

## **BABERGH DISTRICT COUNCIL**

Minutes of the meeting of the **PLANNING COMMITTEE** held in the Frink Room (Elisabeth)  
- Endeavour House on Wednesday, 22 February 2023 at 09:30am

### **PRESENT:**

Councillor: Stephen Plumb (Chair)  
Leigh Jamieson (Vice-Chair)

Councillors:	Simon Barrett	Peter Beer
	David Busby	John Hinton
	Michael Holt	Alastair McCraw
	Mary McLaren	Adrian Osborne
	Alison Owen	

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

Councillors: Derek Davis

### **In attendance:**

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

## **100 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

100.1 There were no apologies for absence.

## **101 DECLARATION OF INTERESTS**

101.1 Councillor Barrett declared an other non-registerable interest in respect of application number DC/22/05077 as he was the Cabinet Member for Planning when the previous application at the site was being considered.

## **102 PL/22/26 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 08 FEBRUARY 2023**

102.1 The Planning Lawyer responded to a question from Members regarding the content of the minutes and confirmed that the minutes were a summary of the main points of the meeting.

### **It was RESOLVED:-**

**That the minutes of the meeting held on 08 February 2023 were confirmed and signed as a true record.**

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

103.1 None received.

**104 SITE INSPECTIONS**

104.1 None received.

**105 PL/22/27 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/22/27 and the speakers responded to questions put to them as provided for under those arrangements.

Application Number	Representations From
DC/21/01802	Item withdrawn
DC/22/05131	Mark Best (Objector) Nigel Ingleton (Applicant) Councillor Derek Davis (Ward Member)
DC/22/05077	Kian Saedi (Applicant)

**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/22/27 be made as follows:-**

**106 DC/21/01802 LAND SOUTH OF HONEYSUCKLE COTTAGE, LITTLE ORCHARD, HOLBROOK, SUFFOLK**

106.1 This application was withdrawn from the agenda before the commencement of the meeting.

**107 DC/22/05131 ERWARTON HALL FARMYARD, SHOTLEY ROAD, ERWARTON, SUFFOLK**

107.1 Item 6B

Application Proposal	DC/22/05131 Planning Application - Conversion, repair and extension of existing agricultural buildings to form five dwellings. Demolition of existing metal clad barns (Resubmission following refusal of planning application DC/20/03083).
Site Location	<b>ERWARTON</b> – Erwarton Hall Farmyard, Shotley Road, Erwarton, Suffolk
Applicant	JRH Veenbaas and Co.

- 107.2 The Case Officer introduced the application to the Committee outlining the proposal before Members including: the planning history at the site, the location of the site, the site constraints, the proposed layout of the site and the previously proposed layout, proposed elevations and floor plans, the listed status of the adjacent buildings, and the officer recommendation of refusal.
- 107.3 The Case Officer responded to questions from Members on issues including: the safety and security of the access to the dutch barn and its contents, the extent of new build proposed at the site compared to existing buildings undergoing conversion, and the amendments to the proposed access to the site since the previous application along with the reasons for the amended response from Suffolk County Council (SCC) Highways.
- 107.4 Members considered the representation from Mark Best who spoke as an Objector.
- 107.5 The Objector responded to questions from Members on issues including: the response from SCC Highways, what they would consider to be an acceptable alternative use of the existing buildings, whether reinstatement to agricultural use would be an acceptable alternative, and when the site was last in agricultural use.
- 107.6 Members considered the representation from Nigel Ingleton who spoke as the Applicant.
- 107.7 The Applicant responded to questions from Members on issues including: the report received from Historic England regarding the listing status of non-designated buildings on the site.
- 107.8 The Area Planning Manager responded to questions from Members on issues including: the Historic England report, and whether the non-designated heritage assets of the buildings were considered to be relevant.
- 107.9 The Applicant, and the Agent Elizabeth Beighton, responded to further questions from Members on issues including: the alternative viable uses for the site, the sustainability of the site, the application of the National Planning Policy Framework (NPPF) policy regarding new buildings in the countryside, the future plans for the site should the application be refused, the target market for the proposed dwellings, public transport provision in the area, and the potential light spill from the proposal.
- 107.10 Members considered the representation from the Ward Member, Councillor Davis, who spoke against the application.
- 107.11 The Ward Member responded to questions from Members on issues including: potential alternative acceptable uses of the site, the number of Electric Vehicle charging points in the adjacent village, the amount of ongoing development in the area, the current healthcare provision and infrastructure,

the potential increase in traffic in the area, and pedestrian access to the site.

107.12 The Area Planning Manager provided clarification to Members of the grade listing of the buildings, and the previous use of the buildings as detailed in the Committee report presented to Committee in August 2022.

107.13 Members debated the application on issues including: the existing condition of the buildings on site, the viability of the site being reinstated to agricultural use, the improvements made to the proposal since the previous application, the lack of public benefit, the impact which restoring the buildings could have on the existing adjacent heritage assets, harm the proposed glazing, the revised response from SCC Highways, the sustainability of the location, the pedestrian access to the site, and the public transport provision.

107.14 Councillor McCraw proposed that the application be refused as detailed in the officer recommendation.

107.15 Councillor Osborne seconded the proposal.

107.16 Members continued to debate the application on issues including: the detrimental effect that the existing buildings have on the existing heritage assets, the potential improved setting, the economic benefit to the local community, the lack of alternative future uses for the buildings, and the amount of new build compared to conversion of existing buildings.

107.17 The Area Planning Manager and the Planning Lawyer responded to questions from Members regarding the application of policy CS15 and policies contained within the NPPF, and confirmed to Members that planning decisions should primarily be in accordance with the Local Development Plan.

107.18 Members debated the application further on issues including: the level of heritage harm and how the classifications of harm are interpreted, the sympathetic restoration of the site proposed by the application, and whether there would be an increase in traffic.

By a vote of 6 votes for and 5 against

**It was RESOLVED:**

**That the application is REFUSED planning permission, based on 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, inappropriate materiality, poorly designed and excessive extensions 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 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, CN02 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).

**108 DC/22/05077 LAND NORTH WEST OF, MOORES LANE, EAST BERGHOLT, SUFFOLK**

108.1 Item 6C

Application Proposal	DC/22/05077 Application under S73A for Removal or Variation of a Condition following grant of Planning Permission B/15/00673 (as amended by DC/22/03853) dated 23/11/2017. Town and Country Planning Act 1990.- To vary Conditions 2 (Approved Plans and Documents), 17 (Submission Of Renewables Details), 19 (Landscaping Scheme), 21 (Landscape Management Plan), 22 (Ecological Enhancement Measures), 23 (Construction Management), 26 (Open Space Management Plan) and 27 (Provision of Open Space) - to allow for revised house type designs and minor amendments to the site layout
Site Location	EAST BERGHOLT – Land North West of, Moores Lane, East Bergholt, Suffolk
Applicant	David Wilson Homes Eastern Counties

108.2 A break was taken from 11:05am until 11:13am after application number DC/22/05131 and before the commencement of application number DC/22/05077.

108.3 Councillor Beer left the meeting at 11:05am.

108.4 Cllr Hinton confirmed that he would remain on the Committee for the application and would not speak as the Ward Member.

108.5 The Case Officer introduced the application to the committee outlining the proposal before Members including: the updated comments received from East Bergholt Parish Council, the location of the site, the site constraints, the details of the extant permission and the conditions of that permission which would apply to this application, the proposed layout of the site, the proposed

parking plan, the internal road and footpath layout plan, the phasing plan, the height of the buildings, the amendment to the proposal since the previous application was presented to Committee the proposed housing mix, the landscape strategy, the design of the dwellings, and the officer recommendation of approval.

108.6 The Case Officer responded to questions from Members on issues including: whether the previous issues regarding site working hours had been addressed, the surface materials throughout the site, the maintenance plans for non-adopted roads, the proposed plans for installation of solar panels, the plans for the adjacent employment land, and the archaeological works being undertaken.

108.7 Members considered the representation from Kian Saedi who spoke as the Applicant.

108.8 The Applicant, and Ray Houghton also from the Applicant, responded to questions from Members on issues including: the boundary hedging plans, whether the existing oak tree would be retained, the number of affordable homes with solar panels installed, the future plans for the adjacent employment land, the installation of defibrillators on site, the landscaping plans for the attenuation basin, the management of open spaces, the target date for completion of works, and the archaeological works being undertaken.

108.9 Councillor Busby proposed that the application be approved as detailed in the officer recommendation.

108.10 Councillor Barrett seconded the proposal.

108.11 Members debated the application on issues including: the installation of solar panels, the ecological conditions, and the improvements made to the proposal since the previous application.

By a unanimous vote

**It was RESOLVED:**

**That the application is GRANTED planning permission and includes the following conditions:-**

**All conditions (other than commencement) to be carried over from the extant permission as precommencement conditions have only been discharged for Phase 0 of the development. Other phases will need to be discharged prior to commencement in those zones. Additional conditions are required to secure detailing and materials of the dwellings as suggested by the Heritage Officer and also the ecology condition for a walk-over to take place prior to any further works being carried out on the site.**

**Further informative to be added relating to the Protection of Badgers Act 1992.**

**That authority be delegated to the Chief Planning Officer to add any further conditions or informatives that may be required following the completion of the Deed of Variation to the s.106 agreement (to change the mix of affordable dwellings).**

The business of the meeting was concluded at 12.05 pm.

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Chair