

MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **MSDC PLANNING** held in the King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Wednesday, 10 April 2024 at 09:30am

PRESENT:

Councillor: Sarah Mansel (Chair)
Lavinia Hadingham (Vice-Chair)

Councillors: Austin Davies Lucy Elkin
Terry Lawrence John Matthissen
David Penny Rowland Warboys

Ward Member(s):

Councillors: Andrew Mellen

In attendance:

Officers: Chief Planning Officer (PI)
Planning Lawyers (IDP/AL)
Case Officer (AG/EF)
Governance Officer (CP)

132 APOLOGIES FOR ABSENCE/SUBSTITUTIONS

132.1 Apologies were received from Councillor Nick Hardingham. Councillor Austin Davies substituted for Councillor Hardingham.

133 TO RECEIVE ANY DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER REGISTRABLE OR NON REGISTRABLE INTERESTS BY MEMBERS

133.1 Councillor Andrew Mellen, attending the meeting as Ward Member, declared that in respect of application number DC/23/01506, the applicants were personally known to him.

134 DECLARATIONS OF LOBBYING

134.1 All Members declared that they had been lobbied in respect of application numbers DC/23/01506 and DC/22/02458.

135 DECLARATIONS OF PERSONAL SITE VISITS

135.1 Councillor Lawrence declared a personal site visit in respect of application number DC/23/01506.

136 MPL/23/28 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 27

MARCH 2024

By a vote of 6 votes For and 2 Abstentions

It was RESOLVED:

That the minutes of the meeting held on 27 March 2024 be confirmed and signed as a true record.

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

137.1 None received.

138 MPL/23/29 SCHEDULE OF PLANNING APPLICATIONS

138.1 In accordance with the Councils procedures for public speaking on planning applications, representations were made as follows:

Application Number	Representations From
DC/23/01506	Vanessa Kingsley – Bacton Parish Council Arthur Peake – Great Ashfield Parish Council David Barker – Agent Councillor Richard Winch – Ward Member Councillor Andrew Mellen – Ward Member
DC/22/02458	Victoria Simmons – Objector Jack Wilkinson – Agent Councillor Daniel Pratt – Ward Member

139 DC/23/01506 RED HOUSE FARM, RECTORY ROAD, BACTON, STOWMARKET, SUFFOLK, IP14 4LE

139.1 Item 7A

Application Proposal	DC/23/01506 Full Planning Application - Change of use of land from agricultural to use for the storage of containers, portable cabins and similar items, and equipment used for the maintenance and conversion of such items, construction of an earth bund and landscaping (part retention of)
Site Location	Red House Farm, Rectory Road, Bacton, Stowmarket, Suffolk, IP14 4LE
Applicant	David Black and Son

139.2 The Case Officer introduced the application to the Committee outlining the proposal before Members including: the contents of the tabled papers, the

site location and constraints, the existing layout and use of the site, the proposed change of use, the surface of the development area and the height of the containers, the retrospective nature of the application, the proposed landscaping plan including the bund, the site access and egress routes, the existing restrictions relating to the access routes, the proposed drainage strategy, biodiversity enhancement plans, the location of the existing unlawful storage of containers, and the officer recommendation of approval with conditions as detailed in the officer report including the Section 106 to remove and relocate the containers currently stored at Jacksons Farm.

- 139.3 The Case Officer and the Chief Planning Officer responded to questions from Members on issues including: whether the landscaping plan included trees, details of the number of containers on site which are used for the hire business, the potential flood risk, the details of the delivery management plan and how it would be enforced, whether changes could be made to the delivery management plan by the applicant without prior approval, the potential traffic impact on the surrounding roads, and the effectiveness of community liaison groups.
- 139.4 Members considered the representation from Vanessa Kingsley who spoke on behalf of Bacton Parish Council.
- 139.5 The Case Officer responded to questions from Members regarding the current hours of operation at the site, and any amendments to these proposed by the application.
- 139.6 Members considered the representation from Arthur Peake who spoke on behalf of Great Ashfield Parish Council.
- 139.7 The Parish Council representative responded to questions from Members on issues including: whether the incidents of anti-social driving had been reported to the applicant or the police, and whether they could support the suggestion of a community liaison group.
- 139.8 The Case Officer provided clarification to Members regarding the location of the various access points to the development, and whether representations were received from Haughley Parish Council.
- 139.9 Members considered the representation from David Barker who spoke as the Agent.
- 139.10 The Agent and the Applicant, Mark Dolman, responded to questions from Members on issues including: the employment benefits of the application, to what extent the success and growth of the business relates to the hiring out of containers and how this impacts on the number of vehicle movements at the site, details of the skills and training package, details of any existing traffic management plan and how much flexibility is included in the plan to accommodate the local community, what safety advice is provided to lorry drivers using the roads, whether a restriction to using Rectory Road only and a restriction on operating hours would be acceptable, the relationship

between this site and the site in Hull, and whether there were plans to use alternative access points to the site.

- 139.11 The Chair read out a statement from Ward Member Councillor Richard Winch who was unable to attend the meeting.
- 139.12 Members considered the representation from Councillor Andrew Mellen who spoke as Ward Member.
- 139.13 The Ward Member responded to questions from Members regarding the responses from the residents of Haughley, and the effectiveness of a community liaison group.
- 139.14 The Chief Planning Officer provided clarification to Members regarding the purpose and operation of community liaison groups elsewhere in the District.
- 139.15 The Ward Member responded to further questions from Members regarding the potential increase in Heavy Goods Vehicle movements.
- 139.15 A break was taken from 11.24am until 11.31am.
- 139.16 Members debated the application on issues including: the opportunity to address the existing unlawful storage use, liaison regarding road management and control of anti-social road use, the benefits of a community liaison group, and the time limit for the removal of the unlawful storage detailed in the proposed S106 agreement.
- 139.17 Councillor Hadingham proposed that the application be approved as detailed in the officer recommendation and with an extension to the time limit of the condition relating to the removal of unlawful storage.
- 139.18 Members continued to debate the application on issues including: the lack of consultation with Haughley Parish Council, the impact on vehicle movements connected to the hire element of the business, and the potential for a traffic management scheme.
- 139.19 Councillor Warboys seconded the proposal.
- 139.20 Members continued to debate the application on issues including: the planning enforcement requirements at the site, and the effectiveness of a community liaison group.
- 130.21 The Chief Planning Officer commented on the amendment to the S106 time limit, and the details of the delivery management plan and community liaison group.
- 130.22 Members debated the application further on issues including the suitability of the highways for large heavy goods vehicles, the employment opportunities at the site, the landscaping plan including the planting of trees.

130.23 The Proposer and Seconder agreed to the following amendments and additional conditions:

Amendment added to s.106 requirements:

Purpose: To establish a community liaison group to receive reports on

[a] the Deliveries Management Plan and agreed delivery arrangements at Red House Farm and

[b] traffic/amenity issues raised by or within the community arising from the use of the site within the surrounding highway network. To

[c] request that the site operator and/or business investigate issues raised and report back to the subsequent meeting together with any measures being taken in mitigation to prevent issues recurring. To

[d] review and consider the issues and any response and mitigation from the site owner and user.

[e] To provide a forum for the consideration of traffic and transport issues experienced within the community and to report the views of the Community Liaison Group to the Traffic Commissioners, Police and the Highway Authority as relevant.

Participants:

- Councillors of Bacton and Great Ashfield Wards (either to Chair)
- One representative from each of the following Parishes: Bacton, Wyverstone, Haughley, Elmswell, and Great Ashfield
- One representative of the landlord / owner (to provide secretariat and accommodation at no cost)
- One representative of Portable Space
- One representative of any other business subject of query

Draft Terms of Reference:

- First meeting to be held not later than 3 months of grant of planning permission
- Detailed terms of reference to be agreed at inception meeting

AND

Amend S106 (1) third bullet point – removal within 12 months

AND

Amend soft landscaping condition to include tree planning mix within the scheme.

By a vote of 6 votes For and 2 Against

It was RESOLVED:

That Members delegate authority to the Chief Planning Officer to GRANT planning permission subject to the following obligations, conditions and

informatives and others as may be deemed necessary:

- 1. Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Chief Planning Officer as summarised below and those as may be deemed necessary by the Chief Planning Officer to secure:**
 - **Community Liaison Group**
 - **Deliveries Management Plan**
 - **Removal and relocation of unauthorised containers from Jacksons Farm within 12 months of grant of planning permission**

- 2. That the Chief Planning Officer be authorised to GRANT Outline Planning Permission upon completion of the legal agreement subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:**
 - **Approved Plans and Documents**
 - **Skills and Training Package**
 - **No Stacking or Storage Above 5.5m**
 - **No adaptation or alteration of containers on application site area**
 - **Ecology: Compliance with Ecological Appraisal Recommendations**
 - **Ecology: Biodiversity Enhancement Layout**
 - **Ecology: Compliance with Biodiversity Metric (Habitat Management and Monitoring Plan)**
 - **Ecology: Lighting Restriction/Wildlife Sensitive Lighting Design Scheme**
 - **LLFA: Implementation of Surface Water Strategy and FRA**
 - **Environmental Health: Dust Control Scheme**
 - **Environmental Health: No Burning**
 - **Landscape: Hard and Soft Landscaping Details to include tree planting within the scheme**
 - **Landscape: Landscape Management Plan**
 - **Arboriculture: Compliance with Arboricultural Report**

- 3. And the following informative notes as summarised and those as may be deemed necessary:**
 - **Proactive Working**
 - **LLFA: Other consents and permits**
 - **Environmental Health: Unexpected Ground Conditions**

- 4. That in the event of the Planning obligations or requirements referred to in Resolution (1) above not being secured and/or not secured within a timely manner that the Chief Planning Officer be authorised to refuse the application on appropriate grounds.**

And the following amendments to the S106 requirements as agreed at Committee:

Purpose: To establish a community liaison group to receive reports on

[a] the Deliveries Management Plan and agreed delivery arrangements

at Red House Farm and

[b] traffic/amenity issues raised by or within the community arising from the use of the site within the surrounding highway network. To

[c] request that the site operator and/or business investigate issues raised and report back to the subsequent meeting together with any measures being taken in mitigation to prevent issues recurring. To

[d] review and consider the issues and any response and mitigation from the site owner and user.

[e] To provide a forum for the consideration of traffic and transport issues experienced within the community and to report the views of the Community Liaison Group to the Traffic Commissioners, Police and the Highway Authority as relevant.

Participants:

- Councillors of Bacton and Great Ashfield Wards (either to Chair)
- One representative from each of the following Parishes: Bacton, Wyverstone, Haughley, Elmswell, and Great Ashfield
- One representative of the landlord / owner (to provide secretariat and accommodation at no cost)
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Draft Terms of Reference:

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140 DC/22/02458 ANGLIA BUSINESS PARK, WATTISHAM ROAD, RINGSHALL, IP14 2HX

140.1 Item 7B

Application Proposal	DC/22/02458 Planning Application - Erection of 20no commercial units consisting of Class E(g) (office and light industrial) and B2 (general industrial)
Site Location	Anglia Business Park, Wattisham Road, Ringshall, IP14 2HX
Applicant	Anglia Business Park Ltd

140.2 A break was taken from 12:02pm until 12:15pm.

140.3 The Case Officer introduced the application to the committee outlining the

proposal before members including: the contents of the tabled papers along with the amended reason for refusal, the location and constraints of the site, the location of the existing public rights of way, the proposed site layout, the plans and elevations of the proposed buildings, the proposed boundary fencing, the absence of any heritage information relating to the existing hardstanding areas proposed to be replaced, and the officer recommendation of refusal as detailed in the officer report but excluding the reason relating to boundary fencing.

- 140.4 The Case Officer responded to questions from Members on issues including: whether any pre application discussion took place, why the heritage reason for refusal does not include the harm to the designated heritage asset of the Cedars building, whether the missing heritage information could be obtained via a condition, the potential increase on vehicle movements to the site, the information required relating to biodiversity net gain, and the highways issues.
- 140.5 The Chair confirmed that a late paper received from Wattisham Parish Council had been distributed to Members.
- 140.6 Members considered the representation from Victoria Simmons who spoke as an Objector.
- 140.7 Members considered the representation from Jack Wilkinson who spoke as the Agent.
- 140.8 The Agent and the Applicant, Richard Eldridge, responded to questions from Members on issues including: the reasons for requiring additional units at the site, whether consideration was given to relocating to an alternative site, the existing employment numbers at the site, the current number of vehicle movements, any pre application advice received, any liaison with the Parish Councils, the scale of the components stored at site, and proposed plans for biodiversity net gain.
- 140.9 The Chair read out a statement from Ward Member Councillor Daniel Pratt who was unable to attend the meeting.
- 140.10 Members debated the application on issues including: the objections raised and how these could be addressed, the employment opportunities at the site, the use of an existing brownfield site, the lack of heritage information, the potential traffic increase, the lack of infrastructure at the site, the provision for biodiversity net gain, and the economics benefits of the proposal.
- 140.11 Councillor Mattissen proposed that the application be refused as detailed in the Officer recommendation as amended by the tabled papers.
- 140.12 Councillor Lawrence seconded the proposal.

By a vote of 7 votes For and 1 Against

It was RESOLVED:

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

- 1. The proposed development is outside the settlement boundary within the countryside. Policy SP03 of the Joint Local Plan states that outside the settlement boundary development will only be supported subject to being in accordance with policies within table 5. It is not considered that the development is in accordance with Policies SP05 as it is not a strategic employment site or located within a strategic employment corridor.**
- 2. In the absence of a Heritage Assessment to understand the significance of the existing hardstanding areas and buildings which are proposed to be demolished, the proposed development has the potential to be detrimental to existing non-designated assets and the wider understanding of the area's development as a World War II airfield contrary to Policy LP19 and the NPPF.**
- 3. There is no provision for a minimum of 10 per cent Biodiversity Net Gain. This is contrary to policies SP09 and LP16 of the Joint Local Plan.**

141 SITE INSPECTION

141.1 There were no site inspection requests.

The business of the meeting was concluded at 1.16 pm.

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Chair