

MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **DEVELOPMENT CONTROL COMMITTEE B** held at the Council Offices, Needham Market on 27 January 2016 at 12:00 noon

PRESENT: Councillor Kathie Guthrie – Chairman – Conservative and Independent Group
Councillor Roy Barker – Vice-Chairman – Conservative and Independent Group

Conservative and Independent Group

Councillor: Julie Flatman
Jessica Fleming
Glen Horn
Dave Muller
Jane Storey

Green Group

Councillor: Keith Welham

Liberal Democrat Group

Councillor: Mike Norris

Denotes substitute *

In attendance: Corporate Manager - Development Control (PI)
Senior Development Management Planning Officer (JPG)
Senior Legal Executive
Governance Support Officer (VL/GB)

SA56 APOLOGIES FOR ABSENCE/SUBSTITUTIONS

An apology for absence was received from Councillor Barry Humphreys MBE.

SA57 DECLARATIONS OF PECUNIARY/NON-PECUNIARY INTEREST

Councillor Dave Muller declared a non-pecuniary interest in Application 3308/15 by reason of being a Ward Member for Stowmarket North and having had contact with Cedars Park Action Group.

SA58 DECLARATIONS OF LOBBYING

Members declared they had received emails of a lobbying nature with regards to Application 3308/15.

SA59 DECLARATIONS OF PERSONAL SITE VISITS

Councillor Dave Muller declared that he had visited the location of the proposed development site by reason of living in Cedars Park but had not entered it.

SA60 QUESTIONS FROM MEMBERS

None received.

SA61 SCHEDULE OF PLANNING APPLICATIONS

Application Number	Representations from
3308/15	Paula Mayhew (an Objector) Michael Smith (Agent for the Applicant)

Note: Following the Chairman's introduction to the meeting proceedings, a member of the public informed they would film the Committee meeting.

Item 1

Application	3308/15
Proposal	Erection of 97 dwelling houses and apartments, associated roads, car parking, public open space and landscaping including vehicle access from Wagtail Drive and cycleway access from Stowupland Road
Site Location	STOWMARKET – Phase 6C Cedars Park
Applicant	Crest Nicholson Eastern

At the Development Control Committee B meeting held on 20 January, Application 3308/15 was deferred for a Site Inspection at 10:30 am on 27 January 2015. The Committee reconvened at 12:00 noon, following the Site Inspection. Ward Members for Stowmarket North Dave Muller and Gary Green attended the Site Inspection. Councillor Green was unable to attend the Committee meeting.

As at the Committee meeting on 20 January, prior to consideration of the Application, photographic evidence from the residents of Cedars Park depicting parking arrangements at Wagtail Drive was provided for the Committee Members to inspect, at the Chairman's discretion and with her consent. Photographs of the landscape and street view were also circulated by Officers.

At the beginning of the presentation on the Application, the Officer corrected the figures referring to the density of dwellings per hectare quoted in the report, which should have read 32.8. The Consultation Response from the Council's Heritage Enabling Officer had been received, as contained in papers tabled at the meeting on 20 January. New slides had been added to show the original Masterplan with a higher density of dwellings. A Planning Obligation to provide a play area had also been omitted as it would allow the provision of an increased area of biodiversity and other play areas were available within a short walking distance from the site. Further landscaping measures in relation to the woodland mitigation scheme had been added following a Consultation Response from the Suffolk County Council Landscape Planning Officer. Upon conclusion of the presentation, the Case Officer answered Members' questions, including:

- The location of larger properties on site and their proximity to the existing residential dwellings;
- The proposed removal of existing trees and the landscaping scheme,
- The proposed parking arrangements and emergency access.

Paula Mayhew, an Objector, addressed the Committee on behalf of Cedars Park Action Group and spoke against the proposed development on grounds including:

- Discrepancies in the Case Officer's assessment and report,
- The road layout was inadequate to cope with an increase in traffic,
- Removal of protected trees and unacceptable proposed mitigation scheme,
- Impact of the construction work on the ancient hedge row,
- Insufficient biodiversity analysis,
- Use of unapproved and intrusive biodiversity survey techniques,
- Impact of the construction works on biodiversity,
- Effect on the view of Gipping Valley,
- Inadequate highways report,
- Loss of residential amenities and the risk of overlooking.

The Corporate Manager - Development Control and Senior Development Management Planning Officer answered Members' question in relation to the bat survey and highways capacity assessment. Suffolk County Council and the Suffolk Wildlife Trust had been consulted and no evidence of malpractice had been identified.

Michael Smith, Agent for the Applicant, addressed the Committee, stating that the parking issues were not a material planning consideration and no objections from the Highways Authority had been received. The proposed parking provision, which accorded to the current revised parking standards, would ensure that parking from the development would not spill over into surrounding street if residents used the allocated parking spaces. Necessary ecological assessments had been carried out and complied with Policy 9.1 of the Stowmarket Area Action Plan. The proposed development was within the Stowmarket built area and complied with the existing planning policies. Mr Smith commented that the proposed mitigation schemes were adequate and the development would conclude the original Masterplan.

Councillor Dave Muller, a Ward Member for Stowmarket North, addressed the Committee and emphasised concerns including:

- Impact on residents in neighbouring streets and loss of residential amenity,
- Heavy congestion of nearby roads,
- Lack of parking to safely accommodate all private vehicles,
- Lack of passable space to allow emergency and waste disposal vehicle access,
- Detrimental effect the construction process and the development itself would have on the established trees and their root system, soil levels, biodiversity, landscape and the green infrastructure,
- A high number of objections received,
- Increased pressure on the educational and medical facilities in the area,
- Increased flood risk,
- Risk of overlooking for a number of existing properties,
- Loss of open space,
- The proposed development was contrary to policies CLO5, CL08, H13 and H16.

Councillor Barry Humphreys, Ward Member for Stowmarket North commenting by email, concurred with Councillor Muller's representation and in addition highlighted issues with regards to public safety and road network capacity, parking concerns and overpopulation.

Councillor Gary Green, Ward Member for Stowmarket North commenting by email prior to the Committee meeting on 20 January, wholeheartedly agreed with the views of Stowmarket Town Council, the local residents and those of Councillor Dave Muller and asked for the application to be rejected.

In order to address the comments with regards to parking and highways issues, the Corporate Manager - Development Control, advised that the Highways Officer from Suffolk County Council had been asked to attend the Site Inspection and the Committee meeting but could not be present. However, Andrew Pearce, Senior Development Management Engineer, Highways, had revisited the site and his response was read out for the Committee. There was no material change in his response to the consultation.

During the debate Members commented that the Site Inspection had been useful in allowing them to assess the cumulative impact of the proposed development on the neighbouring properties in terms of privacy/overlooking (in particular in Elizabeth Way), impact on the Grade II listed Hill House Farm (in landscape and visual terms), residential amenity and the local highway network and highway safety. Members also commented that the issues raised with regards to the biodiversity survey and the landscaping scheme could not be ignored. Therefore, notwithstanding officer recommendation that authority be delegated to the Corporate Manager for Development Management to grant planning permission subject to appropriate obligations and conditions being met, a motion to defer consideration of the application to allow Officers to renegotiate with the Applicant on some key aspects was proposed and seconded for reasons including:

- Access for construction work to be agreed and conditioned in order to reduce negative impact on the residents and the wildlife present on site,
- Explore whether pedestrian and cycle access could be extended and linked to Stowupland Road in order to reduce the use of cars,
- Address issues with overlooking at Elizabeth Way and the visual impact on the Grade II Listed property.

The Corporate Manager - Development Control advised that any revisions to the proposal may have an impact on the viability of the development which would have to be addressed. A revised application would need to be considered before the implementation of CIL on 11 April.

By 7 votes to 1

Decision – That the application be deferred to enable further negotiation with the applicant to address and explore:

- Issues and concerns regarding design and overlooking in the areas of Hill House Farm and Elizabeth Way
- The possibility of a cycleway connection onto Stowupland Rd
- Enhance bats and biodiversity mitigation

- Relocate construction / emergency access / cycleway onto meadow to safeguard the old lane.

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Chairman