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, 13 December 2023

PRESENT:

Councillor:	Stephen Plumb (Chair) Helen Davies (Vice-Chair)	
Councillors:	Peter K Beer	Jane Carruthers
	Kathryn Grandon	Michael Holt
	Margaret Maybury	Adrian Osborne
	Tim Regester	John Whyman

In attendance:

Officers:	Chief Planning Officer (PI) Area Planning Manager (MR) Planning Lawyer (IDP) Case Officers (SS / EV) Lead Governance Officer – Planning and Development (CP)

Apologies:

Councillors:	Jessie Carter

49 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

49.1 Apologies were received from Councillor Jessie Carter.

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

50.1 Councillor Jane Carruthers declared an Other Registerable Interest (ORI) in respect of application number DC/22/04751 as an appointed representative on the Joint Advisory Committee & Partnership to Dedham Vale (AONB) and Suffolk Coast and Heath who were consultees on the application. The Planning Lawyer advised that due to the nature of the interest Councillor Carruthers could remain in the room and participate in the debate and vote.

51 DECLARATIONS OF LOBBYING

51.1 There were no declarations of lobbying.

52 DECLARATION OF PERSONAL SITE VISITS

52.1 There were no declarations of personal site visits.

53 BPL/23/11 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 29 NOVEMBER 2023

It was RESOLVED:

That the minutes of the meeting held on 29 November 2023 were confirmed and signed as a correct record.

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

54.1 None received.

55 SITE INSPECTIONS

55.1 There were no requests for site inspections.

56 BPL/23/12 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 BPL/23/12 and the speakers responded to questions put to them as provided for under those arrangements.

Application Number	Representations From
DC/23/00740	Nigel Roberts (East Bergholt Parish Council) Joyce Baker (Objector) James Platt (Planning Consultant on behalf of the Agent) Councillor Sallie Davies (Ward Member)
DC/22/04751	Jane Tann (Raydon Parish Council) Lorraine May (Objector) Councillor John Ward (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 BPL/23/12 be made as follows:-

57 DC/23/00740 THE RED LION, THE STREET, EAST BERGHOLT, COLCHESTER, ESSEX, CO7 6TB

57.1 Item 8A

Application	DC/23/00740
Proposal	Full Planning Application - Construction of 4no. dwellings, storage building with 2no. 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, Colchester, Suffolk, CO7 6TB
Applicant	Langham Property Company (Essex) Ltd

57.2 The Case Officer introduced the application to the committee outlining the proposal before Members including: the site location, the constraints of the site, details of the previously refused scheme on the site, the existing and proposed site plans, East Bergholt's built-up area boundary (BUAB), proposed access to the site, coach parking, the existing toilet block, the proposed removal of trees, and the officer recommendation for approval.

57.3 The Case Officer responded to questions from Members on issues including: the ownership of the existing toilet block, formal management of the car park, the number of proposed parking spaces in comparison to existing numbers, proximity to the Red Lion Cottage garage, restriction of access to private property parking, accessibility of the proposed properties, remarking of parking spaces, permeability of the proposed car park surface, location of coach parking, alterations between this proposal and the previously refused scheme, and electric vehicle charging facilities.

57.4 Members considered the representation from Nigel Roberts who spoke on behalf of East Bergholt Parish Council.

57.5 Members considered the representation from Joyce Baker who spoke as an Objector.

57.6 The representative from the Parish Council and the Objector responded to questions from Members on issues including: the frequency of usage of coach parking facilities, ownership of the car park, car parking facilities in the rest of East Bergholt, potential improvement plans for neighbouring facilities, and the size of the proposed parking bays.

57.7 Members considered the representation from James Platt, a planning consultant who spoke on behalf of the Agent.

57.8 The Planning Consultant responded to questions from Members on issues including: electric vehicle charging facilities, public right of way to the cemetery, proposed loss of one coach parking bay, proposed width of the parking bays, proposed reduction in the number of toilets, potential

incorporation of solar panels on the dwellings, and the proposed accessibility of the dwellings for disabled and elderly people.

57.9 Members considered the representation from Councillor Sallie Davies who spoke as the Ward Member.

57.10 The Ward Member responded to questions from Members on issues including: the number of houses being built within 800 metres of the village heart.

57.11 Members debated the application on issues including: the East Bergholt Neighbourhood Plan, the proposed retention of car parking bays, loss of public conveniences, the potential impact on the local economy, accessibility of the proposed dwellings for disabled people, the sustainability of the location, the balance of policies, loss of coach parking bays, and the potential impact on local tourism.

57.12 Councillor Beer proposed that the application be approved as per the Case Officer's recommendation.

57.13 Councillor Holt seconded the motion.

By a vote of 6 For and 4 Against

It was RESOVLED:

That the application is GRANTED planning permission and includes the following conditions and authority delegated to the Chief Planning Officer to add any further conditions that may be necessary:

• Tie the B&B/Storage Building to the public house
• That the dwellings shall be Part M4(3) (Wheelchair User Dwellings) complaint with the Building Regs
• Highways Conditions
• Landscape Conditions
• Ecology Condition
• Heritage Conditions
• Environmental Protection (Noise) Conditions
• Construction Management Plan detailing the Phasing of works
• Archaeology Conditions
• Tree Protection Measures

58 DC/22/04751 BRETT VALE GOLF CLUB, NOAKS ROAD, RAYDON, IPSWICH, SUFFOLK, IP7 5LR

58.1 Item 8B

Application	DC/22/04751
Proposal	Full Planning Application - Change of use of land for the siting of 38 No. additional Holiday Lodges and construction of raised decking for each unit
Site Location	Brett Vale Golf Club, Noaks Road, Raydon, Ipswich, Suffolk, IP7 5LR
Applicant	Brett Vale Golf Course

58.2 A short break was taken between 11:51am and 12:02pm after the consideration of application DC/23/00740 but before the commencement of application DC/22/04751.

58.3 The Case Officer introduced the application to the committee outlining the proposal before Members including: the site location, the existing site layout, the proposed golf course redevelopment, the proposed golf course redevelopment, flood risk of the site, the site drainage strategy, the constraints of the site, the proposed site layout, the proposed extension to public rights of way, and the Officer's recommendation for refusal.

58.4 The Case Officer responded to questions from Members on issues including: the relocation of the existing holes on the course, ownership of the land, the number of properties served by the access road, footpath connectivity through the site, suitability for vehicular access, time restrictions on holiday lets, and the business case as supplied in the applicant's planning statement.

58.5 Councillor Beer and Councillor Maybury left the meeting at 12:57pm.

58.6 Members considered the representation from Jane Tann who spoke on behalf of Raydon Parish Council.

58.7 Members considered the representation from Lorraine May who spoke as an Objector.

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

58.9 Members debated the application on the following issues: the location of the site, and concerns regarding occupation of the dwellings outside of designated holiday use.

58.10 Councillor Holt proposed that the applicated be refused for reasons as set out in the Case Officer's recommendation.

58.11 Councillor Grandon seconded the motion.

By a unanimous vote of 8 For

It was RESOLVED:

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

- **The new development in the countryside is contrary to SP03 c) and LP12 and LP13 listed by table 5 as policies permitting development outside settlement boundaries, subject to the developments accordance with their details which this proposal is not considered to have sufficiently demonstrated.**
- **Potential for conflict arising between the intensified use of the site and the core business activity (18-hole golf club) that could undermine its viability contrary to the NPPF paragraph 187.**
- **Insufficient details to demonstrate parking standards are met for all development contrary to LP29.**
- **The proposal has failed the sequential test required by the NPPF paragraph 167 and does not demonstrate this is the only reasonably available site within the golf club to host the development. Therefore, introduction of a more vulnerable use to a site at flood risk is contrary to SP10 and LP27.**
- **Insufficient strategy for the disposal of surface water.**
- **Lack of RAMS payment.**
- **Lack of measurable biodiversity net gains onsite in line with the adopted Joint Local Plan policy LP16 and the national requirements.**

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

"The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The NPPF encourages a positive and proactive approach to decision taking, delivery of sustainable development, achievement of high-quality development and working proactively to secure developments that improve the economic, social and environmental conditions of the area: In this case the Local Planning Authority attempted to discuss its concerns with the applicant but was not able to secure the necessary improvements to the scheme that would have enabled the proposals to be considered more favourably."

The business of the meeting was concluded at 1.23 pm.

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Chair