BABERGH DISTRICT COUNCIL BABERGH PLANNING COMMITTEE

MINUTES OF THE MEETING OF THE BABERGH PLANNING COMMITTEE HELD IN KING EDMUND CHAMBER - ENDEAVOUR HOUSE, 8 RUSSELL ROAD, IPSWICH ON WEDNESDAY, 22 AUGUST 2018

PRESENT: Peter Beer - Chairman

Clive Arthey	Sue Ayres
Sue Burgoyne	David Busby
John Hinton	Michael Holt
Jennie Jenkins	Adrian Osborne
Lee Parker	Stephen Plumb
David Rose	Ray Smith

Michael Creffield and Luke Creswell were unable to be present:

26 SUBSTITUTES

It was noted that in accordance with Committee and Sub-Committee Procedure Rule No 20, a substitute was in attendance as follows:-

Sue Ayres (substituting for Michael Creffield)

27 DECLARATION OF INTERESTS

Councillor Dave Busby declared a local non-pecuniary interest in Application No DC/18/00978 (Item 2 of Paper PL/18/9) in his capacity as a Trustee of the Capel St Mary Community Trust. He subsequently stated that he would not vote on the Item.

Councillor David Rose declared a local non-pecuniary interest in Application No DC/18/1384 (Item 1 of Paper PL/18/9) in his capacity as the Council's representative on the Suffolk Coast and Heaths AONB Joint Advisory Committee and Partnership.

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

None received.

29 SITE INSPECTIONS

Jennie Jenkins, Ward Member for Leavenheath, had requested a site inspection in respect of Application No DC/18/02573 – erection of outbuilding, 94 High Road Leavenheath for Members to see the context of the site. The Case Officer, Mark Brands provided a mini-presentation.

The Chairman advised Members that the Ward Member had also made a request for referral to Committee and that although the request had not met the Delegation Panel criteria, the application was considered to be controversial and would be referred to Committee on that basis.

It was RESOLVED

(1) That a site inspection be held on Wednesday 29 August 2018 in respect of Application No DC/18/02573 – erection of outbuilding following removal of existing aviary and shed, 94 High Road Leavenheath.

(2) That a Panel comprising the following Members be appointed to inspect the site:

Clive Arthey	**Jennie Jenkins**
Peter Beer	**Michael Holt**
Sue Burgoyne	**Adrian Osborne**
David Busby	**Lee Parker**
Michael Creffield	**Stephen Plumb**
Luke Cresswell	**David Rose**
John Hinton	**Ray Smith**

30 PL/18/9 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Members had before them a statement from Gordon Jones, the Suffolk County Councillor for Samford Division (circulated to Members the day before the meeting) which related to Item 2 of Paper PL/18/9.

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/18/9 and the speakers responded to questions put to them as provided for under those arrangements.

Application No.	Representations from
DC/18/01384	Richard Lingard (Objector) Shane Rolin (Objector) Tom Clayton (Objector) Peter Stebbings (on behalf of the Applicant)
DC/18/00978	Christine Matthews (Parish Council) Paul Holland (Objector) Maggie Boswell (Supporter) Apostolos Petrakis (Agent for the Applicant) Revd Andrew Sankey (Applicant – to answer questions) Sue Carpendale (Ward Member)

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/18/9 be made as follows:-

a SHOTLEY

Application No. DC/18/01384/FUL Paper PL/18/9 – Item 1	**Full Application – Alterations to the Pier including provision of two buildings for Community / Volunteer facility, Shotley Pier, Queen Victoria Drive.**

Samantha Summers, Development Management Planning Officer in introducing this item, advised Members that there were no updates to the report. She referred to the controversial nature of the application which had attracted some 37 objections, and 1 representation in support, and to the community involvement in the project to restore the Pier. In response to a Member's question, she confirmed that the seating plan was indicative.

It was noted by Members that, on the advice of the Monitoring Officer, neither of the Ward Members was present due to their interests as shareholders of the Shotley Heritage Charitable Benefit Society Ltd (the Applicant).

Following a wide-ranging debate on the considerations to be taken into account, as set out in the report and from the public speaking, the officer recommendation of approval subject to conditions was moved but was lost on being put to the vote.

The Members who had voted against the motion identified their reasons, together with the policy references, which were based upon the harm to the landscape and character of the area which they considered would not be outweighed by the benefits of the development. A motion to refuse was then proposed and seconded based on the above.

It was RESOLVED

That authority be delegated to the Corporate Manager – Growth and Sustainable Planning to refuse planning permission for reasons including the following:

1. **Policies CNo1, RE06, RE14 and CS15 of the Development Plan, alongside Paragraph 127 of the NPPF, require new development to respect and conserve the landscape qualities of an area (and in this instance the Stour and Orwell estuaries), and to provide an acceptable standard of design in that respect.**

2. **The development would, by virtue of its siting, scale, and form, harm the landscape character of the area, public views in and out of the area, and the character of the Stour and Orwell estuaries, contrary to the aforementioned policies and where the harm identified would not be outweighed by the benefits of the development.**

b CAPEL ST MARY

Application No DC/18/00978/FUL Paper PL/18/9 – Item 2	**Full Application – Application for replacement church building with multi-functional use spaces for church groups and the community, a commercial kitchen, office, plant, WC and storage. The first floor will include the main worship space, a secondary kitchen, meeting, WC and storage spaces, Methodist Church, The Street.**

The Case Officer, Samantha Summers in introducing this item corrected an error in the report in relation to the Post Office which had moved to the Co-op from its previous location diagonally opposite the Church.

Following the decision to defer consideration at the meeting on 16 May pending the receipt of further information, the Case Officer showed slides demonstrating the extent of daylight loss to No 48 The Street at various times during the day and the year, which indicated some extra shadowing at 9 a.m., which was gone by midday. She also showed drawings which illustrated the comparison in height between the front section of the existing building and the proposed development.

Members were aware that the highway authority had not objected to the application subject to the proviso that the maximum capacity would be unchanged and limited by condition. The officer recommendation for approval subject to conditions was moved, with the addition of a further condition to limit the maximum patron capacity to 222, as at present. The motion was lost on being put to the vote.

A motion to refuse permission was then moved and carried, for reasons relating to the unacceptable amenity impacts which the proposed building, including its size and design, would have on the adjacent property, contrary to Policy CN01 and the NPPF.

It was RESOLVED

That authority be delegated to the Corporate Manager – Growth and Sustainable Planning to refuse planning permission for reasons including:-

1. **Good design is a key component of sustainable development and safeguarding amenity is an element of good design, in accordance with the NPPF, and Policy CN01 of the Development Plan which requires all development to be of an appropriate scale, form and detailed design: particular attention must be paid to the nature of adjacent development.**

2. **The proposed development would, by virtue of its siting, scale, form and detailed design, represent an overdevelopment of the site that would pose unacceptable amenity impacts (including lighting and outlook) to the residents of 48 The Street, contrary to the aforementioned policies.**

Note:
Following his earlier declaration of a non-pecuniary interest in this item, Councillor Busby stated that after speaking during the debate in relation to some possible parking arrangements which might be agreed between the Capel Community Trust and the Methodist Church, he would not vote on this item, and he did not do so.

c SUDBURY

Application No DC/18/02061/FUL Paper PL/18/9 – Item 3	**Full Application – Erection of two-storey extension to provide two dance studios and single-storey extension to provide storage, Kingfisher Leisure Centre, Station Road.**

Steven Stroud, Strategic Projects and Delivery Manager introduced this item, which was to be considered at Committee because Babergh District Council is the Applicant. No objections had been received, and neither of the Ward Members had commented.

It was RESOLVED

That authority be delegated to the Corporate Manager – Growth and Sustainable Planning to grant planning permission subject to conditions including:-

- **Standard Time Limit (3 years)**
- **Approved Plans**
- **Surface Water Drainage Strategy**

31 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 25 JULY 2018

Members had before them the Minutes of the meeting held on 25 July 2018, which had been circulated to Members the day before the meeting.

It was RESOLVED

That the public Minutes of the meeting held on 25 July 2018 be confirmed and signed as a correct record.

32 EXCLUSION OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)

It was RESOLVED

That, pursuant to Part 1 of Schedule 12A of the Local Government Act 1972, the public be excluded from the meeting for the business specified below on the grounds that if the public were present during this item, it is likely that there would be the disclosure to them of exempt information as indicated against the item.

The Committee was also satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

33 TO CONFIRM CONFIDENTIAL MINUTE NO 24 OF 25 JULY 2018 MEETING (Exempt information by virtue of Paragraphs 3 and 5 of Part 1)

It was RESOLVED

That Confidential Minute No 24 of the Planning Committee Meeting held on 25 July 2018 be confirmed and signed as a correct record.

Note:
The meeting adjourned at 12.25 p.m. for a short comfort break following the conclusion of the item referred to in Minute No 30 b above.

The business of the meeting was concluded at 12.50 p.m.

……..

Chairman