

MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **DEVELOPMENT CONTROL COMMITTEE A** held in the King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Wednesday, 9 March 2022 at 09:30am.

PRESENT:

Councillor:

Barry Humphreys MBE (Vice-Chair)

Councillors:

Rachel Eburne
Sarah Mansel
Richard Meyer
John Whitehead

John Field
John Matthissen
Timothy Passmore

Ward Member(s):

Councillors:

Helen Geake
Rowland Warboys

In attendance:

Officers:

Area Planning Manager (JPG)
Planning Lawyer (IDP)
Case Officers (MK/AS)
Governance Officer (CP)

134 APOLOGIES FOR ABSENCE/SUBSTITUTIONS

134.1 Apologies were received from Councillor Matthew Hicks.

134.2 Councillor John Whitehead substituted for Councillor Hicks.

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

135.1 Councillor Meyer declared a local non-pecuniary interest in respect of application number DC/21/02956 as the agent was a resident of his Ward.

136 DECLARATIONS OF LOBBYING

136.1 Councillor Eburne, Councillor Field and Councillor Mansel declared that they had been lobbied in respect of application number DC/22/00225.

137 DECLARATIONS OF PERSONAL SITE VISITS

137.1 Councillor Mansel declared a personal site visit in respect of application number DC/22/00225.

138 NA/21/23 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 12 JANUARY 2022

It was RESOLVED:

That the minutes of the meeting held on 12 January 2022 were confirmed and signed as a true record.

139 NA/21/24 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 09 FEBRUARY 2022

It was RESOLVED:

That the minutes of the meeting held on 09 February 2022 were confirmed and signed as a true record.

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

140.1 None received.

141 NA/21/25 SCHEDULE OF PLANNING APPLICATIONS

141.1 The Chair advised that the applications would be heard in the following order:

- Item 8C DC/21/02582 Land West of, Grange Road, Wickham Skeith, Suffolk
- Item 8A DC/21/02956 Land East of Warren Lane and West of Cresmedow Way, Elmswell, Suffolk
- Item 8B DC/22/00225 Land to the Rear of The Leas, Quoits Meadow, Stonham Aspal, Suffolk

141.2 In accordance with the Councils procedures for public speaking on planning applications, representations were made as detailed below:

Application Number	Representations From
DC/21/02582	Wickham Skeith Parish Council Sarah Roberts (Agent) Councillor Rowland Warboys (Ward Member)
DC/21/02956	Peter Dow (Elmswell Parish Council) James Bailey (Agent) Councillor Sarah Mansel (Ward Member) Councillor Helen Geake (Ward Member)
DC/22/00225	Beverly Brady (Objector) Councillor Suzie Morley (Ward Member)

142 DC/21/02582 LAND WEST OF, GRANGE ROAD, WICKHAM SKEITH, SUFFOLK

142.1 Item 8C

Application	DC/21/02582
Proposal	Full Planning Application – Erection of 3 pairs semi-detached dwellings, and garages including access.
Site Location	WICKHAM SKEITH – Land west of Grange Road, Wickham Skeith, Suffolk
Applicant	Osborn Homes (East Anglia) Ltd

142.2 The Case Officer presented the application to the Committee outlining the proposal before Members including: the location and layout of the site, the previously approved permission at the site, and the officer recommendation of approval.

142.3 The Case Officer and the Area Planning Manager responded to questions from Members on issues including: the footpaths and pedestrian access to the site, whether the sustainability officer had been consulted, any proposed plans for removal of existing landscaping, and whether the site was located in a conservation area.

142.4 The Ward Member, Councillor Warboys, read out a statement on behalf of the Parish Council.

142.5 The Case Officer and the Area Planning Manager responded to Members on issues including: the proposed plans for maintenance of the shared open areas to the front of the properties, the classification of the settlement of Wickham Skeith, and any other current applications in the settlement area.

142.6 The Committee considered the representation from Sarah Roberts who spoke as the agent.

142.7 The Agent responded to questions from Members on issues including: the surface material of the paved areas.

142.8 The Area Planning Manager responded to a question from Members regarding the policies and material considerations applicable to this application.

142.9 The Agent responded to further questions from Members on issues including: the proposed heating systems, sustainability measures, and whether the dwellings would conform to future building regulations.

142.10 Members considered the representation from Councillor Warboys who spoke as the Ward Member.

142.11 The Ward Member responded to question from Members on issues including: the housing mix and local housing needs.

142.12 Councillor Passmore proposed that the application be approved as detailed in the officer recommendation and with additional conditions relating to the surface of paved areas, and hedgerow management.

142.13 Councillor Humphreys MBE seconded the motion.

142.14 Members debated the application on issues including: the existing approved permission at the site, the proposed sustainability measures, the increased number of dwellings on the site from the previously agreed permission, the effectiveness of the installation of solar panels, futures access issues, and the location of the site.

142.15 Councillor Passmore and Councillor Humphreys MBE agreed to the following additional conditions:

- Landscape management plan to be agreed
- Paving to be permeable, areas to be agreed
- Protective tree and 'hedge' fencing to be agreed
- Stopping up of existing access to south-east corner

By a vote of 7 votes for and 1 against

It was RESOLVED:

That authority be delegated to the Chief Planning Officer to GRANT planning permission subject to the following conditions and informatives:

Conditions:

- **Standard time limit**
- **Approved Plans**
- **Biodiversity enhancements agree prior to occupation**
- **Landscaping scheme implemented as approved plans**
- **Protective tree fencing specifications to be agreed**
- **Highways Authority conditions (as set out by SCC)**
- **Swift boxes installation scheme to be agreed**
- **Construction Management Plan to be agreed**
- **Removal PD Rights for extensions and alterations**

Informatives:

- **Proactive working statement**
- **SCC Highways notes**
- **Support for sustainable development principles**

And the following additional conditions as agreed:

- **Landscape management plan to be agreed**
- **Paving to be permeable, areas to be agreed**

- **Protective tree and ‘hedge’ fencing to be agreed**
- **Stopping up of existing access to south-east corner.**

143 DC/21/02956 LAND EAST OF WARREN LANE AND WEST OF, CRESMEDOW WAY, ELMSWELL, SUFFOLK

143.1 Item 8A

Application Proposal	DC/21/02956 Application for Outline Planning Permission (Access to be considered, all other matters reserved Town and Country Planning Act 1990 - Erection of 44 dwellings, including bungalows, affordable housing, open space, landscaping; and associated infrastructure.
Site Location	ELMSWELL – Land East of Warren Lane and West of, Cresmedow Way, Elmswell, Suffolk
Applicant	JD and RJ Baker Farms Ltd

143.2 A break was taken from 10:35am until 10:40am, after application number DC/21/02582 and before the commencement of application number DC/21/02956.

143.3 The Area Planning Manager presented the application to the Committee outlining the proposal before Members including: the location and layout of the site, the proposed drainage systems, the indicative housing mix, the previous committee decision of deferral and the consequent amended recommendation, and the officer recommendation of approval.

143.4 The Area Planning Manager responded to questions from Members on issues including: the number of complaints made by neighbouring properties concerning noise and dust pollution from the adjacent quarry, the response from the sustainability officer, the weight to be applied to the various planning policies, and whether there is any Strategic Housing Economic Land Availability Assessment (SHELAA) evidence relating to the southern part of the site.

143.5 Members considered the representation from Peter Dow who spoke on behalf of Elmswell Parish Council.

143.6 The Parish Council representative responded to questions from Members on issues including the development of Elmswell’s Neighbourhood Plan.

143.7 Members considered the representation from James Bailey who spoke as the agent.

143.8 The Agent responded to questions from Members on issues including: the

increased size of the development, the proposed location of the drainage systems, and the distance of the site to the quarry.

143.9 Members considered the representation from Councillor Sarah Mansel who spoke as the Ward Member.

143.10 The Ward Member responded to questions from Members on issues including: whether the proposed conditions would satisfy the traffic safety concerns relating to Warren Lane.

143.12 Members considered the representation from Councillor Helen Geake who spoke as the Ward Member.

143.13 Members debated the application on issues including: the location of the site, access to the site, and housing allocation needs.

143.14 Councillor Eburne proposed that the application be refused.

143.15 Councillor Matthissen commented that he was minded to refuse the application.

143.16 A break was taken between from 11:29am until 11:39am to enable the proposer and officers to discuss the reasons for refusal.

143.17 The Area Planning Manager confirmed to the Committee that as he was the Case Officer for the application, he would be unable to give unbiased advice regarding the reasons for refusal without risk. He therefore requested that the committee considered a deferral of the application to allow an alternative officer to consider the reasons for refusal.

143.18 Councillor Eburne withdrew the proposal for refusal of the application.

143.19 Councillor Passmore proposed the application be deferred in order to enable officers to receive a report on the risks of refusal, and also requested that a site visit be undertaken.

143.20 Councillor Field seconded the motion.

By a unanimous vote

It was RESOLVED:

That authority be delegated to the Chief Planning Officer to Defer to officers to receive a report on the risks of refusal.

- **Traffic**
- **Intrusion of development area and housing further into the countryside**
- **Quarry**
- **Refusal on housing need given the 9+years housing supply.**

Member Site visit before return.

144 DC/22/00225 LAND TO THE REAR OF THE LEAS, QUOITS MEADOW, STONHAM ASPAL, SUFFOLK

144.1 Item 8B

Application Proposal	DC/22/00225 Application for Outline Planning Permission (Access point to be considered, Appearance, Landscape, Layout and Scale to be reserved) Town and Country Planning Act 1990 – Erection of up to 5 no. dwellings and construction of new access (following demolition of existing dwelling).
Site Location	STONHAM ASPAL – Land to the rear of the Leas, Quoits Meadow, Stonham Aspal, Suffolk
Applicant	Mr R Tydeman

144.1 The Case Officer presented the application to the committee outlining the proposal before Members including: the location and layout of the site, the proposed access, the previously refused applications at the site, and the officer recommendation of refusal.

144.2 The Area Planning Manager provided clarification to Members regarding the reference in the officer report to the National Planning Policy Framework (NPPF) and the housing land supply.

144.3 The Area Planning Manager responded to questions from Members on issues including: the previous applications at the site, the indicative plan of the site, and whether any pre-application advice was provided.

144.4 Members considered the representation from Beverly Brady who spoke as an objector.

144.5 The Chair read out a statement from the Ward Member, Councillor Morley, who was unable to attend the meeting.

144.6 Members debated the application on issues including: the lack of an indicative plan of the site, and the proximity of the site to the adjacent listed building.

144.7 Councillor Mansel proposed that the application be refused as detailed in the officer recommendation.

144.8 Councillor Field seconded the motion.

144.9 Members continued to debate the application on issues including: the lack of detail contained in the application, and the response from the heritage team.

By a unanimous vote

It was RESOLVED:

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

1) REASON(S) FOR REFUSAL – PRINCIPLE

The proposed development site lies outside of the village settlement boundary, as defined in the current adopted development plan. The principle of new housing development on the site is not then automatically supported, as a point of principle, by the current plan.

The Local Planning Authority is able to demonstrate a housing land supply, in significant excess of the five-year minimum required by the NPPF. The tilted balance is not, therefore, engaged.

Paragraph 11 of the NPPF requires planning decisions to apply a presumption in favour of sustainable development and, for decision-taking, in instances such as this where the policies which are most important for determining the application are out-of-date, planning permission should be granted unless adverse impacts of doing so would outweigh the benefits, when assessed against the policies of the Framework taken as a whole.

In weighting the scheme against the strands of sustainable development, as set out in the NPPF, a low level of overall social benefit is noted, and a long term low level of economic benefit is also noted. Counter to this is an overall moderate to high level of environmental harm. In particular the proposal is considered to result in harm to the character, setting and significance of a heritage asset, the nearby Grade II Listed Orchard Farmhouse, and would result in harm to the rural character of the site and its surroundings.

The adverse impacts of the proposal are, therefore, considered to significantly and demonstrably outweigh the benefits of the proposal and not to represent sustainable development when considered against the provisions of the NPPF, taken as a whole.

2) REASON(S) FOR REFUSAL - IMPACT ON THE SIGNIFICANCE OF A HERITAGE ASSET

Development plan policy CS5 requires all development proposals to protect, conserve and where possible enhance the built historic environment. Development Plan Policy HB1 requires that all such proposals should protect the character and appearance of all buildings of architectural or historic interest. Furthermore, the NPPF provides that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

The erection of a residential development on the site would result in erosion of the remaining historically rural character of the setting of the Grade II Listed Orchard Farmhouse and harm its character. The proposal is considered to result in less than substantial harm to the character, setting and significance of this heritage asset. Having assessed the development proposal against the social, economic and environmental dimensions of sustainable development, as required by the NPPF, the public benefits of the proposal are not considered to outweigh the level of harm identified. The proposal is, therefore, contrary to the provisions of the aforementioned planning policies for these reasons.

145 SITE INSPECTION

144.1 None received.

The business of the meeting was concluded at 12.22 pm.

.....
Chair