

MID SUFFOLK DISTRICT COUNCIL

Minutes of the Meeting of the **DEVELOPMENT CONTROL COMMITTEE A** held at the Council Chamber, Mid Suffolk District Council Offices, High Street, Needham Market on Wednesday, 3 May 2017

PRESENT: Councillor: Matthew Hicks (Chairman)
Roy Barker*
Gerard Brewster
John Field
Lavinia Hadingham
Derrick Haley*
Anne Killett
Sarah Mansel
Lesley Mayes
Denotes substitute* David Whybrow

Ward Members Councillor: Jessica Fleming
Suzie Morley
Derek Osborne

In Attendance: Senior Development Management Planning Officers (JPG/SS)
Development Management Planning Officers (JaPL/TS)
Legal Business Partner - Planning (JH)
Governance Support Officers (VL/HH)

154 **APOLOGIES FOR ABSENCE/SUBSTITUTIONS**

Councillors Derrick Haley and Roy Barker were substituting for Councillors David Burn and Diana Kearsley respectively.

155 **TO RECEIVE ANY DECLARATIONS OF PECUNIARY OR NON-PECUNIARY INTEREST BY MEMBERS**

Councillor Matthew Hicks declared a non-pecuniary interest in Application 4968/16 as the Suffolk County Councillor for the area and had attended a presentation of the application at the Parish Council Meeting.

All Members of the Committee declared a non-pecuniary interest in Application 0130/17 as the applicant was a Mid Suffolk District Councillor.

156 **DECLARATIONS OF LOBBYING**

It was noted that Members had been lobbied on Applications 3858/16 and 4968/16.

157 **DECLARATIONS OF PERSONAL SITE VISITS**

Councillor Matthew Hick declared a personal site visit to Application 3858/16.

158 **CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 5 APRIL 2017**

The Minutes of the meeting held on 5 April 2017 were confirmed and signed as a correct record.

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

None received.

160 **QUESTIONS BY THE PUBLIC**

None received.

161 **QUESTIONS BY COUNCILLORS**

None received.

162 **NA/10/17 SCHEDULE OF PLANNING APPLICATIONS**

SCHEDULE OF PLANNING APPLICATIONS

Report NA/10/17

In accordance with the Council's procedure for public speaking on planning applications a representation was made as detailed below:

Planning Application Number	Representations from
3856/16	Michael Stephens (Objector) Elved Harvey (Applicant) Tim Waller (Agent)
4968/16	Pauline Ivatt (Applicant)

Item 1

Application Number: **3856/16**
Proposal: Application for Outline Planning Permission for residential development of up to 42 new dwellings, supporting infrastructure and Access (Highway & pedestrian). (Appearance, Landscaping, Layout & Scale being the subject of a further Reserved Matters application)

Site Location: **RICKINGHALL SUPERIOR** – Land adjacent to Green Acres, Garden House Lane, IP22 1EA

Applicant: Mr J Harvey

The Case Officer presented the application and informed Members that 37 objections had been received on the application. He then responded to questions from Members and explained that Suffolk County Council Highway Department had no objections to the application, as the impact on the highway was not considered severe. Members continued to question the Officer and he responded that landscaping and tree protection was a condition in the recommendations and that no response had been received from the Ramblers' Association. He also said that the builder's yard at the end of Garden House Lane was still operational.

The Senior Development Management Planning Officer clarified to Members that a proposed footpath was recommended to be secured by way of a Grampian condition. He advised that although the site was in the countryside it was located in proximity to Rickinghall and Botesdale and therefore services and facilities were pedestrian accessible. He further clarified the status of Key Service Centres in the Core Strategy and NPPF. It was noted that the Rickinghall Neighbourhood Plan was at an early stage of development and therefore carried little weight.

Mr Michael Stephens, Objector, said he believed the development, which was on agricultural land, was not sustainable. He said that the access at the junction from Garden House Lane onto The Street was unsafe, and he referred to the response received from Suffolk Constabulary. He said that Garden House Lane was narrow and was currently accessed by 190 properties, and that the development would increase this by a further 20%. He felt an increase in traffic would not only increase the risk of accidents, but also make it difficult for emergency vehicles to access and he referred to the report from Suffolk Fire and Rescue Services included in the Tabled Papers. He felt that not enough consideration had been given to the advice received from Suffolk County Council Highways Authority and Suffolk Fire and Rescue Services.

Mr Tim Waller, the Agent, said the development was sustainable and that 35% of the development would be affordable houses, which would benefit local families and first time buyers. The development also contained bungalows benefitting those who were down-seizing. There was a public footpath to facilities in the adjacent village of Botesdale and a new bus stop was planned. He also said that the primary school had capacity for additional children. Mr Waller said that there was no flood risk and that the site would improve wildlife with a suitable planting scheme. The junction at the end of Garden House Lane was working within a wider capacity and double yellow lines would be painted along Garden House Lane.

Councillor Jessica Fleming, Ward Member, felt the application was flawed because the highway access was inadequate and the overall plan of development for the village had not been taken into consideration. She felt that the Neighbourhood Plan should be taken into account once it was completed. Councillor Fleming had written to Mid Suffolk District Council and objected against the development conditions. She said that on-road residential parking would be lost if a foot path along Garden House Lane was implemented. She said that Garden House Lane was a narrow lane and that there was no alternative access to the site for contractors' vehicles, future residents or emergency vehicles. Councillor Fleming said that further development along Garden House Lane should be postponed until the Neighbourhood Plan was in place.

Councillor Derek Osborne, Ward Member said he agreed with Councillor Fleming's comments. The road was very narrow reducing to 10 feet in places. Cars using the road for parking belonged to existing residents and the situation would be exacerbated by the additional cars from the development. There had already been many near misses at the junction with The Street and if the application was approved this danger would increase. He suggested a site visit would be helpful to Members in coming to a decision.

Members debated the application and some felt that safety was paramount to the application and that a site visit to view the access would be the best way forward. Other Members felt that the concerns raised including sustainability, flood risk, preservation of trees, and the increased traffic on Garden House Lane were all resolved and that the additional dwellings would be a benefit to Rickinghall and Botesdale.

Councillors Derrick Haley and Sarah Mansel proposed and seconded the motion for a site visit.

The motion was lost by 4 votes to 6.

Councillors David Whybrow and John Field proposed and seconded the recommendations in the report.

By 6 votes to 4

Decision – Approved as per recommendations with addition of landscaping and all SCC Highway conditions recommended (18th April 2017)

- (1) That the Corporate Manager for Growth and Sustainable Planning be authorised to secure a planning obligation under Section 106 of the Town and Country Planning Act, 1990, to provide:-
 - 35% Affordable Housing
 - £6,000 Bus Stop Improvements

- (2) That, subject to the completion of the Planning Obligation in Resolution (1) above, the Corporate Manager for Growth and Sustainable Planning be authorised to grant Planning Permission subject to conditions including: -
 - Time limit for reserved matters (standard)
 - Definition of reserved matters
 - Approved plans
 - Quantum of residential development fixed to a maximum of 42 no. dwellings
 - Details of surface water drainage scheme
 - Details of implementation, maintenance, and management of surface water drainage scheme
 - Details of sustainable urban drainage system components and piped networks
 - Details of construction surface water management

- Programme of archaeological investigation and post investigation assessment
 - Fire hydrant provision details
 - Details of mitigation for farmland birds
 - Development to be completed in accordance with ecology details
 - Proposed levels and finished floor levels details
 - External facing materials details
 - Hard landscaping scheme (inc. boundary treatments and screen/fencing details)
 - Soft landscaping scheme including identification of existing trees and planting and tree protection measures
 - Details of provision, future management, and maintenance of public open space
 - Details of the proposed access
 - Parking, maneuvering, and cycle storage details
 - Details of a construction management plan
 - Photographic condition survey
 - Details of the areas to be provided for storage of refuse/recycling
 - Surface water discharge prevention details
 - Estate roads and footpaths details and implementation requirements
 - Details of footway on the south side of Garden House Lane
 - Construction of carriageways and footways prior to occupation
- (3) That, in the event of the Planning Obligation referred to in Resolution (1) above not being secured the Corporate Manager for Growth and Sustainable Planning be authorised to refuse Planning Permission, for reason(s) including:-
- Inadequate provision of infrastructure contributions which would fail to provide compensatory benefits to the sustainability of the development and its wider impacts, contrary to the development plan and national planning policy.

Item 2

Application Number: **4968/16**

Proposal: Notification for prior approval for a proposed change of use of agricultural building to a dwelling (Class C3) and for associated operational development.

Site Location: **CREETING ST MARY** – Land to the rear of 1 Red House, all Saints Road.

Applicant: Mrs P Ivatt

The Case Officer explained that on page 93, paragraph 20, bullet point ‘f’ was deliberately omitted as this point did not apply to the application.

The Senior Development Management Planning Officer said that the Suffolk County Council Highway Department report considered the lack of visibility and access onto All Saint's Road a risk and had not changed their opinion following receipt of the independent consultant's report.

Mrs P Ivatt, the applicant, said she had lived in the village for 17 years and that her application was fully supported by the Parish Council and the residents of Creeting St. Mary. She said there had never been an accident caused by the access onto the main road and that the speed limit was 30mph. The driveway was already shared by three dwellings and the change of use of the building would not increase vehicle movements but would in fact result in small domestic vehicles rather than large farm vehicles using the access. She said an independent highway and traffic survey had been carried out, which was available to Members. Mrs. Ivatt said the proposal was for a two bedroom bungalow, which was to be environmentally friendly.

Councillor Suzie Morley, Ward Member, said she had driven down All Saints Road many times and never seen any vehicle accessing All Saints Road from the driveway. She felt that there was no risk as the speed limited on All Saint's Road was 30mph and speeding was not a planning issue but a police matter. Councillor Morley said she supported the application.

Members agreed that the access road had been used for a long time and that the change of use of the building did not change the amount of traffic using the driveway. Members felt that the access onto All Saint's Road was not a considerable risk and that the independent Traffic and Highway report supported this. Officers informed Members that this report had measured the average speed of traffic at the junction to be 26mph.

By an unanimous vote

Decision – **That Prior Approval is approved.**

Item 3

Application Number:	0130/17
Proposal:	Installation of a metal energy panel on recessed par to external wall.
Site Location:	NEEDHAM MARKET – 137 High Street.
Applicant:	Mrs W Marchant

Councillor John Field left the room at 12.00 noon.

The Case officer presented the application and said the impact on the listed building was considered very low.

The Chairman read an email from Ward Member Mike Norris, who supported the application.

Members considered various issues including the impact and the harm to the listed building and the opposite buildings. Some Members felt that the environmental benefits of the application did not outweigh the harm. It was generally felt that the application did not have a negative impact on the Grade II listed building.

By 8 votes to 0, 1 abstention

Decision – That authority be delegated to the Corporate Manager – Growth & Sustainable Planning to Grant Listed Building Consent

Condition recommended: Time Limit – Commencement

The business of the meeting concluded at 12:12pm

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Chairman