

MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **MSDC PLANNING** held in the King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Wednesday, 21 June 2023

PRESENT:

Councillor: Sarah Mansel (Chair)
Lavinia Hadingham (Vice-Chair)

Councillors: Austin Davies Lucy Elkin
Nicholas Hardingham Terry Lawrence
John Matthissen Rowland Warboys

In attendance:

Officers: Area Planning Manager (GW)
Planning Lawyer (IDP)
Case Officers (BC/AS/JW/DC)
Governance Officer (CP)

1 APOLOGIES FOR ABSENCE/SUBSTITUTIONS

1.1 There were no apologies for absence or substitutions.

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

2.1 Councillor Hardingham declared an other non registerable interest in respect of application number DC/23/02118 as he was personally acquainted with a resident in the village of Flowton.

3 DECLARATIONS OF LOBBYING

3.1 All Members declared that they had been lobbied in respect of application number DC/23/02118.

4 DECLARATIONS OF PERSONAL SITE VISITS

4.1 None declared.

5 MPL/23/01 CONFIRMATION OF THE MINUTES OF THE MEETING OF THE PLANNING REFERRALS COMMITTEE ON 08 MARCH 2023

5.1 It was **RESOLVED:**

That the minutes of the meeting held on 08 March 2023 were confirmed

and signed as a true record.

6 MPL/23/02 CONFIRMATION OF THE MINUTES OF THE MEETING OF THE MSDC DEVELOPMENT CONTROL COMMITTEE A HELD ON 15 MARCH 2023

6.1 It was RESOLVED:

That the minutes of the meeting held on 15 March 2023 were confirmed and signed as a true record.

7 MPL/23/03 CONFIRMATION OF THE MINUTES OF THE MEETING OF THE MSDC DEVELOPMENT CONTROL COMMITTEE B HELD ON 26 APRIL 2023

7.1 It was RESOLVED:

That the minutes of the meeting held on 26 April 2023 were confirmed and signed as a true record.

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

8.1 The Governance Officer advised the Committee that a petition had been received in respect of application number DC/23/02118. The closing date for the petition was 06 September 2023 and the petition would be validated in due course.

9 MPL/23/04 SCHEDULE OF PLANNING APPLICATIONS

9.1 The Chair invited the Planning Lawyer, Ian De Prez, to provide an update to the Committee regarding application number DC/23/02118.

9.2 The Planning Lawyer advised Members that an additional consultation letter which Officers chose to send out was delayed, meaning that the closing date for comments of 23 June 2023. It was proposed that this would be dealt with in the Officer recommendation contained within the Committee report.

9.3 The Planning Lawyer went on to advise that it was a requirement for a copy of the Environmental Statement supplied by the Applicant to be sent to the Secretary of State. Due to an administrative oversight this process had not been followed and therefore the application could not be determined by Committee until 30 days from the notification to the Secretary of State. The current application would therefore not be presented to the Committee at this meeting.

9.4 The Planning Lawyer confirmed that legal advice received from Counsel regarding the ongoing Planning Appeal, following the previous decision made by Committee in February 2023, would be presented to the Committee. This would take place in a closed session, in accordance with schedule 12a, paragraph 5 of the Local Government Act 1972 (as amended).

- 9.5 The Chair advised Members that the closed session would take place at the end of the meeting and the remaining applications would be presented to Committee first.
- 9.6 In accordance with the Councils procedures for public speaking on planning applications, representations were made as follows:

Application Number	Representations From
DC/23/01494	Jonathan Cooper (Applicant)
DC/22/03681	Dave Gillingham (Supporter) Councillor Nicholas Hardingham (Ward Member)
DC/22/03761	Keith Welham (Objector) Leslie Short (Agent) Councillor Rachel Eburne (Ward Member) Councillor Janet Pearson (Ward Member)
DC/23/01076	Councillor Sarah Mansel (Ward Member) Councillor Janet Pearson (Ward Member)

10 DC/23/02118 LAND TO THE SOUTH OF CHURCH FARM, SOMERSHAM, IP8 4PN AND LAND TO THE EAST OF THE CHANNEL, BURSTALL, SUFFOLK IP8 4JL

10.1 Item 9A

Application Proposal	DC/23/02118 Planning Application – Installation of renewable led energy generating station comprising ground-mounted photovoltaic solar arrays and battery-based electricity storage containers together with substation, inverter/transformer stations, site accesses, internal access tracks, security measures, access gates, other ancillary infrastructure, landscaping and biodiversity enhancements including Nature Areas ('Free Go' application following refusal of MSDC Ref: DC/20/05895)
Site Location	SOMERSHAM – Land to the South of Church Farm, Somersham IP8 4PN and Land to the East of The Channel, Burstall, Suffolk, IP8 4JL
Applicant	Bramford Green Limited

- 10.2 Please refer to details under minute item 9 regarding this application.

11 DC/23/01494 LAND AT THE LEYS AND IVY FARM, MELLIS ROAD, YAXLEY, SUFFOLK, IP21 4BT

11.1 Item 9A

Application Proposal	DC/23/01494 Application under Section 73 of the Town and County Planning Act 1990 – Variation of Condition 2 (Approved Plans and Documents) of Planning Permission DC/22/04021 dated: 20/02/2023 – Construction and operation of Synchronous Condensers with ancillary infrastructure, and associated works including access and landscaping.
Site Location	YAXLEY – Land at the Leys and Ivy Farm, Mellis Road, Yaxley, Suffolk, IP21 4BT
Applicant	Conrad Energy (Developments) Ltd

11.2 The Case Officer presented the application to the Committee outlining the proposal before Members including: the previous planning permission granted by Committee in February 2023, the location and layout of the site, the access to the site, the proposed use of the site and the operation of the Synchronous Condensers, the reduction in the number of Condensers being proposed and the amended location of the Condenser within the site, the contents of the tabled paper received from Framsdon Parish Council, and the Officer recommendation of approval as detailed in the committee report.

11.3 The Case Officer responded to questions from Members on issues including: the view of the site from the adjacent property, Goswold Hall, the landscape mitigation scheme, details of the conditions applicable to the previous permission, whether there was any policy requirement for the provision of solar panels, the proposed lighting scheme, the issues raised by Framsdon Parish Council regarding noise levels, the maintenance of the landscaping, and the safety of vehicles accessing the site.

11.4 Members considered the representation from Jonathan Cooper who spoke as the Applicant.

11.5 The Applicant responded to questions from Members on issues including: the life expectancy of the Condensers.

11.6 Councillor Hadingham proposed that the application be approved as detailed in the Officer recommendation.

11.7 Councillor Lawrence seconded the motion.

11.8 Members debated the application on issues including: the maintenance of the landscaping, and the importance of the lighting condition.

11.9 The Area Planning Manager provided details to Members of the proposed

landscaping condition.

By a unanimous vote

It was RESOLVED:

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:

- Time limit to match original permission
- Landscaping scheme – subject to species recommendations of ecology officer
- Leys Lane access layout and visibility splays
- All other conditions as original permission or to reflect documents as approved pursuant to discharge of condition

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

- Pro active working statement
- SCC Highways notes

12 DC/22/03681 FIELD TO THE REAR OF THE CROWFIELD ROSE, DEBENHAM ROAD, CROWFIELD, SUFFOLK, IP6 9TE

12.1 Item 9C

Application Proposal	DC/22/03681 Full Planning Application – Change of use of land to Caravan Site / Campsite. Erection of welfare building and siting of static caravan as site office.
Site Location	CROWFIELD – Field to the rear of the Crowfield Rose, Debenham Road, Crowfield, Suffolk, IP6 9TE
Applicant	Mr Glen Hughes

12.2 A break was taken from 10:30am until 10:42am, after application number DC/23/01494 and before the commencement of application number DC/22/03681.

12.3 The Case Officer introduced the application to the Committee outlining the proposal before Members including: the proposed use of the site, the location of the site, access to the site, the location of the existing Public Right of Way, the existing and proposed site layout, the proposed amenities, the current use of the Public House building, public transport provision in the area, the location of local services, and the Officer recommendation of approval as detailed in the report.

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

pedestrian access to the site, the distance to the nearest amenities, the proposed parking plans, the ownership of the Public House, the proposed drainage systems, the conditions relating to the link of usage to the Public House and the holiday let use, the existing Public Rights of Way, provision for solar power, and the provision of disabled facilities.

- 12.5 Members considered the representation from Dave Gillingham who spoke as a Supporter.
- 12.6 The Supporter responded to questions from Members on issues including: the length of time the building was used as a Public House, and whether there was a footpath from the site to Stonham Barns.
- 12.7 Members considered the representation from Councillor Hardingham who spoke as the Ward Member.
- 12.8 The Ward Member responded to questions from Members on issues including: the usage of the public footpath.
- 12.9 The Case Officer responded to a question from Members regarding whether there was any relationship between the owners of the site and the owners of the site at Stonham Barns.
- 12.10 Members debated the application on issues including: the tourist accommodation in the area, the conditions relating to the use of the caravans as temporary holiday accommodation.
- 12.11 The Area Planning Manager and the Planning Lawyer provided confirmation to Members of conditions relating to the restriction of use.
- 12.12 Councillor Hadingham proposed that the application be approved as detailed in the officer recommendation.
- 12.13 Councillor Warboys seconded the motion with the addition of a conditions relating to foul water treatment.
- 12.14 Councillor Matthissen proposed a further condition regarding the management of the Public Right of Way.
- 12.15 The Proposer and Secunder agreed to the additional conditions.

By a unanimous vote

It was RESOLVED:

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

- Standard time limit (3yrs for implementation of scheme;

- Approved Plans and Documents (Plans and Documents submitted that form this application);
- Land contamination Investigation and any remediation required;
- Site Management Plan;
- Noise Assessment for any fixed plant or machinery;
- No amplified music to be played outside at any time;
- Road Surface details – Road Surface must be suitable for a Refuse Collection Vehicle (RCV) to drive on;
- Development to be carried out in accordance with Ecological Appraisal Recommendations;
- Biodiversity Enhancement Strategy;
- Restriction of use of the 5 no. Static Caravans, for Holiday and Tourism purposes only;
- Removal of 5 no. Static Caravans, if not required for Holiday and Tourism purposes, and the land to revert to that associated with the Public House;
- Approved use to be linked to the Public House, in the interest of sustaining and enhancing;
- Disposal of surface water to be implemented as per submitted strategy;
- Highways – Access to be improved to current SCC Standards;
- Highways – Access Visibility Splays to be provided as proposed and retained;
- Highways – Access Surface Water Drainage Details required;
- Highways – Access surface to be bound at least 10 metres back from the Highway;
- Highways – Gates or other means of obstruction to be set back at least 10 metres from the highway;
- Highways – Turning and Parking to be provided as proposed;
- Highways – Secure Cycle Parking and Electric Vehicle Charging and Parking details required prior to commencement;
- Highways – Bin collection details required;
- Landscape Management Plan required;
- External Lighting Strategy required;
- Landscape based surface water management plan required.

And the following additional conditions:

- Foul water treatment
- Public Rights of Way management.

13 DC/22/03761 LAND ON THE SOUTH EAST SIDE OF, CHURCH ROAD, STOWUPLAND, SUFFOLK

13.1 Item 9D

Application	DC/22/03761
Proposal	Application for approval of Reserved Matters following Outline Planning Approval 1884/16 dated 24/12/2019 - Erection of 18 dwellings (including 6No Affordable/Starter homes), parking for primary school and extension to cemetery. Submission of details for Appearance, Layout,

Site Location	Landscaping and Scale STOWUPLAND – Land on the South East Side of, Church Road, Stowupland, Suffolk
Applicant	Landex Ltd

- 13.2 The Case Officer introduced the application to the committee outlining the proposal before members including the location of the site, access to the site including the location of the pedestrian crossing, the planning history of the site including the S106 agreements secured within the outline planning permission, the Stowupland Neighbourhood Plan, the proposed site layout, the housing mix, proposed parking plans, the proposed landscaping and biodiversity plans, and the officer recommendation of approval as detailed in the report.
- 13.3 The Case Officer responded to questions from Members on issues including: the deed of variation submitted regarding the change to the affordable housing, the plans for the cemetery land, the car parking plans for the primary school and the church, and the design of the dwellings.
- 13.4 The Planning Lawyer and the Case Officer provided clarification to Members regarding the validity of the Deed of Variation.
- 13.5 The Case Officer responded to further questions from Members on issues including: the pedestrian footpath and cycleways, the surface material of the play area, and the foul water drainage system.
- 13.6 Members considered the representation from Keith Welham who spoke as an objector.
- 13.7 Members considered the representation from Leslie Short who spoke as the Agent.
- 13.8 The Agent responded to question from Members on issues including: the access to the adjacent agricultural land, and the financing of the cemetery car park.
- 13.9 The Chair read out a statement from Ward Member Councillor Rachel Eburne who was unable to attend the meeting.
- 13.10 The Chair read out a statement from Ward Member Councillor Janet Pearson who was unable to attend the meeting.
- 13.11 A short break was taken from 12.22pm until 12:25pm.
- 13.12 Members debated the application on issues including: the previous Outline Planning Permission granted at Committee, the housing mix, the car parking and landscaping plans, and the potential transfer of the cemetery land to the Parish Council.

13.13 The Agent and the Case Officer responded to further questions from Members regarding the potential transfer of land to the Parish Council, and installation of Electric Vehicle charging points in the car park.

13.13 Councillor Hadingham proposed that the application be approved as detailed in the Officer recommendation.

13.14 Councillor Davis seconded the motion.

13.15 The Proposer and Seconder agreed to the following additional conditions:

- Play space artificial grass alternative to be agreed
- EV charging scheme to church/school car park to be agreed
- CMP to be prepared in consultation with the Parish Council

By a unanimous vote

It was RESOLVED:

Delegate authority to the Chief Planning Officer to grant reserved matters subject to conditions (those listed and others as may be deemed necessary*) and following DC/22/03895 Deed of Variation being signed in respect of amending the affordable housing mix.

* [If details reserved by condition are resolved prior to issuing the decision the conditions will be amended accordingly]

Conditions:

- Approved plans
- Bin presentation and storage areas to be agreed
- Landscaping to be planted in first available planting season and then retained
- Play equipment, benches and amenity space to be provided
- Play and amenity space management to be agreed
- Fire hydrant details to be agreed
- EV charging details to be agreed
- Biodiversity enhancements to be provided in line with submitted information
- Sustainability measures to be agreed- including provision of air source heat pumps to all dwellings
- Construction Management Plan to be submitted
- No burning on site

Informatives;

- Proactive working in line with NPPF
- No pre-app
- Drainage informative- as recommended by SCC Floods and Water

- Public Rights of Way recommended informatives
- Conditions and obligations must be complied with and discharged formally and separately under Discharge of Conditions (DOC) applications. All details within those DOC applications must be in line with the details submitted within the reserved matters where relevant

And the following additional conditions:

- Play space artificial grass alternative to be agreed
- EV charging scheme to church/school car park to be agreed
- CMP to be prepared in consultation with the Parish Council

14 DC/23/01076 LAND TO THE NORTH AND WEST OF, SCHOOL ROAD, ELMSWELL, SUFFOLK

14.1 Item 9D

Application Proposal	DC/23/01076 Application under S73a for Removal or Variation of a Condition following approval of DC/22/01615 dated 05/08/2022 - Erection of up to 86 dwellings (30 No affordable units) including car parking, open space provision with associated infrastructure and vehicular access. Highways improvements of road widening and cycle/footpath link. Town and Country Planning Act 1990 (as amended) to vary Condition No 9 (Glazing to Dwellings).
Site Location	ELMSWELL – Land to the North and West of, School Road, Elmswell, Suffolk
Applicant	Bloor Homes Eastern

14.2 A break was taken from 12:41pm until 13:36 pm after application number DC/22/03761 and before the commencement of application number DC/23/01076.

14.3 As Councillor Mansel was the Ward Member for application number DC/23/01076, Councillor Hadingham, the Vice Chair, chaired the Committee for the duration of the application.

14.4 The Case Officer presented the application to the Committee outlining the proposal before Members including the location of the site, the site constraints, the layout of the site and those properties which are subject to the previously agreed noise insulation condition, the details of the agreed condition and the suggested variation to this condition, and the officer recommendation of approval as detailed in the report.

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

whether the accepted noise standard was adequate.

- 14.6 The Governance Officer read a statement from Ward Member Councillor Jen Everett who supported the officer application.
- 14.7 Members considered the representation from Ward member Councillor Sarah Mansel.
- 14.8 Councillor Matthissen proposed the application be approved as detailed in the Officer recommendation.
- 14.9 Councillor Warboys seconded the motion.

By a unanimous vote

It was RESOLVED:

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:

- Condition on scope of reserved matters approval.
- Approved plans and documents.
- Landscaping and ecological management plan to be as approved under discharge of condition application DC/22/06355.
- External facing and roofing materials to be as approved under discharge of condition application DC/22/04527
- Works to be undertaken in line with tree protection measures outlined within arboricultural report.
- Further planting onsite to be as approved under discharge of condition application DC/22/04525.
- No burning on site.
- Dust control measures to be implemented as approved under discharge of condition application DC/22/03999
- Condition 9 to be updated as set out in this report.
- Landscaping to be implemented in accordance with specific schedule.
- Play provision to be provided as approved under discharge of condition application DC/22/04527
- Parking provision with EVCP provision to be provided to each dwelling prior to its first occupation.
- Cycle storage to be provided to each dwelling prior to its first occupation.
- Bin storage and presentation to be provided to each dwelling prior to its first occupation

15 SITE INSPECTION

- 15.1 Councillor Mansel resumed the Chair for the remainder of the meeting.

15.2 There were no requests received for site visits.

16 EXCLUSION OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)

16.1 Councillor Mansel proposed that the meeting went into closed session.

16.2 This was seconded by Councillor Hadingham.

By a unanimous vote

It was RESOLVED:

That pursuant to Part 1 of the Schedule 12A of the Local Government Act 1972, the public should be excluded from the meeting for the business specified below on the grounds that if the public were present during this item, it is likely that there would be disclosure to them of exempt information.

- 17 DC/23/02118 LAND TO THE SOUTH OF CHURCH FARM, SOMERSHAM, IP8 4PN AND LAND TO THE EAST OF THE CHANNEL, BURSTALL, SUFFOLK, IP8 4JL**

The business of the meeting was concluded at 3.28 pm.

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Chair