

## **BABERGH DISTRICT COUNCIL**

Minutes of the meeting of the **PLANNING COMMITTEE** held in the Frink Room (Elisabeth)  
- Endeavour House on Wednesday, 25 January 2023

### **PRESENT:**

Councillor:	Stephen Plumb (Chair) Leigh Jamieson (Vice-Chair)	
Councillors:	Simon Barrett David Busby Michael Holt Mary McLaren Alison Owen	Peter Beer John Hinton Alastair McCraw Adrian Osborne

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

Councillors:	Zac Norman
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### **In attendance:**

Officers:	Chief Planning Officer (PI) Planning Lawyer (IDP Case Officer (GW / SS) Senior Transport Planning Engineer (BC) Lead Officer for Planning and Development (CP)
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## **85 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

85.1 There were no apologies for absence.

## **86 DECLARATION OF INTERESTS**

86.1 Councillor Hinton declared an other non registerable interest in respect of application number DC/22/03043 as a Member of his family is interred in the adjacent cemetery.

## **87 PL/22/22 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 14 DECEMBER 2022**

87.1 Councillor McCraw commented that paragraph 84.11 of the minutes did not include the name of the proposer of the motion.

87.2 The Governance Officer confirmed that this would be amended to state that Councillor Beer proposed the motion.

**It was RESOLVED:**

**That the minutes of the meeting held on 14 December 2022 were confirmed and signed as a true record.**

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

88.1 None received.

**89 SITE INSPECTIONS**

89.1 None received.

**90 PL/22/23 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE**

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/22/23 and the speakers responded to questions put to them as provided for under those arrangements.

Application Number	Representations From
DC/21/02671	Helen Davies (Sproughton Parish Council) Rhona Jermyn (Objector) Struan Power (Applicant) Councillor Hardacre (Ward Member) Councillor Norman (Ward Member)
DC/22/03043	Nigel Roberts (East Bergholt Parish Council) John Pearce (Agent)

**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/22/23 be made as follows:-**

**91 DC/21/02671 LAND NORTH OF THE A1071, IPSWICH (WOLSEY GRANGE)**

91.1 Item 6A

Application Proposal	DC/21/02671 Outline Planning Permission (some matters reserved, access to be considered) Town and Country Planning Act 1990 – Erection of up to 750No dwellings, and up to 3ha of primary education land, public open space, Sustainable Drainage Systems (SuDS), landscaping and highway improvements (accompanied by EIA Statement).
Site Location	Land North of The A1071, Ipswich

- 91.2 The Chief Planning Officer provided an outline of the contents of the tabled papers to Members.
- 91.3 The Case Officer presented the application to the Committee outlining the proposal before Members including: the location and proposed layout of the site, the maximum proposed building heights and site density plan, the proposed landscaping plans, the assessment of the potential level of heritage harm, the proposed green infrastructure plan, and the Officer recommendation of approval as detailed in the report.
- 91.4 Councillor Jamieson entered the meeting at 09:45am. The Planning Lawyer confirmed that Councillor Jamieson would not take part in the debate or vote for application number DC/21/02671.
- 91.5 The Case Officer, the Chief Planning Officer, and the Senior Transport Planning Engineer responded to questions from Members on issues including: the strategy for development in Core and Hinterland villages, whether any proposed highway improvements had been considered, access to the site, the internal road layout of the site, the potential for overdevelopment, the primary education provision, and the comments from the owners of Red House Farm.
- 91.6 The Senior Transport Planning Engineer responded to further questions from Members regarding transport issues including: the proposed actions to assist the flow of traffic, the location of the access routes and proposed highways improvements, the timescales for commencement of the proposed highways improvements works and whether these could be conditioned, cycle routes, and whether a transport assessment had been completed.
- 91.7 The Case Officer and the Chief Planning Officer responded to further questions from Members on issues including: the projected housing numbers and housing density at the site, the local housing need, and the position of the Joint Local Plan in relation to the site.
- 91.8 Members considered the representation from Helen Davies who spoke on behalf of Sproughton Parish Council.
- 91.9 The Parish Council representative responded to questions from Members on issues including: the current number of dwellings in the village, and the number of recent developments.
- 91.10 Members considered the representation from Rhona Jermyn who spoke as an Objector.
- 91.11 The Objector responded to questions from Members on issues including: the location of the recent developments in the village, the local housing need, the current healthcare provision, and the location of the village boundary.

- 91.12 Members considered the representation from Struan Power who spoke as the applicant.
- 91.13 The Applicant responded to questions from Members on issues including: proposed highway improvement plans, traffic concerns, access routes to the site, traffic and construction management plans, the conditions raised by the Parish Council, the expected build time, and whether any retail floor space would be included.
- 91.14 The Governance officer read out a statement from Ward Member Councillor Hardacre who was unable to attend the meeting.
- 91.15 Members considered the representation from Councillor Norman who spoke as the Ward Member.
- 91.16 The Applicant responded to further questions from Members on issues including: the housing mix, the affordable dwellings, and whether the concerns raised by the Ward Member had been addressed.
- 91.17 A break was taken from 11:24am until 11:40am to enable officers to discuss the timescales for the highways improvements with the applicants.
- 91.18 The Chief Planning Officer provided clarification to Members regarding the timescales for the proposed highway improvements, outlining the works to be carried out, when the works could commence, and the conditions which could be applied.
- 91.19 The Case Officer responded to a further question regarding the proposed height of the buildings.
- 91.20 Councillor Beer proposed that the application be approved as detailed in the Officer recommendation, with additional conditions regarding the timescale for highways work.
- 91.21 Councillor Barrett seconded the proposal.
- 91.22 Members debated the application on issues including: the local housing need and whether the permission already granted should be taken into account, the number of developments in the area, the joint local plan and the five year land supply, and the education provision.
- 91.23 The Chief Planning Officer provided clarification to Members with regard to the S106 obligation relating to the education provision.
- 91.24 Members continued to the debate the application on issues including: the benefits of the development to the local community, the increased number of houses in the area, the visibility of the development from existing heritage assets, and traffic concerns.

91.25 The Chief Planning Officer and the Planning Lawyer provided clarification to Members regarding the application of Policy CS2, the Settlement Pattern Policy, and how this related to the application.

91.26 The Proposer and Seconded accepted the following additional and amended conditions:

- Amend Highway Conditions:
  - (1) That there shall be no commencement of development until the A1071 and Hadleigh Road junction improvements have been delivered.
  - (2) There shall be no commencement of development on Phase 1 until the associated roundabout junction has been delivered.
  - (3) There shall be no occupation of any dwelling on any phase until the junction improvements at The Beagle and A1071 junction have been delivered.
  - (4) There shall be no occupation of any dwelling on Phase 2 or on Phase 4 and 5 until the respective access improvements have been delivered.
- Add design code condition which shall be prepared in consultation with the Parish Council.
- Amend requirement for construction management plan to be prepared in consultation with the Parish Council and include measures for ongoing engagement, liaison and management with the Parish Council throughout the construction phase of development.

By a vote of 7 votes for, 2 against, and 1 abstention

**It was RESOLVED:**

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

- **Affordable housing on site 262 and commuted sum for remaining 0.5**
- **Sustainable travel improvements on the A1214 London Road corridor £375,000**
- **Smarter choice contribution for modal shift £347,500**
- **Speed limit extension on Hadleigh Road £11,500**
- **Traffic calming on Hadleigh Road £40,000**
- **PROW improvements £375,000**
- **Travel plan £1,000 per annum from occupation 100 dwellings until 5 years after occupation of final dwelling**
- **Bus service improvements £500,000**
- **On site open space provision and management and maintenance of the space to be agreed (including commuted sum if transferred**

to BDC) and requirement for public access as outlined in the Habitats Regulation Assessment. As per the requirement of SWT it is proposed that the Northern Open Space is created prior to first occupation.

- LEMP
- Financial contribution in line with Suffolk Coast RAMS
- Primary school new build £4,006,416
- SEND new build £392,490
- Early Years £2,362,437
- Freehold fully serviced site 3ha for new primary school/early years £1
- IBC Chantry Park contribution to compost toilets £20,000
- IBC Chantry Park contribution to 3x dog waste bins £1,950
- Monitoring fees

(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:

- a) Standard time limit
- b) Reserved matters
- c) Approved Plans
- d) Phasing Condition including with Chantry WRC
- e) Swift boxes/bricks installation scheme to be agreed
- f) Hedgehog fencing scheme to be agreed
- g) Housing mix prior to or concurrent with reserved matters to be agreed
- h) Energy, water and resource efficiency scheme to be agreed, including PV panels and EV charging points, ASHP, fabric first approach and future homes standard
- i) Construction Management Plan including working hours to be agreed
- j) Construction surface water management plan
- k) FRA
- l) SUDS Completion confirmation and inspection
- m) Anglian Water on-site drainage strategy.
- n) Waste minimisation and recycling strategy
- o) Unexpected ground conditions
- p) Landscape Ecological Management Plan
- q) Landscape Management Plan
- r) Landscaping Scheme
- s) Boundary treatment to Chantry Park
- t) Accordance with Ecological report and recommendations
- u) Environmental Management Plan for Biodiversity
- v) Biodiversity net gain design stage report
- w) Further surveys for protected species
- x) Wildlife sensitive lighting design scheme
- y) Fire Hydrants
- z) Arboricultural Method Statement

- aa) Tree protection plan
- bb) Archaeological investigation and reporting
- cc) Environmental Management Plan
- dd) Soil management plan
- ee) Waste management plan
- ff) Construction method statement to be agreed
- gg) No burning
- hh) Acoustic barrier details agreed and implementation
- ii) Noise report and mitigation prior to reserved matters
- jj) Acoustic Design Statement prior to reserved matters for school
- kk) Levels
- ll) Remove permitted development rights
- mm) Offsite highway improvement full details for A1071/B1113/Swan Hill, A1071 junction, A1214 junction
- nn) Full details of Hadleigh Road roundabout access and footway, Hadleigh Road central access and footway, Hadleigh Road Northern access and footway
- oo) Visibility splays for Hadleigh Road Northern and Central access
- pp) Cross valley cycleway/footway to be agreed
- qq) Hadleigh Road toucan crossing to be agreed
- rr) Cycleway/footway route and bus stop improvements close to A1071 to be agreed
- ss) Estate roads and footpaths implementation
- tt) Means to prevent discharge of surface water drainage onto the highway
- uu) Estate road phasing and completion plan to be agreed
- vv) Carriageways and footways constructed prior to occupation
- ww) Details of the areas to be provided for the loading, unloading, manoeuvring and parking of vehicles, including secure cycle parking to be agreed
- xx) Provision of electric vehicle charging points
- yy) Details of landscaping that may impact upon the highway
- zz) Travel plan
- aaa) Bus stop provision and improvements plan
- bbb) Improvements to Footpath 14 agreed and implemented.

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

- Proactive working statement
- SCC Highways notes
- SCC Flood and Water Management notes
- Support for sustainable development principles

**(1) 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 ground(s)**

**And the following amendments to conditions and additional conditions:**

- **Amend Highway Conditions:**

- (1) That there shall be no commencement of development until the A1071 and Hadleigh Road junction improvements have been delivered.
- (2) There shall be no commencement of development on Phase 1 until the associated roundabout junction has been delivered.
- (3) There shall be no occupation of any dwelling on any phase until the junction improvements at The Beagle and A1071 junction have been delivered.
- (4) There shall be no occupation of any dwelling on Phase 2 or on Phase 4 and 5 until the respective access improvements have been delivered.

- Add design code condition which shall be prepared in consultation with the Parish Council.
- Amend requirement for construction management plan to be prepared in consultation with the Parish Council and include measures for ongoing engagement, liaison, and management with the Parish Council throughout the construction phase of development.

**92 DC/22/03043 THE RED LION, THE STREET, EAST BERGHOLT, SUFFOLK, CO7 6TB**

**92.1 Item 6B**

Application Proposal	DC/22/03043 Planning Application – Construction of 5no. dwellings, storage building with two bed and breakfast rooms for the Hotel and Brasserie, public convenience building (following demolition of existing Toilet Block) and alterations to car park.
Site Location	The Red Lion, The Street, East Bergholt, Suffolk, CO7 6TB
Applicant	Langham Property Company (Essex) Ltd

**92.2** Councillor Beer left the meeting at 12:25pm

**92.3** A break was taken from 12:25pm until 12:31pm, after application number DC/21/02671 and before the commencement of application number DC/22/03043.

**92.4** Councillor Hinton confirmed that he would remain on the committee for the duration of the application and not speak as the Ward Member.



- 92.5 The Case Officer presented the application to the committee outlining the proposal before Members including: the location and layout of the site, the existing public car parking area, the proposed design and size of the dwellings, the proposed landscaping plans including the location of trees to be removed, the proposed public conveniences, the proposed changes to the layout of the coach and private vehicle parking area, and the officer recommendation of refusal as detailed in the report.
- 92.6 The Case Officer and the Chief Planning Officer responded to questions from Members on issues including: the existing and proposed number of car parking spaces, management of the residential car parking area, and the size of the parking bays.
- 92.7 The Chief Planning Officer and the Planning Lawyer responded to further questions from Members regarding the proposed changes to the car park.
- 92.8 Members considered the representation from Nigel Roberts who spoke on behalf of East Bergholt Parish Council.
- 92.9 The Parish Council representative responded to questions from Members on issues including: the number of coaches visiting the village, and the current usage of the car park and the public conveniences.
- 92.10 Members considered the representation from John Pearce who spoke as the Agent.
- 92.11 The Agent, and the Applicant, Jonathan Peachey, responded to questions from Members on issues including: the pre-application advice received, the benefits of the additional housing to the public house, the management of the residential parking area and what restrictions will be in place to prevent unauthorised parking, and the level of engagement with the Parish Council.
- 92.12 Members debated the application on issues including: the previous reconfigurations of the car park, the existing use of the car park and public conveniences, the proposed layout of the car park, access to the site, the local housing need, the need for tourist accommodation in the area, the sustainability of the location
- 92.13 Councillor McCraw proposed that the application be refused as detailed in the Officer recommendation.
- 92.14 Councillor Jamieson seconded the proposal.
- 92.15 Members continued to debate the application on issues including: other developments in the area, the Neighbourhood Plan, and the potential over development of the site.

By a vote of 6 votes for and 4 against

**It was RESOLVED:**

**That the application is REFUSED planning permission/listed building consent/other for the following reason:-**

**The proposed development is not acceptable because the public car park within the Village Heart would be reduced in size. The loss of area of the car park, which is listed as an Asset of Community Value, has not been offset to provide additional parking elsewhere as required by Policy EB11 of the East Bergholt Neighbourhood Plan. The carpark is an important feature within the Village Heart and provides essential off-road free parking, which encourages vehicles away from the public highway, and is a main route through the village and within the East Bergholt Conservation Area, which forms the historic core of this important tourist destination. The proposed development is considered to conflict with policy EB11 of the East Bergholt Neighbourhood Plan 2016 and conflict with the aims of the National Planning Policy Framework 2021, Paragraph 8.**

**Furthermore, if the loss of car parking area is unacceptable, this would impact on the five dwellinghouses because the provision of parking to current adopted Parking Standards would not be achievable and, therefore, the dwellings would be unacceptable because the site would become cramped from overdevelopment. This would be contrary to policies CN01 and TP15 of the Babergh Local Plan 2006, policy CS11 and CS15 of the Babergh Core Strategy 2014 and policy EB2 of the East Bergholt Neighbourhood Plan 2016 which are consistent with the aims of the National Planning Policy Framework 2021.**

The business of the meeting was concluded at 14.14 pm.

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Chair