

**MID SUFFOLK DISTRICT COUNCIL**

Minutes of the **DEVELOPMENT CONTROL COMMITTEE 'A'** held at the Council Offices, Needham Market on Wednesday 9 September at 9:30am.

**PRESENT:** Councillors: Lesley Mayes (Vice Chairman in the Chair)  
Gerard Brewster  
David Burn  
John Field  
Nick Gowrley \*  
Lavinia Hadingham  
Diana Kearsley  
John Levantis  
Sarah Mansel  
David Whybrow

Denotes substitute \*

**Ward Members:** Councillor: David Card  
John Levantis  
Sarah Mansel

**In attendance:** Corporate Manager – Development Management  
Senior Development Management Planning Officer (JPG)  
Development Management Planning Officer (LE/SB)  
Governance Support Officer (VL/KD)

**NA17 APOLOGIES/SUBSTITUTIONS**

Councillor Nick Gowrley was substituting for Councillor Matthew Hicks.

**NA18 DECLARATIONS OF INTEREST**

Councillor David Whybrow declared a non-pecuniary interest in item 4005/14 as an acquaintance of a Director of the agent acting for the applicant.

Councillor John Field advised that as Chair of Baylham Parish Meeting he had prepared the Parish statement and would be speaking on behalf of the Parish. He would therefore not participate in the discussion or vote on the application.

**NA19 DECLARATIONS OF LOBBYING**

It was noted that Members had been lobbied on application 1311/15.

**NA20 DECLARATIONS OF PERSONAL SITE VISITS**

There were no declarations of personal site visits.

**NA21 MINUTES OF THE MEETING HELD 12 AUGUST 2015**

**Report NA/17/15**

The minutes of the meeting held 12 August 2015 were confirmed as a correct record.

## NA22 PETITIONS

None received.

## NA23 QUESTIONS FROM MEMBERS

None received.

## NA24 SCHEDULE OF PLANNING APPLICATIONS

### Report NA/18/15

In accordance with the Council's procedure for public speaking on planning applications representations were made as detailed below:

<u>Planning Application Number</u>	<u>Representations from</u>
4005/14	Stuart Gemmill (Parish Council) Richard Pierce-Saunderson (Objector) Brian Belton (Agent)
1311/15	John Field (Parish Meeting) Andrew Cann (Objector) Stuart Howison (Agent)
2396/15	Peter Dow (Parish Council) Doug Reed (Objector) Christopher Loon (Agent)

### Item 1

Application Number:	<b>4005/14</b>
Proposal:	Erection of 44 dwellings together with associated garages, hardstanding, drainage and infrastructure including new accesses
Site Location:	<b>STRADBROKE</b> – Grove Farm, Queen Street
Applicant:	Susan Webster, Jean Keeling and Peter Hillen

Stuart Gemmill, speaking for the Parish Council, advised that the application although not passed unanimously, was supported by the majority. The affordable housing was much needed and it seemed the only way for this to be provided in villages was within a mixed development to finance it.

Richard Pierce-Saunderson, an objector, said the application did not adhere to the Council's strategic priorities. Whilst canvassing for the parish election in May, it came to his attention that 75% of the village were opposed to a development of this size. He said the current infrastructure of the village was struggling to cope with the current demand. He also said that the Housing Needs Survey that was conducted for Stradbroke identified that 12 units were required for the village and not 17 as proposed. He advised that currently Stradbroke had 51 homes for sale that were struggling to sell, and a further 20 currently under construction. The development would have an adverse impact on the landscape and frontage of the village. The traffic in the village was appalling and this development would add to

this. The village would be supportive of a development that contained not more than 20 houses. To pass this application would mean that the Council was going against its own strategic policy.

Brian Belton, the agent, noted that Stradbroke was a key village to accommodate growth, and currently there were no further strategic site developments in Mid Suffolk, with the exception of Stowmarket. Stradbroke Parish Council was very active. There had been concern over the loss of the library, the village shop and Post Office, all of which were now back in the village, thanks to the efforts of the villagers and Parish Council. Grove Farm was villagers first choice for development, with consultations and detailed reports carried out to ensure a robust scheme was presented. The scheme was deliverable and had the support of the planning officer.

Councillor Julie Flatman, Ward Member, commenting by email said that after a thorough and extensive consultation period, she now believed that the current application should be approved with all the recommendations the officers had put in place.

The Committee considered the application at length and requested clarification on various matters from Officers. The Housing Development Officer confirmed that the mix of affordable housing was acceptable and reflected local needs as identified on the Housing Register and in the Housing Needs Survey carried out in 2015. The location of the affordable housing was also considered acceptable in a development of this size.

Whilst the Committee understood residents' concerns regarding the development and existing local infrastructure, it was felt that the application was acceptable.

By a unanimous vote.

**Decision** – That authority be delegated to the Corporate Manager – Development Management to grant planning permission subject to the prior completion of a Section 106 on terms to his satisfaction to secure the following matters and that such permission be subject to the conditions as set out below:

- 1) £4,000.00 for improvements to bus stops in the local area
- 2) £9,504.00 contribution to library services in Stradbroke only
- 3) £2,244.00 waste contribution to SCC
- 4) Provision of on-site informal open space and public access (Community Meadow)
- 5) OSSI contribution of £289,509.90 to the extension of community centre and current playing fields in Stradbroke
- 6) 38.6% affordable housing (mix of local needs and social association)
- 7) Phasing of development to be agreed
- 8) Provision of road improvements to Queen Street, including pedestrian crossing (type to be agreed)

and the following conditions:

- Standard time limit
- Approved plans
- Secure protected species licence (for barns)

- Condition for lighting design with consideration of biodiversity
- Construction management scheme + biodiversity management during construction
- Working hours during development 07:30 – 18:00 hours Monday to Friday and 08:00 – 13:00 hours Saturday, with no work to take place Sundays or Bank Holidays
- Ongoing management of biodiversity issues for the site for a five year period from first occupation
- Open space management to be agreed
- Materials to be agreed
- Surfacing materials to be agreed and to take into account tree and hedgerow root systems
- Notwithstanding details submitted, landscaping details to be agreed
- Tree protection measures and provision of Arboricultural Impact Assessment/Arboricultural Method Statement to be agreed
- Arboricultural monitoring to take place during construction
- Highways: Details of new pedestrian crossing to be agreed and secure this provision
- Highways: Secure access details and provision prior to occupation
- Highways: Secure parking provision shown and retention
- Highways: Secure visibility splays and retention
- Highways: Details of bin storage
- Highways: Details of piping of ditches benefit new accesses
- Highways: Surface water drainage from highways to be agreed
- Highways: Secure Binder course level of construction for roads prior to occupation
- Condition recommended by EA as detailed in full earlier in this report
- Foul and surface water drainage to be agreed

## Item 2

Application Number: **1311/15**  
 Proposal: Use of land for the siting of 1 static caravan and 1 touring caravan for occupation by Gypsies/Travellers. Alterations to vehicular access. Construction of hard standing. Erection of perimeter fencing  
 Site Location: **BAYLHAM** – Land at Church Lane  
 Applicant: Mr A Doherty

Councillor John Field, speaking for the Parish Meeting, advised that Baylham was a small countryside village that had poor access and was not sustainable due to the lack of facilities in the village. The Parish Meeting believed that this proposal did not meet Government requirements and was contrary to MSDC's own policy. The development would introduce a discordant and out of character element with an adverse impact on the Gipping Valley landscape. It was also noted that the development was within 120m of the Grade II listed building and Church. The development was dissimilar to other dwellings in the village and not in keeping with the character of the village. The Committee was asked to refuse the application.

Andrew Cann, an objector, said that he agreed with the justification for refusal in the report and with Councillor Field's comments. He disagreed with the want/need argument, as the applicant was currently housed and did not need

accommodation, aspiration or want was not the same as need. As planning policy had recently changed, the Council must take into account how this change affected the applicant. The applicant advised that they worked away from home and attended horse fairs further afield, but this was a lifestyle choice like many others made, and new guidelines meant that the applicant would no longer be classed as a gypsy or traveller. This needed to be kept in mind, and if the application was refused included in the reasons for refusal.

Stuart Howison, the agent, advised that he became involved with the development after the previous application was refused. He said the anonymous report of Great Crested Newts being on the site had been addressed by way of an ecological survey which had shown there were no protected species on this site. He also spoke of an incident where the site was broken into, and 'Pikeys out' was painted on a wall. The applicant thanked the District and Parish Councils as well as the residents of the village who helped to remove the graffiti after this incident. The Housing Officer had indicated that the application accorded with Policy CS10 in that settlements of this nature worked best when integrated into local communities. He therefore asked that this application was supported and approved.

Councillor David Card, Ward Member, said the Officer's report was a well-balanced paper, which set out the case well, with a considered recommendation which he endorsed. Other sites which had been granted approval were clearly in appropriate places and this site was not. The reasons for refusal were well set out and he commended the recommendation.

Members had sympathy with the applicant but generally considered that the site was not an appropriate location for the proposed development. The village had no capacity for additional development and the Visually Important Open Space was important to the landscape. It was considered regard should also be given to the Inspector's decision on the previous application and a motion for refusal was proposed and seconded.

By 6 votes to 3

**Decision** – That Full Planning Permission be refused for the following reasons:

Having regard to the nature, scale and appearance of the proposal and mindful of the Inspector's decision on a previous appeal the development is considered to result in cluttered overdevelopment of the site that would detract from the open, rural character of the area and would have an unacceptable impact on the appearance of the VIOS and SLA.

Furthermore, the location of the proposal, on the periphery of a countryside village would result in an unsustainable form of development with the occupants of the site being highly dependent on cars to access services and facilities for day to day living.

Weighing all the material planning issues, overall, the proposal is considered to be contrary to the objectives of the NPPF, policies SB3 and CL2 of the Mid Suffolk Local Plan 1998, policy CS5 of the Mid Suffolk Core Strategy 2008 and policy FC1.1 of the Mid Suffolk Core Strategy Focussed Review 2012 and is not acceptable.

Item 3

Application Number: **2396/15**  
Proposal: Erection of two storey dwelling with parking and access to Rose Lane, following demolition of Wesley Hall  
Site Location: **ELMSWELL** – Wesley Hall, Rose Lane (Rear of Elmswell Methodist Church)  
Applicant: The Trustees of Elmswell Methodist Church

Peter Dow, speaking for the Parish Council began by stating that there was very strong feeling in the parish that the Wesley Hall remained as a community facility. A Parish Poll was requested due to this strong feeling and the result gave a clear message that the villagers wished to retain the Hall. The facility was located nearer many of the older members of the community, making it easily accessible for those who could not easily travel to other locations. Other facilities in the village were unable to accommodate the calendar of meetings at the Wesley Hall, therefore relocation was not an option.

Doug Reed, an objector representing the User Group Committee advised that there were several hundred regular users and organisations that used the facility on a one off basis. This demonstrated the successful use of the Hall, and showed how valued it was. In the Parish Poll only 75 people voted to remove the Hall as a community asset, out of approximately 210 voters. There was widespread positive support in the community for the Wesley Hall, and as a growing village there would be greater need in the future for such facilities. The listing of the Hall as an ACV showed how much it was valued.

Christopher Loon, the agent, shared the applicant's viewpoint. The development would re-use a brown field site and provided a more neighbour friendly land use. There was also the matter of the economic viability of maintaining the hall, from which there was a meagre return on capital. The applicant would like to release capital for use in their Christian missions elsewhere. The other facility available in the village, the Blackbourne Centre, was mostly booked in the evenings, and therefore could accommodate the day time activities that currently took place at Wesley Hall. The Blackbourne Centre could also be split to accommodate 4-5 groups at a time. Currently Wesley Hall was allowed to be used as a goodwill gesture but this was no longer sustainable for the Church.

Councillor Sarah Mansel, Ward Member, said Elmswell was a large village with a superb facility in the Blackbourne Centre and was also a hub for the surrounding parishes. It was a very active village with much to do for all ages and both the Blackbourne Centre and the Wesley Hall were very well used with many regular bookings. The village population was also likely to increase considerably and more facilities would be required. The village was split by the railway line and those residents south of the line appreciated a facility within walking distance. She believed the ACV designation was on the whole site which she felt could be a superb site and facility for the village.

Councillor John Levantis, Ward Member, said he reinforced these comments and that the Wesley Hall was a fully used facility. It was well managed by volunteers and consistently managed a profit. It was in a good location in the village centre and although the Blackbourne Centre was an excellent facility it was located on the edge of the village. The two facilities complemented each other and the growing village population meant that both facilities would be well used.

Members considered that the NPPF, paragraph 8 and the ACV to be materially important considerations and that the building should remain in community use until a satisfactory alternative could be demonstrated. It was noted that the community had wished to safeguard the position regarding an opportunity to purchase the building but there had been no formal discussion between the Church and the community. Members requested that Officers include an informative note to the decision notice inviting the applicant to engage in dialogue with the local planning authority and community regarding options for the site.

By 7 votes to 0 with 1 abstention

**Decision** – That Full Planning Permission be refused for the following reasons:

The Wesley Hall has been designated as an Asset of Community Value for which significant community support has been demonstrated. The loss of the community hall would be harmful to the provision of community facilities affecting the vitality of the locality to the detriment of sustainable development with particular regard to the social role performed by the planning system.

On that basis the proposal is contrary to paragraphs 7, 28 and 70 of the NPPF that seek to guard against the unnecessary loss of valued facilities and promotes the retention of such uses, and policies FC1 and FC1.1 of the Core Strategy Focussed Review which translates the guidance contained in the NPPF to local circumstances in seeking to deliver sustainable development.

**Add informative:** The applicant is invited to engage in constructive dialogue with the local planning authority and the community regarding the future of the whole site and to explore mutually acceptable options for the whole Church land