

BABERGH DISTRICT COUNCIL

Minutes of the meeting of the **PLANNING COMMITTEE** held in the King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Wednesday, 30 November 2022 at 09:30am.

PRESENT:

Councillor: Stephen Plumb (Chair)
Leigh Jamieson (Vice-Chair)

Councillors: Sue Ayres
David Busby
Margaret Maybury
Mary McLaren
Alison Owen

Simon Barrett
John Hinton
Alastair McCraw
Adrian Osborne

Ward Member(s):

Councillors: Clive Arthey

In attendance:

Officers: Strategic Projects and Delivery Manager (SS)
Area Planning Manager (MR)
Planning Lawyer (IDP)
Case Officers (JH/EF/DC)
Lead Governance Officer – Planning and Development Control (CP)

69 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

69.1 Apologies were received from Councillor Holt and Councillor Beer.

69.2 Councillor Ayres substituted for Councillor Holt.

69.3 Councillor Maybury substituted for Councillor Beer.

70 DECLARATION OF INTERESTS

70.1 Councillor Osborne declared an other registerable interest in respect of application number DC/20/01094 he is a Public Governor on the West Suffolk NHS Board and confirmed that he would leave the meeting for the duration of the item.

71 PL/22/18 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 16 NOVEMBER 2022

71.1 It was **RESOLVED:**

That the minutes of the meeting held on 16 November 2022 were confirmed and signed as a true record.

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

72.1 None received.

73 SITE INSPECTIONS

73.1 The Case Officer presented Members with a request for a site visit in respect of application number DC/22/05162, Land North of The Street, Shotley, providing Members with details of the application including: the location and layout of the site, and the reasons for the site visit request.

73.2 The Case Officer responded to questions from Member on issues including: the proposed number of dwellings and the housing mix.

73.3 Members considered the representation from the Councillor Davis, the Ward Member requesting the site visit.

73.4 The Case Officer responded to further questions from Members on issues including: whether a report had been received from Suffolk Highways, and the proposed landscaping plans.

73.5 Councillor Barrett proposed that a site visit be undertaken.

73.6 Councillor McCraw seconded the proposal

By a vote of 9 votes for, one against and one abstention

It was RESOLVED:

That a site visit be undertaken in respect of application number DC/22/05162.

74 PL/22/19 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

The Chair advised the Committee that the order of business would be as detailed below.

In accordance with the Council's arrangements for Public Speaking at Planning Committee, representations were made as detailed below relating to the items in Paper PL/22/19 and the speakers responded to questions put to them as provided for under those arrangements.

Application Number	Representations From
DC/20/01094	Christine Hagan (Chilton Parish Council) Jan Osborne (Objector)

	Lady Val Hart of Chilton (Objector) Jamie Dempster (Agent) Councillor Philip Faircloth-Mutton (Suffolk County Council Division Member) Councillor Clive Arthey (Ward Member) Councillor Margaret Maybury (Ward Member)
DC/21/06977	None
DC/21/02405	None

It was RESOLVED

That subject to the imposition of conditions or reasons for refusal (whether additional or otherwise) in accordance with delegated powers under Council Minute No. 48(a) (dated 19 October 2004) decisions on the items referred to in Paper PL/22/19 be made as follows:-

75 DC/20/01094 LAND TO THE NORTH SIDE OF, CHURCH FIELD ROAD, CHILTON INDUSTRIAL ESTATE, CHILTON, SUFFOLK

75.1 Item 6A

Application Proposal	DC/20/01904 Outline Planning Application (some matters reserved, access to be considered) – Erection of up to 166 residential dwellings, a purpose built care home for up to 60 bedrooms, and associated infrastructure including landscaping, public open-space, car parking and means of access off Church Field Road
Site Location	CHILTON – Land On The North Side Of, Church Field Road, Chilton Industrial Estate, Chilton, Suffolk
Applicant	Caverswall Enterprises Ltd and West Suffolk NHS Foundation Trust

75.2 Councillor Osborne left the meeting at 09:49am.

75.3 Councillor Maybury confirmed that she would be speaking as a Ward Member for the application and would therefore not be taking part in the debate or the vote.

75.4 The Case Officer introduced the application to the Committee outlining the proposal before Members including: the location of the site, the planning constraints of the site, the vehicular access and pedestrian connectivity to the site, proposed ecology mitigation and landscaping plans, the proposed height of the buildings, proposed highways improvements, the loss of existing designated employment land, and the assessment of heritage harm. The Case Officer outlined the contents of the tabled papers including the amendment to the proposal received from the applicants, and the additional reason for refusal which forms part of the Officers recommendation for refusal as detailed in the officer report.

- 75.5 The Case Officer responded to questions from Members on issues including: the definition of a nitrate vulnerable zone, the landscaping plans, whether there was an identified housing need in the area, whether there was a relationship between the applicants and the proposed care home and medical centre including the ownership of the site, the viability of the site in relation to the land allocation, and the potential heritage harm.
- 75.6 Members considered the representation from Christine Hagan who spoke on behalf of Chilton Parish Council.
- 75.7 Members considered the representation from Jan Osborne and Lady Val Hart of Chilton who spoke as Objectors.
- 75.8 Members considered the representation from Jamie Dempster who spoke on behalf of the Agent.
- 75.9 The Agent, and Guy Marsden, Highbridge Properties, responded to questions from Members on issues including: the viability of the site, and the regulations regarding care homes.
- 75.10 Members considered the representation from Suffolk County Councillor Philip Faircloth-Mutton.
- 75.11 Members considered the representations from Ward Members Councillor Clive Arthey and Councillor Margaret Maybury.
- 75.12 Members debated the application on issues including: the designated employment of the site and lack of marketing of the employment land, the potential heritage harm, the site location outside of the settlement boundary, and the details of the independent reports.
- 75.13 Councillor McCraw proposed that the application be refused as detailed in the Officer recommendation, and including the additional reason for refusal as detailed in the tabled papers.
- 75.14 Councillor Ayres seconded the motion.
- 75.15 Members considered to debate the application on issues including: the suitability of the location of the care home, and heritage issues.

By a vote of 9 votes for

It was RESOLVED:

- 1. That the application be REFUSED planning permission for the following reasons:-**
 - i. The application proposes residential development in the countryside where contrary to policy CS2 the circumstances of the application are not exceptional and there is no proven justifiable need for the development proposed.**

Furthermore, the application proposes the development of land safeguarded for employment purposes, where no sustained marketing campaign has been undertaken at a realistic asking price, and where the applicant has failed to demonstrate that the land is inherently unsuitable or not viable for all forms of employment related use, contrary to policy EM24.

- ii. The proposed development would lead to a considerable level of harm to the significance of the designated heritage assets at Chilton Hall (comprising Grade II* Chilton Hall, Grade II Garden Wall to East of Chilton Hall, and Grade II Chilton Hall registered park and garden) and a level of harm to the significance of the Grade I Church of St Mary that would be not far short of substantial.
The development would not respect the features that contribute positively to the setting and significance of those assets, contrary to policies CN06, CN14, and CS15. Furthermore, the public benefits of the scheme are not considered to outweigh the less than substantial harm identified, making the proposal contrary to the heritage policies of the NPPF and independently providing a clear reason for refusal on this ground.
 - iii. In the absence of a signed s106 Agreement or similar undertaking to provide for appropriate obligations, there would be an unacceptable impact on local infrastructure and lack of affordable housing, contrary to policies CS19 and CS21.
 - iv. In the absence of a revised air quality assessment to consider the impact on proposed residential receptors of operational phase emissions from the consented Sudbury Standby Generating Facility under application DC/21/00357, an assessment cannot be made as to whether an acceptable standard of amenity for future occupiers can be achieved in terms of air quality as required under paragraph 130(f) of the NPPF 2021.
 - v. The application development conflicts with the development plan when taken as a whole and there are no material considerations which indicate that a decision should be taken other than in accordance with the development plan.
2. 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.

76 DC/21/06977 182A BURES ROAD, GREAT CORNARD, CO10 0JQ

76.1 Item 6C

Application Proposal	DC/21/06977 Reserved Matters Application for Outline Planning Permission DC/18/02469 considering Appearance and Landscaping (Access, Layout and Scale previously approved) for the erection of up to 46no dwellings with vehicular and pedestrian access from Bures Road. Demolition of 182A Bures Road and storage buildings.
Site Location	GREAT CORNARD – 182A Bures Road, Great Cornard, CO10 0JQ
Applicant	North Avenue Development Co.

76.2 A break was taken from 10:51am until 11:05am after application number DC/20/01094 and before the commencement of DC/21/06977.

76.3 Councillor Osborne returned to the meeting at 11:05am.

76.4 Councillor Barrett confirmed to the Chair that he would remain on the Committee for the duration of the application and not speak as Ward Member.

76.5 The Case Officer introduced the application to the Committee outlining the proposal before Members including: the location and layout of the site, the proposed design of the dwellings, the existing and proposed street scenes, the housing mix, the proposed play area, and the Officer recommendation of approval.

76.6 The Case Officer and the Area Planning Manager responded to questions from Members on issues including: whether there were any plans in place to prevent access to the adjacent railway line, the play area, whether triple glazing had been considered, potential flood issues, the planting around the annexe, and the planning history of the site.

76.7 Members debated the application on issues including: the good mix of house designs.

76.8 Councillor Busby proposed that the application be approved as detailed in the Officer recommendation.

76.9 Councillor McCraw seconded the proposal.

76.10 The proposer and seconder accepted the following advisory notes:

Officers to ensure that the following are captured in the conditions:

- Details of spikey planting next to the annexe;
- Fencing between play area and road

By a unanimous vote

It was RESOLVED:

That the application is **GRANTED** reserved matters planning permission and includes the following conditions:-

- **PD removed for fence, walls, hedges along the boundary with 180 Bures Road**
- **Details of children's play equipment**
- **Details of boundary treatment**
- **As recommended by the LHA**

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**

And the following advisory notes:

Officers to ensure that the following are captured in the conditions:

- **Details of spikey planting next to the annexe;**
- **Fencing between play area and road**

77 DC/21/02405 LAND EAST OF ARTISS CLOSE AND, ROTHERAM ROAD, BILDESTON, SUFFOLK

77.1 Item 6B

Application Proposal	DC/21/02405 Application for approval of reserved matters following outline application B/15/01433 Town and Country Planning Order 2015 – Appearance, Scale, Layout and (Discharge of Condition 20 – Landscaping details) for the erection of 48No dwellings (including 17 affordable dwellings).
Site Location	BILDESTON – Land East of Artiss Close And, Rotheram Road, Bildeston, Suffolk
Applicant	c/o The Agent

77.2 The Case Officer advised the Committee that an email had been received from the applicant advising that the proposal site had been sold. The new owners of the site had requested that the proposal be withdrawn from the agenda to allow them to make improvements to the scheme, and for the proposal to be returned to Committee at a later date.

77.3 Councillor Barrett proposed that the application be withdrawn from the Agenda in order to enable the new Applicant to obtain further information and to consider the details of the application.

77.4 The Case Officer responded to questions from Members on issues including:

whether there may be an amendment to the proposed number of affordable housing at the site, and the original outline planning permission granted in 2015.

77.5 Councillor Maybury seconded the proposal.

By a unanimous vote

It was RESOLVED:

That application number DC/21/02405 be withdrawn from the agenda to enable Officers and the Applicant to obtain further information and the application to return to Committee at a later date.

The business of the meeting was concluded at 11.30 am.

.....
Chair