

BABERGH DISTRICT COUNCIL

Minutes of the meeting of the **PLANNING COMMITTEE** held in the King Edmund Chamber - Endeavour House, 8 Russell Road, Ipswich on Wednesday, 19 June 2019
09:30AM

PRESENT:

Councillor: Peter Beer (Chair)
Stephen Plumb (Vice-Chair)

Councillors: Sue Ayres
David Busby
Leigh Jamieson
Adrian Osborne
Lee Parker
Melanie Barrett
Derek Davis
Zachary Norman
Alison Owen

Ward Member(s):

Councillors: Michael Holt
Alastair McCraw

In attendance:

Officers: Area Planning Manager (SS)
Planning Lawyer (IDP)
Principal Planning Officer (EF/VP)
Planning Support Officer (MB)
Planning Officer (HG)
Governance Officer (RC)

8 SUBSTITUTES AND APOLOGIES

An apology of absence was received from Councillor John Hinton.

Councillor Derek Davis substituted for Councillor John Hinton.

9 DECLARATION OF INTERESTS

Councillor Sue Ayres declared a non-pecuniary interest in application DC/18/01526 as she knew someone who lived next to the site.

Councillor David Busby declared a non-pecuniary interest in application DC/19/01712 and advised Members that he would speak as the Ward Member but would not take part in the debate or vote.

After taking advice from the Planning Lawyer, Councillor Leigh Jamieson declared a non-pecuniary interest in applications DC/19/01530 & DC/19/01531 as he had

previously made a statement regarding the applications before he became a Member of Babergh District Council but would be approaching the application with an open mind.

10 PL/19/3 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 5 JUNE 2019

It was resolved that the Minutes of the meeting from 5 June 2019 were confirmed and signed as a true record.

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

The Governance Officer reported that a petition had been received regarding application DC/19/01712 with 77 valid signatures supporting the following statements:

Say No to backfill - A planning application has been submitted regarding the erection of 2 large properties with associated road, in the grounds to the rear of Rosslyn House. This contravenes the former ribbon development policy.

* A number of existing residences would be affected considerably by loss of outlook, privacy and light.

* If granted it sets a precedent for further unwanted backfill in any area of our village.

12 SITE INSPECTIONS

None requested.

13 PL/19/4 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/19/4 and the speakers responded to questions put to them as provided for under those arrangements.

Application Number	Representations From
DC/18/01526	Brian Stephens (Glemsford Parish Council) Sharon Smith (Objector) Craig Western (Agent) Andrew Crutchley (Agents Specialist) Cllr Michael Holt (Ward Member)
DC/19/00881	Andrew Garnham (Applicant) James Boyer (Agent) Cllr Alastair McCraw (Ward Member)
DC/19/01712	David Marsh (Chattisham and Hintlesham Parish Council) Roger Balmer (Agent)

DC/19/01530	Jane Appleby (Applicant)
DC/19/01531	None

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/19/4 be made as follows:-

14 DC/18/01526 LAND WEST OF, LOW STREET, GLEMSFORD, SUFFOLK

14.1 Item 1

Application Proposal	DC/18/01526 Outline Planning Application (Access and Landscaping to be considered). Residential development consisting of 101 new dwellings and 35 retirement living apartments (as revised by drawings received 04.03.2019).
Site Location	GLEMSFORD- Land West of Low Street, Glemsford, Suffolk
Applicant	EJL Landholdings Ltd

14.2 The Case Officer presented the application to the Committee outlining the proposal before Members, the layout of the site, and the officer recommendation for refusal.

14.3 Members considered the representation from Brian Stephens of Glemsford Parish Council, who spoke against the application.

14.4 The Parish Council representative responded to Members' questions on issues including: the current status of the Glemsford Local Plan, and that the village had conducted a village needs survey.

14.5 Members considered the representation from Sharon Smith who spoke as an Objector.

14.6 Members considered the representation from Craig Western and Andrew Crutchley, who spoke as the Agents.

14.7 The Agents responded to Members' questions on issues including: the archaeological report for the site, the impact on the heritage asset, the connectivity of the site, the height of the proposed development, that the identified need was based on data at the District level, and the proposed access to the site.

14.8 Members considered the representation from Councillor Michael Holt, who spoke as the Ward Member.

- 14.9 The Ward Member responded to Members' questions on issues including: the current health provision in the area, the availability of employment in Glemsford. It was noted that Councillor Stephen Plumb chose not to speak as the Ward Member, but to take part in the debate and vote.
- 14.10 The Case Officer advised Members that due to possible flooding, one property in the revised drawings had been removed.
- 14.11 Members debated the application on the issues including: the impact on the heritage assets and, the archaeological survey.
- 14.12 Councillor Adrian Osborne proposed that the application be refused as detailed in the officer recommendation. Councillor Sue Ayres seconded the motion.
- 14.13 Members continued to debate the application on the issues including: possible further reasons for refusal, that the proposed development did not outweigh the public benefit.
- 14.14 **RESOLVED**

That authority be delegated to Corporate Manager - Growth & Sustainable Planning to refuse outline planning permission for reasons including:

- 1. The proposed development, by virtue of its scale, siting and location, would cause significant harm to a Valued Landscape and Special Landscape Area, contrary to Policies CS11 and CS15 of the Babergh Core Strategy (2014) and Policy CR04 the Babergh Local Plan (2006) and paragraphs 127 and 170 of the National Planning Policy Framework.**
- 2. The proposed development, by virtue of its scale, siting and location, would fail to preserve or enhance the Glemsford Conservation Area and cause less than substantial harm to the setting of the listed St Marys Church and Monks Hall and this harm would not be outweighed by the public benefits of the development, contrary to Policies CS11 and CS15 of the Babergh Core Strategy (2014) and Policy CN06 and CN08 the Babergh Local Plan (2006) and paragraphs 193 and 196 of the National Planning Policy Framework**
- 3. The proposed development, by virtue of its scale and the lack of capacity of Glemsford Primary Academy to expand would result in unsustainable commuting to alternative primary schools for children within the village, which CIL funding cannot compensate for, contrary to Policy CS21 of the Babergh Core Strategy (2014) and paragraph 94 of National Planning Policy Framework.**
- 4. In the absence of an archaeological evaluation there is insufficient information to assess the impact the development will have on in situ archaeology. This is contrary to Policy CS15 of the Babergh Core Strategy**

(2014) and paragraph 189 of the National Planning Policy Framework.

- 5. In the absence of a Land Contamination Appraisal the application has failed to submit the minimum requirements of para 178 of the National Planning Policy Framework to demonstrate that the site is suitable for the proposed end use contrary to Policy CS15 of the Babergh Core Strategy (2014) and paragraph 178 of the National Planning Policy Framework.**
- 6. In the absence of a signed s.106 agreement there is no mechanism to ensure the delivery of affordable housing and measures to improve the footpath network within and adjacent to the site contrary to Policies CS19 and CS15 Babergh Core Strategy (2014) and paragraphs 63 and 65 and 108 and 110 and the National Planning Policy Framework.**

15 DC/19/00881 LAND SOUTH OF BROOKLANDS ROAD, BRANTHAM

15.1 Item 2

Application Proposal	DC/19/00881 Submission of details under Outline Planning Permission B/15/00263: Appearance, Landscaping, Layout, and Scale for 288 dwellings, public open space and associated infrastructure.
Site Location	BRANTHAM- Land South of Brooklands Road, Brantham.
Applicant	Taylor Wimpey UK Ltd

- 15.2 The Case Officer presented a comprehensive examination of the proposal, outlining the layout of the site, the tabled papers before Members, and the officer recommendation of approval
- 15.3 The Case Officer responded to Members' questions on issues including: the entrance to the application, the proposed cycle paths and Electric Vehicle charging points, and the proposed placement for refuse bin storage.
- 15.4 Members considered the representation from Andrew Garnham who spoke as the Applicant and James Boyer, who spoke as the Agent.
- 15.5 The Applicant and Agent responded to Members questions on issues including: the retained walls on the site and their ownership, that a management company would maintain the cycle paths and Electric vehicle charging points, safety measures at the decoy pond, the flood risk of the site, and the parking provision on the site.
- 15.6 Members considered the representation from Councillor Alastair McCraw who spoke as the Ward Member.
- 15.7 The Ward Member responded to Members' questions on issues including: the community engagement from the applicant, and the health provision in the

area.

15.8 The Area Planning Manager advised Members that a number of the outline planning conditions covered issues including the landscape management but that a further condition could be added to safeguard this aspect.

15.9 Members debated the application on the issues including: the decontamination work that would be undertaken on the former industrial site, that the draft neighbourhood plan had little weight, and that there was no affordable housing proposed to finance the regeneration of the former industrial area.

15.10 Councillor Melanie Barrett proposed that the application be approved as detailed in the officer recommendation with the additional conditions as follows:

- Adequate provision of dog/waste bins
- Landscape management plan

15.11 Councillor Adrian Osborne seconded the motion.

15.12 **RESOLVED**

That Members resolve to:

(1) Grant approval of the reserved matters (under application reference DC/19/00881) subject to planning conditions, drafted to the satisfaction of the Acting Chief Planning Officer, including:

- **Approved Plans and Details - Car charging details inc. ducting for shared areas.**
- **Further detailed hard and soft landscaping plans and treatments including areas of play.**
- **Agreement of dog waste/bin locations.**
- **Site boundary treatments informed by public engagement.**
- **Expanded construction management details for materials importation.**
- **As required by SCC, where necessary.**

Additional Conditions:

- **Adequate provision of dog/waste bins**
- **Landscape management plan**

16 DC/19/01712 ROSSLYN HOUSE, DUKE STREET, HINTLESHAM, IPSWICH, SUFFOLK, IP8 3QP

16.1 A short comfort break was taken between 11:40-11:54 after the completion of application DC/19/00881 but before the commencement of application DC/19/01712

16.2 Item 3

Application Proposal	DC/19/01712 Planning Application. Erection of 2no. dwellings, associated outbuildings, improved vehicular access and landscaping. PV array to serve the two dwellings.
Site Location	HINTLESHAM- Rosslyn House, Duke Street, Hintlesham, Ipswich, Suffolk, IP8 3QP
Applicant	Mr and Mrs Whyman

16.3 The Case Officer presented the application to the Committee outlining the proposal, the layout of the site, and the officer recommendation of refusal.

16.4 Members considered the representation from David Marsh who spoke on behalf of Chattisham and Hintlesham Parish Council.

16.5 The Parish Council representative responded to Members' questions on issues including: allocations for housing within the parish.

16.6 Members considered the representation from Roger Balmer, who spoke as the Agent on behalf of the Applicant.

16.7 The Agent responded to Members' questions on issues including: the proposed ecological measures on the site, and the possible adverse impact on neighbouring properties.

16.8 Members considered the representation from Councillor David Busby who spoke as the Ward Member. Councillor Busby left the meeting for the remainder of the item at 12:20 before the debate started.

16.9 Members debated the application on the issues including: the current state of the 5-year housing land supply, the tilted balance being in favour of sustainable development, the unique and innovative design that was being proposed, and the public benefits of the proposed ecological measures.

16.10 Councillor Melanie Barrett proposed that the application be approved against the officer recommendation for the following reasons:

- The development would not be out of character with its surroundings and the design is responsive to its context with positive ecological and environmental features. The development would meet a local need. The development would not set a precedent in light of the individual circumstances of the application. The development would pose minimal disruption to the amenity afforded to neighbouring occupants with an adequate degree of separation and noting the limited intensification of an existing access.
- The development would be consistent with policies CS1, CS11, and CS15.
- The identified harm would not outweigh the public benefits in allowing development to proceed.

Grant planning permission subject to 'standard' conditions, including:

- Time limit
- Approved plans
- Construction management plan

16.11 Councillor Derek Davis seconded the motion.

16.12 **RESOLVED**

Approved contrary to Officer recommendation, for the following reasons:

The development would not be out of character with its surroundings and the design is responsive to its context with positive ecological and environmental features. The development would meet a local need. The development would not set a precedent in light of the individual circumstances of the application. The development would pose minimal disruption to the amenity afforded to neighbouring occupants with an adequate degree of separation and noting the limited intensification of an existing access.

The development would be consistent with policies CS1, CS11, and CS15.

The identified harm would not outweigh the public benefits in allowing development to proceed.

Grant planning permission subject to 'standard' conditions, including:

- **Time limit**
- **Approved plans**
- **Construction management plan**

17 DC/19/01530 THE OLD RECTORY, RECTORY ROAD, WHATFIELD, IPSWICH, SUFFOLK, IP7 6QU

17.1 Councillor David Busby re-joined the meeting after the completion of application DC/19/01712 but before the commencement of DC/19/01530.

17.2 Item 4

Application	DC/19/01530
Proposal	Householder Planning Application – Erection of a single storey & two storey side extension.
Site Location	WHATFIELD- The Old Rectory, Rectory Road, Whatfield, Ipswich, Suffolk, IP7 6QU
Applicant	Mr and Mrs Mike & Jane Appleby

17.3 The Case Officer presented the application to the Committee outlining the proposal before Members, the layout of the site, the tabled papers before Members, and the Officer recommendation of refusal.

17.4 Members considered the representation from Jane Appleby who spoke as the Applicant.

17.5 The Applicant responded to Members' questions on issues including: when the building was listed, and the reasons for the proposed changes to the property.

17.6 Councillor David Busby proposed that Members undertake a site visit. Councillor Stephen Plumb seconded the motion.

17.7 The motion was lost.

17.8 Members debated the application on the issues including: the age of the heritage asset and when amendments to the building had been made.

17.9 The Heritage Officer advised Members that the age of the building was not the only factor that was taken into account for the Heritage response and that there were no public benefits to the proposal before Members. The Planning Lawyer also advised Members that the age of the building was a live issue and was still being disputed between the applicant and the Heritage Team.

17.10 The Area Planning Manager advised Members that they should have special regards to safeguarding heritage assets and that substantial harm would mean that all the significance of the building was lost.

17.11 With the agreement of the Chair the applicant responded to some of the points that had been raised regarding the Heritage aspects of the proposal.

17.12 Members debated the application on the issues including: the harm to the heritage asset and the sustainability of the proposal with regards to demolishing part of the listed asset.

17.13 Councillor Melanie Barrett proposed that the application be refused as detailed in the officer recommendation. Councillor Lee Parker seconded the motion.

17.14 RESOLVED

That authority be delegated to the Acting Chief Planning Officer to refuse householder planning permission for the following reasons:

The proposed two- storey and single- storey extensions on the western elevation of The Old Rectory, following the demolition of the two-storey and a single-storey wings, are considered to be detrimental to the character, appearance and setting of the Grade II designated Heritage Asset. The proposed demolition of the two historic wings which contribute notably to the understanding of the evolution of the building, would not preserve the designated heritage asset. The harm which would result to the listed building significantly outweighs any public benefits that may be afforded to the proposal and there is not clear or convincing justification for this harm, which should only be allowed in exceptional circumstances. The application, therefore, does not meet the requirements of paragraphs 194 and 196 of the NPPF and Policy CN06 of the Babergh Local Plan (2006).

18 DC/19/01531 THE OLD RECTORY, RECTORY ROAD, WHATFIELD, IPSWICH, SUFFOLK, IP7 6QU

18.1 Item 5

Application	DC/19/01531
Proposal	Householder Planning Application- Erection of a single storey & two storey side extension.
Site Location	WHATFIELD- The Old Rectory, Rectory Road, Whatfield, Ipswich, Suffolk, IP7 6QU
Applicant	Mr and Mrs Mike & Jane Appleby

18.2 The Case Officer presented the application to the committee outlining the proposal before Members, the layout of the site, that this an application for listed building consent, and that the officer recommendation was for refusal.

18.3 Members debated the application on the issues including the harm to the listed building.

18.4 Councillor Stephen Plumb proposed that the application be refused as detailed in the officer recommendation. Councillor Derek Davis seconded the motion.

18.5 RESOLVED

That authority be delegated to the Acting Chief Planning Officer to refuse householder planning permission for the following reason:

The proposed two story and single storey extensions proposed on the western elevation of The Old Rectory, following the demolition of two storey wing and a single storey wing are considered to be detrimental to the character, appearance and setting of the Grade II designated Heritage Asset. The proposed demolition of the two historic wings which contribute notably to the understanding of the evolution of the building, would not preserve the designated heritage asset. The harm which would result to the listed building significantly outweighs any public benefits that may be afforded to the proposal and there is not clear or convincing justification for this harm, which should only be allowed in exceptional circumstances. The application, therefore, does not meet the requirements of Section 16 P(LBCA)A 1990, paragraph 194 and 196 of the NPPF and Policy CN06 of the Babergh Local Plan (2006).

The business of the meeting was concluded at 1.37 pm.

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Chair