

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, 30 March 2022 at 09:30am.

PRESENT:

Councillor: Stephen Plumb (Chair)
Susan Maria Ayres B.Ed Hons (Vice-Chair)

Councillors: Simon Barrett
Bryn Hurren
Alastair McCraw
Adrian Osborne

John Hinton
Leigh Jamieson
Mary McLaren
Alison Owen

In attendance:

Officers Chief Planning officer (PI)
Area Planning Manager (MR)
Planning Lawyer (IDP)
Case Officers (RW/DB)
Governance Officer (CP)

120 APOLOGIES FOR ABSENCE/SUBSTITUTIONS

120.1 Apologies for absence were received from Councillor Busby, Councillor Maybury and Councillor Beer.

120.2 Councillor Hurren substituted for Councillor Busby.

120.3 Councillor Barrett substituted for Councillor Maybury.

121 DECLARATION OF INTERESTS

121.1 There were no declarations of interest declared.

122 PL/21/28 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 16 FEBRUARY 2022

122.1 Councillor McCraw advised that paragraph 118.17 of the minutes should read defibrillator, and not defibrillators

122.2 The Governance Officer confirmed that this change would be made to the minutes.

By a vote of 7 votes for and 3 abstentions.

It was RESOLVED:

That the minutes of the meeting held on 16 February 2022 were confirmed and signed as a true record.

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

None received.

124 SITE INSPECTIONS

124.1 The Case Officer presented Members with a request for a site visit regarding application numbers DC/22/00985 and DC/21/06519, Belle Vue Park, Sudbury, providing Members with details of the proposals including: the location and layout of the site, and the reasons for the site visits.

124.2 The Case Officer responded to questions from Members on issues including: whether a representative from Suffolk County Council Highways would be in attendance.

124.3 Members debated the benefits of undertaking a site visit.

By a unanimous vote

It was RESOLVED:

That a site visit be undertaken in respect of application DC/22/00985 and DC/21/06519.

124.4 The Case Officer presented Members with a request for a site visit in respect of application number DC/20/01904, Land North of Church Road, Chilton Industrial Estate, providing Members with details of the proposal including: the location and layout of the site, and the reasons for the site visit request.

124.5 The Case Officer responded to questions from Members on issues including: the employment use of the land, the reason for the request, and when the application would be determined by Committee.

By a vote of 8 votes for and 2 against.

It was RESOLVED:

That a site visit be undertaken in respect of application number DC/20/01904.

125 PL/21/29 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/21/29 and the speakers responded to questions put to them as provided

for under those arrangements.

Application Number	Representations From
DC/21/04360	Ben Bothwick (Objector) Phil Branton (Agent) Alan Connell (Applicant)
DC/21/06805	None

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/21/27 be made as follows:-

126 DC/21/04360 HINTLESHAM GOLF CLUB, GEORGE STREET, HINTLESHAM, SUFFOLK, IP8 3JG

126.1 Item 6A

Application Proposal	DC/21/04360 HYBRID APPLICATION – Full Application for Greenkeepers building (following demolition of existing) and Outline application for Residential Development of 5No dwellings.
Site Location	HINTLESHAM – Hintlesham Golf Club, George Street, Hintlesham, Suffolk, IP8 3JG
Applicant	Mr P Branton

126.2 The Case Officer introduced the application to the Committee outlining the proposal before Members including: the location and layout of the site, the potential benefits of the development to the community and the golf club, the heritage impact, the possible urbanisation of the area and the impact on the adjacent listed buildings, the planning application history at the site, and the officer recommendation of refusal.

126.3 The Case Officer and the Chief Planning Officer responded to questions from Members on issues including: the previously approved planning applications adjacent to the site and the proximity of these to the heritage assets, the ownership of the access road, any pre-application advice provided, the management of the proposed tree nursery, and how the potential harm from the proposed dwellings is differentiated from the greenkeepers building.

126.4 Members considered the representation from Ben Borthwick who spoke as an objector.

126.5 The objector responded to questions from Members on issues including: the location of the previously approved applications adjacent to the site.

- 126.6 Members considered the representation from Alan Connell who spoke as the applicant.
- 126.7 The applicant and the agent, Philip Branton, responded to questions from Members on issues including: the management and operation of the proposed tree nursery, whether consideration could be given to all of the dwellings being single storey, and the ownership of the holiday accommodation.
- 126.8 The Chief Planning Officer responded to a question from Members regarding the mechanisms which could be conditioned for the operation of the tree nursery.
- 126.9 The Chair informed the Committee that the Ward Member, Councillor Busby, was unable to attend the meeting and advised that a statement had been issued to Members from Councillor Busby.
- 126.10 Members debated the application on issues including: the public benefits of the development, the local need for housing, the location of the site, the harm to heritage assets, viability of the existing businesses adjacent to the site, and the previously approved applications in the area.
- 126.11 The Area Planning Manager provided clarification regarding the comments received from Historic England.
- 126.12 Members continued to debate the application on issues including: the housing need, compliance with Policy CS11, the level of harm, and the heritage assets.
- 126.13 Councillor Hinton proposed that the application be refused as detailed in the officer recommendation.
- 126.14 Councillor Jamieson seconded the proposal.

By the Chairmans vote

It was RESOLVED:

That the application is REFUSED planning permission on the basis that the five new dwellings element of the proposal is not in accordance with Policies CS2 and CS15 of the Babergh Core Strategy, Policies CN01, CN06 and CN14 of the Babergh Local Plan as well as Paragraphs 78, 79, 104, 126, 127 and 174, 197, 199, 202 and 206 of the NPPF (2021).

127 DC/21/06805 LAND EAST OF THE CONSTABLE COUNTRY MEDICAL CENTRE, HEATH ROAD, EAST BERGHOLT, SUFFOLK

127.1 Item 6B

Application

DC/21/06805

Proposal	Application under Section 73 of The Town and Country Planning Act 1990 - Variation of Condition 7 (Restriction On Operation Times) and Condition 8 (Restriction On Construction Times) of Reserved Matters Approval DC/20/04663 Dated: 08/12/2021 (Outline Planning Permission B/16/01092 - Mixed-use development including up to 75 dwellings, a preschool and a neighbourhood hub, comprising a swimming pool, office space and a local shop, public open space, and associated infrastructure and landscaping as amended by drawings received on 11th November 2016 (omission of school land)) to allow amendment to Operation Times and Construction Times.
Site Location	EAST BERGHOLT – Land East of the Constable Country Medical Centre, Heath Road, East Bergholt, Suffolk
Applicant	Hills Residential Construction Ltd

127.2 A break was taken from 11:07am until 11:18am after application number DC/21/04360 and before the commencement of application number DC/21/06805.

127.3 Councillor Hinton confirmed that he would remain on the Committee and would not be speaking as the Ward Member.

127.4 The Case Officer presented the application to the Committee outlining the proposal before Members including: the location and layout of the site, the reason for referral to Committee, the previously agreed Reserved Matters application, the proposed variations to the agreed conditions, and the officer recommendation of approval.

127.5 The Case Officer responded to questions from Members on issues including: condition 7 relating to further requests being submitted in writing and whether the previously agreed conditions would remain in place.

127.6 The Area Planning Manager advised that the condition would be amended to remove the words: 'unless otherwise agreed in writing'.

127.6 Members debated the application on issues including: the effect of the increased operating hours on the local residents and traffic.

127.7 Councillor Hinton proposed that the recommendation be approved as detailed in the officer recommendation.

127.8 Councillor Owen seconded the proposal.

By a unanimous vote

It was RESOLVED:

Subject to the prior completion of a Deed of Variation to the S.106 Obligation as may be deemed necessary to the satisfaction of the Chief Planning Officer.

That the application is GRANTED to vary the wording of conditions 7 and 8 of Reserved Matters permission DC/20/04663 with the following text:

7. **ONGOING REQUIREMENT OF USE: RESTRICTION ON OPERATION TIMES** *The hereby permitted shop/work hub shall only operate between the hours of 07:00 and 22:00 Monday to Sunday. There shall be no deliveries to the development arranged for outside of these hours.*

Reason - To enable the Local Planning Authority to retain control over the development in the interests of residential amenity within close proximity.

8. **SPECIFIC RESTRICTION ON DEVELOPMENT: RESTRICTION ON CONSTRUCTION TIMES**

The hereby permitted development shall only be constructed between the hours of 07:00 and 18:00 Mondays to Fridays and between the hours of 09:00 and 13:00 on Saturday. There shall be no working on Sundays and Bank Holidays. There shall be no deliveries to the development arranged for outside of these hours.

Reason - To enable the Local Planning Authority to retain control over the development in the interests of residential amenity within close proximity.

NOTE – all other conditions from DC/20/04663 are to be re-stated where applicable.

The business of the meeting was concluded at 11.33 am.

.....
Chair (and date)