

MID SUFFOLK DISTRICT COUNCIL

Minutes of the Meeting of the **MID SUFFOLK DEVELOPMENT CONTROL COMMITTEE A** held at the Council Chamber, Mid Suffolk District Council Offices, High Street, Needham Market on Wednesday, 26 July 2017

PRESENT:

Councillors:	Gerard Brewster	David Burn
	John Field	Lavinia Hadingham
	Derrick Haley	Diana Kearsley
	Anne Killett	Sarah Mansel
	Jane Storey	David Whybrow

Ward Member: Councillor John Matthissen

In attendance:

Corporate Manager – Growth and Sustainable Planning
Senior Development Management Planning Officer (JPG/KO)
Legal Business Partner (IdeP)
Governance Support Officer (VL/RC)

a Election of Chairman

In the absence of the Chairman and Vice Chairman nominations were requested for a Chairman for the meeting.

Councillor David Whybrow proposed that Councillor Gerard Brewster be appointed Chairman for the meeting, which was seconded by Councillor Jane Storey.

By a unanimous vote

Decision – That Councillor Gerard Brewster be appointed Chairman for the meeting

24 APOLOGIES FOR ABSENCE/SUBSTITUTIONS

Councillors Derrick Haley and Jane Storey were substituting for Councillors Lesley Mayes and Matthew Hicks respectively.

25 TO RECEIVE ANY DECLARATIONS OF PECUNIARY OR NON-PECUNIARY INTEREST BY MEMBERS

Councillor Sarah Mansel declared a non-pecuniary interest in Application 4455/16 as she owned a property on Onehouse Road.

Councillor Gerard Brewster declared a Non-Pecuniary interest in Applications 5007/16 and 4455/16 as a Member of Stowmarket Town Council.

26 **DECLARATIONS OF LOBBYING**

It was noted that Members had been lobbied on Applications 5007/16 and 4455/16.

27 **DECLARATIONS OF PERSONAL SITE VISITS**

Councillor David Whybrow declared personal site visits for applications 5007/16 and 4455/16.

28 **NA/17/4 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 28 JUNE 2017**

The minutes of the meeting held on 28 June 2017 were confirmed and signed as a correct record subject to a minor typographical amendment to Minute 14 to read 'Gerard Brewster'.

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

None received

30 **QUESTIONS BY THE PUBLIC**

None received

31 **QUESTIONS BY COUNCILLORS**

None received.

32 **NA/17/5 SCHEDULE OF PLANNING APPLICATIONS**

In accordance with the Council's procedure for public speaking on planning applications a representation was made as detailed below:

Planning Application Number	Representations from
5007/16	Nicky Willshere (Onehouse Parish Council) Paul Bearman (Objector) Mark Chapman (Applicant) James Bailey (Applicant)
4455/16	Nicky Willshere (Onehouse Parish Council) Peter Turner (Great Finborough Parish Council) Robert Eburne (Applicant)
DC/17/02630	Mike Evans (Applicant)
DC/17/02636	Mike Evans (Applicant)
DC/17/02640	Mike Evans (Applicant)

Item 1

Application Number: **5007/16**
Proposal: Application for Outline Planning Permission for erection of 600 new dwellings together with a local centre, sports pavilion, open space and recreation facilities. (All Matters Reserved)
Site Location: **STOWMARKET** – Land North of Chilton Leys
Applicant: Taylor Wimpey

The Senior Development Management Planning Officer updated the Committee that the report should be amended on p11 para 3 to remove “continuation” and be replaced with “a new series of meetings were carried out”, that a new response had been received from the SCC Floods team who were now in agreement as per the recommendation and that two representations had been received, one in objection and one classed as neutral in their comments.

He presented the application outlining that the community centre could not be sited adjacent to the school agreed in phase one, and that the land on the south of the site had always been proposed as a play area. He advised that here was a 200m gap between Onehouse and the application site.

In response to Members’ questions on National Cycle Paths, footpaths and the Section 106 Agreement, he replied that there was an emergency exit for the site and that the land classification across the site was grade 2 and grade 3 agricultural land.

Nicky Willshere, Onehouse Parish Council, said that the village was not designated for major development and that the strategic gap between the village and the edge of Stowmarket was shrinking. She also raised concerns about light pollution from the proposed development as well as increased levels of traffic and that this would have a detrimental effect upon the community.

The Parish Council representative responded to Members’ questions that the community facility in Onehouse had been upgraded and that it did have additional capacity.

Paul Bearman, Objector, resident of the nearby listed building Shepherd’s Farmhouse, said that the property was an important heritage asset of Stowmarket and would lose the secluded setting of the area. He urged that further consideration was given to moving the development away from the property and the adjoining dwellings being bungalows so that the development did not destroy the secluded nature of the building. He said that more evergreen planting should be included as there would be little foliage in the winter months to screen the dwelling and would urge planting in advance to mitigate this problem.

The Senior Development Management Planning Officer said that the landscaping would be part of the reserved matters application and that the heritage team would also undertake testing to identify any harm to the heritage asset.

Mark Chapman and James Bailey, Applicants, addressed the Committee outlining a strong relationship with officers to work within the Stowmarket Area Action Plan (SAAP) to bring forward a sustainable and achievable outcome. He said that the development would fit in with the local landscaping of the area and sought to serve the community with a local centre, footpaths and bridleways that could be used by new residents and the existing community.

The applicants responded to Members' questions that homes would start to be delivered from 2019 after the completion of Phase 1. They advised that landscaping to the south of the site and details of the sports pitches had not been decided as they wanted flexibility as the building work in that area was approximately ten years ahead and Stowmarket's needs could change in that timespan.

It was suggested that the structural landscaping condition could be amended to require details of a phased delivery and management programme for the Paupers Graves and Shepherd's Farmhouse areas.

The Chairman read out an email from Barry Humphreys MBE, Ward Member for Stowmarket North, which stated support of the development and that he had not received any adverse comments from residents.

John Matthissen, Ward Member for Onehouse, said that the Committee should create a 21st century development and that all structural landscaping should be completed before any building of dwellings commences. He continued by asking that a parcel of land be allocated within the site for self-build plots and that a modest provision of allotments be included. The Ward Member concluded by asking the Committee to condition fibre broadband to be provided in all homes.

The Senior Development Management Planning Officer commented that a community orchard on the site had been discussed however this was not part of the proposal.

Councillor Derrick Haley commented that this land had been allocated within the SAAP and proposed approval with the added conditions regarding landscaping as suggested earlier. Councillor David Whybrow seconded the motion saying that this was a sustainable development and that the sports area would provide a significant benefit to the community.

The Corporate Manager advised that he recommended further additional conditions as follows: Foul water strategy; Structural landscaping reserved matters to be submitted prior to submission of other reserved matters; Reserved matters to allow for phased submission; Reserved matters to be in general conformity of layout and development brief; and scheme for provision of superfast broadband.

Councillors Haley and Whybrow agreed the suggested additional conditions.

Some concern was expressed regarding highway safety issues on Starhouse Lane caused by increased traffic volume from vehicles accessing south Stowmarket. It was agreed that an informative note would be added to the decision notice.

By a unanimous vote

Decision – That Authority is delegated to Corporate Manager- Growth and Sustainable Planning to Grant Planning Permission, subject to the prior completion of a Section 106 or Undertaking on terms to their satisfaction to secure the following heads of terms and that such permission be subject to the conditions as set out below:

1. Phased delivery of development. Agreed delivery of employment (presumably through the local centre), housing and recreation land in accordance with phasing. A Phasing Plan can be included within the Parameter Plans.
2. Should there be any surplus monies unspent having regard to an obligations that these be directed to affordable housing contributions to increase the level towards increased policy compliance.
3. Provision of 20% Affordable Housing.
4. Skylarks Mitigation contribution /mitigation (to value of £50,000.00). Phasing of payments to be agreed. Land or if alternative land is needs to be provided to agreed, prior to the commencement of the development within each phase or sub phase of the Outline application site, a scheme for Skylark nest plots shall be submitted to and approved in writing by the LPA. The approved “scheme” shall be implemented in full for a period of 10 years from the commencement of development.
5. School Primary Contribution £2,464,350.00, phasing of payments to be agreed.
6. Early Years Contribution £262,200.00, phasing of payments to be agreed.
7. Stowmarket High School Secondary Extension Contribution £526,547.00, phasing of payments to be agreed.
8. Play Equipment -Leap, phasing of onsite provision to be agreed.
9. MUGA, phasing of an on site provision to be agreed or contribution of £150,000.00 towards a MUGA provision within recreation land area, phasing of payments to be agreed.
10. NEAP provision and phasing to be agreed on site unless the otherwise agreed by LPA that a £250,000.00 contribution is made to existing play provision within Stowmarket, phasing of payments to be agreed.
11. Open spaces shall be available to the public in perpetuity for use as open space for recreation subject to any temporary closure of the said open space for repair, maintenance and/or safety reasons. Option for District Council to take ownership and control first.
12. Recreation and Community Building (The Sports Pavilion) and creation of recreation area contribution of £1,275,000.00 on land defined for recreation on approved plans. Option for District Council to take ownership and control first.
13. Public Rights of Way/Access to Countryside contribution (For 4 separate off site footpaths) £243,317.00, phasing of payments to be agreed.
14. Public Transport (New bus route and bus) contribution of £280,000.00, phasing of payments to be agreed.
15. Travel Plan to be agreed
16. NHS (improvements to Stow Health) contribution of £167,442.00 to be held by the District Council and award to projects in association with Stow Health. Phasing of payments to be agreed.

17. Library £9,600.00 contribution to be held by the District Council and award to book projects in association with Stowmarket Libraries. Phasing of payments to be agreed.

And the following conditions to be imposed:-

For All:-

- Standard Time Limit
- Reserved Matters allowing for phased submission.
- Submission of Structural Landscaping Reserved Matters in Locality of Paupers Graves and Shepards Farmhouse shall be submitted prior to the submission of any other Reserved Matter together with details of phased programme for delivery and management of those landscaped areas. Delivery of Structural Landscaping for these areas as agreed programme
- Reserved Matters shall be in general conformity with the principles of the illustrative layout and the adopted Development Brief.
- Scheme for the provision of superfast broadband to be submitted concurrent with the submission of reserved matters.
- Approved Plans Agreed
- Archaeological Programme of Works Conditions
- Highways SCC as recommended
- Development is carried out in accordance with the Flood Risk Assessment submitted by applicant
- Resource efficiency measures to be agreed during construction
- Scheme of rainwater harvesting
- Provision of fire hydrants, number and position to be agreed.
- Foul Water Strategy to be agreed.

For Housing:-

- Removal of permitted development rights for any side and front extensions and any alterations that face a highway, no new or enlargement of openings above ground floor including rooflights. (In addition no satellite dishes on forward elevation facing a highway)
- Protection of existing trees and planting
- Materials
- Landscape Management

For Employment Land (Local Centre) and Recreation / Sports

- Working hours shall be agreed
- No open air storage unless agreed by LPA
- Any External lighting to be agreed
- Removal of permitted development for change of use, extensions and alterations
- Protection of existing trees and planting.

Informative Note that Committee would encourage the applicant to engage in constructive dialogue with the Parish Council and the Highway Authority to

explore and address highway safety issues in Star Lane.

Item 2

Application Number: **4455/16**
Proposal: Erection of 300 dwellings, access, internal roads, garages, fences, walls, parking, landscaping, public open space, ecological enhancement works, drainage infrastructure and associated works.
Site Location: **ONEHOUSE** – Land to the south of Union Road.
Applicant: Hopkins Homes

The Case Officer introduced the application to the Committee updating that all section 106 payments had been confirmed and that the recommendations had been updated as per the late papers.

The Case Officer responded to Members' questions regarding the cycle and foot pathways on the site and clarified that there was a proposal for 3 storey dwellings towards the centre of the site. The Case Officer continued by responding that Place Services were satisfied with the visual assessment.

Nicky Willshere, Onehouse Parish Council, said that the site was designated as reserved in the SAAP due to the significant views across the river valley and was disappointed that the proposal had come before other brownfield sites had been used. She continued by outlining that the development would impact on the strategic gap between Onehouse and Stowmarket and that there were concerns about traffic movements along Starhouse Lane. She concluded by saying that the development would have a detrimental effect on the listed buildings.

Peter Turner, Great Finborough Parish Council, said that the Parish Council had concerns over the impact of the development on the existing infrastructure and the level of traffic that would be using Starhouse Lane and Combs Lane. He continued by outlining that the current provision of medical facilities were under considerable strain and added that it was essential that additional health facilities were considered together with additional school places. He concluded by stating that the footpath link between Onehouse and Stowmarket was commendable but would also like to see a link to Great Finborough.

Robert Eburne, Applicant, said the Council could not demonstrate a five year land supply and that the combined total of proposed dwellings from application 5007/16 and this application was 85 dwellings short of the 1200 minimum amount of homes as set in the SAAP. He continued by outlining that there was a broad mix of development within the site and that they had worked hard to align the contributions in proportion to the infrastructure and to create a development that fits in with the setting and provided sustainable green homes.

The Applicant responded to Members' questions that rear car parks were placed to allow overlooking and that there was a broad provision of visitor parking. He continued by answering that there would be a focus on buildings that were energy efficient in construction, the issue of fibre optic broadband had been raised across the industry and that this would be included in the development.

John Matthissen, Ward Member, referred to a previous refusal on the site and appeal dismissal on the grounds of landscaping and traffic issues which should be given significant weight. The traffic issues related to the junction where no improvements had been made since that refusal. He continued by saying that the site was not an allocated site and that there was a full allocation site with a better road system. The development would have a significant impact on the view across the valley.

Councillor David Whybrow said that the development respected the view of the site from the topographical levels and that the ridge heights had been designed in a sensible way. He continued by saying that the affordable housing within the proposal was welcomed and that this application was sustainable. He proposed that Planning Permission be granted as per the Officers recommendation in the tabled papers which was seconded by Councillor Derrick Haley.

Some concern was expressed regarding the effect on the river valley view, energy efficiency and sustainability and it was also suggested that a scheme of fibre optic broadband should be conditioned.

Note: Councillor Derrick Haley left the meeting.

Additional conditions were suggested as follows: scheme for the provision of fibre broadband to be agreed; scheme of resource and energy efficiency and sustainability measures to be agreed; and that confirmation be received from the Council's landscape advisers that they are content with the information provided and that with mitigation there would be no unacceptable impact upon the landscape of the Rat Valley. Councillor Whybrow agreed the conditions and moved approval with their inclusion.

Councillor Jane Storey seconded the proposal.

By 6 votes to 3

Decision- That authority be delegated to Professional Lead – Growth and Sustainable Planning to Approve Planning Permission , subject to the confirmation that prior to completion of a Section 106 or Undertaking on terms to their satisfaction to secure the following heads of terms and that such permission be subject to the conditions as set out below:

1. Provision of 60 affordable dwellings
2. Should there be any surplus monies unspent having regard to any obligations that these be directed to affordable housing contributions.
3. Skylarks Mitigation contribution £2000.00

4. School Primary Contribution of £1,232,174.00
5. Early Years Contribution of £131,100.00
6. Stowmarket High School Secondary Extension Contribution of £252,742.00
7. Play Equipment – Leap, phasing of onsite provision to be agreed.
8. NHS (improvements to Stow Heath) contribution of £83,721.00 to be held by the District Council and award to projects in association with Stow Heath.
9. Open Spaces shall be available to the public in perpetuity for use as an open space for recreation subject to any temporary closure of the said open space for repair, maintenance and/or safety reasons and the transfer of all open space areas (including attenuation basins) to a resident's management company unless an alternative mechanism is identified.
10. Travel Plan to be agreed.
11. Subject to confirmation from the Councils landscape advisers that they are content with the ZTV information provided and that with mitigation there would be no unacceptable impact upon the landscape of the Rat Valley.
12. Scheme of resource and energy efficiency and sustainability measures through the lifetime of the development to be agreed.
13. Scheme for the provision of fibre broadband to be agreed.

Item 3

Application Number: **DC/17/02630**
 Proposal: Planning Application for a change of use from former sheltered accommodation common room to local authority office use.
 Site Location: **EYE** – Common Room, Tacon Close.
 Applicant: Mid Suffolk District Council

Note: Councillor Jane Storey left the meeting.

The Case Officer presented the application to the Committee outlining how the former common room had been taken out of use earlier in 2017 and that 26 letters of objections focussed on the issues of traffic and parking. The recommendation for Officer parking had been amended to propose that they would not park in Tacon Close and would instead park in the nearby public car park.

The Case Officer responded to Members' questions that the Touchdown Point would not be accessible to the public and that the proposed working hours would be between 09:00 to 18:00.

Mike Evans, Applicant, outlined how the District Councils' were endeavouring to work in a flexible and agile way making the best use of the assets that were available to them. He said that the flexibility would allow Officers to work within the districts and 'touchdown' and maintain a continuity of work. He said that the change of use was consistent with the sheltered housing review.

Councillor David Whybrow proposed that Planning Permission be granted as per the Officer Recommendation and was seconded by Councillor Lavinia Hadingham.

By 7 votes to 1

Decision- That the Corporate Manager for Growth and Sustainable Planning be authorised to Grant Planning Permission subject to conditions including:-

- Time limit for the commencement of development.
- Approved Plans
- Hours of Operation to be 09:00 to 18:00 Monday to Friday only
- The development permitted shall be used solely as Local Authority office (without public access) and for no other use.

Item 4

Application Number: **DC/17/02636**
Proposal: Planning Application for change of use from former sheltered accommodation common room to local authority use.
Site Location: **NORTON** –1-8 School Close.
Applicant: Mid Suffolk District Council

The Case Officer introduced the application to the Committee outlining that the working hours would be from 08:00 to 18:00 Monday to Friday and that a parking condition was included within the application.

Mike Evans, Applicant, said that security would be provided for the facility and that the touchdown points would also be available for use by Councillors. He continued by saying that the Touchdown Point would provide 6 workstations but that there would only be 4 parking spaces provided.

Councillor Sarah Mansel, Ward Member, raised concerns about vehicular access and parking arrangements as the emergency ambulance space was for residents. The complex had changed to general needs housing so additional cars used the road and parking spaces and traffic issues were already a problem.

The Chairman read out an email from Councillor John Levantis, Ward Member that welcomed the application saying that it would provide a presence in Norton reassuring local people that the move to Endeavour House would not mean a distancing from our communities. He urged that officers plan their use of the office to avoid having to park more than 4 vehicles in School Close.

Councillor David Whybrow said that there were a lot of problems with traffic and school buses in the close and that the use of the building was unacceptable.

Councillor John Field commented that he was concerned that the proposal was impinging on vulnerable members of the community and Councillor Diana Kearsley proposed deferral for more consideration of car parking.

Councillor David Whybrow said that having weighed up the material considerations

he believed that if this were a private application it would be refused and proposed refusal. Councillor John Field seconded the proposal. The motion was lost by 4 votes to 3.

A substantive motion that the application be deferred to invite the applicant to withdraw then application to reconsider the parking issues was proposed by Councillor Kearsley and seconded by Councillor Lavinia Hadingham.

By 4 votes to 3

Decision- Deferred to invite the applicant to withdraw the application having regard to the highways, amenity and parking issues associated with School Close.

Item 5

Application Number:	DC/17/02640
Proposal:	Full Planning Application for change of use of sheltered accommodation staff room to local authority office use.
Site Location:	BRAMFORD –1 Cherryfields.
Applicant:	Mid Suffolk District Council

The Case Officer presented the application to the Committee outlining that there would be no changes to the external appearance of the building and that the recommendation was for approval.

Councillor Kearsley enquired whether the Touchdown Point would be independently accessible to which Councillor Field replied that it would not be independently accessible.

Mike Evans, Applicant, said that the application would demonstrate a number of strategic issues and would mean that officers would be working in the district. He added that the Councils were making the best use of their assets and that it made use of space that might not have been used.

Councillor John Field, Ward Member, said that the proposed application was in sheltered accommodation for those with vulnerable needs and that the proposal destroyed the security of the building and that it would be an inappropriate use.

Councillor Diana Kearsley proposed that the application be refused on the grounds that it would be unacceptable as it would destroy the security of vulnerable resident's due to the increased access to the sheltered accommodation.

Councillor David Whybrow seconded the refusal.

By 6 votes to 1

Decision- Refused Planning Permission.

The proposed use would be unacceptable having regard to the sheltered nature of

the building of which it forms part. On that basis the proposal would not represent good design and would be detrimental to residents amenity contrary to policy FC1 and FC1.1 of the Core Strategy Focused Review.