

**MID SUFFOLK DISTRICT COUNCIL**

Minutes of the Meeting of the **MID SUFFOLK DEVELOPMENT CONTROL COMMITTEE B** held at the Council Chamber, Mid Suffolk District Council Offices, High Street, Needham Market on Wednesday, 14 June 2017

**PRESENT:**

Councillor Roy Barker – Vice Chairman in the Chair

Councillors:	Gerard Brewster	Michael Burke
	Jessica Fleming	Derrick Haley
	Barry Humphreys MBE	Wendy Marchant
	Jane Storey	Keith Welham
	John Whitehead	

**In attendance:**

Senior Development Management Officer – Key Growth Projects  
Development Management Officer (SB/SBu/RB)

10 **APOLOGIES FOR ABSENCE/SUBSTITUTIONS**

Councillors Gerard Brewster, Derrick Haley and John Whitehead were substituting for Councillors Julie Flatman, Kathie Guthrie and John Levantis respectively.

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

Councillors Gerard Brewster and Barry Humphreys MBE declared a non-pecuniary interest in Applications 0396/17 and 1764/17 as Members of Stowmarket Town Council.

12 **DECLARATIONS OF LOBBYING**

It was noted that Members had been lobbied on Application 3506/16.

13 **DECLARATIONS OF PERSONAL SITE VISITS**

It was noted that Councillor Jane Storey had visited the site for Application 4996/16, and Councillor Jessica Fleming had visited the site for Application 3506/16.

14 **SA/17/01 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 17 MAY 2017**

The minutes of the meeting held on the 17 May 2017 were confirmed as a correct record.

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

None received.

16 **QUESTIONS BY THE PUBLIC**

None received.

17 **QUESTIONS BY COUNCILLORS**

None received.

18 **SCHEDULE OF PLANNING APPLICATIONS**

<b>Application Number</b>	<b>Representations from</b>
4996/16	Philip Beer (Objector) Alison Beadman (Applicant)
3506/16	Xy Stansfield (Needham Market Town Council) Steven Boulter (Barking Parish Council) Mark Stannard (Objector) James Allflatt (Agent)

Item 1

Application Proposal	0396/17 Outline Planning Permission sought for a proposed retail store development within class A1 use. Creation of new access, parking, servicing, and landscaping.
Site Location Applicant	<b>STOWMARKET</b> – Land at Gipping Way, IP14 1EJ British and Continental Estates Limited and Beachshow Ltd.

It was noted that comments had now been received from the Suffolk County Council Flood and Water Team who had recommended additional conditions.

Councillor Lesley Mayes, Ward Member, commenting by email said that she considered the existing footbridge, which was in a very bad state of repair, was removed completely and the riverbank made good on both sides of the river.

Councillor Paul Ekpenyong, commenting by email, also felt that the removal of the footbridge should be conditioned as it provided access to the rear of the proposed retail premises giving a potential for possible criminal activities.

Officers advised that the bridge was not within the application site or the control of the applicants but an informative could be included requesting that the owner be contacted if possible and the intentions for the footbridge ascertained.

Members fully supported the proposal but requested that the condition restricting the type of goods to be sold to bulky goods be removed as it was felt that in view of its proximity to the town centre any retail on the site would be of benefit.

A motion to approve the application subject to the addition of the suggested Flood and Water Team conditions and the removal of the condition relating to restriction on bulky goods was proposed and seconded.

By a unanimous vote

**Decision** – That authority be delegated to Corporate Manager – Growth and Sustainable Planning to grant outline planning permission subject to the following conditions:

- 1) Standard Outline Time Limit Condition.
- 2) Submission of Reserved Matters
- 3) Compliance with submitted plans with regard to access
- 4) Highways conditions as recommended by the SCC Highways
- 5) Land Contamination Investigation to be undertaken
- 6) Surface water drainage conditions as required by the Environment Agency
- 7) Opening hours to be 0700-2000 (Mon-Sat), and 1000-1600 (Sun)
- 8) Details of external lighting condition to be submitted and agreed
- 9) Details of fire hydrant provision to be submitted and agreed
- 10) Piling or any other foundation design using penetrative methods not permitted without consent
- 11) Details of noise generating equipment to be submitted and agreed
- 12) No delivery vehicles to visit or depart site between hours of 2300-0700
- 13) Details of landscape and landscape management scheme to be submitted and agreed
- 14) Details of materials to be agreed

Item 2

Application	1764/17
Proposal	Application for variation of condition 2 and 5 following grant of planning permission 0683/15 “Partial demolition of existing night club to include rendered building fronting Ipswich Street and buildings to rear. Conversion of existing 3 storey brick building fronting Ipswich Street and new infill construction and to the rear to provide 25 new dwellings for affordable rent”
Site Location	<b>STOWMARKET</b> – 115 Ipswich Street, IP14 1BB
Applicant	The Havebury Housing Partnership

Councillor Lesley Mayes, Ward Member, commenting by email said that she had received no comments from residents and that the site was progressing well.

Members were satisfied with the proposal and a motion to approve the recommendations was proposed and seconded.

By a unanimous vote

**Decision –**

1. That subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Corporate Manager – Growth and Sustainable Planning, to secure;
  - Affordable Housing
2. That authority be delegated to Corporate Manager - Growth and Sustainable Planning to grant permission for the variation in conditions, subject to conditions including;
  - Time Limit
  - List of Approved Drawings
  - Noise Limits (existing Background Noise)
  - Materials (samples)
  - Highways Condition P1 – Parking
  - Highways Condition P2 – Refuse Bins
  - Construction Management Agreement
  - Full Archaeological Condition Pt1
  - Full Archaeological Condition Pt2
  - Contaminated Land
  - Details of Surface Water Drainage
  - Landscape scheme
  - Landscaping Scheme Time of Commencement

Item 3

Application	4996/16
Proposal	Change of use of agricultural land and building to siting, storage, service, maintenance, and repair vehicles.
Site Location	<b>WOOLPIT</b> – Farm Buildings, Eastern End of Sharpes Row, The Heath, IP30 9RJ
Applicant	Mr G and Mrs A Beadman

Philip Beer, an objector, tabled his presentation together with photographs to illustrate his comments. He said that Sharpes Row was a single track dirt road with no passing places running less than three feet from the windows of the cottages. Previously the only vehicle movements had been approximately two farm vehicles per month but since the change of use he estimated in excess of 150 vehicles per month. The Council was approached by residents regarding the permissions allowed on the land and the applicant's son was advised to remove the scrap cars which had led to the change of use request. He said that planning advisors hired by the objectors had advised that the application was contrary to policies as there was a clear and serious loss of residential amenity, character of the area and dangerous highway implications.

Alison Beadman, the applicant advised that the change of use request was so that her son could carry on using the site for working on his own vehicles. The complaint had arisen due to permission being given for road working equipment to be stored overnight on the site and also for Anglian Water to store equipment and a site hut while local works were being carried out. Following the complaint a contravention notice was served and a Council Enforcement Officer had visited the site. Improvements had been carried out to the satisfaction of the Enforcement Officer.

Councillor Jane Storey, Ward Member, said the access to the site was along a very narrow lane and it might be preferable if an alternative access was used. She felt the application gave the impression the site was to be used for commercial purposes when it was in fact only for family members to use and the suggested conditions reflected this. If Members were minded to approve the application she felt further reassurance would be given if a temporary permission was conditioned.

It was noted that use of an alternative access could not be conditioned as it was outside the site boundary.

Members felt that the application was acceptable subject to additional conditions for a temporary three year permission and a limit on vehicle numbers to no more than ten at any one time. The waste management condition was no longer required as a scheme of waste management had now been submitted.

A motion to approve the application subject to the amendments above was proposed and seconded.

By a unanimous vote

### **Decision –**

That authority be delegated to Corporate Manager - Growth & Sustainable Planning to grant permission subject to the following conditions:

- 1) To be in accordance with submitted details
- 2) To be personal to the applicant's son
- 3) No commercial activity or sales to be operated from the site
- 4) No operation before 0800 or after 2000
- 5) Temporary 3 year permission
- 6) Limit on vehicle numbers to no more than 10 at any one time

### Item 4

Application	3506/16
Proposal	Outline planning permission with vehicular access (all other matters reserved) for the construction of 152 residential dwellings (including market and affordable homes) garages, parking, vehicular access with Barking Road, estate roads, public open space, play areas,

landscaping, and amenity green space with sustainable drainage systems, with associated infrastructure, including provision for additional car parking and improved vehicular access to Needham Market Country Practice.

Site Location	<b>NEEDHAM MARKET</b> – Barking Road, Barking and Somersham
Applicant	Hopkins Homes Limited

The Case Officer advised that advice had been received from the applicant's agent that technical advisers view was that the site was within Flood Zones 2 and 3 and the access within Flood Zone 3 making it satisfactory for development.

A letter from Dr Caesar, an objector was tabled for Members' consideration.

Xy Stansfield, Needham Market Town Council, pointed the Committee to the Town Council's written objection. He noted the comment in paragraph 64 of the report which stated that 'Thereby, residential development of the site for up to 152 dwellings would, under normal circumstances, be contrary to the adopted development plan.' It was the Council's lack of a five year land supply that meant this situation could arise again and again with no strategic plan for development of the town.

Steven Butler, Barking Parish Council, said there were strong objections to the proposal which crossed the parish boundary and would greatly affect a rural and agricultural community. The development was out of keeping with the village rural setting and the rise in site level would lead to light pollution. If approved it would inevitably lead to a further Boundary Review with more Barking land being lost to Needham Market. The large rise in vehicle movements would increase the risk of accidents on what was already a busy and dangerous stretch of road. He questioned whether the proposed extension of the speed limit would be enforceable.

Mark Stannard, an objector, said he lived in Foxglove Avenue which backed onto the site. He had questioned the effectiveness of the dry pond to be situated behind his property and been told that excessive rainfall was a one in a hundred year possibility but flooding had already occurred twice in his lifetime. He was further concerned regarding the danger to vehicles exiting the site and turning right as the access was on a bend on the very busy road and cars frequently broke the speed limit.

James Allflatt, the Agent, said the proposal represented a high quality sustainable extension to Needham Market and provided much needed mixed housing. The site had been identified in the emerging Local Plan and much engagement had been carried out with the Town and Parish Council, residents and the doctor's surgery. A cycle path, footpath and additional car parking for the Country Practice would be provided. The proposal would help the present flooding situation with the only flood risk being at the junction and this was within guidance. The Council did not have a five year land supply and the proposal offered prompt delivery of housing together with a CIL contribution.

Councillor Anne Killett, Ward Member for Barking, said that Barking was a countryside village. The transition from town to the countryside area would be impacted by the development and the height of buildings was of importance. She was concerned regarding the highways issues previously mentioned and also the impact of a narrowing of the road to reduce speed as this would adversely impact on cyclists. She was further concerned that residents accessing the A14 would either have to travel via the already busy and congested High Street or the road by Needham Lake on which was a very difficult bend and low bridge to negotiate.

Councillor Wendy Marchant, Ward Member for Needham Market, said the Town Council asked for the application not to be looked at in isolation but together with other proposals. Although contributions for contributions to a Travel Plan this request did not include the railway which many might use to access work. The NHS had stated that the Country Practice had no capacity for additional patients. Flooding was a major concern and although assurances had been given that flooding at the access would not be a problem existing residents were experiencing problems from flooding from the area behind their properties.

Councillor Mike Norris, Ward Member for Needham Market, said he could not support the proposal in the absence of a development strategy such as that for Stowmarket. He agreed with the comments from Needham Market Town Council and the concerns of residents. Additional infrastructure was required to cope with the additional residents. Flooding was a major concern and without adequate and effective mitigation the situation would worsen.

Members expressed concern regarding the issues raised and a motion for a site visit to be undertaken to better understand the site in relation to the proposal was moved and seconded.

By 8 votes to 0

**Decision – Application deferred for a site visit**

Note: Councillor Roy Barker, Vice Chairman in the Chair, advised that in view of the concerns raised the site visit and ensuing committee meeting would be carried out by the Planning Referrals Committee. The date and time to be advised