

BABERGH DISTRICT COUNCIL

Minutes of the meeting of the **PLANNING COMMITTEE** held in the SIR BOBBY ROBSON SUITE, IPSWICH TOWN FOOTBALL CLUB, PORTMAN ROAD, IPSWICH, IP1 2DA on Wednesday, 23 August 2023 at 09:30am.

PRESENT:

Councillor: Stephen Plumb (Chair)
Helen Davies (Vice-Chair)

Councillors: Jane Carruthers
Paul Clover
Michael Holt
Adrian Osborne
John Whyman

Jessie Carter
Kathryn Grandon
Margaret Maybury
Tim Regester

Ward Member(s):

Councillors: Derek Davis

In attendance:

Officers: Area Planning Manager (MR)
Planning Lawyer (IDP)
Case Officer (HG)
Governance Officer (CP)

20 APOLOGIES FOR ABSENCE/SUBSTITUTIONS

20.1 Apologies were received from Councillor Peter Beer.

20.2 Councillor Paul Clover substituted for Councillor Beer.

21 TO RECEIVE ANY DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER REGSITERABLE OR NON REGISTERABLE INTERESTS BY MEMBERS

21.1 There were no declarations of interest declared.

22 DECLARATIONS OF LOBBYING

22.1 There were no declarations of lobbying.

23 DECLARATION OF PERSONAL SITE VISITS

23.1 Councillor Carruthers declared a personal site visit in respect of application number DC/22/05162.

24 BPL/23/05 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 26 JULY 2023

It was RESOLVED:

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

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

25.1 None received.

26 SITE INSPECTIONS

26.1 None received.

27 BPL/23/06 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

27.1 The Chair informed the Committee that application number DC/23/00764 had been withdrawn by the Applicant.

27.2 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/23/06 and the speakers responded to questions put to them as provided for under those arrangements.

Application Number	Representations From
DC/22/05162	Dina Bedwell (Shotley Parish Council) Jeanette Briscoe (Objector) Roger Balmer (Agent) Councillor Derek Davis (Ward Member)

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/23/06 be made as follows:-

28 DC/22/05162 LAND NORTH OF, THE STREET, SHOTLEY, SUFFOLK

28.1 Item 8A
Application DC/22/05162
Proposal Full Planning Application – Erection of 43No. dwellings (including 15No. affordable homes) with associated highways access, estate road, landscaping, and Public Open Space.

Site Location **SHOTLEY** – Land North of, The Street, Shotley, Suffolk
Applicant R, H, J, M Wrinch and K Blake

- 28.2 The Case Officer introduced the application to the Committee outlining the application before Members including: the reasons for refusal, the site location, the proposed site layout and housing mix, the elevations and floor plans, the proposed landscaping plans, the distance to the adjacent Erwarton Hall and local amenities, the proposed site access, and the officer recommendation of refusal as detailed in the report.
- 28.3 The Case Officer and the Area Planning Manager responded to questions from Members on issues including: the location of the site and the trees to be removed, the precise distance to Erwarton Hall, and the definition of Grade 2 farmland.
- 28.4 Members considered the representation from Dina Bedwell who spoke on behalf of Shotley Parish Council.
- 28.5 Members considered the representation from Jeanette Briscoe who spoke as an Objector. A reasonable adjustment was made to allow the representation to be read out on behalf of the Objector by the Parish Clerk, with the agreement of the Chair. The Objector was present at the meeting.
- 28.6 The Objector responded to questions from Members on issues including the location of the nearest play area to the development.
- 28.7 Members considered the representation from Roger Balmer who spoke as the Agent.
- 28.8 The Agent responded to questions from Members on issues including: the potential impact of the loss of Grade 2 farmland, alternative agriculture plans, whether there were there any public rights of way across the site, public access into the wild flower meadow and whether this would be conditioned by the planning permission if granted, whether the existing meadow would remain as a meadow, the housing needs survey, and the S106 agreement.
- 28.9 The Area Planning Manager provided clarification to Members regarding: the requirements and methodologies for housing needs surveys, and how these impacted an application, and when an S106 agreement would be required and why this had been included in the reasons for refusal.
- 28.10 The Agent responded to further questions from Members on issues including: the recommendations from Officer regarding the location of the play equipment and the design of the development and why these recommendations were not followed, the benefits to the community of the proposed design, the cycling and walking routes from the estate into the village, details of the landscaping policy, the location of the pedestrian crossing, who will be responsible for the management of the meadow, whether Air Source Heat Pumps would be installed in each property, and the solar panel provision per property.

- 28.11 Members considered the representation from Councillor Derek Davis who spoke as the Ward Member.
- 28.12 The Ward Member responded to questions from Members on issues including: the potential benefits of this application to future Local Cycling and Walking Infrastructure Plans (LCWIP), the location of the development being outside of the built-up boundary, the layout of the site, employment opportunities in the area, and the need for the development.
- 28.13 A break was taken from 10:24am until 10:31am.
- 28.14 The Area Planning Manager provided clarification to Members of the application before them today and how the allocation of housing for people with a local connection would not affect this application and could not be secured through planning conditions. He also explained that the personal circumstances of the applicant were not relevant to the case.
- 28.15 The Area Planning Manager responded to questions from Members on issues including: the number of affordable housing units with planning permission in Shotley, the relevance and application of the policies detailed in the Officer report, and the legal implications of the reasons for refusal.
- 28.16 Members debated the application on issues including: the lack of comments from Suffolk County Council Highways regarding the accumulative impact of the additional vehicles, the provision of solar panels and air source heat pumps in the dwellings, the access to the meadow, the children's play area, and the range of design within the development.
- 28.17 The Area Planning Manager responded to comments regarding the allocation of housing for people with a local connection.
- 28.18 Members continued to debate the application on issues including: the design and layout of the development, the proposed housing mix, the provision of affordable housing for local residents, the potential impact of other developments in the area, the potential highways impact, the existing public transport provision, the location of the development, the cycle path provision, the proposed location of the access to the site, the potential impact on the character of the village and the accumulative effect of additional housing in the village, the response to the housing needs survey and the methodology of the survey, alternative sites for affordable housing in the ward, the lack of highways objections, the planning reasons for refusal, and the heritage aspects.
- 28.19 The Area Planning Manager provided confirmation to the Committees regarding the reports received from the Heritage Team and Historic England, and advised that if comments were received from two separate bodies with one being an objection, that comment must be considered.
- 28.20 The Area Planning Manager and The Planning Lawyer responded to questions on issues including: the weight to be given to the emerging Joint

Local Plan, and the relevance of stage one of the plan to this application.

28.21 Councillor Grandon proposed that the application be approved as detailed in the Officer recommendation.

28.22 Councillor Osborne seconded the proposal.

28.23 Members continued to debate the application on issues including: the weight given to the various policies detailed in the reasons for refusal.

28.24 The Area Planning Manager and the Case Officer responded to questions from Members regarding the details of the landscaping report referred to in the Officer report.

28.25 The Proposer and Secunder agreed to remove reference to the emerging Joint Local Plan Policy SP03 from the Reason for Refusal 1 (Principle), and to remove the Reason for Refusal 3 (Heritage).

By a vote of 7 votes for and 4 against

It was RESOLVED:

That the application is REFUSED planning permission for the following reasons: -

1. REASON(S) FOR REFUSAL – PRINCIPLE

The site is located outside the Built-Up Area Boundary of Shotley and is therefore classed as countryside. Babergh is currently able to demonstrate a 7.13-year housing land supply. The proposed development has failed to demonstrate an identified need for market housing. The application is therefore contrary with the aims of the National Planning Policy Framework (2021), and Policies CS1, CS2, CS11 and CS15 of the Babergh Core Strategy (2014).

2. REASON(S) FOR REFUSAL – LANDSCAPE IMPACT

The site is located adjacent to the Suffolk Coasts & Heaths Area of Outstanding Natural Beauty (AONB) and within the Additional Project Area. The proposal has failed to respect the character of the AONB through its design and layout, breaking from the linear pattern of development prevalent within the locality. The application is therefore contrary with the aims of the National Planning Policy Framework (2021), as well as Policy CS15 of the Babergh Core Strategy (2014).

3. REASON(S) FOR REFUSAL – LACK OF S106 AGREEMENT

The proposal has failed, through the lack of an agreed S106 agreement, to provide sufficient contributions towards infrastructure provision and is therefore deemed contrary to Paragraph 57 of the NPPF (2021) and Policy CS21 of the Babergh Core Strategy (2014). Such agreement would be

required to address provision for infrastructure that cannot be provided through a planning condition.

4. REASON(S) FOR REFUSAL – LACK OF AFFORDABLE HOUSING PROVISION

The proposal has also failed, through the lack of an agreed S106 agreement, to provide sufficient contributions towards affordable housing and is therefore deemed contrary to Paragraph 57 of the NPPF (2021) and Policy CS19 of the Babergh Core Strategy (2014). Such agreement would be required to address the provision of affordable housing that cannot be provided through a planning condition.

29 DC/23/00764 LAND SOUTH OF, TAMAGE ROAD, ACTON

29.1 Item 8B

Application Proposal	DC/23/00764 Application under Section 73 of the Town and Country Planning Act for DC/22/01674 for variation of Conditions 1 (approved plans and documents) & 4 (Additional pieces of play equipment)
Location	ACTON – Land South of, Tamage Road, Acton
Applicant	Bloor Homes Eastern

29.2 Application withdrawn by the applicant.

The business of the meeting was concluded at 11.09 am.

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Chair