to seek agreement of the Councils Tactical Management Team to that approach

and

[b] subject to the agreement [a] being achieved to make arrangements for a covid secure committee site visit or

[c] to report back to committee with a briefing update and recommendation.

80.3 Councillor Stephen Plumb seconded this motion.

80.4 By a unanimous vote

80.5 It was RESOLVED: -

[a] Instruct the Chief Planning Officer and Corporate Manager - Governance review the risk assessment and mitigation measures appropriate to facilitate a Committee site visit having regard to the principles for such site visits in the Planning Charter and to seek agreement of the Councils Tactical Management Team to that approach

and

[b] subject to the agreement [a] being achieved to make arrangements for a covid secure committee site visit or

[c] to report back to committee with a briefing update and recommendation

81 DC/21/00476 LAND EAST OF ASSINGTON BARNS, THE STREET, ASSINGTON, CO10 5LW

81.1 Item 6B

Application	DC/21/00476
Proposal	Outline planning application (some matters reserved, access to be considered). Town and Country Planning Act 1990, - Erection of 18 dwellings (comprising 10 three bed bungalows, 1 four bed bungalow and 7 one bed almshouse type units for older persons) (re-submission of DC/19/04391)
Site Location	**ASSINGTON-** Land East of Assington Barns, The Street, Assington, CO10 5LW

Applicant Mr T Thain

81.2 A short break was taken between 9:50 – 10:00 am after the completion of DC/20/00330 but before the commencement of DC/21/00476.

81.3 The Case Officer presented the application to the Committee outlining the proposal before Members including, the proposed access point, the special landscape area, the absence of a housing need assessment, and the officer recommendation of refusal as detailed in the Committee Report.

81.4 Members considered the representation from the Parish Council representative Andrew Hill, who spoke against the application.

81.5 The Parish Council representative responded to Members' questions on issues including: the alms houses.

81.6 Members considered the representation from the Objector Helen Wallace.

81.7 The Objector responded to Members' questions on issues including: the infrastructure and facilities in the village.

81.8 Members' debated the application on issues including: the Assington Neighbourhood Plan, the lack of housing survey, and the issues of flooding on the site.

81.9 Councillor Peter Beer proposed refusal as set out in the officer recommendation.

81.10 Councillor Adrian Osborne seconded this motion.

81.11 Members continued to debate the application on issues such as: the existing caravan business, and the alms houses.

81.12 By a unanimous vote.

81.13 It was RESOLVED: -

That the application is REFUSED planning permission for the following reasons:

1. The proposed development, by virtue of its scale, density and location, would adversely impact the character and appearance of the area, including the landscape qualities of the Special Landscape Area, contrary to Saved Policy CR04 of the Babergh Local Plan 2006, Policies CS11 and CS15 of the Babergh Core Strategy (2019), Policy ASSN2 of the draft Assington Neighbourhood Plan and the National Planning Policy Framework 2019.

2. The proposal, lacking any affordable housing provision, fails to comply with Policy CS19 of the Babergh Core Strategy (2019).

3. The application fails to demonstrate that the development would not result in an increased risk of off-site flooding, contrary to Policy CS15 of the Babergh Core Strategy (2019) and the National Planning Policy Framework 2019.

4. The proposal would fail to deliver sustainable development, contrary to Policies CS1, CS2, CS11 and CS15 of the Babergh Core Strategy (2019) and the National Planning Policy Framework 2019. There are no material considerations that indicate otherwise.

82 DC/21/00510 LAND TO THE EAST OF THE BARN, ASSINGTON BARNS, THE STREET, ASSINGTON, CO10 5LW

82.1 Item 6B

Application	DC/21/00510
Proposal	Outline planning application (all matters reserved, access to be considered) Town and Country Planning Act 1990 – Erection of 4 two bed almshouse type units for older persons
Site Location	**ASSINGTON-** Land to the east of the Barn, assington Barns, The Street, Assington, CO10 5LW
Applicant	Mr T Thain

82.2 The Case Officer presented the application to the Committee outlining the proposal before Members including, the special landscape area, the flood risk on the site, the proposed alms houses, and the officer recommendation of refusal as detailed in the Committee Report.

82.3 The Case Officer responded to Members' questions on issues including: the size of the proposed gardens, the preapplication advice, and the nearest facilities to the site.

82.3 Members considered the representation from the Parish Council representative Andrew Hill who spoke against the application.

82.4 The Parish Council representative responded to Members' questions on issues including: the public transport links, and the need for social housing in the village.

82.5 Members considered the representation from the Objector Helen Wallace.

82.6 The Members debated the application on issues including: the Assington Neighbourhood Plan, and the proximity of the facilities to the village.

82.7 Councillor Sue Ayres proposed that the application be refused as set out in the officer recommendation.

82.8 Councillor Stephen Plumb seconded this motion.

82.9 Members continued to debate the application on issues including: the size of the proposed gardens, and the commercial use of the existing barns.

82.10 By a unanimous vote.

It was RESOLVED: -

That the application is REFUSED planning permission for the following reasons:

1. **The development cannot demonstrate that living conditions for the future residents would be acceptable. The development would be cramped with little outdoor space and would be car dominated. The scale and layout of the development would not reflect the existing pattern of development or local distinctiveness of this rural village where existing properties have large gardens and have a sense of space. The development would result in a suburban layout that is out-of-keeping with the existing character of Assington. The development is considered to conflict with Policies CS1, CS2, CS11 and CS15 of the Babergh Core Strategy. Furthermore, development of this land may comprise Community Facilities within the village and future commercial development of Assington Barn Shop and is contrary to policy ASSN22 of the Assington Neighbourhood Plan. These policies are consistent with the National Planning Policy Framework 2019.**

2. The application fails to demonstrate that the development would not result in an increased risk of off-site flooding, contrary to Policy CS15 of the Babergh Core Strategy (2019) and the National Planning Policy Framework 2019.

The business of the meeting was concluded at 11.05 am.

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Chair