

## MID SUFFOLK DISTRICT COUNCIL

Minutes of the Meeting of the **MID SUFFOLK DEVELOPMENT CONTROL COMMITTEE A** held at the Council Chamber, Mid Suffolk District Council Offices, High Street, Needham Market on Wednesday, 28 June 2017

### **PRESENT:**

Councillor Matthew Hicks - Chairman

Councillors:	John Field	Lavinia Hadingham
	Diana Kearsley	Anne Killett
	Sarah Mansel	Lesley Mayes
	Jane Storey *	David Whybrow

### **In attendance:**

Senior Development Management Planning Officer (JPG)  
Development Management Planning Officer (AS/RB)  
Legal Business Partner – Planning (IdeP)  
Governance Support Officer (VL/RC)

#### 14 **APOLOGIES FOR ABSENCE/SUBSTITUTIONS**

Councillor Jane Storey was substituting for Councillor Gerrard Brewster and apologies were received from Councillor David Burn.

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

Councillor Anne Killett declared a Non-Pecuniary interest in Application 4010/16 as her uncle lived in Lion Road, Palgrave.

Councillor Diana Kearsley declared a Non-Pecuniary interest in Application 4010/16 as she was a friend of the owner of the listed building Pell Howell.

Councillor Lesley Mayes declared a Non-Pecuniary interest in Application 0019/16 as the application had gone before Stowmarket Town Council's Planning Committee.

Councillor David Whybrow declared a Non-Pecuniary interest in Application 0079/17 as he was aware of the previous applications on the proposed site.

#### 16 **DECLARATIONS OF LOBBYING**

There were no declarations of lobbying.

#### 17 **DECLARATIONS OF PERSONAL SITE VISITS**

There were no declarations of personal site visits.

18 **NA/17/1 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 3 MAY 2017**

The Minutes of the meeting held on 3 May 2017 were confirmed and signed as a correct record

19 **NA/17/2 CONFIRMATION OF THE MINUTES OF THE PLANNING REFERRALS COMMITTEE HELD ON 22 FEBRUARY 2017**

The Minutes of the Planning Referrals Committee held on 22 February 2017 were confirmed and signed as a correct record.

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

None received.

21 **QUESTIONS BY THE PUBLIC**

None received.

22 **QUESTIONS BY COUNCILLORS**

None received.

23 **SCHEDULE OF PLANNING APPLICATIONS**

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

<b>Planning Application Number</b>	<b>Representations from</b>
4010/16	Mike Bootman (Parish Council) Graham Lee (Objector)
0019/17	Phil Cobbold (Agent) Nigel Gates (Agent) & David Elder (Applicant) – to answer questions only
Item 1	
Application Number:	<b>4010/16</b>
Proposal:	Application for Outline Planning Permission – Erection of 5 no dwellings and garages and construction of new vehicular access
Site Location:	<b>PALGRAVE</b> – Kyloe, Priory Road IP22 1AJ
Applicant:	Mr and Mrs B Dorling

The Case Officer presented the application and informed members that the development site was abutting the southern edge of the Settlement Boundary of the village of Palgrave and that the proposed site entrance would be on a road attributed with the National Speed Limit. In response to Members questions on the possibility of a pavement along Priory Road as well as about the National Speed Limit he responded that there was no pavement on Priory Road and access would be shared between traffic, pedestrians, and cyclists. The Senior Development Planning Officer clarified to Members that the Committee could not change the speed limit but a bespoke letter could be sent to Suffolk County Council's Highways Department.

Mr Mike Bootman, from Palgrave Parish Council, said pre application advice omitted the proximity to the listed building (Pell Howell) and that heritage assets should be given more weight. He outlined that the development was unsustainable due to the local school reaching capacity in the next year and that Diss Town Council, representing the principle service provider, had not been consulted on the application. He said Suffolk County Council's Highways Department had commented that safe and suitable access should be available for all, and that this had not been properly addressed in the final report. He added that the Parish Council were also actively considered a proposal to close Priory Road for through traffic and that pedestrian safety is currently being investigated by County Councillor Jessica Fleming and Suffolk County Council's Highways Department. He felt that a precondition should be included for connectivity to the sewers and that satisfactory and achievable proposals should be brought forward. Mr Bootman concluded that there would also be disruption to residents on Priory Road due to installation of amenities.

Councillor David Whybrow enquired on the progress of the Neighbourhood Plan in Palgrave. The Senior Development Planning Officer responded that the plan was still very early in its development and there were no draft policies so should be given little weight.

Mr Graham Lee, Objector, said he was very concerned about road safety as Suffolk County Council's Highways Department had originally objected to the proposal due to a footpath not being included in the proposal and that the NPPF stated that safe and suitable access should be available for all. No explanation had been given for withdrawing the objection following the traffic survey. He also commented that the drawing showing the visibility splays was inaccurate as there was no verge as shown. Mr Lee continued by outlining how the development would mean a loss of hedgerows and habitats in the area and that the site was not within the existing settlement boundary.

Members raised questions about the distance to the centre of Palgrave and were advised that this was approximately 450 metres. Committee Chairman Matthew Hicks commented in response to traffic concerns that Suffolk County Council's Highways Department were the professional body and that this must be taken into account when making this decision.

**Note:** Councillor Diana Kearsley advised that she knew the owner of the adjacent listed building, Pell Howell. The Legal Business Partner advised that in view of this he recommended that Councillor Kearsley to take no further part in the debate or vote. Councillor Kearsley left the room and did not return until the application had been decided.

Phil Cobbold, the Agent, said the development was sustainable as had been proven by the approval of 23 other dwellings outside the settlement boundary. Following receipt of the traffic survey Suffolk County Council's Highways Department had raised no objections to the application. He commented that the development was sustainable and would provide environmental, economic and social benefits and that the Heritage Team said it caused less than substantial harm to the listed building as modern dwellings already flanked it.

Members raised concerns about the Education provision to which the Senior Development Planning Officer responded that any extension to the current school would be funded by the Community Infrastructure Levy but if a new school was needed then this would need to be secured through a Section 106 Agreement.

Committee Chairman Matthew Hicks read out an email from Councillor David Burn, Ward Member, which raised concerns around the sustainability of the application due to the lack of consultation with Diss Town Council as well as concerns around the safety of pedestrians on Priory Road as there was no provision for a footpath.

Members debated the application and some felt that road safety was a concern but that the site was sustainable. Councillor Whybrow proposed the recommendations in the report with the request that a bespoke letter be sent to Suffolk County Council's Highways Department to recommend a reduction of the current speed limit and extension of reduced speed zone. Councillor Jane Storey seconded this proposal.

By 6 votes to 2

**Decision** – Grant Outline Planning Permission subject to conditions including:

1. Reserved Matters Application condition
2. Time limit for submission of reserved matters application and commencement
3. Standard list of Approved Plans and documents
4. Land contamination report and remediation prior to commencement
5. Programme of archaeological investigation and recording prior to commencement
6. Details of surface water drainage
7. Those required by the Local Highway Authority
8. Those required by the Council's Ecology Consultants
9. Details of external materials and colours
10. Landscaping scheme and aftercare

**Note:** Letter to be sent to Suffolk County Council Highways Department recommending a reduction of the current speed limit and extension of reduced speed zone

## Item 2

Application Number: **0019/17**  
Proposal: Erection of six commercial units for B1 or B8 business units  
Site Location: **STOWMARKET** – Land South of Gun Cotton Way IP14 5UL  
Applicant: Atex Development Ltd

The Case Officer presented the Application and informed Members that the Officer's recommendation had been revised in the late papers as the Travel Plan details had now been agreed and that there had been an amendment to the location of Unit D to widen access. Members questioned the Officer about the width of the pathway along Gun Cotton Way and the serial development of the site. The Case Officer clarified that it would be unlikely that end users would use the public rights of way to access the site and it was deemed unreasonable to request contributions in this respect.

Nigel Gates, the Agent, and David Elder, the Applicant clarified that the footpath on Gun Cotton Way would be 2 metres wide and wouldn't have an impact on the existing vegetation that had been recently planted.

Committee Chairman Matthew Hicks read out an email from Councillor Dave Muller, Ward Member, commented that he fully supported the application as the land had always been earmarked for light Industrial units and that this would produce additional jobs for Stowmarket. Councillor Gary Green, Ward Member, fully concurred with Councillor Muller's comments.

Councillor David Whybrow said that the development was good news for Stowmarket, Cedars Park and Mid Suffolk and proposed an amendment to the recommendation that Construction Hours for Monday to Friday be limited to the hours of 08:00 to 18:00.

Members raised questions about the landscaping and the colour of the building which were addressed by the case officer clarifying that the proposed colour of the building was Goosewing Grey.

Councillor Sarah Mansel moved the recommendation subject to the amended condition on construction hours. The proposal was seconded by Councillor David Whybrow.

By a unanimous vote

**Decision** – That authority be delegated to the Corporate Manager – Growth and Sustainable Planning to grant Full Planning Permission subject to the prior completion of a Section 106 to secure the implementation and provide such contributions to the Travel Plan, and that such permission be subject to the conditions below:

- Time limit
- Accord with approved plans and documents

- Agree details and construct new footway along Gun Cotton Way
- Agree surface to new access and implement
- Parking to be provided prior to occupation and thereafter retained
- Written scheme of investigation (Archaeology) to be agreed prior to commencement of works and completed
- Details of Archaeological investigation to be agreed prior to occupation
- Details of proposed use and floor area of each unit to be agreed prior to first use and retained
- Removal of permitted development rights for uses outside of B1 and B8 use classes
- Working and delivery hours to be agreed prior to first use of the respective unit and operated in accordance with the approved hours
- Construction hours to be 08:00-18:00 Monday to Friday and Saturday 08:00-13:00 with no working on bank holidays or Sundays
- No external storage
- Construction Management Plan to be agreed prior to commencement of use and implemented
- Biodiversity mitigation measures and enhancement measures to be implemented in accordance with the ecology appraisal received 17 March 2017
- Details of external lighting to be agreed and no other lighting installed including lighting to advertisements or signage
- Details of barriers and gates to be installed prior to occupation
- Details of hard and soft landscaping to be agreed prior to commencement of works
- Approved landscaping to be implemented including replanting of any dead or dying plants
- Foul and surface water drainage to be implemented in full accordance with the FRA, addendum and approved drainage plans. To be managed in accordance with the FRA
- Details of surface water drainage during construction to be agreed prior to commencement of use and implemented accordingly
- Tree protection measures to be agreed prior to commencement of use and implemented accordingly
- Sustainability measures to be agreed and implemented (refer to Environmental Health sustainability comments)
- Provision of fire hydrants to be agreed prior to occupation and implemented