

MINUTES OF THE MEETING OF THE BABERGH PLANNING COMMITTEE HELD IN ELISABETH ROOM - ENDEAVOUR HOUSE, 8 RUSSELL ROAD, IPSWICH ON WEDNESDAY, 21 FEBRUARY 2018

PRESENT: Peter Beer - Chairman

David Busby
Derek Davis
John Hinton
Jennie Jenkins
Stephen Plumb

Michael Creffield
Kathryn Grandon
Michael Holt
Adrian Osborne
David Rose

The following Members were unable to be present: Sue Ayres, Luke Cresswell, Siân Dawson and Ray Smith.

129 SUBSTITUTES

It was noted that, in accordance with Committee and Sub-Committee Procedure Rule No.20, a substitute was in attendance as follows:-

Jennie Jenkins (substituting for Ray Smith).

130 DECLARATION OF INTERESTS

None declared.

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

None received.

132 PL/17/32 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Members had before them an Addendum to Paper PL/17/32 (circulated to Members prior to the commencement of the meeting) summarising additional correspondence received since the publication of the Agenda, but before noon on the working day before the meeting, together with errata.

In accordance with the Council's arrangements for Public Speaking at Planning Committee, representations were made as detailed below relating to the items in Paper PL/17/32 and the speakers responded to questions put to them as provided for under those arrangements,

Application No.

Representations from

DC/17/05793/FUL
DC/17/06286/FUL

Kate Wood (Agent for the Applicant)
Roger Balmer (Agent for the Applicant)

RESOLVED

That subject to the imposition of conditions or reasons for refusal (whether additional or otherwise) in accordance with delegated powers under Council Minute No. 48(a) (dated 19 October 2004) decisions on the items referred to in Paper PL/17/32 be made as follows:-

a

LONG MELFORD

**Application No. DC/17/5793/FUL
Paper PL/17/32 – Item 1**

Full Application – Erection of 15-unit sheltered apartment block (amended application to 11-unit block approved under reference B/15/01043/FUL Sheltered Accommodation Site at Orchard Brook, Hall Street.

The Case Officer John Davies in presenting the application informed Members of the following updates which were received after the Addendum had been issued:-

- SCC – Flood and Water Management holding objection now withdrawn and no objection subject to conditions.
- Disability Group Optua has identified possible improvements to the internal layout, which are covered by Building Regulations – however, the Applicant is aware and will take into account where possible.

He also confirmed that the Applicant had agreed the commuted sum of £10,242 towards the provision of affordable housing, as detailed in the officer recommendation.

RESOLVED

That authority be delegated to the Corporate Manager – Growth and Sustainable Planning to Grant Planning Permission subject to the prior completion of a Section 106 or Undertaking on terms to his satisfaction to secure the following heads of terms:

- **Commuted sum of £10,242 towards affordable housing**

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

- **Implementation within 3 years.**
- **Submission and approval of window details.**
- **Submission and approval of all external materials.**
- **Submission and approval of details including mortar mix, joinery colour and render colour.**
- **Precise details of boundary treatments and retention thereof**
- **Submission and approval of location and detail of solar panels.**
- **Submission and approval of lighting details.**
- **Submission of signage proposed to Hall Street and inside site.**

- Submission of biodiversity enhancement measures, to include locations of bat and swift boxes
- Conditions as agreed with the County Archaeologist.
- Sheltered Housing to be provided in accordance with paragraphs 2.9 and 2.10 of the submitted Housing Needs Statement, for no other use within use class C3 and to thereafter be retained as such.
- Sheltered Housing only to be occupied by persons over the age of 55
- Provision of fire hydrants.
- Submission of waste minimisation and recycling strategy.
- Implementation in accordance with construction management plan.
- As recommended by the LHA including provision of cross over, footpath realignment, maintenance of visibility splays, prior approval of arrangements for discharge of surface water.
- As recommended by the EA, including contamination risk assessment, verification reporting and long-term monitoring and maintenance plan and surface water management/drainage details.
- Precise details of soft landscaping, open space and play equipment.
- Implementation of soft landscaping, open space and play equipment.
- Precise details of boundary treatment with erection prior to occupation.
- As recommended by the Arboriculture Officer in relation to protection of existing trees.
- Removal of PD rights for conversion of garages
- Retention of estate roads and retention of internal layout as agreed (unless otherwise agreed in writing).
- Retention of private visitor and parking, including two spaces available for local businesses
- Access on Cock and Bell Lane to be pedestrian, cycles and emergency vehicle provision only; no regular day to day vehicle access.
- As required by SCC Flood and Water Management

b ERWARTON

**Application No. DC/17/06286/FUL
Paper PL/17/32 – Item 2**

Full Application – Change of use of agricultural land (part site), Erection of 9 dwellings with associated access to Queens Road, landscaping and parking, land to north of Queens Road.

The Case Officer Samantha Summers in presenting the application referred to the recent site visit carried out by Members. There were no updates to report, however during the course of the debate on this item the description of Erwarton which has a Parish Meeting, not a Parish Council, was corrected. The Case Officer informed Members that the comments of the Heritage Team as referred to in Part Two of the report had still not been confirmed in writing.

Members considered the officer recommendation of refusal for reasons relating to failure to accord with Policies CS2 and CS15, together with the unsustainable location outweighing the benefits of the development, as set out in the report.

Following their deliberations, a majority of Members concluded that the development would not harm the adjacent AONB or the heritage assets, and that the scheme was well-designed with the type and size of dwellings proposed meeting a need on the Shotley peninsula.

Having regard for the 'presumption in favour of sustainable development' as identified within Policy CS1 of the Core Strategy and Paragraph 14 of the NPPF, a motion to approve the application was moved on the grounds that the adverse impacts in allowing the development to proceed would not significantly or demonstrably outweigh the benefits when assessed against the NPPF as a whole, and no specific policies within the NPPF indicated that the development should be restricted. The motion was carried by a majority vote.

RESOLVED

That planning permission be granted subject to conditions including:-

- **Commencement time limit**
- **Approved plans / documents**
- **Landscaping timing**
- **As required by the Highways Authority**
- **Ecology**
- **Archaeology**
- **RAMS Contribution / Mitigation**

c

ACTON

**Application No. B/17/0180/OUT
Paper PL/17/32 – Item 3**

Outline Application for industrial and commercial development (means of access to be considered) land east of Bull Lane, Acton Place Industrial Estate.

The Case Officer Natalie Webb in presenting the application referred to the information in the Addendum which included the comments of Councillor William Shropshire in support of the officer recommendation of refusal. The Chairman read out comments from the Ward Member, Councillor Maybury, also in support of the officer recommendation. Jen Candler, Senior Planning Policy Officer was present at the meeting in support of the Strategic Planning comments included in the officer report.

The Case Officer clarified the Economic Development and Tourism response in the Addendum which focused on the need for further information to be provided by the Applicant. Members were advised that the additional information had been requested but nothing further had been provided to date. The further comments of the Highways Authority on the amended plans confirmed that the reasons for refusal as set out in officer recommendation 3 were still relevant. Members were in agreement with all three reasons for refusal as set out in the recommendation.

RESOLVED

That outline planning permission be refused for the following reasons:-

- 1. The proposed development is contrary NPPF Paragraphs 19 and 20 which state inter-alia that local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century. In addition, NPPF Paragraph 22 states that the policy framework should ensure that there is not a surplus of employment sites in the District; that any sites which come forward should have a realistic prospect of what will be occupied. The proposal set out above adjoins a current employment site which has a number of vacant units. Additionally, a review and allocation of suitable sites for employment has recently been completed by the Council, set out in the Employment Land Needs Assessment (ELNA) and a Sector Needs Assessment (SNA), which consequently concluded that there is a surplus of employment land. With no justification of requirement for further expansion of the site, the development constitutes unsustainable development in the countryside.**
- 2. The proposed development does not demonstrate that there is a viable surface water drainage system that can meet National (NPPF) and Local (CS15) Planning Policies, which state inter-alia that new development should minimise the exposure of people and property to the risks of all sources of flooding by taking a sequential risk-based approach to development, and where appropriate, reduce overall flood risk and incorporate measures to manage and mitigate flood risk and; minimise surface water run-off and incorporate sustainable drainage systems (SUDs) where appropriate. As there is a history of surface water flooding in close proximity to the site and an existing predicted risk to the site itself; in addition to ongoing issues with undersized culverting of the watercourse, without the information requested to ensure that a viable surface water drainage system can be provided, the development may be considered to be at risk of surface water flooding.**
- 3. The proposed development would be contrary to Policy CS15 of the Babergh Core Strategy, which seeks inter-alia to minimise the need to travel by car using the following hierarchy: walking, cycling, public transport, commercial vehicles and cars). In addition, Policy CS1 states that Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole. In this instance insufficient information has been provided to show that a safe access can be provided to the highway and insufficient information in regards to alternative sustainable transport modes.**

Note:

The meeting adjourned for a comfort break between 10.55 a.m. and 11.00 a.m.

The business of the meeting was concluded at 11.20 a.m.

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Chairman