

## MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **DEVELOPMENT CONTROL COMMITTEE B** held in the Frink Room (Elisabeth) - Endeavour House on Wednesday, 28 September 2022

### PRESENT:

Councillor: Kathie Guthrie (Chair)

Councillors:	James Caston	Lavinia Hadingham
	Sarah Mansel	Mike Norris
	Andrew Stringer	Rowland Warboys

### Ward Member(s):

Councillors: Keith Welham  
Rachel Eburne

### In attendance:

Officers: Chief Planning Officer (PI)  
Area Planning Manager (GW)  
Planning Lawyer (IDP)  
Planning Officers (AS / VP)  
Governance Support Officer (AN)

### Apologies:

Councillors: Peter Gould  
Andrew Mellen  
David Muller BA (Open) MCMI RAFA (Councillor) (Vice-Chair)

## 32 APOLOGIES / SUBSTITUTIONS

32.1 Apologies were received from Councillors Muller, Mellen and Gould.

32.2 Councillor Hadingham substituted for Councillor Gould.

32.3 Councillor Mansel substituted for Councillor Mellen.

## 33 TO RECEIVE ANY DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER REGISTRABLE OR NON REGISTRABLE INTERESTS BY MEMBERS

33.1 None declared.

## **34 DECLARATIONS OF LOBBYING**

34.1 Councillor Mansel and Councillor Warboys declared that they had been lobbied on application DC/21/06333.

## **35 DECLARATIONS OF PERSONAL SITE VISITS**

35.1 None declared.

## **36 SA/22/7 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 3 AUGUST 2022**

36.1 It was resolved that the minutes of the meeting held on the 3<sup>rd</sup> August 2022 were confirmed and signed as a true record.

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

37.1 The Governance Officer reported that one petition had been received regarding application number DC/21/06333 (Item 7A) with 132 valid signatures supporting the following statement:

### **We OBJECT to this application for the following reasons:**

1. A1088 between the roundabout and the heath road don't have any pavement or cycle route to accommodate with increased uncontrolled traffic level from both side of A14 to proposed service. Specially pedestrians and cyclists from Elmswell and Norton to Woolpit Heath Centre and pedestrians and cyclists from Woolpit and surrounding villages to Elmswell railway station are at risk.

2. Increased uncontrolled traffic exiting the site will be on the left-hand lane and the traffic from A14 east slip road are on the right-hand lane just before the roundabout. Both lane users must position their vehicle according to their following journey but there is very short distance to change their lane.

3. Drive thru food facilities motivate the customers eat and drink on the wheel in the very confused merging traffic just before the roundabout.

4. There is petrol station and the essential facilities in A14 junction 42 - Asda, J43 -Tesco, J44-BP & Sainsbury, J49-BP, J50- Tesco and McDonalds and J51-Shell with properly planned and developed roads and roundabouts to facilitate A14 traffic. Fossil fuel and obesity are the big concern about governments.

5. The job creation are only the expenses of existing Coffee shops, Pubs, Takeaways, Bakeries, Convenience stores and Petrol stations in Elmswell,

Woolpit, Norton and surrounding villages.

6. Clearly there is no need for such big development without any essential infrastructure development such as new road, roundabouts, etc to accommodate the increased uncontrolled traffic level. The increased traffic noise and disruption to the Villages to perform their day today life and the public safety is in question.

Therefore, we strongly object this planning application.

### 38 SA/22/8 SCHEDULE OF PLANNING APPLICATIONS

38.1 In accordance with the Council's procedure for public speaking on Planning applications, representations were made as detailed below:

<b>Application Number</b>	<b>Representations From</b>
DC/21/06333	David Brown (Elmswell Parish Council) Julia Ewans (Objector) James Bailey (Agent) Councillor Sarah Mansel (Ward Member) Councillor Helen Geake (Ward Member)
DC/21/06605	Andy Wells (Agent) Councillor Andrew Stringer (Ward Member)
DC/22/01159	Jonathan Miller (Old Newton Parish Council) Mark Clements (Objector) Dale Radford (Agent) Councillor Keith Welham (Ward Member) Councillor Rachel Eburne (Ward Member)
DC/20/01249	Vicky Waples (Thurston Parish Council) Hannah Short (Agent)

### 39 DC/21/06333 LAND OFF A14, ELMSWELL, SUFFOLK

39.1 Item 7A

Application Proposal	DC/21/06333 Full Planning Application - Development of a petrol filling station, a drive-thru restaurant and coffee shop, together with various infrastructure and landscaping works
Site Location Applicant	Land Off A14, Elmswell, Suffolk Euro Garages Ltd.

39.2 Councillor Mansel declared herself as the Ward Member for this item and confirmed that she would not debate or vote on the application.

39.3 The Case Officer presented the application to the Committee outlining the proposal before Members including: the location of the site, the constraints of the site, the site location plan, the existing and proposed site layout, proposed

highway and pedestrian access, the elevations, floor, and roof plans for the proposed units, proposed electric vehicle charging points, the landscaping strategy, the proximity of the site to nearby churches, and the Officer recommendation for approval.

- 39.4 The Case Officer responded to questions from Members on issues including: whether heavy goods vehicles (HGVs) will have access to the site, previous application refusals on the site, pedestrian access to the site, the proximity of the site to the A14, the proximity of the site to listed buildings, whether the canopy will be lit, vehicular access to the site from both directions along the A14, the dimensions of the proposed units, the recommendation of the installation of a fire hydrant from Suffolk Fire and Rescue, the proposed construction hours, and whether the proposed facilities will have their own designated parking spaces.
- 39.5 The Case Officer responded to questions from the Ward Members on issues including: whether the application will provide a financial contribution towards the development of a cycle route between Elmswell and Woolpit.
- 39.6 The Highways Officer, Ben Chester, responded to questions from Members on issues including: who pays for the Stage 1 audit, the location of the pedestrian crossing, the location of the pedestrian refuge, the application's proposed financial contributions towards pedestrian access developments, the impact of increased traffic on the current road networks, and the safety concerns of HGVs accessing and using the site.
- 39.7 Members considered the representation from Councillor David Brown who spoke on behalf of Elmswell Parish Council.
- 39.8 The Parish Council representative responded to questions from Members on issues including: the traffic capacity limits for the existing roads coming into Elmswell.
- 39.9 Members considered the representation from Julia Ewans who spoke as an Objector.
- 39.10 Members considered the representation from James Bailey who spoke as the Agent.
- 39.11 The Agent responded to questions from Members on issues including: whether the site will be leased or sold after construction, the maintenance of the site, the direction of vehicles through the site, and the amount of proposed parking spaces.
- 39.12 Members considered the representation from Councillor Helen Geake who spoke as a Ward Member.
- 39.13 Members considered the representation from Councillor Sarah Mansel who spoke as a Ward Member.

39.14 A short break was taken between 11:04am and 11:14am.

39.15 Members debated the application on issues including: the location of the site, the potential heritage impact of the site, the consultation response from Suffolk Police and the potential for an increase of crime in the area, the pre-existing traffic issues near the site, the demand for the proposed services.

39.16 Councillor Stringer proposed that the application be refused for the following reasons:

- The development would be contrary to the provisions of saved Policy T6, T10 of the Development Plan and paragraphs 110, 111 and 130(f) of the National Planning Policy Framework
- That the less than substantial harm caused to the significance of heritage assets is not outweighed by the limited public benefit of the proposal and therefore does not comply with paragraphs 199 and 202 of the NPPF

Subject to further highways and heritage advice and a risk assessment on the above reasons for refusal

39.17 Councillor Warboys seconded the proposal.

By a unanimous vote

**It was RESOLVED:**

**That the Committee is minded to refuse for the following reasons, subject to further highways and heritage advice and a risk assessment on the below reasons for refusal:**

**The proposed development, by reason of the design and layout of the proposed vehicle egress onto the A1088 and resulting increase in uncontrolled traffic levels, and the resultant conflicts between vehicles exiting the site and those using the existing A14 egress slip road, would result in severe detrimental impact on existing highway safety. On this basis the development would be contrary to the provisions of saved Policy T6, T10 of the Development Plan and paragraphs 110, 111 and 130(f) of the National Planning Policy Framework.**

**The proposal results in a level of less than substantial harm to the significance of heritage assets, due to the increased prominence of modern development within the setting of the historic parish churches at Woolpit and Elmswell. This is not outweighed by the limited public benefit of the provision of an additional petrol filling station in an area with sufficient provision, such that the proposal does not comply with paragraphs 199 and 202 of the NPPF.**

**Also delegate to officers to review whether the proposed development would fail to safeguard against crime and disorder.**

**40 DC/21/06605 LAND TO THE REAR OF CEVA LOGISTICS, NORWICH ROAD, MENDLESHAM (IN THE PARISH OF, WETHERINGSETT-CUM-BROCKFORD) IP14 5NA**

40.1 Item 7A

Application Proposal	DC/21/06605 Planning Application - Erection of three warehouse units and external storage area (use class B8), new access from Norwich Road, parking, associated drainage and landscaping
Site Location	Land To The Rear Of Ceva Logistics, Norwich Road, Mendlesham (In The Parish Of, Wetheringsett Cum Brockford) IP14 5NA
Applicant	Henley Associates (London) Ltd

40.2 Councillor Stringer declared himself as the Ward Member for this item and confirmed that he would not debate or vote on the application.

40.3 Councillor Mansel resumed her place on the Committee.

40.4 The Case Officer presented the application to the Committee outlining the proposal before Members including: the location of the site, the constraints of the site, the flood zones in proximity to the site, the proposed block plan, the proposed landscaping, the location of proposed cycle parking, the proposed elevations, the proposed floor and roof plans, the proposed access plan, the additional information in the tabled papers, and the Officer's recommendation for approval.

40.5 The Case Officer responded to questions from Members on issues including: vehicular access to the site, whether there is pedestrian access to and from the neighbouring development, electric vehicle charging points, the inclusion of PV solar panels, height limits on the stacking of containers on the site, what materials will be used in construction, and the permeability of the proposed materials for surface construction.

40.6 Members considered the representation of Andy Wells who spoke as the Agent.

40.5 The Agent responded to questions from Members on issues including: proposed access to the site, the inclusion of PV solar cells, a height limit restricting the stacking of containers on the site, the permeability of the proposed surface materials, the landscape strategy, and the amount of acres of roof space on the development.

40.6 Members considered the representation from Councillor Stringer who spoke as the Ward Member.

40.7 Members debated the application on issues including: job creations, the location of the application, the potential loss of category 3A land, a potential

height restriction on stacked containers, sustainability energy provisions, and pedestrian permeability between the site and neighbouring developments.

40.8 Councillor Caston proposed that the application be approved as detailed in the Officer recommendation with the following conditions:

- No stacking prior to first occupation, to limit level of stacking of containers and open storage, to limit to no further than the roof height of the permitted buildings
- Sustainability – scheme for water, energy, and resource efficiency measures; including provision of renewable energy measures and solar panels

40.9 Councillor Hadingham seconded the proposal.

By a unanimous vote

**It was RESOLVED:**

**That the application is GRANTED planning permission subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:**

- **Standard time limit (3yrs for commencement of scheme);**
- **Approved Plans (Plans submitted that form this application);**
- **Landscaping scheme (including proposed changes in ground levels);**
- **Landscaping time of commencement and aftercare;**
- **Materials, colours, and finishes;**
- **Highways - Completion of access junction prior to first use/occupation;**
- **Highways - Access visibility splays prior to first use;**
- **Highways - Estate Roads and Footpath details prior to commencement;**
- **Highways - Turning and parking prior to first use;**
- **Highways - Refuse and recycle bins storage and presentation areas prior to first use;**
- **Highways - EV charging details prior to commencement above slab level;**
- **Highways - Employees Shuttle Bus details prior to first use;**
- **Proposed footpath diversion route to be approved by SCC PROW prior to existing route being diverted or obstructed in any way by the approved development;**
- **Surface water disposal strategy to be implemented as approved;**
- **Surface water verification report following practical completion of last unit;**
- **Construction Surface Water Management Plan (CSWMP) prior to commencement;**
- **Biodiversity Method Statement and Enhancement Strategy;**
- **Wildlife lighting design scheme;**
- **Sustainability – water, energy, and resource efficiency measures;**
- **Fire Hydrants;**
- **Construction Management Plan;**
- **Construction Hours;**

- **External Lighting Details**
- **Remove PD rights Class P (B8 - Storage and Distribution to C3 - Dwellinghouses)**

**With the following conditions:**

- **No stacking prior to first occupation, to limit level of stacking of containers and open storage, to limit to no further than the roof height of the permitted buildings**
- **Sustainability – scheme for water, energy, and resource efficiency measures; including provision of renewable energy measures and solar panels**

#### **41 DC/22/01159 LAND EAST OF, GREENACRES, OLD NEWTON, SUFFOLK**

##### 41.1 Item 7C

Application Proposal	DC/22/01159 Reserved Matters submission following Outline Planning Permission DC/19/02878 dated 12/02/2021. Submission of details for Appearance, Layout and Scale for the Erection of 64 no dwellings (including 22 affordable)
Site Location Applicant	Land East of, Greenacres, Old Newton, Suffolk Keepmoat Homes

41.2 Councillor Stringer resumed his place on the Committee.

41.3 Councillor Stringer declared himself as the Suffolk County Councillor for Old Newton.

41.4 The Case Officer presented the application to the Committee outlining the proposal before Members including: the location of the site, the constraints of the site, the access to the site, the proposed layout, the proposed property-type distribution across the site, the site boundaries, the proposed elevations, the materials to be used, the potential heritage impact, the proposed locations of the surface water basins and the connected pumping station, parking provisions, the landscaping strategy, footpath and vehicular connectivity across the site, the additional conditions as proposed by the Case Officer, and the Officer recommendation for approval.

41.5 The Case Officer responded to questions from Members on issues including: safety provisions surrounding the main drainage basin, the smaller overflow drainage basins, electric vehicle charging points, whether the tree located at the main entrance to the site has a Tree Protection Order (TPO), restrictions to parking on green verges, the connectivity of the site to nearby schools, and the lack of healthcare provision to support residents of this development.

41.6 The Case Officer responded to questions from Ward Members on issues



including: the vehicular connectivity through the site, the increased dimensions of the proposed footpaths, and the impact of increasing the footpath dimensions on the green spaces at the front of properties.

- 41.7 Members considered the representation from Councillor Jonathan Miller who spoke on behalf of Old Newton Parish Council.
- 41.8 Members considered the representation from Mark Clements who spoke as an Objector.
- 41.9 Members considered the representation from Dale Radford who spoke as the Agent.
- 41.10 The Agent responded to questions from Members on issues including: the consultation response from Anglia Water, and the capacity limits of the pre-existing drainage system throughout Old Newton.
- 41.11 Members considered the representation from Councillor Keith Welham who spoke as a Ward Member.
- 41.12 Members considered the representation from Councillor Rachel Eburne who spoke as a Ward Member.
- 41.13 Members debated the application on issues including: communication between the developers and Old Newton Parish Council, the number of houses proposed for the development, a no-dig zone, the proposed parking arrangements, and concerns about the drainage system.
- 41.14 Councillor Caston proposed that the application be approved as detailed in the Officer recommendation with the following conditions:
- Parking to plot 040 shall be 'no-dig' construction
  - New footpath from Greenacres southwards to be 2m wide
  - No commencement to development of any plot on the line of FP47 until such time as a temporary diversion order has been agreed by SCC and no occupation until permanent diversion
  - Further elevational details on specific corner turning plots
  - Additional traditional vernacular roof materials on specific plots
  - Detail of wall construction to be agreed
  - Notwithstanding detention basin construction detail no fencing or railing shall be installed
  - Scheme for fence to open areas to prevent parking on amenity areas
  - No dig for hard surfacing adjacent to Greenacres
- 41.15 Councillor Hadingham seconded the proposal.

By a unanimous vote

**It was RESOLVED:**

**That subject to the receipt of requested amended drawing prior to the meeting and those amendments being satisfactory to the Chief Planning Officer and the Committee, then the amended Reserved Matters details be APPROVED subject to conditions that shall include:**

- **Link to the outline planning permission**
- **Approved drawings**
- **Updating of the previously approved structural landscaping details**
- **Submission of a Liaison Commitment Statement**
- **Full landscaping details**
- **Foraging trail delivery**
- **Site gate/s detail/s to be further agreed prior to commencement and such detail as approved to be installed. Such gates shall be capable of secure locking**
- **Notwithstanding any approved drawings, full and exact details of all external materials to be further submitted and specific plots to include Marley Eternit style artificial slates**
- **Footway replacement for FP47 to be 2m wide**
- **Changes to boundary detail as specified in the report**
- **Construction Method Statement**
- **Amendment to parking for plot 040 to avoid intrusion into root protection area**
- **Introduction of 'natural play' to play area**
- **Remove PD rights on all bungalows due to their deployment to reduce risk of overlooking of adjoining properties (A detail that was not known at outline stage)**
- **Wildlife sensitive lighting details**
- **Inclusion of foraging trail**
- **100% EV charging (plots with garages and on plot parking delivery of electricity supply and apparatus) (units with communal parking or layby parking) (electricity supply and connection point)**
- **Innovative landscaping around drainage basins**
- **Such conditions as may be considered reasonable by the Chief Planning Officer**

**INFORMATIVE**

1. **Drawing the attention of the developer to the fact that the RM approval**

is without prejudice to the requirement for the developer to secure the necessary Diversion Order from SCC PRow Team prior to obstructing (temporarily or permanently) any part of Public Footpath 47 that runs through the site.

2. The development the details of which are hereby approved within this Reserved Matters application make provision for the 22 affordable homes and 42 open market homes secured with the associated S106 Agreement. That accompanies the outline planning permission to which this Reserved Matters approval relates.

And the following additional conditions:

- Parking to plot 040 shall be 'no-dig' construction
- New footpath from Greenacres southwards to be 2m wide
- No commencement to development of any plot on the line of FP47 until such time as a temporary diversion order has been agreed by SCC and no occupation until permanent diversion
- Further elevational details on specific corner turning plots
- Additional traditional vernacular roof materials on specific plots
- Detail of wall construction to be agreed
- Notwithstanding detention basin construction detail no fencing or railing shall be installed
- Scheme for fence to open areas to prevent parking on amenity areas
- No dig for hard surfacing adjacent to Greenacres

**42 DC/20/01249 LAND ON THE NORTH SIDE OF, NORTON ROAD, THURSTON, SUFFOLK**

42.1 Item 7D

Application Proposal	DC/20/01249 Submission of details under Outline Planning Permission 5070/16 - Appearance, Landscaping, Layout and Scale in respect of Phase 2 - Erection of 104 no. dwellings. (Reserved Matters [RM])
Site Location	Land on The North Side of, Norton Road, Thurston, Suffolk
Applicant	Linden (Thurston) LLP [part of Vistry Group]

42.2 A short break was taken between 13:56pm and 14:28pm before the commencement of application number DC/20/01249.

42.3 Councillor Hadingham left the Committee.

- 42.4 The Case Officer presented the application to the Committee outlining the proposal before Members including: the location of the site, the constraints of the site, the proposed layout of the development, access to the site, the mix of affordable housing, the proposed elevations and floor plans for the different house types, the proposed boundary enclosure detail, parking, the landscaping strategy, the proximity of the site to an existing school, the S106 that was agreed at outline, the addition conditions as proposed by the Case Officer, and the Officer recommendation for approval.
- 42.5 The Case Officer responded to questions from Members on issues including: the self-build plots, the type of fencing along the boundary of the site, noise mitigation between floors in the flat units, efforts to ensure there is not a parking overspill on the site, the choice of trees within the landscaping strategy, electric vehicle charging points, the conditions approved at outline, the consultation response from Place Services, and the woodland management strategy.
- 42.6 Members considered the representation from Vicky Waples who spoke on behalf of Thurston Parish Council.
- 42.7 Members considered the representation from Hannah Short who spoke as the Agent.
- 42.8 The Agent responded to questions from Members on issues including: the inclusion of PV solar cells, how the homes will be heated, and further consultation with Thurston Parish Council.
- 42.9 Members debated the application on issues including: the decision to use brick walls on the development, the landscaping strategy, the proposed inclusion of gas boilers, restrictions to parking on green verges, further consultation between the developer and the parish council, the previous S106 agreement, the environmental sustainability of the development, the lack of PV solar provisions, and the proposed layout.
- 42.10 Councillor Warboys proposed that the application be approved as detailed in the Officer recommendation with the following conditions:
- Landscaping details required inside the drainage basin
  - Parking adjustment where extra spaces overhang the plot boundary
  - Further elevational details on specific corner turning plots
  - Walling must replace proposed fencing on defined plots
  - Additional traditional vernacular roof materials on specific plots
  - Private alleys to be gated and lockable
  - Scheme for fences to open areas to prevent parking on amenity areas
  - PV panels installation for purchasers

- Construction management hours of operation to avoid peak school hours
- And an Informative to set out involvement of Parish Council including future planning of play areas and woodland management

42.11 Councillor Norris seconded the proposal.

By a vote of 4 For and 2 Against

**It was RESOLVED:**

**APPROVE THE RESERVED MATTERS DETAILS with appropriate conditions that include**

- **Linking reference to outline planning permission and timescales therein**
- **Submission of further details of precise external materials to be used [manufacturer name, colour composition texture etc]**
- **Notwithstanding submitted detail further landscaping detail to also include play area locations and equipment detail along with reinforced planting to eastern edge of site**
- **Submission of Woodland Management Scheme**
- **Submission of Parish Council liaison Scheme**
- **Notwithstanding... Further details of specific corner-turning plots**
- **Notwithstanding... Altered boundary treatment details to specific plots**
- **Notwithstanding... Further ecological information as required by Place Services Ecology**
- **100% EV Provision within Phase 2**

**With the additional conditions:**

- **Landscaping details required inside the drainage basin**
- **Parking adjustment where extra spaces overhang the plot boundary**
- **Further elevational details on specific corner turning plots**
- **Walling must replace proposed fencing on defined plots**
- **Additional traditional vernacular roof materials on specific plots**
- **Private alleys to be gated and lockable**
- **Scheme for fences to open areas to prevent parking on amenity areas**
- **PV panels installation for purchasers**
- **Construction management hours of operation to avoid peak school hours**

**And an Informative to set out involvement of Parish Council including future planning of play areas and woodland management**

**43 SITE INSPECTION**

43.1 None received.

The business of the meeting was concluded at 15:21pm.

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Chair