

## **BABERGH DISTRICT COUNCIL**

Minutes of the meeting of the **PLANNING COMMITTEE** held in the Frink Room (Elisabeth)  
- Endeavour House on Wednesday, 24 August 2022 at 13:30pm.

### **PRESENT:**

Councillor:	Stephen Plumb (Chair)	
	Leigh Jamieson (Vice-Chair)	
Councillors:	Simon Barrett	Peter Beer
	David Busby	Derek Davis
	Michael Holt	Alastair McCraw
	Mary McLaren	Adrian Osborne
	Alison Owen	

### **Ward Member(s):**

Councillors:	Margaret Maybury
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### **In attendance:**

Officers:	Area Planning Manager (MR)
	Planning Lawyer (IDP)
	Case Officers (PW/OF/EF)
	Governance Officer (CP)

## **28 SUBSTITUTES AND APOLOGIES**

28.1 Apologies were received from Councillor Hinton.

28.2 Councillor Davis substituted for Councillor Hinton.

## **29 DECLARATION OF INTERESTS**

29.1 Councillor Barrett declared an other non-registerable interest in respect of application number DC/22/00754 as the agent is known to him.

29.2 Councillor Davis declared an other non-registerable interest in respect of application number DC/22/02948 as the Babergh District Council representative for the Joint Advisory Committee and Partnership to Suffolk Coasts and Heaths (AONB).

## **30 PL/22/7 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 10 AUGUST 2022**

30.1 The Governance Officer advised that the Minutes would be deferred until the next meeting.

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

31.1 None received.

**32 SITE INSPECTIONS**

32.1 Members agreed that the site visit in respect of application number DC/21/02671 – Wolsey Grange, which had been agreed at the Committee Meeting on 10 August 2022, would take place on 12 October 2022.

**33 PL/22/8 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/22/8 and the speakers responded to questions put to them as provided for under those arrangements.

Application Number	Representations From
DC/20/03083	William Wrinch (Erwarton Parish Meeting) Mark Best (Objector) John Fell-Clark (Supporter) Elizabeth Beighton (Agent)
DC/22/02948	Councillor Margaret Maybury (Ward Member)
DC/22/00754	Jan Aries (Bures St Mary Parish Council) Andrew Clifft (Objector) Richard Butler (Supporter) Will Vote (Agent)

33.1 The Chair advised that the applications would be heard in the following order:

Item 6A	DC/20/03083
Item 6C	DC/22/00754
Item 6B	DC/22/02948

**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/22/8 be made as follows:-**

**34 DC/20/03083 ERWARTON HALL FARM YARD, THE STREET, ERWARTON, IPSWICH, SUFFOLK. IP9 1LQ**

34.1 Item 6A

Application Proposal	DC/20/03083 Full Planning Application – Conversion, repair, and extension of existing farm buildings to form 5no. dwellings, erection of garage, the demolition of buildings (including the metal clad barn), provision of new vehicular access to The Street and associated landscaping.
Site Location	<b>ERWARTON</b> – Erwarton Hall Farm Yard, The Street, Erwarton, Ipswich, Suffolk IP9 1LQ
Proposer	JRH Veenbaas And Co

- 34.2 Councillor Davis confirmed that he would remain on the Committee for the item, and would not speak as Ward Member.
- 34.3 The Case Officer introduced the application to the Committee outlining the proposal before Members including: the location and layout of the site, the proposed access and parking plans, the potential heritage impact of the development, and the officer recommendation of refusal as detailed in the report.
- 34.4 The Case Officer and the Area Planning Manager responded to questions from Members on issues including: the reasons for the recommendation of refusal, the level of heritage harm detailed in the various consultee comments, the proposed glazing, local education and healthcare provisions, public transport links, the proposed weatherboarding, and the pre-application advice provided.
- 34.5 Members considered the representation from William Wrinch who spoke on behalf of Erwarton Parish Meeting.
- 34.6 Members considered the representation from Mark Best who spoke as an Objector.
- 34.7 The Objector responded to questions from Members on issues including: the location of the application in the area which had recently been refused by the Planning Inspectorate.
- 34.8 Members considered the representation from John Fell-Clark who spoke as a Supporter.
- 34.9 The Supporter responded to questions from Members on issues including: the suitability of the proposed materials.
- 34.10 Members considered the representation from Elizabeth Beighton who spoke as the Agent.
- 34.11 The Agent responded to questions from Members on issues including: whether any agricultural activities would take place on the development site, the number of access points, whether the access would be shared with

agricultural vehicles, and the pre-application advice provided to them.

- 34.12 The Planning Lawyer provided clarification to Members that pre-application advice was understood to be without prejudice and subject to consultation.
- 34.13 The Case Officer responded to further questions from Members regarding the size of the development and whether there would be any increase in the height of the existing buildings.
- 34.14 Members debated the application on issues including: the reason for the application being referred to Committee, the pre-application advice provided to the applicant, the heritage impact of the development, the proposed design of the dwellings including the glazing, the differing responses from professional consultees, the safety of agricultural vehicles operating in close proximity to residential dwellings, and the sustainability of the location.
- 34.15 Councillor Davis proposed that the application be refused as detailed in the Officer recommendation.
- 34.16 Councillor McCraw seconded the motion.
- 34.17 The Case Officer and the Area Planning Manager responded to further questions from Members on issues including: permitted development rights in respect of agricultural buildings, and whether the planning policies being applied were applicable to new building schemes or conversions.
- 34.18 Members continued to debate the application on issues including: the potential heritage harm and the benefit of the development to the public.

By a vote of 6 votes for and 5 against

**It was RESOLVED:**

**That the application be REFUSED planning permission for the following reasons:**

**The proposal would cause less than substantial harm to the character, setting and significance of the Grade II\* Erwarton Hall, its Grade I Gatehouse and the undesignated heritage asset barns through the fundamental change of use from a working farmyard to residential dwellings.**

**The proposed unsympathetic glazing and inappropriate materiality as well as the removal of hedgerow and the proposed access track across an existing paddock would create harm to these assets as well as to the AONB landscape.**

**The proposal site is in an unsustainable location, isolated from services, with poor pedestrian access, causing a heavy reliance on the use of private motor vehicles.**

The application fails to secure a contribution towards affordable housing provision, this is contrary to Local Plan policy HS09.

The application has also failed to secure a proportionate financial contribution towards visitor management measures for the Stour and Orwell Estuaries as per the Recreational disturbance Avoidance and Mitigation Strategy (RAMS).

The proposal is, therefore, considered contrary to Policies CR02, CN01, CR19 and CN06 of the Babergh Local Plan (2006), as well as Policies CS2, CS15 and CS19 of the Babergh Core Strategy (2014) and paragraphs 80, 176, 177, 199, 202 and 203 of the NPPF (2021).

**35 DC/22/00754 FORMER CHAMBERS BUS DEPOT, CHURCH SQUARE, BURES ST MARY, SUFFOLK, CO8 5AB**

35.1 Item 6C

Application Proposal	DC/22/00754 Planning Application – Construction of local convenience store and 10 no. apartments/houses (a net increase of 9 dwellings) including associated drainage, parking, hardstanding, fences/walls and other infrastructure (following demolition of outbuildings and in-filling of former vehicle inspection pits, partial demolition of former bus depot and house)
Site Location	<b>BURES ST MARY</b> – Former Chambers Bus Depot, Church Square, Bures St Mary, Suffolk, CO8 5AB
Proposer	Rosper Estates Ltd

35.2 A break was taken from 14:58pm until 15:07pm after application number DC/20/03083 and before the commencement of application number DC/22/00754.

35.3 The Case Officer presented the application to the Committee outlining the proposal before Members including: the location and layout of the site, the proposed floor plans for the dwellings, the proposed access plans and drainage system, potential heritage issues and the public benefits of the site, and the officer recommendation of approval.

35.4 The Case Officer responded to questions from Members on issues including: the location of the proposed pedestrian crossing, any proposed highways improvements and the County Council response, the width of the access to the site, and whether any consultation had taken place with local residents.

35.5 Members considered the representation from Jan Aries who spoke on behalf of Bures St Mary Parish Council.

35.6 The Parish Council representative responded to questions from Members on issues including: whether any consultation had taken place with local

residents, whether the Parish Council's concerns regarding highways had been discussed with the County Council, whether there was a Neighbourhood Plan in place, and the outcome of the housing needs survey.

- 35.7 Members considered the representation from Andrew Clifft who spoke as an Objector.
- 35.8 The Objector responded to questions from Members on issues including: the level of noise created by the existing users of the site, the existing traffic flow, the healthcare provision in the village, the current number of convenience stores and parking spaces in the village, and whether the local community felt there was a need for a convenience store at this location.
- 35.9 The Case Officer responded to questions from Members regarding the accessibility of the car park for delivery vehicles.
- 35.10 Members considered the representation from Richard Butler who spoke as a Supporter.
- 35.11 The Supporter responded to questions from Members on issues including: any existing traffic and parking issues in the village, and the public transport provision.
- 35.12 Members considered the representation from Will Vote who spoke as the Agent.
- 35.13 The Agent responded to questions from Members on issues including: whether the developer would undertake both the residential and convenience store works, the housing need identified by the Neighbourhood Plan and the mix of housing being proposed, traffic issues, the safety of the footpath, access to the first floor apartments, ecology issues, and whether any land contamination issues had been addressed.
- 35.14 Members debated the application on issues including: the sustainability of the location, the existing road layout and traffic issues, and the valuation detailed in the S106 Agreement.
- 35.15 Councillor Osborne proposed that the application be approved as detailed in the Officer recommendation.
- 35.16 Councillor McCraw seconded the motion.
- 35.17 Members continued to debate the application on issues including: the provision of local amenities, and the mix of housing.

By a unanimous vote

**It was RESOLVED:**

**That the application be GRANTED planning permission subject to the prior**

**agreement of a Section 106 Planning Obligation to secure improvements to the public highway and includes the following conditions:**

- **Time Limit**
- **Approved Plans**
- **Permitted Development Removal**
- **Land Contamination Strategy (BMSDC EH – Land Contamination)**
- **Resilient matting (BMSDC EH – Other)**
- **Fence/barrier to the north of the car park (BMSDC EH – Other)**
- **Limit on external noise levels (BMSDC EH – Other)**
- **Kitchen Odour Control (BMSDC EH – Other)**
- **Chimney Flue (BMSDC EH – Other)**
- **Construction Hours (BMSDC EH – Other)**
- **Prohibition on burning (BMSDC EH – Other)**
- **Construction Management Plan (BMSDC EH – Other, SCC Highways)**
- **Sustainability & Energy Strategy (BMSDC EH – Sustainability)**
- **Zinc cladding (BMSDC Heritage)**
- **Brickwork (BMSDC Heritage)**
- **Roof tiles (BMSDC Heritage)**
- **Cladding (BMSDC Heritage)**
- **External lighting (BMSDC Heritage)**
- **External signage (BMSDC Heritage)**
- **Street bollards (BMSDC Heritage)**
- **Historic England Level 2 Building Recording (BMSDC Heritage)**
- **Refuse Collection Vehicle (Waste Management)**
- **Road Surface (Waste Management)**
- **Highway Improvements (SCC Highways)**
- **Surface Water Discharge (SCC Highways, SCC Floods)**
- **Bin Storage/Presentation (SCC Highways)**
- **Roads and Footpaths (SCC Highways)**
- **Carriageways and footways – binder course level (SCC Highways)**
- **Parking and manoeuvring (SCC Highways)**
- **Cycle Storage (SCC Highways)**
- **EV Charging points (SCC Highways)**
- **Visibility Splays (SCC Highways)**
- **Deliveries Management Plan (SCC Highways)**
- **Surface Water Drainage Verification Report (SCC Floods)**
- **Construction Surface Water Management Plan (SCC Floods)**
- **Written Scheme of Investigation (SCC Archaeology)**
- **Post Investigation Assessment (SCC Archaeology)**
- **Archaeology (if applicable)**
- **Ecological Appraisal Recommendations (EPS Ecology)**
- **Bat Licence (EPS Ecology)**
- **Biodiversity Compensation and Enhancement Strategy (EPS Ecology)**
- **Wildlife Sensitive Lighting Design Scheme (EPS Ecology)**
- **Hard and Soft Landscaping Scheme (EPS Landscaping)**
- **Landscape Management Plan (EPS Landscaping)**
- **Contamination/verification/monitoring remediation (as per Environment Agency)**
- **Foundation Designs (Environment Agency)**

- Any other conditions that the Chief Planning Officer may deem appropriate.

**36 DC/22/02948 1 NORTHERN ROAD, CHILTON INDUSTRIAL ESTATE, SUDBURY, SUFFOLK, CO10 2YH**

36.1 Item 6B

Application	DC/22/02948
Proposal	Full Planning Application – Construction of solar park
Site Location	<b>SUDBURY</b> – 1 Northern Road, Chilton Industrial Estate, Sudbury, Suffolk CO10 2YH
Applicant	JCS Hi-Torque Limited

- 36.2 A break was taken from 16:28pm until 16:35 after application number DC/22/00754 and before the commencement of application number DC/22/02948.
- 36.3 The Case Officer introduced the application to the Committee outlining the proposal before Members including: the location of the site, details of alternative applications in the area, the site layout, the existing boundary treatment, the allocated employment use of the land and how the proposal supports this use, the details of the proposed containers, the proposed roadway, and the Officer recommendation of approval.
- 36.4 The Case Officer responded to questions from Members on issues including: the consideration given to the loss of employment land, where the solar park would be providing electricity to, and how long the equipment could remain on site once no longer in use.
- 36.5 Members considered the representation from Councillor Maybury who spoke as the Ward Member.
- 36.6 Councillor Plumb proposed that the application be approved as detailed in the Officer recommendation.
- 36.7 Councillor McCraw seconded the motion.
- 36.8 Members debated the application on issues including: the loss of employment land and how the proposed use of the land continues to support employment.

**It was RESOLVED:**

**That planning permission be approved to include the following conditions:**

- **Standard time limit**
- **In accordance with the approved plans**
- **Construction Management Scheme**
- **Ecological appraisal recommendations**
- **Biodiversity enhancement strategy**



- **Landscaping scheme including details of boundaries landscaping and land between solar panels.**

The business of the meeting was concluded at 4.55 pm.

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Chair