

## MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **PLANNING REFERRALS COMMITTEE** held in the King Edmund Chamber - Endeavour House, 8 Russell Road, Ipswich on Wednesday, 13 November 2019- 09:30

### PRESENT:

Councillor: Matthew Hicks (Chair)

Councillors: Kathie Guthrie Rachel Eburne  
Terence Carter  
John Field Lavinia Hadingham  
Sarah Mansel Richard Meyer  
David Muller BA (Open) MCMI Mike Norris  
RAFA  
Rowland Warboys

### In attendance:

Officers: Chief Planning Officer (PI)  
Area Planning Manager (JPG)  
Principal Planning Officer (JW/BH)  
Senior Development Management Engineer (Highways) (SH)  
Planning Lawyer (IDP)  
Governance Officer (RC)

### Apologies:

Peter Gould  
John Matthissen  
Harry Richardson  
Wendy Turner

## 11 APOLOGIES FOR ABSENCE/SUBSTITUTIONS

Apologies of absence were received from Councillors Peter Gould, John Matthissen, Harry Richardson and Wendy Turner.

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

Councillors David Muller and Terence Carter declared a local non-pecuniary interest in application DC/19/01482 as they had both reviewed the application at Stowmarket Town Council when it had gone before the Planning Advisory Committee.

**13 DECLARATIONS OF LOBBYING**

All Members declared that they had been lobbied on application DC/18/03114.

**14 DECLARATIONS OF PERSONAL SITE VISITS**

Councillors Terence Carter and David Muller declared personal site visits for application DC/19/01482.

**15 RF/19/4 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 12 JUNE 2019**

It was Resolved that the Minutes of the meeting held on the 12 June 2019 were confirmed and signed as a true record.

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

The Governance Officer advised Members that a petition regarding application DC/18/03114 had previously been reported to the Development Control B Committee outlining that 164 signatories asked that the application be refused.

**17 RF/19/5 SCHEDULE OF PLANNING APPLICATIONS**

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

<b>Application Number</b>	<b>Representations From</b>
DC/18/03114	Peggy Pearson (Somersham Parish Council) Andrew Laughlin (Objector) Chris Smith (Applicant) Cllr John Field (Ward Member)
DC/19/01482	Darren Cogman (Agent) Mike Brindley (Consultant) Martin Aust (Consultant)

**18 DC/18/03114 LAND SOUTH WEST OF, MAIN ROAD, SOMERSHAM, SUFFOLK**

18.1 Item A

Application	DC/18/03114
Proposal	Planning Application- Residential development of 42 dwellings, together with associated public open space, access roads, garaging and car parking.
Site Location	<b>SOMERSHAM-</b> Land South West of, Main Road, Somersham, Suffolk
Applicant	Hopkins and Moore (Developments) Limited

- 18.2 The Case Officer presented the application to the Committee outlining the proposal before Members, the layout of the site, the proposed improvements to the Public Right of Way and the Highway, the contents of the tabled papers, and the officer recommendation of approval.
- 18.3 The Case Officer responded to Members' questions on issues including: proposed warning signs regarding the pinch point on the highway on Main Road, that the land was currently classified as being agricultural, and that an identical "twin track" application had also been submitted alongside the application.
- 18.4 The Case Officer, Chief Planning Officer and Senior Development Management Engineer (Highways) responded to Members' questions on issues including: the width of the proposed path, the options that had been considered for Highways improvements, that it was not essential to have a footpath if that was the view Members were minded to take. Officers also responded to Members' questions regarding the accessibility for mobility scooter users, and the visibility through the pinch point.
- 18.5 Members considered the representation from Peggy Pearson of Somersham Parish Council who spoke against the application.
- 18.6 The Parish Council representative responded to Members questions on issues including: that two vehicles could not pass each other at the pinch point.
- 18.7 Members considered the representation from Andrew Laughlin who spoke as an Objector.
- 18.8 The Objector responded to Members' questions on issues including: that his property had previously been hit from passing vehicles.
- 18.9 Members considered the representation from Chris Smith who spoke as the Applicant.
- 18.10 The Applicant responded to Members' questions on issues including: the environmental sustainability of the proposal.

- 18.11 Members considered the representation from the Ward Member, Councillor John Field.
- 18.12 Members debated the application on the issues including: the work that had been undertaken since the item had previously been sent to Committee, the proposed highways works, and the renewable energy provision, the proposed pathways.
- 18.13 The Chief Planning Officer advised Members that there were options available to the Committee if they were minded to approve the application in terms of approving with the proposed pathway, or the original submission that went before Members without the pathway.
- 18.14 Members continued to debate the application on the issues including: the safety of the proposed highways improvements, the location of the site next to the pub, the proposed density of the site and that the pinch point was a pre-existing issue.
- 18.15 Councillor Richard Meyer proposed that the application be approved as detailed in the officer recommendation with the additional conditions as follows:
- Sustainability
  - Further improvement to the off road footpath network
- 18.16 Councillor Rowland Warboys seconded the motion.
- 18.17 The Chief Planning officer clarified that the proposal for highways works would be developed within the carriageway.
- 18.18 By 4 votes to 5 with 1 abstention. The motion was lost
- 18.19 Councillor Kathie Guthrie proposed that the application be approved without the proposed footpath omitted at the pinch point and that this is substituted with a Road Safety enhance scheme including signing and lining and PROW improvements to include a new or amended off road route as recommended by SCC Highway Authority or contribution in lieu if not within the ownership, and that sustainability conditions be added to secure water and resource efficiency and electric vehicle charging.
- 18.20 Councillor Richard Meyer seconded the motion.
- 18.21 By 8 votes to 2.

## 18.22 RESOLVED

That the application is GRANTED planning permission:

(1) Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Chief Planning Officer to secure:

- Affordable Housing at 35%

Consisting of:-

- 12 x Affordable Rent:

- 2 x 3 bedroom 5 person house @ 93sqm
- 5 x 2 bedroom 4 person house @ 79sqm
- 4 x 1 bedroom 2 person flat @ 50sqm
- 1 x 2 bedroom 4 person flat @ 70sqm

- 3 x Shared Ownership Tenure:

- 1 x 2 bedroom 4 person house @ 79sqm
- 2 x 3 bedroom 5 person house @ 93sqm

- Public Open Space inclusive of management company

- Public Rights of Way surfacing improvement works to FP33 and FP35 totalling £11,529.00.

- Public Transport improvements to install new bus stops on Main Road adjacent to and opposite the site completed under S278.

(2) That the Chief Planning Officer be authorised to grant 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:

1. Time limit
2. Approved plans
3. Tree protection measures
4. Highways – visibility
5. Highways – details and provision of estate roads and footpaths
6. Highways – binder course level
7. Highways – surface water discharge
8. Highways – loading / unloading
9. Highways – refuse / recycling
10. Highways – Deliveries Management Plan
11. Archaeology (Pre-Investigation)
12. Archaeology (Post-Investigation)
13. Ecology mitigation
14. Biodiversity enhancement
15. Landscaping scheme
16. Landscaping management plan
17. Surface water management / disposal strategy
18. SUDs details
19. Construction Surface Water Management Plan (CSWMP)
20. Materials

- 21. Fenestration
- 22. Levels (GFL and FFL)
- 23. Fire hydrant provision details
- 24. Installation of new bus stops

(3) And the following informative notes as summarised and those as may be deemed necessary:

- Section 38 of the Highways Act 1980
- Section 278 of the Highways Act 1980
- Scheme of archaeological investigation

(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 6 months that the Chief Planning Officer be authorised to refuse the application on appropriate ground

**19 DC/19/01482 LAND TO THE EAST AND WEST OF PRENTICE ROAD, STOWMARKET, SUFFOLK**

19.1 A short comfort break was taken between 10:30-10:45 after the completion of DC/18/03114 but before the commencement of DC/19/01482.

19.2 Item B

Application	DC/19/01482
Proposal	Full Planning Application – Erection of a care home and 93 residential apartments with associated car parking and amenity spaces
Site Location	<b>STOWMARKET</b> – Land to the East and West of Prentice Road, Stowmarket, Suffolk
Applicant	Mr Sav Atkar

19.3 The Case Officer presented the application to the Committee outlining the proposal before Members, the layout of the site, the contents of the tabled papers, and the officer recommendation of approval with conditions.

19.4 The Case Officer responded to Members' questions on issues including that the car parking arrangements was below the Parking Standards Guide due to the connectivity of the area, the consultation response from the Fire Department, and that the building was on stilts due to the flood zone, cycle storage provision, cycle linkage to the site, that there was no Affordable Housing on site due to the viability of the proposal and the response from the Environmental Health Officer and whether the site was subject to the Community Infrastructure Levy (CIL)

19.5 A short adjournment was taken between 12:19-12:28 to confirm that CIL did not apply on the site as it was a designated Strategic Site.

19.6 The Case Officer and Area Planning Manager responded to further questions from Members' on issues including: electric vehicle charging points and cycle storage points, and the proposed footpath linkages.

19.7 Members considered the representation from Darren Cogman, Mike Brindley and Martin Aust, who spoke as the Agent and consultants respectively.

19.8 The Agent and Consultants responded to Members' questions on issues including: the residential amenity for any future residents, the security of the proposed care home, sprinkler systems, the response from the Highways Authority, the response from Mid Suffolk District Council's Heritage Team, and the sustainability of the proposal.

19.9 Members debated the application on the issues including: the design of the proposal, the car parking provision, the environmental sustainability measures, the proposed parking at the Care Home and the security measures to ensure the safety of the residents.

19.20 Councillor Sarah Mansel proposed that the application be approved as detailed in the officer recommendation with the additional conditions as follows:

- Correction of 18 months implementation time limit
- Electric car charging scheme to be agreed
- Emergency exit and fire protection measures to be agreed.
- Removal of permitted development for change of use of Carehome

19.21 Councillor John Field seconded the motion.

19.22 By a unanimous vote

19.23 **RESOLVED**

**(1) Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Chief Planning Officer to secure:**

- **A contribution of £10 000 towards the administration and implementation of Traffic Orders imposing waiting restrictions along Prentice Road, as identified as being necessary by the Highway Authority.**

**(2) That the Chief Planning Officer be authorised to GRANT 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:**

- **Time limit (18 months for implementation of scheme given viability agreement at this time)**
- **Approved Plans (Plans submitted that form this application)**
- **Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL)**

- SuDs conditions
- Construction Plan to be agreed.
- Level access to enable wheelchair access for all dwellings/buildings.
- Contamination conditions
- Noise conditions
- Ecology Mitigation carried out in accordance with the submitted Ecological Appraisal
- Submission of a Biodiversity Enhancement Strategy • Wildlife Sensitive Lighting
- Development carried out in accordance with the arboricultural report
- Programme of archaeological work and completion prior to occupation
- Sustainable construction in accordance with the submitted Design and Access statement
- Waste Authority conditions
- Highway Authority conditions including access details, provision of footway, vehicle charging points, Residents' Travel packs.

**(3) And the following informative notes as summarised and those as may be deemed necessary:**

- Pro active working statement
- SCC Highways notes
- Support for sustainable development principles
- Anglian Water informative

**(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 6 months that the Chief Planning Officer be authorised to refuse the application on appropriate ground**

**Additional Conditions:**

- Correction of 18 months implementation time limit
- Electric car charging scheme to be agreed
- Emergency exit and fire protection measures to be agreed.
- Removal of permitted development for change of use of Carehome

The business of the meeting was concluded at 1.07 pm.

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Chair