

## MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **DEVELOPMENT CONTROL COMMITTEE A** held in the Frink Room (Elisabeth) - Endeavour House on Wednesday, 6 April 2022 at 09:30am.

### **PRESENT:**

Councillor: Matthew Hicks (Chair)

Councillors: Rachel Eburne  
Kathie Guthrie  
Sarah Mansel  
Richard Meyer  
John Field  
Lavinia Hadingham  
John Matthissen

### **Ward Member(s):**

Councillors: Mike Norris

### **In attendance:**

Officers: Chief Planning Officer (PI)  
Area Planning Manager (GW)  
Planning Lawyer (IDP)  
Case Officers (BH/JW/AS)  
Governance Officer (CP)

### **146 APOLOGIES FOR ABSENCE/SUBSTITUTIONS**

146.1 Apologies were received from Councillor Humphreys MBE and Councillor Passmore.

146.2 Councillor Guthrie substituted for Councillor Humphreys MBE.

146.3 Councillor Hadingham substituted for Councillor Passmore.

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

147.1 Councillor Eburne declared a local non-pecuniary interest in respect of application number DC/21/06966 as a family member is employed by the applicant.

147.2 Councillor Matthissen declared a local non-pecuniary interest in respect of application number DC/21/06882 as the development site can be seen from his home.

147.3 Councillor Meyer declared a local non-pecuniary interest in respect of application number DC/21/06966 as he knows the agent personally.

147.4 Councillor Mansel declared a local non-pecuniary interest in respect of application number DC/21/06966 as she owns a property on Onehouse Road.

**148 DECLARATIONS OF LOBBYING**

148.1 All Members, with the exception of Councillor Hadingham and Councillor Guthrie, declared that they had been lobbied in respect of application number DC/21/06966.

148.2 Councillor Meyer, Councillor Eburne and Councillor Mansel declared that they had been lobbied in respect of application number DC/21/06882.

**149 DECLARATIONS OF PERSONAL SITE VISITS**

149.1 Councillor Meyer and Councillor Mansel declared personal site visits in respect of DC/21/06966.

149.2 Councillor Matthissen and Councillor Field declared personal site visits in respect of DC/21/06882.

**150 NA/21/26 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 09 MARCH 2022**

**It was RESOLVED:**

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

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

151.1 None received.

**152 NA/21/26 SCHEDULE OF PLANNING APPLICATIONS**

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

Application Number	Representations From
DC/21/06966	Alex Clarke (Applicant) James Bailey (Agent) Councillor John Matthissen (Ward Member)
DC/21/06882	Jason Parker and Magnus Magnusson (Agent) Councillor Mike Norris (Ward Member)
DC/20/04630	Councillor Richard Meyer (Ward Member)

**153 DC/21/06966 LAND TO THE SOUTH OF, UNION ROAD, ONEHOUSE, SUFFOLK**

153.1 Item 7A

Application	DC/21/06966
Proposal	Application for approval of reserved matters following grant of planning permission DC/20/0110 Town and Country Planning – Submission of details for the Appearance, Landscaping, Layout and Scale for the erection of up to 146No dwellings (some single storey and affordable) including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure.
Site Location	<b>ONEHOUSE</b> – Land to the South of, Union Road, Onehouse, Suffolk
Applicant	Bloor Homes Eastern

153.2 The Case Officer presented the application to the Committee outlining the proposal before Members including: the location and layout of the site, the proposed parking plan, the housing mix, the location of affordable housing within the site, access to the site, the proposed landscaping plans, the housing design, the contents of the tabled papers and the officer recommendation of approval.

153.3 The Case Officer and the Chief Planning Officer responded to questions from Members on issues including: the proximity of the allocated parking spaces to the dwellings, whether a statement would be provided by Place Services, the proposed footpaths and cycle paths, the proposed heating types, the plans for the drainage system, whether the insulation met future or current building standards, the parking plans and provision of Electric Vehicle charging points, the location for collection and storage of waste, and the installation of solar PV panels.

153.4 Members considered the representation from Alex Clarke who spoke as the applicant.

153.5 The applicant, and the agent, James Bailey, responded to questions from Members on issues including: the hydrogen conversion kit, how many properties would have solar panels installed, whether the applicant would consider enhancing the hedge to minimise light penetration from traffic, the proposed plans for the foot path and cycle path, and the proposed heating systems.

153.6 Members considered the representation from Councillor John Matthissen who spoke as the Ward Member.

153.7 Members debated the application on issues including: the proposed heating systems, the provision of cycle paths, the design of the housing, the proposed parking plan, sustainability issues, compliance with disability access building regulations, and the installation of PV panels.

153.8 Councillor Meyer proposed that the application be approved as detailed in the officer recommendation and with additional conditions relating to landscaping and the seating area, and additional information in relation to ecology issues, landscaping and cycle paths.

153.9 Councillor Guthrie seconded the proposal.

153.10 Members continued to debate the application on issues including: landscaping, cycle paths, and disability access.

153.11 Councillor Meyer and Councillor Guthrie agreed to the following:

Delegate authority to Chief Planning Officer to:

- i) strengthen landscaping to boundaries to south and north including measures to prevent light spill from vehicles towards the south
- ii) review and seek revisions to landscaping and no mow areas to ensure ecological options are safeguarded
- iii) explore options for increasing cycling and revision to create cycle way to southwestern corner of the site
- iv) review ecology enhancements and use of dead trees as habitat subject to condition 20.

Subject to this to grant permission as the recommendation on page 39 of the report

With additional conditions:

- i) Landscaping conditions requested by Place Services Landscaping
- ii) Seating to use re-cycled materials

By a vote of 6 votes for and 1 against

**It was RESOLVED:**

**That authority be delegated to the Chief Planning Officer to :**

- i) strengthen landscaping to boundaries to south and north including measures to prevent light spill from vehicles towards the south**
- ii) review and seek revisions to landscaping and no mow areas to ensure ecological options are safeguarded**
- iii) explore options for increasing cycling and revision to create cycle way to southwestern corner of the site**
- iv) review ecology enhancements and use of dead trees as habitat subject to condition 20.**

**Subject to the above**

The reserved matters are APPROVED subject to the following summarised conditions and those as may be deemed necessary by the Chief Planning Officer:-

- Reserved matters permission given in accordance with the terms of the outline planning permission relating to this site and the conditions attached thereto remain in force, except where discharged or superseded by the reserved matters approval.
- Approved Plans (Plans submitted and as subsequently amended that form this application).
- Notwithstanding the submitted details the materials palette for the dwellings in the vicinity of Star House Farm to be agreed i.e. plot no.s 1 – 3 and 9 – 13 inclusive.
- Submission of a detailed hard and soft landscaping scheme. Paths serving the LEAP should incorporate a sealed surface.
- Submission of a detailed Arboricultural Method Statement and dedicated Tree Protection Plan to help ensure harm is not caused to the trees scheduled for retention
- Ecological mitigation in accordance with the Ecological Appraisal recommendations.
- Vehicle parking, cycle parking and bin collection points to be provided in accordance with the detailed plans provided prior to relevant part of development brought into use and thereafter retained as such
- Conditions recommended by the Highway Authority

Plus any further conditions as may be deemed necessary by the Highway Authority or the Chief Planning Officer

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

- Proactive working statement
- SCC Highways notes
- Support for sustainable development principles
- Informatives identified by SCC LLFA

And the following additional conditions:

- Landscaping conditions requested by Place Services Landscaping
- Seating to use re-cycled materials.

**154 DC/21/06882 AGRICULTURAL LAND NORTH OF, BARKING ROAD, NEEDHAM MARKET, SUFFOLK**

154.1 Item 7B

Application Proposal	DC/21/06882 Application for Outline Planning Permission (Access to be considered, Appearance, Landscape, Layout and Scale to be reserved) Town and Country Planning Act 1990 – Erection of up to 279 No. dwellings (including 100 affordable) (re-submission of DC/20/05046).
Site Location	<b>NEEDHAM MARKET</b> – Agricultural Land North of, Barking Road, Needham Market, Suffolk
Applicant	Mr David Willis, Mrs Marlene Perry and Mr Michael Watson

154.2 A break was taken from 11:03am until 11:13am, after application number DC/21/06966 and before the commencement of application number DC/21/06882.

154.3 The Case Officer presented the application to the Committee outlining the proposal before Members including: details of the previously refused applications at the site, the site location and layout, the special landscape area, the potential flood risk, access to the site including emergency access, the accommodation plan, connectivity to the town of Needham Market, the level of information in the proposal, and the officer recommendation of refusal.

154.4 Members considered the representation from Jason Parker and Magnus Magnusson who spoke as the agents.

154.5 The Case Officer responded to questions from Members regarding the response from the Rights of Way Officer, and whether this was an allocated site in the Joint Local Plan.

154.6 The Agents responded to questions from Members on issues including: whether the applicants were the owners of the site at the time of the previous application, access to the site, the potential flood risk, and whether any consultation had taken place with the Needham Market Neighbourhood Plan group.

154.7 Members considered the representation from Councillor Norris who spoke as the Ward Member.

154.8 The Ward Member responded to questions from Members on issues including: the history of flooding in the area.

154.9 Members debated the application on issues including: the potential flood risk, the lack of pre-application advice and consultation with local residents, access to the site, and the compliance with the Needham Market

Neighbourhood Plan.

154.10 Councillor Guthrie proposed that the application be refused as detailed in the officer recommendation.

154.11 Councillor Eburne seconded the proposal.

By a unanimous vote:

**It was RESOLVED:**

**That planning permission be REFUSED for the following reasons:**

- i) The proposal strictly conflicts with the aims of the Needham Market Neighbourhood Plan and Mid Suffolk's Core Strategy policies CS1 and CS2 and Local Plan policy H7, as it is located outside of the settlement boundary for Needham Market and is within the countryside. The development is not allocated and does not accord with the exceptional circumstances tests applied under policies CS2 and H7 and is not considered a countryside compatible development. The proposal would extend the urban edge of Needham Market into a sensitive countryside landscape gap, which would represent an incongruous and discordant growth on the western edge of Needham Market which would not be well integrated and would have minimal relationship with the existing settlement, contrary to Core Strategy policy CS5 and the aims of Needham Market Neighbourhood Plan.**
  
- ii) There is a single main access into the site along the southern boundary, which is inadequate to serve 279 dwellings and runs through an area at a high risk from pluvial and fluvial flooding. In the event of flooding there would be no means of safe and suitable access in or out of the site. The proposed emergency access onto The Drift (bridleway) north is wholly inappropriate for either irregular and regular/ widespread use and would pose a danger to and discourage users of the bridleway. Notwithstanding its unsuitability, insufficient information has been submitted relating to the how the emergency access would materialise. The submitted site location plan does not show how the emergency access point connects onto the highway. Moreover, the bridleway would need to be upgraded to a byway in order to be used by vehicles, for which separate consent is required prior to determination which has not been sought. Furthermore, insufficient information has been submitted in respect of sustainable transport means through the provision of a suitable travel plan. The Transport Assessment inadequately addresses and accounts for both committed development and planned growth within the area. The development does not offer any coherent or integrated connections to encourage and support active and sustainable travel to and from the site. Instead, the development proposes a short section of 1.8-metre-wide footway with an uncontrolled crossing point connecting to the substandard existing footway network. The site would therefore be poorly connected to**

**Needham Market. The impacts on the highway network for existing residents and future residents on the site and within the locality would be significant and unacceptable contrary to Neighbourhood Plan policy NM2 and NM10, Core Strategy policy CS4, Local Plan policies T10, T11, T12 and RT12 and paragraphs 8, 100, 104, 105, 110, 112, 113 and 130 of the NPPF.**

- iii) The application does not adequately assess the sensitivity and landscape qualities of the site and its surroundings, specifically noting the site partially falls within the Gipping Valley Special Landscape Area. Notwithstanding this, the landscape would be irreparably and detrimentally altered through its development. This area provides an important landscape buffer and gap between Needham Market and Barking, through the transition of an urban area to a rural area. The site slopes and is in a visually prominent and elevated position on the approach into Needham Market. The landscape quality of the area is notably sensitive providing a rural backdrop to Needham Market. Development of the site would represent the loss of very good (Grade 2) agricultural land without adequate justification. The proposal would stand in conflict with Neighbourhood Plan policy NM7, Core Strategy policy CS5, Local Plan policies CL2, CL11 and GP1 and paragraphs 120 and 174 of the NPPF, undermining the character and appreciation of the intrinsic value of the landscape in isolation and within its wider context.**
- iv) The site is vulnerable to both fluvial and pluvial forms of flooding. Insufficient information has been submitted to demonstrate that the development would be safe for its lifetime and that it would not increase in flood risk elsewhere. The proposal fails to pass the sequential test. This is contrary to Neighbourhood Plan policy NM2, Core Strategy policy CS4 and paragraphs 159, 162, 167 and 169 of the NPPF.**
- v) Insufficient information has been submitted to enable full and sufficient assessment of the ecological potential on site and thus any mitigation required as a result of the development, contrary to Core Strategy policies CS4 and CS5, Local Plan policy CL8 and paragraphs 174 and 180 of the NPPF.**
- vi) Insufficient information has been submitted to demonstrate that there would be no adverse impact on air quality within the site and its surroundings from the significant vehicle movements resulting from the development. The proposal is therefore contrary to Core Strategy policy CS4, Local Plan policy H17 and paragraph 174 of the NPPF.**
- vii) Insufficient information has been submitted to demonstrate that existing noise and light pollution from Needham Market Football ground and training pitch would not detrimentally affect future residents of the site on the basis of their location and proximity to the club. The proposal conflicts with Core Strategy policy CS4, Local Plan policy H17 and paragraphs 130 and 174 of the NPPF.**



- viii) **Insufficient information has been submitted to determine the size of sand and gravel deposits and whether these minerals are economically viable to be extracted or used in the construction of the site. If they were economically viable, a separate consent would need to be secured (Suffolk County Council Minerals Extraction Permission) prior to determination. The proposal therefore conflicts with Suffolk Waste and Minerals Plan policy MP10 and paragraphs 209 and 211 of the NPPF.**
- ix) **Insufficient information has been submitted to demonstrate that land for an early years setting can be safely accommodated on site in a location that is suitable from a flood risk, highways, noise and topographical perspective. This is a requirement of the scheme owing to its scale and the pressure it will pose on existing infrastructure, as supported by paragraph 95 of the NPPF. In the absence of information, there is inadequate mitigation to accommodate the development without it resulting in undue pressure on school places within the locality.**

**In the event that an appeal against the refusal of planning permission is received, delegate authority to the Chief Planning Officer to defend that appeal for the reasons set out under (1) above, being amended and/or varied as may be required.**

**155 DC/20/04630 LAND WEST OF, WATTISFIELD ROAD, WALSHAM LE WILLOWS, SUFFOLK**

155.1 Item 7C

Application Proposal	DC/20/04630 Application under S73 of Town and County Planning Act (1990) - to vary Conditions 1, 2, 3, 16 and 18 of planning permission ref: 1352/17 - Omission of twin garage to plots 29 and 30; Provision of garden sheds for plots 11, 12, 15, 16, 17, 19, 20, 27, 28, 29, 30, 37, 38, 43-52, 54, 55, 56 and 57; and amended fence and gate positions (revisions proposed to facilitate increase in affordable provision from 21 to 31).
Site Location	<b>WALSHAM-LE-WILLOWS</b> - Land West of Wattisfield Road, Walsham Le Willows, Suffolk
Applicant	Lovell Partnerships

155.2 The Chief Planning Officer brought Members attention to the tabled papers which provided a summary of the reasons why the application was before committee.

155.3 The Case Officer presented the application to the Committee outlining the proposal before Members, which sought amendment to the originally proposed planning permission, including details of why the amendments were required, the change required to the description of the development, the

layout and location of the site, and the officer recommendation of approval.

155.4 The Chief Planning Officer provided clarification of the legal position regarding the proposed number of affordable dwelling units on site.

155.5 The Chief Planning Officer responded to questions from Members on issues including: the number of affordable housing units conditioned by the agreed permission, and the number being delivered.

155.6 Members considered the representation from the Ward Member, Councillor Richard Meyer.

155.7 Councillor Matthissen proposed that the application be approved as detailed in the Officer recommendation.

155.8 Councillor Mansel seconded the proposal.

By a unanimous vote

**It was RESOLVED:**

**That authority be delegated to the Chief Planning Officer to Grant 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 as summarised below and those as may be deemed necessary by the Chief Planning Officer to secure:**

- **Onsite delivery of 35% Affordable Housing;**
- **Securing of the financial contribution, towards secondary School Pupils' transportation cost, previously secured by way of the S106 attached to host outline planning permission ref: 1352/17.**

**(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:**

- **Standard - Section 73 Time Limit Condition;**
- **Standard - Approved Plans and Documents Condition;**
- **Provision of footway, between the site and Mill Close, along Wattisfield Road, prior to occupation, which shall thereafter be retained;**
- **Highways Access Condition;**
- **Highways Visibility Splay Condition;**
- **Highways Estate Roads and Footpaths Condition;**
- **Highways Footways and Carriageways serving dwellings Condition;**
- **Highways Turning and Parking Condition;**
- **Highways Bin storage and collection areas;**

- Existing and proposed soft landscaping protection;
- Landscape management plan;
- Fire Hydrants Condition;
- Those previously required by the Lead Local Flood Authority;
- Those previously required by the Council's Ecology consultants;
- Lighting design scheme;
- Play Space provision and retention;
- Construction Management and HGV Traffic Movements - As agreed;
- Construction Hours of Work.

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

- Pro active working statement
- SCC Highways notes
- Contaminated Land Note
- Ecology / Biodiversity Note
- S106 relates Note

(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 grounds.

**156 SITE INSPECTION**

156.1 None received.

The business of the meeting was concluded at 12.15 pm.

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Chair