

## **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, 22 March 2023 at 09:30am.

### **PRESENT:**

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

Councillors:	Simon Barrett	Peter Beer
	David Busby	John Hinton
	Michael Holt	Alastair McCraw
	Mary McLaren	Adrian Osborne
	Alison Owen	

### **In attendance:**

Officers: Area Planning Manager (MR)  
Planning Lawyer (IDP)  
Senior Transport Planning Engineer (BC)  
Case Officer (SS/EF)  
Governance Officer (CP)

### **109 APOLOGIES AND SUBSTITUTIONS**

109.1 There were no apologies for absence.

### **110 DECLARATION OF INTERESTS**

110.1 Councillor Beer declared an other registerable interest in respect of application number DC/22/01605 as a member of the Suffolk County Council Planning Committee, for which the Monitoring Officer had granted dispensation.

### **111 PL/22/28 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 22 FEBRUARY 2023**

**It was RESOLVED:**

**That the minutes of the meeting held on 22 February 2023 were confirmed and signed as a true record.**

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

112.1 None received.

**113 SITE INSPECTIONS**

113.1 None received.

**114 PL/22/29 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE**

114.1 The Area Planning Manager provided Members with an update on the current position of the Joint Local Plan, which had advanced since the publication of the agenda, and advised the Committee of the impact of the policies contained in the plan.

114.2 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/22/29 and the speakers responded to questions put to them as provided for under those arrangements.

Application Number	Representations From
DC/21/01802	John Ambrose (Holbrook Parish Council) Simon Quantrill (Objector) William Saunders (Supporter) Christophe Spiers (Agent) Cathy Shelbourne (Applicant) Councillor Mary McLaren (Ward Member)
DC/22/01605	Michael Calder (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/22/29 be made as follows:-**

**115 DC/21/01802 LAND SOUTH OF HONEYSUCKLE COTTAGE, LITTLE ORCHARD, HOLBROOK, SUFFOLK**

115.1 Item 6A

Application Proposal	DC/21/01802 Hybrid application comprising: Outline planning application for the erection of 4no self-build detached dwellings (all matters reserved except access); full planning application for the erection of 4no two-bedroom dwellings; with associated landscaping, vehicular access off Hyams Lane and pedestrian access to Church Hill.
Site Location	HOLBROOK – Land South of Honeysuckle Cottage, Little Orchard, Holbrook, Suffolk
Applicant	Scirpus Properties Ltd

- 115.2 Councillor McLaren confirmed that she would be speaking as the Ward Member for this application and would not take part in the debate.
- 115.3 The Case Officer introduced the application to the Committee outlining the proposal before Members including: the location of the site, the site constraints, the proposed site layout, access to the site, the design of the dwellings, the proposed height of the dwellings, the proposed landscaping plan, the planning history at the site, and the officer recommendation of refusal.
- 115.4 The Case Officer, the Area Planning Manager, and the Planning Lawyer responded to questions from Members on issues including: the slope at the access to the site and plans for the surface water drainage, the details of the local identified need that the application does not address, and the weight that should give to the Neighbourhood Plan in its current unadopted state, and to the current and draft joint local plans.
- 115.5 The Senior Transport Planning Engineer responded to questions from Members on issues including the proposed access to the site including the width of the access, and the potential increase in traffic volume.
- 115.6 Members considered the representation from John Ambrose who spoke against the application on behalf of Holbrook Parish Council.
- 115.7 The Parish Council representative responded to questions from Members on issues including: whether any sites had been identified in the draft Neighbourhood Plan to achieve the identified housing numbers, the preferred housing mix of the Parish Council, the Parish Councils concern regarding the proposed height of the dwellings and traffic, and the number of identified sites are in the Neighbourhood Plan and whether these were within the settlement boundary.
- 115.8 Members considered the representation from Simon Quantrill who spoke as an objector.
- 115.9 The Objector responded to questions from Members on issues including: the objections raised in relation to traffic issues, and the response from Suffolk County Council Highways.
- 115.10 Members considered the representation from William Saunders who spoke as a supporter.
- 115.11 The Supporter responded to questions from Members on issues including: the reasons why this site would be preferable to other identified sites, whether he had any connection with the applicant, whether he had any involvement with production of the Neighbourhood Plan, and whether he approved of the Neighbourhood Plan.

- 115.12 Members considered the representation from Christophe Spiers and Cathy Shelbourne who spoke as the agent and the applicant.
- 115.13 The Agent and the Applicant responded to questions from Members on issues including: the level of interest in the proposed development, the identified housing need when the application was first submitted in 2021, the level of consultation with the Parish Council, and site not being included in the Neighbourhood Plan.
- 115.14 The Parish Council representative responded to questions from Members regarding the reasons why the site had not been included in the Neighbourhood Plan.
- 115.15 The applicant responded to questions from Members regarding whether the site had been proposed for inclusion in the Neighbourhood Plan.
- 115.16 Members considered the representation from Ward Member Councillor McLaren who spoke against the application.
- 115.17 The Ward Member responded to questions from Members on issues including the affordable housing numbers.
- 115.18 The Area Planning Manager provided confirmation to Members regarding the position of the Holbrook Neighbourhood Plan including the allocated and identified sites, and the visibility splays at the entrance to the site. issues including the numbers allocated in the NP, and the visibility splays.
- 115.19 Councillor Busby proposed the application be deferred to enable officers to obtain further information regarding the local housing needs.
- 115.20 Cllr Barrett seconded the proposal.
- 115.21 Members debated the application on issues including: the Holbrook Neighbourhood Plans and sites identified within the plan, the local housing need and how this is being addressed, and highways issues.
- 115.22 By a vote of 5 votes for and 5 against, and the Chairmans casting vote the motion was lost.
- 115.23 Councillor Hinton proposed that the application be refused as detailed in the officers recommendation and with the additional reason for refusal relating to the Joint Local Plan.
- 115.24 Councillor McCraw seconded the proposal.
- 115.25 Members continued to debate the application on issues including: the lack of details regarding the Neighbourhood Plan, the application of the policies contained in the Joint Local Plan, and the reasons for refusals contained in the report.

115.26 Councillor Holt proposed an amendment to the reasons for refusal, suggesting that the reasons be restricted to Policy CS11 only.

115.27 The amendment was not accepted by the proposer and seconder.

By a vote of 6 votes 4, and 4 votes against

**It was RESOLVED:**

**That the application is REFUSED planning permission, based on the following reasons:-**

The site is located outside of the defined built up area boundary for Holbrook village and is therefore located within the countryside for development management purpose, wherein Core Strategy Policy CS11(iv) and emerging Neighbourhood Plan Policy HNP 01 apply. Policy CS11(iv) states proposals will be approved where, inter alia, a locally identified need for the development is demonstrated and Emerging Policy HNP 01 states that, outside the defined settlement boundaries, proposals for new housing development will only be permitted where they are in accordance with national and district level policies. In addition, HNP 02 states “All future housing development must contribute to meeting the existing and future needs of the Parish in order to facilitate a cohesive community”. This hybrid proposal, comprising 4 No. two-bed dwellings and 4 No. self-build plots, fails to address a locally identified need to improve affordability in Holbrook across all tenures and a locally identified need for increasingly smaller and older households, as identified through the emerging Holbrook Neighbourhood Plan Submission draft and the Holbrook Parish Housing Needs Assessment(January 2020), resulting in social harm that outweighs the economic benefit and environmental neutrality arising from the proposal.

The proposal therefore does not deliver sustainable development, contrary to Policies CS11(iv) of the Babergh Core Strategy (2014), Policies HNP 01 and HNP 02 of the emerging Holbrook Neighbourhood Plan Submission draft and the National Planning Policy Framework.

**And the following additional reason for refusal:**

**Additional reference to Policy CS2 and the emerging Joint Local Plan policies.**

**116 DC/22/01605 HILL FARM BARNs, HILL FARM, OLD LONDON ROAD, COPDOCK & WASHBROOK, IP8 3LE**

116.1 Item 6B

Application Proposal	DC/22/01605 Application for Outline Planning Permission (Access to be considered) – Demolition of existing redundant farm buildings and erection of up to 19No dwellings. Creation
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Site Location	of a new vehicular & pedestrian access off The Marvens <b>COPDOCK &amp; WASHBROOK</b> – Hill Farm Barns, Hill Farm, Old London Road, Copdock & Washbrook, IP8 3LE
Applicant	Suffolk County Council

- 116.2 A break was taken from 11:28am until – 11:41am, after application number DC/21/01802 and before the commencement of application number DC/22/01605.
- 116.3 The Case Officer introduced the application to the Committee outlining the proposal before Members including: the planning history at the site, the current status of the Neighbourhood Plan, the location of the site, the site constraints, the parameters plan, the proposed site layout, the proposed access plans and highways improvements, the proposed landscaping including the tree on site which have Tree Preservation Orders (TPO), and the officer recommendation of approval as detailed in the report.
- 116.4 The Case Officer responded to questions from Members on issues including: the proposed conditions in respect of prevention of surface water drainage issues, whether the current cycle ways around the site would be retained, the density of the housing, the details relating to the proposed highways improvements, and whether the protections of existing trees could be guaranteed.
- 116.5 Members considered the representation from Michael Calder who spoke as the Agent.
- 116.6 The Agent responded to questions from Members on issues including: whether the proposed highways improvements at Copdock had been taken into account, the access to the existing property, White Cottage, and whether vehicular access to this property could be controlled.
- 116.7 The Case Officer responded to questions from Members regarding the highways improvements conditions, and whether the speed limit could be amended.
- 116.8 The Area Planning Manager provided clarification to Members regarding the process for a Traffic Regulation Order (TRO) and whether this could be conditioned.
- 116.9 Members debated the application on issues including: the proposed highways improvements, the speed limit along the access road, the application of a TRO, and the use of the road by Heavy Goods Vehicles (HGV) for parking.
- 116.10 Councillor Busby proposed the application be approved as detailed in the committee report with an additional condition delegating authority to the Chief Planning Officer to negotiate for a TRO to secure a 30mph speed limit and other improvements as may be deliverable, or to achieve these by other

means, and to request Officers to speak to Suffolk County Council to ban HGVs from the road.

116.11 Councillor Beer seconded the proposal.

By a unanimous vote

**It was RESOLVED:**

**(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**
- **Public open space**
- **Contribution to new primary school places**
- **Contribution to new secondary school places**
- **Bus stop improvements**
- **RAMs payment**
- **Off-site reptile mitigation**

**(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 maybe deemed necessary by the Chief Planning Officer:**

- **Standard time limit**
- **Approved Plans (Plans submitted that form this application)**
- **Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL)**
- **Arboricultural method statement including tree protection plan**
- **Programme of archaeological works**
- **Acoustic barrier and glazing and ventilation measures**
- **Hours of constructions and demolition**
- **Construction management plan**
- **Land contamination investigation**
- **As recommended by the Flood and Water Officer in relation to SUDS**
- **As recommended by the Highway Authority including off-site improvements to London Road and 30mph signage for The Mavens**
- **As recommended by the Council's Ecologist including bat licence, reptile mitigation and biodiversity enhancement**

**(3) 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**

- **Bats**

**(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 ground**

**And the following additional conditions agreed at Committee:**

- **Delegate authority to the Chief Planning Officer to negotiate for a TRO to secure a 30mph speed limit and other improvements as may be deliverable, or to achieve these by other means.**
- **Officers to speak to Suffolk County Council to ban HGVs from the road.**

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

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Chair