

MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **MSDC PLANNING** held in the Frink Room (Elisabeth) - Endeavour House on Wednesday, 16 August 2023 at 09:30am

PRESENT:

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

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

Ward Member(s):

Councillors: John Whitehead

In attendance:

Officers: Area Planning Manager (GW)
Planning Lawyer (IDP)
Principle Consultant Ecologist (SH)
Case Officers (EF / DC / MK)
Lead Governance Officer – Planning (CP)

29 APOLOGIES FOR ABSENCE/SUBSTITUTIONS

29.1 There were no apologies for absence.

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

30.1 Councillor Hadingham declared an other non registerable interest in respect of application number DC/21/06824 as the applicant was known to her. Councillor Hadingham advised that she would leave the meeting for this application and not take part in the debate or vote.

31 DECLARATIONS OF LOBBYING

31.1 All Members declared that they had been lobbied in respect of application numbers DC/22/06117, DC/22/01274, DC/21/06787 and DC/21/06824.

32 DECLARATIONS OF PERSONAL SITE VISITS

32.1 There were no declarations of personal site visits.

33 MPL/23/08 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON

19TH JULY 2023 *

33.1 Councillor Matthissen commented that the final bullet point of the resolution for application number DC/20/01716 was incomplete. The Area Planning Manager confirmed that the following text was required:

‘technology previously contributed to by other development schemes’.

The Governance Officer confirmed that this change would be made to the minutes.

It was RESOLVED:

That with the addition of the agreed text the minutes of the meeting held on 19 July 2023 were confirmed and signed as a true record.

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

34.1 None received.

35 MPL/23/09 SCHEDULE OF PLANNING APPLICATIONS

35.1 In accordance with the Councils procedures for public speaking on planning applications, representations were made as follows:

Application Number	Representations From
DC/22/06117	Casey Wooltorton (Barham Parish Council) Peter Avis (Claydon Parish Council) Jake Stentiford (Agent) Councillor John Whitehead (Ward Member)
DC/22/01274	Peter Avis (Claydon Parish Council) Jake Stentiford (Agent) Councillor John Whitehead (Ward Member)
DC/21/06787	Val Pudney (Palgrave Parish Council) Alex Bloss (Agent) Councillor Tim Weller (Ward Member)
DC/21/06824	Odile Wladon (Stradbroke Parish Council) Sue Ives (Objector) Nathan Davidson (Applicant) Councillor Anders Linder (Ward Member)

36 DC/22/06117 LAND TO THE EAST OF, ELY ROAD, CLAYDON, SUFFOLK

36.1 Item 7A

Application DC/22/06117
Proposal Application under Section 73 of the Town and Country Planning Act 1990 - Variation of Condition 37 (Market

Housing Mix) of planning permission DC/18/00861
Dated: 23/04/2021
Site Location **CLAYDON** – Land to the East of Ely Road, Claydon,
Suffolk
Applicant Minster Property Group

- 36.2 The Case Officer presented the application to the Committee, outlining the proposal before members including: the location of the site, the proposed tenure plan, the proposed amendment to the previously agreed housing mix condition, the proposed play area, and the recommendation of approval as detailed in the officer recommendation.
- 36.3 The Housing Enabling Officer responded to questions from Members on issues including the net delivery figures and whether these included properties sold under the Right to Buy Scheme.
- 36.4 The Case Officer and the Area Planning responded to questions from Members on issues including: whether the amendment to the condition would have any effect on the delivery of future healthcare provisions in the area, availability of future funding under S106 agreements or Community Infrastructure Levy (CIL), the funding of the play equipment, and whether the housing would effect the population of the site.
- 36.5 Members considered the representation from Casey Woollorton who spoke on behalf of Barham Parish Council.
- 36.6 The Case Officer provided clarification to Members regarding the future funding and management of the proposed play area.
- 36.7 The Parish Council Representative responded to questions from Members regarding the potential for the Parish Council to be able to take on the management of the open space.
- 36.8 Members considered the representation from Peter Avis who spoke on behalf of Claydon Parish Council.
- 36.9 The Case Officer provided clarification to Members of the layout plans included within the previously agreed outline planning permission.
- 36.10 Members considered the representation from Jake Stentiford who spoke as the Agent.
- 36.11 The Agent responded to questions from Members on issues including: the reasons of the amendment to the housing mix, the consultations which took place with the local residents, the proposed plans for the future and whether the applicant would be willing to work with the Parish Council, whether the highways would be to an adoptable standard, and the suitability of the proposed parking provision.
- 36.12 Members considered the representation from Councillor John Whitehead who

spoke as the Ward Member.

- 36.13 The Ward Member responded to questions from Members regarding whether there had been a change in applicant since the outline planning permission was granted.
- 36.14 The Planning Lawyer and the Case Officer provided confirmation to Members of the details included in the outline planning permission and the parameters plan.
- 36.15 The Agent responded to a question from Members regarding whether the proposed layout of the development was linked to the number of affordable units.
- 36.16 Members debated the application on issues including: the net affordable supply provided by the development and how this related to the housing need, the need for the play area, the number of affordable houses located within one area of the development, alternative play areas in the vicinity, the possibility of providing affordable homes for key workers, and the lack of consultation with local residents.
- 36.17 The Housing Enabling Officer provided confirmation to Members regarding the social mix and the need for affordable housing, and the plans for shared and full ownership homes.
- 36.18 The Housing Enabling Officer responded to questions from Members regarding the principles relating to the location of affordable homes within a development.
- 36.19 Members continued to debate the application on issues including the provision of S106 and CIL funding.
- 36.20 Councillor Hadingham proposed that the application be approved as detailed in the Officer recommendation.
- 36.21 Councillor Elkin seconded the proposal.
- 36.22 Members debated the application further on issues including: the removal of the word market from the existing condition and the implications of this change, and the benefits of shared ownership homes for young people.

By a vote of 6 votes for and 2 against

It was RESOLVED:

That authority be delegated to the Chief Planning Officer to Grant a variation of Condition 37 (Market Housing Mix) of planning permission DC/18/00861.

1) TO AMEND CONDITION 37 AS FOLLOWS:

Concurrent with the submission of reserved matters, the housing mix shall be submitted and agreed in writing with the local planning authority. This shall include a schedule of the mix of house types and sizes to be provided within the reserved matters, which shall be broadly in accordance with the indicative housing mix submitted at the outline stage with predominantly two and three bedroom dwellings, unless housing need evidence indicates otherwise. The approved details shall be adhered to in the reserved matters applications submitted

2) AND TO REIMPOSE THE FOLLOWING CONDITIONS WHICH WERE INCLUDED ON THE OUTLINE PLANNING PERMISSION DC18/00861:

- **Outline time limit**
- **Approval of reserved matters – appearance, scale, layout, landscaping**
- **Approved Plans – broad compliance with parameter plan including location of single storey dwellings**
- **Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL) (Pre-commencement)**
- **Removal of permitted development rights for upwards extensions to any single storey dwellings**
- **Provision of open space and play space, timing of and maintenance and management**
- **Detailed landscape planting plan, including advance planting, management plan, landscaping scheme and details of SUDS areas**
- **Road construction and surface water disposal from roads**
- **Construction management plan (including hours for deliveries and construction works on site)**
- **Vehicle turning and parking (including cycles and electric vehicle charging points)**
- **Bin storage**
- **Travel plan**
- **Protection of public right of way during construction the development**
- **Fire hydrants**
- **Drainage strategy (Anglian Water)**
- **Surface water drainage scheme including further infiltration testing and two-stage water treatment**
- **Maintenance and management of the surface water drainage scheme**
- **SuDS components on LLFA's Flood Risk Asset Register.**
- **Construction Surface Water Management Plan**
- **Mineral extraction quantified**
- **Archaeology – implementing programme of archaeological work**
- **Ecology protection, mitigation and enhancement, including the provision of Swift boxes, hedgehog fencing and wildlife sensitive lighting**
- **Level access to enable wheelchair access for all dwellings/buildings**
- **Tree Method Statement and Tree Protection Plan compliance**
- **Unexpected contamination**
- **Energy and renewal integration scheme to be agreed**
- **Rainwater harvesting to be agreed**
- **Service ducting for Broadband cables**
- **No burning on site**

37 DC/22/01274 LAND TO THE EAST OF, ELY ROAD, CLAYDON, SUFFOLK

37.1 Item 7B

Application Proposal	DC/22/01274 Application for Approval of Reserved Matters following grant of Planning Permission DC/18/00861. Town and Country Planning Order 2015. Submission of Details of Appearance, Scale, Layout and Landscaping for the erection of up to 67No dwellings, public open space and supporting site infrastructure including access.
Site Location	CLAYDON – Land to the East of, Ely Road, Claydon, Suffolk
Applicant	Minster Property Group

37.2 A break was taken from 10:40am until 10:48am, after application number DC/22/06117 and before the commencement of application number DC/22/01274.

37.3 The Case Officer presented the application to the Committee outlining the proposal before members including: the location and layout of the site, the proposed access to the site including footpaths, the proposed parking plans, the housing mix, play area provisions, the tenure plan, and the Officer recommendation of approval as detailed in the report.

37.4 The Case Officer and the Area Planning Manager responded to questions from Members on issues including: the proposed parking plan, the comments from Suffolk County Council (SCC) Highways regarding the lack of traffic calming measures on the main road, the variation in finishes for the dwellings, the potential for CIL funding, the proposed drainage scheme and the attenuation basin, the possibility for biodiversity net gain to be included within the proposal, provision of electric vehicle charging points, PV panels and cycle storage, the proposed heating systems, and whether the existing hedge would be retained.

37.5 Members considered the representation from Peter Avis who spoke on behalf of Claydon Parish Council.

37.6 The Parish Council representative responded to questions from Members on issues including: the existing public transport links, the provision of dog litter bins, and whether there were any plans to extend the primary school.

37.7 Members considered the representation from Jake Stentiford who spoke as the Agent.

37.8 The Agent responded to questions from Members on issues including: whether the existing hedge would be retained and what steps would be taken to soften the boundary between the development and the countryside, the location of the substation, the planting strategy for the area surrounding the substation, proposed biodiversity measures, the proposed road layout and

traffic calming measures, and the provisions and maintenance of the play equipment.

37.9 The Housing Enabling Officer provided clarification to Members of the rules regarding rental charges and service charges.

37.10 Members considered the representation from Councillor John Whitehead who spoke as the Ward Member.

37.11 Members debated the application on issues including: the location of the substation, the design of the dwellings, the proposed road layout, the proposed water drainage system, and the layout of the site.

37.12 Councillor Matthissen proposed that the application be deferred to enable further consideration regarding the layout of the site, location of the substation, housing design, distribution of tenures and adoption of SUDS.

37.13 Councillor Davies seconded the proposal.

By a unanimous vote

It was RESOLVED:

That the application be deferred to resolve the following and report back to Committee:

- **Design of houses**
- **Location of substation**
- **Highway through road layout**
- **Adoption of SUDS**
- **Distribution of tenures**

38 DC/21/06787 LAND AT LING ROAD, PALGRAVE, SUFFOLK *

38.1 Item 7C

Application Proposal	DC/21/06787 Full Planning Application – Use of land for the siting of 4no. 'Off-Grid' Holiday Units and Erection of replacement Stores/Housekeeping building; Installation of PV Panels, Upgrading of existing Access and Track; New low-impact Parking Area and Foul Drainage (re-submission of DC/20/05763).
Site Location Applicant	PALGRAVE – Land at, Ling Road, Palgrave, Suffolk Mr. W. Hawes

38.2 A break was taken from 12:00pm until 12:05pm after application number DC/22/01274 and before the commencement of application number DC/21/06787.

- 38.3 Members read the late representation which had been received from a member of the public after the publication of the agenda and tabled papers.
- 38.4 The Case Officer presented the application to the committee outlining the proposal before Members including: the location and layout of the site, the site constraints, the current position of the Palgrave Neighbourhood Plan, the ecological assessment of the site, the highways visibility, the proposed access plans, and the officer recommendation of approval as detailed in the report.
- 38.5 The Case Officer responded to questions from Members on issues including: the planning permission requirements for static caravans and holiday chalets, the highways visibility splay, and the provision of PV panels.
- 38.6 The Principal Consultant Ecologist responded to questions from Members on regarding the issue of fragmentation and whether there is potential for ecological impact.
- 38.7 The Case Officer responded to further questions from Members on issues including: the proposed arrangements for battery storage on site, the arrangements for domestic animals, and the conditions relating to generators.
- 38.8 The Area Planning Manager reminded Members of the reasons the application was previously refused and confirmed that the new factors arising since that previous decision were the developments to the Neighbourhood Plan only.
- 38.9 The Case Officer responded to further questions from Members regarding the length of time people are permitted to stay in a dwelling of this type, and how this would be monitored and reported to the District Council.
- 38.10 Members considered the representation from Val Pudney who spoke on behalf of Palgrave Parish Council.
- 38.11 The Parish Council representative responded to questions from Members on issues including the potential reliance on burning wood at the, the concerns of the Parish Council, and previous flooding in the area.
- 38.12 Members considered the representation from Alex Bloss who spoke as the Agent.
- 38.13 The Agent responded to questions from Members on issues including: whether a condition could be added to not allow dogs on the site.
- 38.14 The Chair read out a statement from Ward Member Councillor Weller, who was unable to attend the meeting.
- 38.15 A break was taken from 13:13pm until 13:14pm.
- 38.16 Members debated the application on issues including: the management and

control of the occupancy of the site, the objections from the Parish Council and local residents, the off grid nature of the site, the possible ecological improvements which could be made at the site, potential ecological harm, and the suitability of the location.

38.17 Councillor Matthissen proposed that the application be refused for ecological reasons.

38.18 Councillor Lawrence seconded the proposal.

38.19 The Area Planning Manager confirmed the reasons for refusal which were accepted by Councillor Matthissen and Councillor Lawrence.

By a vote of 7 For and 1 Against

It was RESOLVED:

That the application be refused for the following reasons:

There is insufficient information to demonstrate that the proposed development would, by reason of its scale, location, nature of use and ranges of activities, not likely adversely damage the sensitive and valued landscape near and adjacent to a SSSI (Site of Special Scientific Interest) and nature reserves.

Furthermore, it would adversely harm and fragment the ecological value and connections of the area. The proposal would be contrary to policies CL8, CL9, RT19, RT16 and CL2 of the Local Plan, CS5 of the Core Strategy and the NPPF including conserving and enhancing the natural environment and Policy 8 of the emerging Diss and District Neighbourhood Plan.

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

39.1 Item 7D

Application Proposal	DC/21/06824 Planning Application – Erection of 6no poultry houses with associated admin blocks, feed bins, and ancillary development (EIA Development)
Site Location	STRADBROKE – Land at Fennings Farm, Pixey Green, Stradbroke, Suffolk
Applicant	C E Davidson Farms Ltd.

39.2 A break was taken from 13:52pm until 14:32pm after application number DC/21/06787 and before the commencement of application number DC/21/06824.

39.3 Councillor Hadingham left the meeting at 13:52pm.

- 39.4 The Case Officer introduced the application to the committee outlining the proposal before Members including: the location and layout of the site, the proposed elevations of the buildings, the proposed drainage plans, access to the site, the contents of the tabled papers, and the Officer recommendation of approval as detailed in the report.
- 39.5 The Case Officer and the Area Planning Manager responded to questions from Members on issues including: the location of the access to the site, the statement of common ground, the water supply plans and the previous issues regarding water supply, whether consideration had been given to solar panels to generate electricity, the permitted development rights, the operation of the cooling system, the existing vehicle movements at the site, and the differing information in the odour emissions forecast in the reports commissioned by the Parish Council and the Applicant.
- 39.6 Members considered the representation from Odile Wladon who spoke on behalf of Stradbroke Parish Council.
- 39.7 The Parish Council Representative responded to questions from Members regarding their comments that the noise levels exceed those which had been agreed as part of the previous permission.
- 39.8 The Planning Lawyer provided advice regarding the S106 agreement previously agreed and how this affects the application being presented to Members.
- 39.9 The Parish Council representative responded to further questions from Members regarding odour emissions.
- 39.10 Members considered the representation from Sue Ives who spoke as an Objector.
- 39.11 Members considered the representation from Nathan Davidson who spoke as the Applicant.
- 39.12 The Applicant responded to questions from members on issues including: the current number of vehicle movements and lorry routes, the costs of running the proposed cooling system compared to existing system in use, the existing and proposed water supply arrangements, and whether had there been any complaints or objections from neighbours regarding noise or odour.
- 39.13 The Chair read out a statement from Ward Member Councillor Anders Linder who was unable to attend the meeting.
- 39.14 The Case Officer responded to a question regarding the differing information in the odour emissions reports commissioned by the Applicant and Stradbroke Parish Council and confirmed to Members that the report from the Applicant had been reviewed and accepted by the Environmental Health team.

- 39.15 Members debated the application on issues including; the weight to be given to the varying reports produced by external consultants, the proposed water supply, and the fact that the previous water supply issues had been resolved, the environmental impacts of the development, highways issues, and that there have been no previous complaints from residents.
- 39.16 The Area Planning Manager provided clarification to Members regarding how an odour management plan would operate, and how any complaints could be dealt with or addressed.
- 39.17 Councillor Lawrence proposed that the application be approved as detailed in the Officer recommendation and with the inclusion conditions relating to the cooling system and an odour management plan.
- 39.18 Councillor Warboys seconded the proposal.
- 39.19 Councillor Matthissen proposed additional conditions regarding biodiversity and energy efficiency.
- 39.20 The Area Planning Manger confirmed the conditions to be applied.
- 39.21 The additional conditions were accepted by Councillor Lawrence and Councillor Warboys.

By a unanimous vote

It was RESOLVED:

(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:

- **Approved Plans (Plans submitted that form this application)**
- **Action required prior to commencement of development:**
 - **Phasing Plan for Development and Water Supply.**
- **Recommended conditions by SCC Highways:**
 - **All HGV delivery traffic movements**
 - **Loading, unloading, manoeuvring, parking & EV Charging points**
 - **Provision, visibility splays, access**
 - **Construction Management Plan**
- **Recommended conditions by Archaeologist:**
 - **Investigation and post investigation assessment**
 - **Implementation of a programme of archaeological work**
- **Recommended conditions by Ecologist**
 - **Action in accordance with the Ecological Impact Assessment**
 - **Wildlife Sensitive Lighting Design Scheme**
 - **Landscape and Ecological Management Plan**
- **Landscaping conditions**
 - **Timescale for Landscaping**

- **Recommended condition by LLFA**
 - **Surface water drainage details in accordance with FRA**
- **Energy efficiency scheme**
- **Agreement of materials**
- **Waste management plan to secure removal of litter from the site to provide chicken litter energy**

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

- **Proactive working statement**
- **Floods informatives**
- **SCC Highways notes**
- **Support for sustainable development principles**
- **Anglian Water advisory notes**
- **Fire advisory note**

And the following conditions as agreed by Committee:

- **Installation of cooling system**
- **Odour management plan to be agreed including reporting and community liaison**
- **Biodiversity enhancement measures to be agreed**
- **Energy efficiency condition to be per CS3 requirements.**

40 SITE INSPECTION

40.1 There were no requests received for site inspections.

The business of the meeting was concluded at 3.44 pm.

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Chair