

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, 14 February 2024

PRESENT:

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

Councillors: Lucy Elkin Nicholas Hardingham
Terry Lawrence John Matthissen
David Penny Rowland Warboys

Ward Member(s):

Councillors: Nicky Wilshere

In attendance:

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

111 APOLOGIES FOR ABSENCE/SUBSTITUTIONS

111.1 Apologies were received from Councillor Austin Davies. Councillor David Penny substituted for Councillor Davies.

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

112.1 In respect of application number DC/23/01323, Councillor Mansel advised the Committee that she was previously the Event Director for Chilton Fields Park Run and had attended stakeholder meetings. Councillor Mansel confirmed that she is no longer involved in the organisation but does take part as a participant.

113 DECLARATIONS OF LOBBYING

113.1 Councillor Matthissen and Councillor Hardingham declared that they had been lobbied in respect of application number DC/23/01323.

113.2 All Members of the Committee declared that they had been lobbied in respect of application number DC/23/05045.

114 DECLARATIONS OF PERSONAL SITE VISITS

114.1 There were no declarations of personal site visits.

115 MPL/23/24 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 17 JANUARY 2024

By a vote of 7 votes for and 1 abstention

It was RESOLVED:

That the minutes of the meeting held on 17 January 2024 be confirmed and signed as a true record.

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

116.1 None received.

117 MPL/23/25 SCHEDULE OF PLANNING APPLICATIONS

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

Application Number	Representations From
DC/23/01323	Fiona Duhamel (Applicant) Tony Bush (Supporter) John Phoenix (Supporter) Councillor Terence Carter (Ward Member)
DC/23/05045	Simon Garrod (Felsham Parish Council) Nicholas Panayi (Objector) Councillor Nicky Wilshere (Ward Member)
DC/24/00016	None

118 DC/23/01323 CHILTON SPORTS CLUB, CHILTON WAY, STOWMARKET, IP14 1SZ

118.1 Item 7A

Application DC/23/01323
Proposal HYBRID APPLICATION – for the project known as Stowmarket Health, Education and Leisure Facilities (SHELF)

comprising the two components described below:

FULL APPLICATION for: Works of demolition and construction to provide a new shared sports pavilion to replace the existing building, a new sports hall, enhance existing/deliver new outdoor recreational facilities, and relocated play area along with the provision of associated parking, amended vehicular access, lighting, means of enclosure, landscaping, highway improvements and other associated works.

OUTLINE APPLICATION for: Construction of a mixed-use community Wellbeing Hub.

Site Location Chilton Sports Club, Chilton Way, Stowmarket, IP14 1SZ

- 118.2 The Case Officer introduced the application to the committee, which was for a hybrid application being made by Mid Suffolk District Council, including the contents of the tabled papers and the amended officer recommendation.
- 118.3 The Case Officer went on to outline the details of the full application component of the proposal including: the overall proposed SHELF scheme and uses of the development, the location of the site, the existing and proposed layout of the site, the proposed project work packages, the proposed tree removal and replanting and landscaping scheme, the visibility of the proposed pavilion from surrounding areas and the impact on the landscape, the proposed parking plans, the various proposed access points to the site and potential traffic impact including estimated vehicle movements at the site, the proposed pedestrian crossing points, the level of potential harm to surrounding residential amenity, the hours of use of the site, the demolition and replacement of the existing clubhouse, the design and layout of the proposed new pavilion including the roof detail and installation of solar PV panels, and the dimensions and height of the proposed buildings in comparison to existing buildings.
- 118.4 The Case Officer then provided details to the Committee of the outline application component of the proposed including: the proposed wellbeing hub, the potential uses of the hub and services to the community, the potential biodiversity net gain, and the connectivity plans including location of cycle and footpaths and public transport links.
- 118.5 The Case officer concluded the presentation with details of the overall planning balance, and the officer recommendation of approval subject to the amendment contained within the tabled papers.
- 118.6 The Case Officer responded to questions from Members on issues including: confirmation of the site opening times, the boundary of the adjacent housing site, the proposed surface of the overflow parking area, any proposals for installation of signage for the car parking area, proposed plans to prevent vehicles parking on surrounding verges, access for coaches and larger vehicles, the location of the drop off areas, on site storage arrangements for ground maintenance equipment, the possibility to extend the existing electric vehicle charging area in the car park, the proposed energy efficiency of the

buildings and how this could affect the pitch of the roof, the provision of baby changing facilities, the specification of the lifts to enable access for a wheelchair user and companion, and the accessibility of the changing rooms.

- 118.7 The Case Officer responded to further questions from Members on issues including the access to the car parking area on the adjacent on school site, the location of the sports hall within the site, the proposed number of Electric Vehicle charging points, the proposed plans for the nursery and whether these would be impacted by the wellbeing hub, the landscaping of the play area, the provision of accessible play equipment, the timescales for tree planting and avoidance of soil disturbance, the potential for integration of the adjacent Sixth Form College building and the wellbeing hub, battery storage plans for the solar pv panels, access to the site and whether any comment had been received from Suffolk County Council Highways regarding the details in the late papers, the current location of the nursery, and the connectivity to the adjacent new primary school.
- 118.8 A break was taken from 11:28am until 11:36am.
- 118.9 Members considered the representation from Fiona Duhamel, Director for Economic Development and Regeneration, who spoke on behalf of the Applicant.
- 118.10 The Applicant, and Nathan Swift of Saunders Boston Architects, responded to questions from Members on issues including: any consideration given to provision of solar thermal energy, the surface of the overflow car park, accessibility considerations and installation of street furniture across the site, provision and adequacy of accessible changing and showering facilities, drainage plans for the overflow car park and outdoor gym area, any consideration given to the provision of a specific area for dog walking, and the cycle path provision.
- 118.11 Members considered the representations from Tony Bush and John Phoenix who spoke as supporters.
- 118.12 The Supporter responded to questions from Members regarding the operating hours of the site, and vehicles parking on the surrounding verges. The Case Officer provided confirmation to Members of the operating hours detailed on the original application form.
- 118.13 Members considered the representation from Councillor Terence Carter who spoke as a Ward Member.
- 118.14 The Case Officer provided clarification to Members regarding the surface of the pitch, parking provision for coaches, and the play area including provision of adaptive equipment, and confirmed the proposed conditions.
- 118.15 Members debated the application on issues including: the suitability of the car park surface area, the condition relating to the surface of the pitch, the plans for removal and replanting of trees, and the importance of the discharge of conditions.

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

118.17 Councillor Matthissen seconded the proposal.

118.18 The Case Officer provided to clarification to Members regarding the conditions relating to the operating hours of the site.

118.19 Members continued to debate the application on issues including: an additional condition relating to event management at the site, the responsibility of maintenance of the equipment on site, and the benefits of the proposal to the local community.

118.20 The Area Planning Manager confirmed the additional conditions.

118.21 The Proposer and Secunder accepted the additional conditions.

By a unanimous vote

It was RESOLVED:

That authority be delegated to the Chief Planning Officer to review coach parking space for the pavilion, and site hours of operation.

And

Subject to first securing, to the satisfaction of the Chief Planning Officer:

- (i) Amended drawings showing an alternative and safe access arrangement to that presently proposed for the planned new car park off Gainsborough Road that does not require the demolition of the existing sixth form building or the DfE has confirmed in writing its approval of the demolition of the said building; and,**
- (ii) A signed S106 Agreement from the applicant committing to pay Suffolk County Council a contribution of £17,500 (index linked) to provide a Traffic Regulation Order and physical works for parking restrictions on roads adjacent to the development, should the need arise due to evidence that on-street parking issues occur as a result of the development within an agreed period (typically 5 years from full operation of the development); and,**
- (iii) Confirmation by the applicant that a Service Level Agreement (SLA) has been signed to provide suitable off-site ad-hoc parking to supplement on-site parking provision and that such spaces will be available as part of the package 1 works.**

The Chief Planning Officer be authorised to GRANT FULL planning permission for Works of demolition and construction to provide a new shared sports pavilion to replace the existing building, a new sports hall, enhance existing /deliver new outdoor recreational facilities, and relocated play area along with

the provision of associated parking, amended vehicular access, lighting, means of enclosure, landscaping, highway improvements and other associated works with appropriate conditions: and,

The Chief Planning Officer be authorised to GRANT OUTLINE planning permission for the construction of a mixed-use community wellbeing hub with appropriate condition

Conditions as follows:

Full application

1. 2 years to commence
2. Approved drawings except where further detail required by other conditions
3. Notwithstanding the submitted detail in respect of the proposed car park accessed from Gainsborough Road further detail for an enlarged car park comprising at least 60 additional spaces shall be submitted to the lpa for its consideration. Where the lpa confirms in writing the submitted details to be acceptable those works shall then be implemented as required by condition 4.
4. All parking including those additional parking areas required by condition 3 are constructed as approved, completed and available for use before any other Package 2 works or buildings come into beneficial use. + levels ev charging to meet the SGfP2023 requirement as a minimum
5. Delivery of connectivity features
6. Adjusted levels of disabled parking provision
7. Materials
8. Notwithstanding the detail submitted showing 68 individual trees as replacing the 68 lost to accommodate the approved development details showing 104 replacement trees an extra heavy standard specification shall be submitted to the lpa for its consideration. Where the lpa confirms in writing the submitted details to be acceptable the approved trees shall then be implemented as required by condition 7.
9. No tree shown as being removed to accommodate any part of the development hereby approved shall be felled or lopped unless and until the applicant/developer has entered into a binding contract to build the element of the SHELF project that directly impacts that tree/s. As the implementation of SHELF is envisaged to occur in three work packages (phases) it is therefore exp that not all the trees identified as requiring removal will be removed at the same time. Consequently all such trees shall be protected as if they are subject to condition 8 until the need to remove them is triggered. To avoid any confusion the applicant shall agree in writing with the lpa which trees to be removed relate to which element of the SHELF package. This is particularly important for the Pavilion, Sports Hall and Wellbeing Hub.
10. Tree protection
11. Implementation in accordance with ecological appraisal recommendations
12. BNG Plan Implementation of full mitigation strategy with review

mechanism and facility to enhance to meet predicted level of BNG at the time of submission.

13. Biodiversity Enhancement Layout
14. Wildlife sensitive lighting design scheme
15. Tree, Landscaping and Ecological Management Plan to include advanced planting programme along with implementation timescales and ongoing management regime.
16. Details of how felled trees are to be recycled.
17. Notwithstanding such detail as shall have been submitted Full landscaping plans
18. Materials
19. Energy Statement
20. Further EV charging details
21. Control on opening hours of Pavilion and use of terraces
22. Events Plan
23. Control on hours of use of pitches and outdoor sports facilities
24. Control on Floodlighting times
25. Details of all external plant, including any roof plant enclosures and/or lift housing
26. Air source heat pump details and noise attenuation details
27. Details of lockable car park/s barrier/s and locking regime and times
28. Details of notices asking users to leave the premises and car parks quietly in the interest of neighbourliness
29. As advised by LHA
30. As advised by LLFA
31. Grampian condition in respect of crossings (signal-controlled Chilton Way and uncontrolled Gainsborough Road)
32. As reasonably (in the opinion of the CPO) required by Env Health and where not covered by other conditions
33. Floodlighting details and external lighting details
34. Details of noise attenuation panels for sports areas where these are to be used in place of kick boards. Kick boards are not permitted.
35. As advised by Sports England
36. Refuse collection arrangements
37. Details of litter and dog bins (Chilton Fields)
38. Details of new play equipment and re-use of existing equipment (Chilton fields)
39. Demolition Strategy
40. Parish Town Council Liaison Scheme
41. Submission and updating of build programme and phasing plan
42. Construction Management Plan (to include details of piling if required)
43. As may be reasonably required and agreed by the Planning Committee or by the Chief Planning Officer

Outline

44. All Reserved Matters submission/s within 5 years of the date of the outline pp
45. RM to include full drainage details, on-site parking & EV charging details demonstrating compliance with relevant parking standards, materials, energy and water conservation measures
46. Illustrative Drawing do not form part of the application or permission

- 47. Implementation within 3 years from the date of approval of the last RM**
- 48. Controls on Uses to preclude unrestricted Class E use and hours + use of terrace**
- 49. Grampian condition in respect of crossing and footway improvements**
- 50. As relevant from FULL**
- 51. As may be reasonably required and agreed by the Planning Committee or by the Chief Planning Officer**

And the following conditions as agreed by Committee

- **Signage for overflow parking to be agreed**
- **Planting scheme for play area to be agreed**
- **Advance tree planting and protection**
- **Construction management plan to include compaction protection in planting areas**
- **Review whether rubber crumb is most appropriate surface prior to installation**
- **All weather solution for overflow car parking to be agreed**
- **Event plan condition to allow additional exceptional hours**

119 DC/23/05045 SIX BELLS INN, CHURCH ROAD, FELSHAM, BURY ST EDMUNDS, SUFFOLK, IP30 0PJ

119.1 Item 7B

Application	DC/23/05045
Proposal	Full Planning Application - Erection of 2No detached dwellings and associated parking including landscaping, utilising public house access
Site Location	Six Bells Inn, Church Road, Felsham, Bury St Edmunds, Suffolk, IP30 0PJ
Applicant	Cordage 44 Ltd

119.2 A break was taken from 12:39pm until 13:30pm, after application number DC/23/01323 and before the commencement of application number DC/23/05045.

119.3 The Case Officer presented the application to the Committee outlining the proposal before Members including: the content of the tabled papers, the location of the site, the site constraints including potential impact on heritage assets, the proposed block plan including parking, the proposed Electric Vehicle charging bays, access to the site, the proposed plans and elevations, the existing access to the public house and the layout of the existing outbuildings, the history of planning applications at the site including appeal decisions, the previously proposed layouts and elevations, and the officer

recommendation of refusal as detailed in the tabled papers.

- 119.4 The Case Officer responded to questions from Members on issues including: the previous decisions made by the Planning Inspectorate in relation to the potential harm to the boundary wall, and the harm to the setting and conservation area.
- 119.5 The Area Planning Manager provided clarification to Members regarding the previous reasons for refusals considered by the Planning Inspectorate at previous appeals, and confirmed that the amendments contained in the current proposal and policy changes could be considered however the Inspectors decision stands.
- 119.6 In response to a question from Members, the Planning Lawyer provided confirmation of the legal situation regarding the current appeal submitted for non-determination, and how the outcome of the decision today would be affected by that appeal decision.
- 119.7 The Case Officer responded to further questions from Members on issues including; the number of car parking spaces per dwelling, the number of trees to be removed and plans for replanting, any proposed plans for resurfacing of the access area, the surface of the driveways, the housing density of the site, and highway visibility.
- 119.8 Members considered the representation from Simon Garrod Felsham Parish Council.
- 119.9 The Parish Council representative responded to questions from Members on issues including: the community use of the adjacent green space, the ownership of the adjacent Public House, and the community use of the adjacent meadow.
- 119.10 The Case officer confirmed to the Committee that the car park forms part of the site however the Public House is not included within the red line.
- 119.11 Members considered the representation from Nicholas Panayi who spoke as an Objector.
- 119.12 The Objector responded to questions from Members regarding whether the Public House has an outdoor area.
- 119.13 The Area Planning Manager responded to Members questions regarding the comments received from Suffolk County Council Highways and the various comments and objections received in respect of each application.
- 119.14 Members considered the representation from Councillor Nicky Wilshere who spoke as the Ward Member.
- 119.15 The Ward Member and the Objector responded to questions from Members on issues including: the history of the Public House ownership, the area defined as an Asset of Community Value, and the estimated vehicle

movements at the site.

119.16 Members debated the application on issues including: the previous applications and appeal decisions, the potential harm to the conservation area and heritage assets, and the proposed reasons for refusal.

119.17 The Area Planning Manager confirmed the response received from the Heritage Team and advised that as there had been no objection to this application, conservation area harm had not been included as a reason for refusal.

119.18 Members continued to debate the potential harm to the conservation area including the listed buildings and green spaces, the loss of landscaping and trees, and highways issues.

119.19 Councillor Rowland proposed that the application be refused as detailed in the Officer recommendation contained in the tabled papers.

119.20 Members debated the application further on issues including: the comments received from the Heritage Team and how this varied from the comments received on the previous applications, the planning inspectorate's decision regarding heritage harm, and the potential loss of community amenities.

119.21 The Area Planning Manager and the Planning Lawyer provided clarification to Members regarding the reasons for refusal, and which additional reasons could be added and defended in the event of an appeal.

119.22 Councillor Matthissen proposed that the application be refused as detailed in the officer recommendation, and additionally authority be delegated to the Chief Planning Officer to seek further advice regarding heritage, highways and loss of facilities.

119.23 Councillor Warboys seconded the proposal.

By a unanimous vote

It was RESOLVED:

That authority be delegated to the Chief Planning Officer to either: REFUSE planning permission; or, in the event that the appeal has begun, agree putative reasons for refusal, for the following reasons, or for reasons as required by the Chief Planning Officer: -

The current proposal would involve the erection of 2 no. substantial, detached dwellings, with relatively large built footprints, set in relatively small plots, positioned close together, at the head of a new proposed access road, on existing undeveloped land and space, noted for its spacious quality, within the Felsham Conservation Area.

Although set back from the street scene, there would be glimpsed views of the

proposed dwellings through the access drive and through gaps in the vegetation from Church Road and through gaps between buildings on Bury Road. The proposed dwellings would also be widely visible from the properties which surround the application site, including the retained outdoor space associated with the Six Bells Public House.

The proposal would noticeably introduce a significant bulk of compact modern development into this current undeveloped area of important visual space, being significantly harmful to its existing character and quality and positive contribution to the existing built environment of the village. The proposal would also result in an overall basic, bulky and cramped appearance which would conflict with the spaciouly arranged variation of traditional buildings within the locality.

The site currently forms part of a pleasant green undeveloped space in a prominent location within the village settlement and Conservation Area and, through the proposed development, the spacious quality of the site would be significantly eroded and a conflicting and incongruous form of development would be introduced. It is, therefore, considered that the proposed development would result in demonstrable harm to, and would fail to preserve or enhance the character and quality, and visual amenity, of the village's built environment.

It is, therefore, concluded that the current proposal conflicts with paragraphs 128, 131, 135, 137 and 139 of the NPPF and fails to accord with the provisions of current adopted development plan policy LP24, which taken together seek to ensure well-designed and beautiful, attractive and healthy places and the desirability of maintaining an area's prevailing character and setting.

And in addition, that authority be delegated to the Chief Planning Officer, in consultation with the Chair of the Committee, to seek further heritage advice and with regards to loss of facility contrary to policy LP28, and to re-assess the highways advice, and if expedient then add putative reason(s) for refusal.

120 DC/24/00016 CHURCH FARM CLOSE, PALGRAVE, DISS, SUFFOLK, IP22 1AX

120.1 Item 7C

Application DC/24/00016

Proposal Notification of works to Trees in a Conservation Area – Reduce crowns of Field Maple (T1), Hawthorn (T2), Hawthorn (T3) and Field Maple (T4) by approximately one third.

Site Location 7 Church Farm Close, Palgrave, Diss, Suffolk, IP22 1AX

Applicant H Bunbury

120.2 The Chair advised Members of the Committee that application number DC/24/00016 was for a notification of works to trees in a conservation area with the application being made by a close family member of an Officer of

the Council. The application had been referred to the Committee as an urgent item of business having regard to the default ability to proceed if the local planning authority did not respond within 6 weeks of notice.

120.3 The Case Officer introduced the item to the Committee outlining the details of the proposal including: the location of the site, the details of the works to be undertaken, and the officer recommendation that the works may go ahead.

120.4 Councillor Hadingham proposed the officer recommendation.

120.5 Councillor Matthissen seconded the proposal.

By a unanimous vote

It was RESOLVED:

That the applicant be informed that the work may go ahead.

121 SITE INSPECTION

111.1 There were no requests for site inspections.

The business of the meeting was concluded at 3.05 pm.

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Chair