

MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **DEVELOPMENT CONTROL COMMITTEE B** held in the King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Wednesday, 26 October 2022

PRESENT:

Councillor: Kathie Guthrie (Chair)
David Muller BA (Open) MCMI RAFA (Councillor) (Vice-Chair)

Councillors: James Caston Peter Gould
Andrew Mellen Mike Norris
Andrew Stringer Rowland Warboys

Ward Member(s):

Councillors: John Whitehead

In attendance:

Officers: Area Planning Manager (GW)
Planning Lawyer (IDP)
Planning Officer (AP / JW / MK)
Governance Officer (AN)

44 APOLOGIES AND SUBSTITUTIONS

44.1 None received.

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

45.1 Councillor Andrew Stringer declared that he had a disclosable pecuniary interest in Application Number DC/22/01535. He confirmed that he would leave the committee during this item's proceedings and would not debate or vote on the application.

46 DECLARATIONS OF LOBBYING

46.1 None declared.

47 DECLARATIONS OF PERSONAL SITE VISITS

47.1 None declared.

48 SA/22/9 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 28 SEPTEMBER 2022

48.1 It was resolved that the minutes of the meeting held on the 28th September 2022 were confirmed and signed as a true record.

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

49.1 None received.

50 SA/22/10 SCHEDULE OF PLANNING APPLICATIONS

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

Application Number	Representations From
DC/22/04313	None.
DC/21/05596	Nick Mills – Coddenham Parish Council Elizabeth Parker – Objector Nigel Carr – Applicant Councillor John Whitehead – Ward Member
DC/21/06824	Withdrawn.
DC/22/01535	Councillor Andrew Mellen – Ward Member

51 DC/22/04313 UNIT 1, GIPPING WAY, STOWMARKET, IP14 1RA

51.1 The Case Officer presented the application to the Committee outlining the proposal before Members including: the location of the site, access to the site, the constraints, the Stowmarket Area Action Plan (SAAP), the proposed floor plans and elevations for the shop, the shopfront, the external plant, and the bin store area, existing footpath links to the site, proposed opening and operating hours, and the Officer recommendation for approval.

51.2 The Case Officer responded to questions from Members on issues including: accessible facilities within the store, the location of the extractor, the lack of consultation with Suffolk Police, parking provisions, delivery access, and whether any additional external lighting had been proposed.

51.3 Members debated the application on issues including: the potential improvements to the local area, pedestrian access to the site, the safety of the site, the potential impact on nearby residents, waste bin provisions, further mitigation measures to prevent littering, and additional external lighting on the site.

51.4 Councillor James Caston proposed that the application be approved as detailed in the Officer recommendation with the following condition and informative:

Condition:

- Scheme for additional lighting

Informative:

- To address wall adjacent to entrance and kerb, provision of footpath adjacent to the PureGym entrance

51.5 Councillor Dave Muller seconded the proposal.

By a unanimous vote

It was RESOLVED:

That planning permission for change of use to takeaway and for the installation of a shopfront and external plant be GRANTED subject to conditions

(1) That the Chief Planning Officer be authorised to GRANT Planning Permission subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- 1. Standard time limit**
- 2. Approved plans**
- 3. Litter Collection Protocol**
- 4. Litter bin provision immediately outside the premises**
- 5. Cycle parking spaces for 4 cycles to be provide prior to business opening**
- 6. Hours of business restricted to hours indicated in the material submitted**
- 7. Waste storage arrangements**
- 8. Details of delivery driver permits**
- 9. Limit on external noise levels**
- 10. Equipment arrangements**

With the following condition as agreed by the Committee:

- **Scheme for additional lighting**

And the following Informative:

- **To address wall adjacent to entrance and kerb, provision of footpath adjacent to the PureGym entrance**

DC/21/05596 LAND AT PIPPS FORD, A14 SLIP OFF TO A140, CODDENHAM, SUFFOLK, IP6 8LJ

- 52.1 The Case Officer presented the application to the Committee outlining the proposal before Members including: the location of the site, planning application history on the site and the previous reasons for refusal, access to the site, the site constraints, the intended purpose of the site, the site plans, the floor plans and elevations for all proposed structures on the site, the site section, the proposed landscaping plan, and the Officer recommendation for approval.
- 52.2 The Case Officer responded to questions from Members on issues including: drainage, the grade of the land, noise prevention measures, health and safety on site, the current business use, the proposed land composition, whether the access to the site is used by other properties, height restrictions on containers, the number of proposed horse stables, and the dimensions of the access to the site.
- 52.3 Members considered the representation from Mr. Nick Mills who spoke on behalf of Coddenham Parish Council.
- 52.4 The Parish Council representative responded to questions from Members on issues including: the access to the site.
- 52.5 Members considered the representation from Ms. Elizabeth Parker who spoke as an Objector.
- 52.6 The Objector responded to questions from Members on issues including: the access to the site, the impact on properties in close proximity to the site, and past traffic accidents at the site's access.
- 52.7 Members considered the representation from Mr. Nigel Carr who spoke as the Applicant.
- 52.8 The Applicant responded to questions from Members on issues including: the quantity of equipment proposed for use on site, whether sustainable energy will be used to power and heat the site, noise prevention measures and the use of white noise, the discharge of water from the site, the proposed bus service to and from Needham Market for employees, whether other sites had been considered, sound proofing, the plans for an equestrian centre, the footpath that runs through the site, and the landscaping plans.
- 52.9 Members considered the representation from Councillor John Whitehead who spoke as the Ward Member.
- 52.10 Members debated the application on issues including: the need for construction training facilities, the objections within the consultee comments, previous applications on the site and their reasons for refusal, the potential impact on the environment, the potential impact of noise from the site and the proposed noise mitigation measures, heritage assets, the proposed travel

plan, the current use of the land, the proposed improvements to the site access and surrounding highways, the consultation response from Suffolk County Council Highways, the impact of increased traffic on the road network, and the safety of the site and vehicular health and safety measures.

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

- Restriction on height of container stacking
- Horse manure storage and removal
- Fuel storage details
- Hours of operation and use of machinery
- Advance landscaping installed
- Provision of PV panels
- Details to be agreed for equipment use numbers and machinery, based on noise assessment, including interaction with PROW
- No tonal reversing sensor to be used

52.12 Councillor Dave Muller seconded the proposal.

By a vote of 5 For and 3 Against

It was RESOLVED:

1) That Members resolve to: Delegate Authority to the Chief Planning Officer to GRANT planning permission, including the imposition of relevant conditions and informatives as summarised below and those as may be deemed necessary by the Chief Planning Officer:

Conditions:

- **Standard 3-year time limit**
- **Approved plans**
- **Sustainability measures (broadly in accordance with the proposed measures submitted under the application- including EV charging points and PV panels) to be submitted**
- **Construction Environmental Management Plan to be submitted**
- **Biodiversity Enhancement Strategy to be submitted**
- **Wildlife Sensitive Lighting Scheme to be submitted**
- **Fire hydrants to be submitted**
- **Archaeological Written Scheme of Investigation to be submitted**
- **Archaeological Post Investigation to be submitted**

- **Surface Water Drainage and Flood Risk Assessment Strategy implemented**
- **Surface Water Drainage Verification Report to be submitted**
- **Construction Surface Water Management Plan to be submitted**
- **Visibility splays to be provided in full and no obstruction to be within those splays.**
- **Parking provision provided in full**
- **Details of means to prevent surface water entering highway to be submitted**
- **Bin storage and presentation areas to be submitted**
- **Construction Management Plan to be submitted**
- **Access upgrades to be implemented**
- **Temporary cabins to removed from site 1 year after commencement**
- **Travel Plan to be submitted**
- **Notwithstanding the provisions of F1 use class, the building shall be exclusively for delivery of construction and agricultural training**
- **Container storage shall solely be used for incidental purposes to the construction and agricultural training**
- **Arboricultural report to be adhered to**
- **Materials details of all buildings (including colours) to be submitted**
- **Soft landscaping plan to be implemented**
- **Notwithstanding soft landscaping further landscaping details of SuDS to be submitted**
- **Notwithstanding soft landscaping plan, additional information on root barrier membranes to be submitted**
- **Landscape Management Plan to be implemented**
- **Hard Landscaping details to be submitted**
- **Equestrian land used for private use- no commercial equestrian use permitted**
- **Site Management Plan to be submitted**
- **Independent noise assessment to be carried out prior to first use**
- **Construction and agricultural activities shall be confined to the dedicated areas on site plan**

With the additional conditions as included in the Tabled Papers:

- **Notwithstanding the submitted information, details of boundary treatment (soft and hard) along the Public Right of Way and between the equestrian and training area to be agreed**
- **If the telehandler training tower is no longer in active use it will be removed from the site.**

Informatives:

- **Positive working with NPPF pre-app**
- **National Highways recommended notes**
- **SCC Highways recommended notes**
- **SCC Public Rights of Way recommended notes**
- **SCC Floods and Water recommended notes**
- **Environment Agency recommended notes**
- **East Suffolk Drainage Board recommended notes**

And the additional conditions from the committee:

- **Restriction on height of container stacking**
- **Horse manure storage and removal**
- **Fuel storage details**
- **Hours of operation and use of machinery**
- **Advance landscaping installed**
- **Provision of PV panels**
- **Details to be agreed for equipment use numbers and machinery, based on noise assessment, including interaction with PROW**
- **No tonal reversing sensor to be used**

53 DC/21/06824 LAND AT FENNINGS FARM, PIXEY GREEN, STRADBROKE, SUFFOLK

53.1 Application Number DC/21/06824 was withdrawn from proceedings by the Chief Planning Officer after the agenda was published but before the commencement of the committee.

54 DC/22/01535 LAND AT, BLACKSMITH ROAD, COTTON, IP14 4QN

- 54.1 Councillor Andrew Mellen declared himself as the Ward Member for this item and confirmed that he would not debate or vote on the application.
- 54.2 Councillor Andrew Stringer declared a disclosable pecuniary interest for this item and left the room during the consideration of this application.
- 54.3 Councillor Peter Gould left the meeting before the commencement of the application.
- 54.4 The Case Officer presented the application to the Committee outlining the proposal before Members including: the application's history at planning committee, the previous reasons for refusal, the location of the site, the constraints, access to the site, the existing housing supply in Bacton and Cotton, and the Officer's recommendation for refusal.
- 54.5 Members considered the representation from Councillor Andrew Mellen who spoke as the Ward Member.
- 54.6 Councillor Dave Muller proposed that the application be refused as detailed in the Officer recommendation.
- 54.7 Councillor Mike Norris seconded the proposal.

By a unanimous vote

It was RESOLVED:

That the Chief Planning Officer be authorised to REFUSE Planning Permission based on the following reasons:

1. The proposal is in a countryside location where the development of a new dwelling would not materially enhance or maintain the vitality of the rural community. Future occupants will, moreover, be likely to be reliant upon the private car to access services, facilities and employment. The District Council has an evidenced supply of land for housing in excess of 9 years and has taken steps to boost significantly the supply of homes in sustainable locations.

On this basis the proposal would not promote sustainable development and would be contrary to the adopted policies of the development plan which seek to direct the majority of new development to towns and key service centres listed in the Core Strategy 2008 with some provision to meet local needs in primary and secondary villages under policy CS1. In the countryside development is to be restricted having regard to policy CS2 and it is considered that in the circumstances of this application the direction of new housing development to more sustainable locations is of greater weight than the delivery of one additional dwelling in a less sustainable location. Having regard to the significant supply of land for homes in the District it is

considered that the objectives of paragraph 60 of the NPPF are being secured and that on the considerations of this application the objective to boost significantly the supply of homes should be given reduced weight.

It is considered that the development of this site would cause adverse impacts to the proper planning of the District having regard to the above mentioned development plan objectives to secure planned development in more sustainable locations rather than piecemeal development in less sustainable locations which significantly and demonstrably outweigh the limited benefits of this development.

As such the proposal is not acceptable in principle, being contrary to paragraphs 8 and 11 of the NPPF (2021), Policy H7 of the Mid Suffolk Local Plan (1998), Policies CS1 and CS2 of the Core Strategy (2008) and Policy FC1 and FC1.1 of the Core Strategy Focused Review (2012).

2. The proposed development results in the imposition of built development into the open countryside in a location where this would result in significant impacts on the character and appearance of the countryside, failing to protect or conserve landscape qualities and adversely impact the character of the countryside. As such the proposal would fail to comply with the requirements of Policy CL8 of the adopted Mid Suffolk Local Plan (1998), Policy CS5 of the Mid Suffolk Core Strategy (2008), and chapter 15 on the NPPF (2018).

3. The application fails to adequately demonstrate that the proposed development would not adversely impact protected species and delivery biodiversity net gain. The proposal is therefore contrary to policies CL8 of the adopted Mid Suffolk Local Plan (1998), CS5 of the Mid Suffolk Core Strategy (2008) and chapter 15 of the National Planning Policy Framework 2021, the Conservation of Habitats and Species Regulations 2010 and the Natural Environment and Rural Communities Act 2006.

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

- Proactive working statement

55 SITE INSPECTION

55.1 None received.

The business of the meeting was concluded at 12:30pm.

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Chair