

**SA/06/17**

**MID SUFFOLK DISTRICT COUNCIL**

Minutes of a meeting of the **DEVELOPMENT CONTROL COMMITTEE B** held at the Council Chamber, Council Offices, Needham Market on Wednesday 22 February 2017 at 9:30 a.m.

**PRESENT:** Councillor Kathie Guthrie – Chairman  
Councillor Roy Barker – Vice-Chairman

**Conservative and Independent Group**

Councillor: Gerard Brewster\*  
Jessica Fleming  
John Levantis  
Dave Muller  
Jane Storey  
Jill Wilshaw\*

**Green Group**

Councillor: Keith Welham

**Liberal Democrat Group**

Councillor: Mike Norris

**Denotes substitute \***

**Ward Members**

Suzie Morley  
Derek Osborne  
Sarah Mansel  
Andrew Stringer

**In attendance:**

Professional Lead – Growth and Sustainable Planning (PI)  
Legal Adviser (JH)  
Senior Development Management Planning Officer (JPG)  
Senior Development Management Planning Officer (SMc)  
Senior Development Management Planning Officer (SES)  
Development Management Planning Officer (RB)  
Development Management Planning Officer (LW)  
Senior Governance Support Officer (LS)  
Christopher Fish – Suffolk County Council Highways

**SA 136 APOLOGIES FOR ABSENCE/SUBSTITUTIONS**

Councillors Gerard Brewster and Jill Wilshaw were substituting for Councillors Barry Humphreys MBE and Julie Flatman respectively.

**SA 137 DECLARATIONS OF PECUNIARY/NON-PECUNIARY INTEREST**

Councillor John Levantis declared a pecuniary interest in application 2112/16 by reason of being a resident of Woolpit and was not present when the application was considered, having taken the advice of the Monitoring Officer.

Councillors Jane Storey and Jill Wilshaw declared a non-pecuniary interest in application 2112/16 by reason of being acquainted with the landowner.

Councillor Jane Storey declared a non-pecuniary interest in application 3469/16 in her capacity as Suffolk County Councillor for Woolpit.

Councillors Roy Barker and Kathie Guthrie declared a non-pecuniary interest in application 2112/16 by reason of being familiar with the site.

Councillor Roy Barker declared a non-pecuniary interest in application 3469/16 by reason of being acquainted with the applicant.

All Councillors were aware that the site for application 4242/16 is part-owned by Mid Suffolk District Council.

**SA 138 DECLARATIONS OF LOBBYING**

All Councillors present at the meeting, with the exception of the two substitute Members, declared that they had been lobbied in relation to application 2112/16.

**SA 139 DECLARATIONS OF PERSONAL SITE VISITS**

Councillors Keith Welham and Roy Barker had viewed the site of application 2112/16 from the public highway.

Councillor Jessica Fleming had viewed the site of application 3146/16.

**SA 140 SA/03/17 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 25 JANUARY 2017**

The Minutes of the meeting held on 25 January 2017 were confirmed and signed as a correct record.

**SA 141 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME**

None received.

SA 142 **QUESTIONS BY THE PUBLIC**

None received.

SA 143 **QUESTIONS BY COUNCILLORS**

None received.

SA 144 **SA/04/17 SCHEDULE OF PLANNING APPLICATIONS**

<b>Application Number</b>	<b>Representations from</b>
3469/16	Peter Dow (Parish Council)
2112/16	Ray Melvin (Parish Council) Richard Mawhood (Objector) Tim Baker (Supporter)
4242/16	Catherine Bowyer (Objector) Phil Cobbold (Agent for the Application)
3913/16	Phil Cobbold (Agent for the Application)
3845/16	Neil Hambling (Objector) Dr Mallinson (Supporter) Phil Cobbold (Agent for the Applicant)
3146/16	Aaron Moss (Agent for the Applicant)
4832/16	Phil Cobbold (Agent for the Applicant)

Item 2

Application	2112/16
Proposal	Erection of 49 dwellings (including 17 affordable dwellings) and construction of new access
Site Location	<b>WOOLPIT – Land on east side of Green Road</b>
Applicant	Landex Ltd

The Professional Lead – Growth and Sustainable Planning reported that following the receipt of information regarding infrastructure from Suffolk County Council late the previous day, further time was needed to evaluate the feasibility of the County Council’s education and other requirements and he would therefore recommend that consideration of the application be deferred.

He suggested that Members might wish to take the opportunity to visit the site, and also to consider whether to refer the application to Planning Referrals Committee together with a number of other applications in Woolpit, to take a high level overview of the current position.

The Chairman made a formal proposal, seconded by the Vice Chairman, for the course of action suggested by the Professional Lead. John Pateman-Gee, Senior Development Management Planning Officer, made reference to some of the aspects of the application which could benefit from a site inspection, including proposed highway improvements and linkages to public footpaths. The Chairman informed the Committee that she had spoken to the public speakers prior to the meeting to make them aware that a proposal to defer would be put forward for consideration.

By a unanimous vote

**Decision –**

- (1) That consideration of Application No 2112/16 be deferred pending the receipt of further information to allow the infrastructure proposals to be fully evaluated.
- (2) That a site inspection be held on a date to be determined.
- (3) That the Application be referred for determination to the Planning Referrals Committee, together with Applications on other sites in Woolpit as advised by the Professional Lead, in order to produce an overview.

Item 1

Application	3469/16
Proposal	Outline Planning Application sought (with all matters other than means of access reserved) for residential development of up to 60 dwellings with associated car parking, landscaping, public open spaces, pedestrian/cycle links and vehicular access from Borley Crescent
Site Location	<b>ELMSWELL</b> – Land to the East of Borley Crescent
Applicant	Mr M Jewers

The Case Officer referred to the updates in the Tabled Papers regarding the Section 106 requirements, and suggested the inclusion of a travel pack condition if Members were minded to approve the application, which would be subject to no new material issues being raised as a result of the application having to be re-advertised.

The Case Officer responded to Members' questions about various matters including access and drainage.

Peter Dow, the Parish Council representative, referred to pressures on the A14 corridor including a 'pinch point' near the railway crossing.

Ward Members Sarah Mansel and John Levantis also raised concerns about the ability of the current infrastructure to cope with additional traffic and demand for school places.

In response to a question from Councillor Barker about the Local Highway Authority's views on the railway crossing and potential problems from queuing traffic, Mr Fish was asked by the Chairman to clarify the LHA's position which was that there were currently no highway grounds to refuse permission. The Case Officer confirmed that the latest transport assessment had been taken into account by the LHA, which concluded that the cumulative effect was considered to be not severe.

Notwithstanding the recommendation of the Professional Lead to grant permission subject to conditions, as set out in the report, Councillor Jessica Fleming proposed that consideration of the application be deferred for further information regarding access and the railway crossing, with a view to the LHA and the applicant seeking a satisfactory solution to the pinch point. Councillor Keith Welham seconded the proposal.

Prior to the vote being taken, the Professional Lead re-stated the position which was that, based on the information currently available, it would difficult to conclude that there was no safe and suitable access.

By six votes to three

**Decision** – That consideration of the application be deferred pending additional information being obtained from the Local Highway Authority regarding the transport assessment and trip generation. Further, that discussions take place with the applicant and the LHA regarding the safety and suitability of the proposed access, particularly in relation to the pinch point at the railway crossing.

Item 5

Application	3845/16
Proposal	Erection of detached dwelling and garage
Site Location	<b>REDGRAVE</b> – Land adjacent Green Farm Cottage, The Green
Applicant	Burgess Homes Ltd

Members had before them additional plans showing the site and the relationship of the proposal to the neighbouring properties, circulated as Tabled Papers. The Case Officer reported a request from the Principal Consultant Ecologist for the inclusion of a model condition to secure mitigation for amphibians.

Neil Hamling, objector, re-iterated his written comments and those of a neighbour, particularly in relation to their view that the proposed development was not in keeping with the Conservation Area.

Dr Mallinson, a supporter of the proposal, referred to the proposal as an opportunity to create a legacy, with a design that was in keeping with existing buildings.

Phil Cobbold, agent for the applicant, referred to the traditional / cottage style of the proposal which had been designed to respect the setting including the Conservation Area, and indicated the applicant's acceptance of an ecological condition.

Ward Members Jessica Fleming and Derek Osborne spoke briefly to indicate that they had no problem with the design. Councillor Osborne did not see a problem with the use of the access track for an additional dwelling.

Notwithstanding the comments of the Heritage and Design Officer who recommended refusal on the grounds that the proposal would cause less than substantial harm, Members accepted the Planning Officer's assessment and the recommendation of the Professional Lead to grant permission was proposed by Councillor Roy Barker and seconded by Councillor Dave Muller.

By a unanimous vote

**Decision** – That full planning permission be granted subject to the following conditions:

- Standard Time Limit
- Accord with approved plans
- Highways conditions – Frontage enclosure and parking
- Details of materials
- Landscaping scheme
- Model condition for a Biodiversity Mitigation Method Statement to secure mitigation for amphibians

### Item 3

Application	4242/16
Proposal	Application for Outline Planning Permission (include access only) for the erection of 28 dwellings
Site Location	<b>MENDLESHAM</b> – Land to North West of Mason Court (known as Old Engine Meadow)
Applicant	Mid Suffolk District Council and the Owners of Old Engine Meadow

John Pateman-Gee, Senior Development Management Officer, reported that agreement had been reached on the drainage matters but that the recommendation in the report did not need to be changed at this time. Members were advised that the CIL contribution for improvements to local library provision should read £6,048 and not £90,000 as stated in the report.

Catherine Bowyer, objector, resident at no 35 Horsefair Close referred to flooding issues and asked Members to consider making a site visit to look at the layout on the ground, which she did not think was reflected accurately in the photographs. She also referred to hedgehogs and deer in the vicinity.

Phil Cobbold, agent for the applicant, referred to historic flooding which had been caused by a blocked culvert.

Andrew Stringer, Ward Member, referred to the planning status of the site and the way in which the developer and the Council had worked together to bring the site forward. He was aware of the presence of hedgehogs and considered the path to be in good condition. He asked the Committee to consider adding an obligation to give priority to local connections when allocating the affordable properties, and this was accepted.

Members queried the access arrangements, as a result of which it was agreed to include an additional obligation regarding pedestrian and emergency access. They also wished to include a hedgehog survey condition. Councillors Jane Storey and Jessica Fleming respectively proposed and seconded the recommendation, as amended.

By a unanimous vote

**Decision** – That authority be delegated to the Professional Lead – Growth and Sustainable Planning to grant outline planning permission subject to matters relating to drainage being resolved to the satisfaction of the Environment Agency and the County Council SuDs Team and the prior completion of a Section 106 or Undertaking on terms to their satisfaction to secure the following heads of terms:

- 35% Affordable Housing to be transferred over to a Registered Provider
- To secure the provision of public open space to be managed by a dedicated management company
- To secure off-site highway improvement works (pavement adjacent to the entrance into the site)
- £5000 contribution towards the provision of two bus stops adjacent to the site
- Priority for the Affordable Housing properties to be given to applicants having a proven local connection
- Pedestrian and emergency access to be via Masons Court or Horsefair Close, does not need to be both.

and that such permission be subject to the conditions as set out below:

- 1) Three year time limit for submission of reserved matters
- 2) Reserved matters (outline)
- 3) Existing tree protection
- 4) Contaminated land
- 5) Construction management agreement

- 6) External lighting
- 7) Commencement period for landscaping
- 8) Protection of birds during construction period
- 9) Works to be carried out in line with the ecological report
- 10) Design code
- 11) Archaeology
- 12) Highway conditions
- 13) Surface water drainage
- 14) Fire hydrant condition
- 15) Survey to be carried out for hedgehog mitigation measures

Item 4

Application	3931/16
Proposal	Outline Permission sought for the erection of 1 No. detached dwelling (with landscaping, appearance, layout and scale forming the Reserved Matters)
Site Location	<b>WOOLPIT</b> – Melbury, Green Road
Applicant	Mr & Mrs J Revett

The Case Officer referred to the indicative proposed layout circulated with the Tabled Papers which showed the proposal to be well related to other properties and not requiring the loss of any trees other than some ornamental varieties of no particular importance.

Phil Cobbold, agent for the applicant, referred to the proposal being sustainable, in walking distance of services, and the use of the existing access which meant that the trees around the perimeter would be retained.

In response to a question about the alleged presence of great crested newts on the site, Members were referred to paragraphs 39-40 of the report.

The Ward Member, Jane Storey, queried the shape of the plot which was clarified by the Planning Officer.

Councillors Roy Barker and Keith Welham respectively proposed and seconded the recommendation.

By a unanimous vote

**Decision** – That outline planning permission be granted subject to the conditions as set out below:

- Standard Time Limit
- Approval of Reserved Matters
- Accord with approved plans
- Highways condition – Visibility splays
- Concurrent with Reserved Matters – Parking provision
- Details of Materials

- Concurrent with Reserved Matters – Soft Landscaping Scheme to be agreed including trees to be retained / removed and protection measure
- Implementation of landscaping

#### Item 6

Application	3146/16
Proposal	Erection of a detached dwelling, formation of parking area and vehicular access
Site Location	<b>CODDENHAM</b> – Land at Orchard Way, School Road
Applicant	Mrs T Simpson

Members noted that the Local Highway Authority was not represented at the site visit, which took place on 15 February. A third party comment in support of the application was reported by the Case Officer.

Aaron Moss, the agent for the applicant, confirmed that the application had been revised to address points made on site. The removal of material from the site could be overhand off the driveway to Orchard Way. There would be provision for cars parked at the proposed dwelling to leave the site in forward gear.

In response to a question from Councillor Welham, Mr Fish advised that he had subsequently visited the site and confirmed that with the removal of the step 'shoulders' and clearance of some vegetation, he was satisfied that visibility would be satisfactory and that stopping distances were acceptable. There was no accident record at this location and the 7m depth of the parking spaces would give adequate manoeuvrability for entering and leaving the site.

Members requested that the proposed surfacing of unbound gravel should be replaced by a permeable alternative.

The recommendation of approval, with additional conditions to cover matters raised by Members, was proposed by Councillor Roy Barker and seconded by Councillor Mike Norris.

By a majority vote, with one Member voting against –

**Decision** – That planning permission be granted subject to the conditions as set out below:

- 1) Standard Time Limit
- 2) Approved plans
- 3) Sample brick [Plinth, chimney and retaining wall] – brick, bond and mortar.
- 4) Sample of roof materials
- 5) Cladding to be stained black
- 6) Railings to be agreed
- 7) Rooflight – manufacturer details and specification

- 8) Details of shed
- 9) Render mix and component ratio
- 10) Colour of painted render
- 11) Highways condition – access
- 12) PD right removed – no additional windows (NW elevation)
- 13) Construction Management Plan
- 14) Visibility scheme to be agreed
- 15) Surfacing of access and parking areas to be permeable, using a bound material

Item 7

Application	4832/16
Proposal	Erection of detached single storey dwelling
Site Location	<b>CREETING ST MARY</b> – 3 All Saints Road
Applicant	Mr K W Bowley & Mr G J Rivers

Phil Cobbold, agent for the applicant, spoke briefly to confirm that the outbuilding would be removed. He referred to the shared access and to the site being within walking distance of Needham Market.

The officer recommendation for approval, with additional conditions as requested by Members, was proposed by Councillor Roy Barker and seconded by Councillor Jessica Fleming.

By a unanimous vote

**Decision** – That planning permission be granted subject to the following conditions:

- 1) Standard Time Limit condition
- 2) Approved documents
- 3) Landscaping to be agreed
- 4) Landscaping time limit
- 5) Highways condition (as recommended by Suffolk County Council)
- 6) Samples of finishing materials to be agreed
- 7) Removal of existing outbuilding prior to first occupation of the site and recycling of materials
- 8) Details of materials for driveway to be agreed
- 9) Construction Management Plan – protection of existing trees

The business of the meeting was concluded at 1.50 p.m.

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Chairman