

MINUTES of the meeting of the **DEVELOPMENT CONTROL COMMITTEE** held on 6 March 2008 at 10.30 am in the Elisabeth Room, Endeavour House, Ipswich.

Present: Councillors Charles Michell (Chairman), Allyson Barron, John Goldsmith, Richard Kemp, Rae Leighton, Selwyn Pryor, Bill Quinton, Morris Rose, John Taylor and Ron Ward.

Also present: Councillor Colin Spence.

65. **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillor Roger Pendleton and Councillor Selwyn Pryor attended as a substitute.

66. **DECLARATIONS OF INTERESTS AND DISPENSATIONS**

Councillor Bill Quinton declared a prejudicial interest in respect of Agenda item 7 (Redevelopment of Gainsborough Library, Ipswich), by virtue of the fact that he had been involved in the proposal as the Local Member for Gainsborough.

Councillor Allyson Barron declared a personal interest in respect of Agenda item 11 (First Base Pupil Referral Unit, 34 Ashely Downes, Lowestoft), by virtue of the fact that she was the Local Member for Oulton.

Councillor Richard Kemp declared a personal interest in respect of Agenda item 4 (Land at Chilton Estate, Chilton, Sudbury), by virtue of the fact that he was a Councillor on Babergh District Council.

67. **CONFIRMATION OF THE MINUTES**

The minutes of the meeting held on 24 January 2008 were confirmed as a correct record and signed by the Chairman.

68. **LAND AT CHILTON ESTATE, CHILTON, SUDBURY**

The Committee considered a report at Agenda item 4, that sought the Committee's approval for the extraction of sand and gravel including the erection of a concrete batching plant, aggregates bagging plant and construction and demolition waste recycling plant on the land at Chilton Estate, Chilton Sudbury.

The Committee was advised that the land was identified for sand and gravel extraction in the adopted Minerals Local Plan and that the operation would last for a period of 10 years and the land would be restored at the lower

level embracing agriculture, woodland and water features. The application was accompanied by an Environmental Statement and had been the subject of prior consultation with the local community.

The Legal Advisor spoke to the Committee in relation to a concern about its duty to determine a planning application on land owned by the County Council. He went on to say that in such cases the Local Government Act 2000 changed the structure of the democratic decision making process and enabled regulatory committees to be created, such as the Development Control Committee, which had the responsibility of determining such applications and there was an appeals process for applicants that wanted to challenge the Committee's decision.

Councillor Colin Spence spoke as the Local Councillor for Sudbury East and Waldingfield and advised the Committee that the proposal was of concern to local residents. He added that a new housing development was proposed for the nearby Chilton Woods site and allowed for between seven to nine hundred new homes. He went on to express his concern about the combined increased level of traffic from the new housing development and the site subject of the planning application before the Committee. He added that the A134 had not been improved over the past 10 years and recent traffic movements had been recorded at 1100 vehicle movements per hour during the rush hour period. He went on to advise the Committee that the proposal did not allow for any speed restrictions along the A134 and that the Committee had a duty of care towards drivers who used the A134 and urged the Committee to refuse the application.

Councillor Selwyn Pryor spoke as the Local Member for Stour Valley and advised the Committee that, in his view, the development was not commercially viable. He also raised concerns about the possible increase in traffic and related safety issues along the A134.

Steve Archer a local resident from Newton Green spoke against the proposal and explained that the A134 effectively cut the village of Newton Green in half. He added that Newton Green consisted of a number of cul-de-sacs which were accessed from the A134. He went on to express his concern about elderly residents who found it difficult to cross the busy main road which had not street lighting and very narrow footpaths. He also expressed concern about the school bus driver who had to negotiate pulling out into fast moving traffic from the bus lay-by often during the rush hour period.

Alan Vince spoke as the Chairman of Newton Parish Council and reminded the Committee that the Parish Council had consistently objected to the proposal from its original objection lodged to the Local Planning Authority in 2006. He asked the Committee to note that the Parish Council's objection was based on road safety and environmental grounds and added that he was pleased that Babergh District Council's Planning Committee had objected to the proposal at its 5 March 2008 Committee meeting. He went onto express concern that the Road Safety Audit Report did not properly address the issues of 20,000 HGV's a year that would access the quarry from one of the most dangerous stretches of road in the area, and added

that three young men local to Newton and Sudbury had been killed in road accidents on the A134 over the past 10 years. He went on to express concern that slow moving 20 or 30 tonne Heavy Goods Vehicles (HGV's) would be forced to turn right across the A134 or into the path of other traffic travelling at around 60 miles per hour (MPH) over the brow of a hill or round a blind bend. He also expressed concern in relation to what the Parish Council considered to be the unacceptable environmental impact the proposal would bring on Newton and the surrounding villages, and suggested that it was contrary to the County Council's attempt to become the Greenest County. He thanked the Committee for the opportunity to speak and asked it to refuse the application.

John Steele spoke as the Vice-Chairman of Great Waldingfield Parish Council and spoke in support of the neighbouring Parish Councils of Newton and Chilton and called for the Committee to refuse the application. He went on to highlight the increased number of HGV movements and related safety issues that the proposal would bring to the A134.

Peter Clifford spoke on behalf of Chilton Parish Council and advised the Committee that Babergh District Council's Development Control Committee had unanimously refused the proposal at its 5 March 2008 meeting. He also expressed concern about the increased HGV movements along the A134 and related safety issues. He concluded by asking the Committee to refuse the application.

Mike Davies spoke as the agent for Brett Aggregates Ltd and apologised that Mike Courts, the applicant's Planning and Development Manager was unable to attend the meeting. He asked the Committee to consider that the proposal was in accordance with the adopted Minerals Local Plan and that there were no material considerations that had arisen subsequent to the adoption of that Plan to justify the refusal of planning permission. He confirmed that Brett Aggregates Ltd would be prepared to fund a new Zebra Crossing in Newton along with a flashing warning sign on the Colchester bound carriageway of the A134 that would encourage drivers to slow down.

Decision: That the application be **REFUSED**.

Reason for Decision: The Committee agreed the proposal should be refused on the following grounds:

- a. the proposal was detrimental to the free flow and safety of traffic that used the A134; and
- b. the proposal had an adverse environmental impact on the existing road network.

Other Comments: The Committee expressed concern that the extract from the Planning Inspector's 1997 report on objections to the Suffolk Minerals Local Plan specific to the site could be out of date. The Committee was advised that that it needed to take into account material planning considerations when it determined the application.

In answer to a further question, the Committee was advised that the electrically driven conveyor belt was unlikely to be noisy and there would be no benefit in installing a cover over it.

The Committee expressed the view that if the development was allowed it would be advantageous to have a resident's liaison group in place to help monitor and address local concerns.

The Planning Advisor advised the Committee that the Consulting Engineer was 100% satisfied with the design and safety audits of the proposed junction. He added that he would welcome the introduction of an electronic matrix warning sign on the Colchester bound carriageway of the A134 which would automatically illuminate if drivers approached the junction at more than 45 Miles Per Hour. In answer to a question, the Committee was advised that it was the applicant's decision not to investigate the option of putting a roundabout at the junction, and that the Committee should determine the application before it on its merits. The advisor was not able to comment on whether a roundabout was a more suitable junction arrangement in this location but indicated that any new junction introduced potential conflicting traffic movements.

Alternative options: There were none considered.

Declarations of interest: Councillor Richard Kemp declared a personal interest in this matter, by virtue of the fact that he was a Councillor on Babergh District Council.

Dispensations: There were none reported.

Councillor Bill Quinton Left at 12.15 am.

THE CHAIRMAN ALTERED THE ORDER OF THE BUSINESS AS HEREINAFTER MINUTED

69. POSSIBLE SEPARATE PAPER WITH REGARD TO WALDINGFIELD

The Committee considered a report at Agenda item 15, that sought the Committee to note the explanation and background to the enforcement action at Great Waldingfield Airfield, Great Waldingfield.

The Committee was advised that the report was for updating purposes only and to make it aware of action that had been taken to date, including action following the letter received from Birkett Long Solicitors and advice on its content.

Decision: The Committee noted the explanation and background to the enforcement action at Great Waldingfield Airfield, Great Waldingfield.

Reason for Decision: The Committee considered it was fully aware of the issues involved in the case and had received a response to the points raised in the Birkett Long letter of 21 January 2008. The Committee went on to agree that the report ensured transparency of Development Control and action taken as a Waste Planning Authority in accordance with the Council's Adopted Enforcement Code of Practice.

Other Comments: There were no other comments in relation to this item.

Alternative options: There were none considered.

Declarations of interest: There were none declared.

Dispensations: There were none reported.

70. **LAND ADJACENT TO MASONS LANDFILL SITE, GREAT BLAKENHAM**

The Committee considered a report at Agenda item 5, that sought the Committee's approval for the change of use of land to storage of empty waste skips and containers in conjunction with existing adjacent waste sorting and transfer site at the land adjacent to Masons landfill site, Great Blakenham.

The Committee was advised that this was a retrospective application for the retention of a container storage compound. The application site, a former coal storage area, lay adjacent to the applicant's existing waste recovery and transfer facility and was approached off the Masons landfill site access road.

The Committee noted that whilst part of the application site lay within an area of land designated a Site of Special Scientific Interest there would be no adverse effect to the designated interest. The Committee was also advised that the application site lay within part of a County Wildlife Site which would have lost some of its wildlife interest because of the retrospective nature of the application. Views into the site could be gained from a Public Right of Way located on rising land to the south.

The Committee received an update on a consultation response made by the Environment Agency following the preparation of the Committee report. The Agency whilst expressing no objection to the application had requested the imposition of a condition that required a scheme of drainage to be submitted prior to the commencement of development. The Committee was informed that, in light of the retrospective nature of the application, the appropriateness of this condition had been discussed with the Agency. Condition 10 as set out in the list of recommended conditions appended to the Committee report was considered, by the Agency, to address its requirements and so replace its proposed condition.

Decision: That the application be **GRANTED**, subject to the condition recommended in the report by the Head of Development Control.

Reason for Decision: The Committee agreed that the development lay adjacent to a busy waste sorting and transfer site with no space for storage of empty containers within the approved cartilage. The Committee went on to note that the proposed expansion to accommodate the container storage needs onto adjacent land avoided extra off site traffic movements, and did not give rise to significant impact on the environment. The Cabinet went on to agree that the proposal had regard for the provisions of the Development Plan and other material planning considerations and that temporary approval comprised sustainable development in the context of the site and adjacent existing and potential development.

Other Comments: There were no other comments in relation to this item.

Alternative options: There were none considered.

Declarations of interest: There were none declared.

Dispensations: There were none reported.

71. **LAND EAST OF FORMER LITTLE CHEF CAFÉ, KENTFORD (PARISH OF GAZELEY)**

The Committee considered a report at Agenda item 6, that sought the Committee's approval to landfill part of the old mineral working with excavation waste soils at the Land east of former Little Chef Café Kentford (Parish of Gazeley).

The Committee was advised that the application related to an old sand pit between the railway line and the A14 at Kentford. The proposal was to partly fill the void over an area of 0.2 ha with excavation soils delivered from construction of a hardstanding at the applicant's premises to the north of the site, adjacent to a granary store off Cavenham Road.

The Committee noted that the access would be from an existing field entrance on to the C623 Cavenham Road, then along a currently grass track, and that haulage would be over a 70 metre section of the Cavenham Road.

Decision: That the application be **GRANTED**, subject to the condition recommended in the report by the Head of Development Control.

Reason for Decision: The Committee agreed that the proposal had regard to the provisions of the Development Plan and other material planning considerations, and would provide a proximate and appropriate disposal for a local specific waste arising, and would result in land improvement with benefit to agriculture. The Committee recognised that the operations would be short lived and mitigation of any potential loss of natural habitat would be secured by a planning condition, or controlled by the Department for the Environment, Food and Rural Affairs (DEFRA) through a Habitats Regulations Licence from DEFRA under the Conservation (Natural Habitats, &c) Regulations 1994. The Committee went on to that the proposal had regard to the condition of the site, preservation of habitat and plant species in situ was not considered overriding.

Other Comments: There were no other comments in relation to this item.

Alternative options: There were none considered.

Declarations of interest: There were none declared.

Dispensations: There were none reported.

72. **REDEVELOPMENT OF GAINSBOROUGH LIBRARY, IPSWICH**

The Committee considered a report at Agenda item 7, that sought the Committee's approval for the demolition of an existing 1930s library building on the junction of Clapgate Lane and Mildmay Road, Ipswich. The proposal allowed for the construction of a new single storey library building on the same site, which incorporated additional community facilities such as an enterprise café and community room with a new vehicular access from Mildmay Road to allow for the provision of a new car park and delivery area to the rear of the library.

The Committee was advised that the proposal was for a replacement library which incorporated community facilities and enterprise café. The Committee was further advised that the applicant had undertaken extensive consultations with service providers, users and the local community as to whether the existing building should be refurbished or replaced with modern purpose built accommodation, and noted that 80% of the respondents had voted for a new building.

The Committee was advised that Ipswich Borough had recommended approval of the application at its 5 March 2008 Committee meeting subject to a number of conditions. One of these related to the provision of Close Circuit Television (CCTV) equipment. The Committee did not agree that this should be a requirement of planning permission but agreed that a condition should be imposed that required details of any such equipment to be submitted to and approved in writing by the County Planning Authority.

Decision: That the application be **GRANTED**, subject to the condition recommended in the report by the Head of Development Control and the additional condition referred to above.

Reason for Decision: The Committee agreed that the proposal provided a modern facility in a welcoming environment, and that the proposed form and location of the building related well to the street and neighbouring properties, the choice of materials were well thought out and positively enhanced the local environment.

Other Comments: There were no other comments in relation to this item.

Alternative options: There were none considered.

Declarations of interest: Councillor Bill Quinton had declared a prejudicial interest in this matter, by virtue of the fact that he had been involved in the proposal as the Local Member for Gainsborough.

Dispensations: There were none reported.

73. **COLNEIS JUNIOR SCHOOL, COLNEIS ROAD, FELIXSTOWE**

The Committee considered a report at Agenda item 8, that sought the Committee's approval to enclose and refurbish the existing open-air swimming pool at Colneis Junior School, Colneis Road, Felixstowe.

The Committee was advised that the proposal involved the refurbishment of an existing outdoor swimming pool and erection of an enclosure and associated plant room. The existing pool was provided by parents and friends of Colneis Junior School in 1975, and had been unused for approximately five years due to issues with the pool lining and equipment.

The Committee noted that neighbours had raised concerns regarding noise, hours of use and disposal of waste water. The Committee was advised that planning conditions had been recommended by the Head of Development Control that restricted hours of use and required a noise impact assessment to be submitted before the development commenced.

Decision: That the application be **GRANTED**, subject to the condition recommended in the report by the Head of Development Control.

Reason for Decision: The Committee agreed that the wider social and health benefits of the proposed facility were acknowledged and the development was considered appropriate for this location subject to further noise information and potential mitigation measures if deemed necessary.

Other Comments: The Committee was informed that the Local Member for Felixstowe Coastal, Councillor Graham Newman supported the application and wanted to inform the Committee that there was a great deal of community support for the application. Suffolk Coastal District Council had raised no objection to the application and Felixstowe Town Council recommended approval subject to adequate noise conditions and consultation with neighbours.

Alternative options: There were none considered.

Declarations of interest: There were none declared.

Dispensations: There were none reported.

74. **THOMAS MILLS HIGH SCHOOL, SAXTEAD ROAD, FRAMLINGHAM**

The Committee considered a report at Agenda item 9, that sought the Committee's approval for a two classroom, single storey extension to the existing rural learning centre at Thomas Mills High School, Saxtead Road, Framlingham.

The Committee was advised that the proposal was for a single storey extension that provided two additional classrooms at the existing Business Education Centre and did not involve an increase in pupil numbers.

The Committee noted that a local resident had objected to the proposal on the grounds of disruption and congestion in Kings Avenue. The Committee was advised that the Head of Development Control had recommended a planning condition that required that no deliveries to the construction site be made before 9.00 am and all waiting, parking, loading and unloading of delivery vehicles was to take place on the school site.

Decision: That the application be **GRANTED**, subject to the conditions recommended in the report by the Head of Development Control.

Reason for Decision: The Committee agreed that the proposed development did not adversely impact on residential amenity, and welcomed the applicant's agreement to conditions that controlled deliveries and vehicle access to the site.

Other Comments: There were no other comments in relation to this item.

Alternative options: There were none considered.

Declarations of interest: There were none declared.

Dispensations: There were none reported.

75. **GREAT CORNARD UPPER SCHOOL, HEAD LANE, GREAT CORNARD, SUDBURY**

The Committee considered a report at Agenda item 10, that sought the Committee's consent for a temporary permission (five year period) to install an Elliott modular building: matching the adjacent nursery building with alterations and extensions to the existing car park. The proposal also allowed for the provision of a footway along the current access from Well Hall Road (as amended: Drawing number 062076/A/007 Rev C and 062076/A/010 Rev A) at Great Cornard Upper School, Head Lane, Great Cornard, Sudbury.

The Committee noted that the proposed modular building would be used as a Children's Centre to extend childcare services on site and that extensions to car parking and widening of the access road, with provision of a new footway were also proposed.

In answer to a question, the Committee was advised that there were alternative cycle routes onto the site and that a planning condition recommended by the Head of Development Control required the applicant to submit a Travel Plan.

Decision: That the application be **GRANTED**, subject to the conditions recommended in the report by the Head of Development Control.

Reason for Decision: The Committee agreed that the development would deliver educational and community benefits to the wider community in purpose built accommodation and that improvements to the access road, provision of a footway, cycle racks and car parking would help to alleviate

present levels of vehicle congestion and encourage alternative modes of transport. The Committee went on to agree that the realignment of sports pitches would ensure that the optimum safety margins for summer and winter pitch layouts were achieved, in accordance with the recommendations of Sport England.

Other Comments: There were no other comments in relation to this item.

Alternative options: There were none considered.

Declarations of interest: There were none declared.

Dispensations: There were none reported.

76. **FIRST BASE PUPIL REFERRAL UNIT, 34 ASHLEY DOWNS, LOWESTOFT**

The Committee considered a report at Agenda item 11, that sought the Committee's consent for the extension to the two existing car parking areas and provision of a new footway at First Base Pupil Referral Unit, 34 Ashley Downs, Lowestoft.

Decision: That the application be **GRANTED**, subject to the conditions recommended in the report by the Head of Development Control.

Reason for Decision: The Committee agreed that the development was acceptable in form and location and did not have a detrimental effect on residential amenity or result in a loss of privacy for those living close by.

Other Comments: There were no other comments in relation to this item.

Alternative options: There were none considered.

Declarations of interest: Councillor Allyson Barron declared a personal interest in this matter, by virtue of the fact that she was the Local Member for Oulton.

Dispensations: There were none reported.

77. **ALL SAINTS PRIMARY SCHOOL, VICARAGE ROAD, NEWMARKET**

The Committee considered a report at Agenda item 12, that sought the Committee's consent for the retention of a pre-fabricated building for All Saints Under Fives at All Saints Primary School, Vicarage Road, Newmarket.

The Committee was advised that Forest Heath District Council had no objections to the proposal.

Decision: That the application be **GRANTED**, subject to the condition recommended in the report by the Head of Development Control.

Reason for Decision: The Committee agreed that the retention of the pre-fabricated building for a limited period was acceptable in this location.

Other Comments: There were no other comments in relation to this item.

Alternative options: There were none considered.

Declarations of interest: There were none declared.

Dispensations: There were none reported.

78. **HANDFORD PRIMARY SCHOOL, GATACRE ROAD, IPSWICH**

The Committee considered a report at Agenda item 13, that sought the Committee's consent for the retention of a modular building for Toybox Pre-school at Handford Hall Primary School, Gatacre Road, Ipswich.

Decision: That the application be **GRANTED**, subject to the condition recommended in the report by the Head of Development Control.

Reason for Decision: The Committee agreed that the retention of the modular building for a limited period was acceptable in this location.

Other Comments: The Head of Development Control informed the Committee that Councillor Inga Lockington, the Local Member for St Margaret's and Westgate, had indicated her support for the proposal.

Alternative options: There were none considered.

Declarations of interest: There were none declared.

Dispensations: There were none reported.

79. **SUFFOLK COUNTY COUNCIL DEVELOPMENT CONTROL CHARTER: REVIEW**

The Committee considered a report at Agenda item 14, that sought the Committee to endorse the Development Control Charter for publication on the Council's website.

The Committee was advised that the report set out an updated Development Control Charter which had been adopted by the then Regulatory Committee in 1999. The opportunity had been taken to simplify the Charter by cross referencing to other documents or material held on the Council's website and in particular the Development Control Manual.

The Committee was further advised that the Charter reflected changes which had been made to the Development Control Service as part of the County Council's Securing the Future programme. In particular the reference to the highway development control standards had been deleted

and would be reconsidered as part of the establishment of the new delivery arm of the Environment and Transport.

Decision: The Committee agreed that the Development Control Charter be endorsed and published on the Council's website.

Reason for Decision: The Committee acknowledged that there was a need to keep the Charter up to date and relevant.

Other Comments: There were no other comments in relation to this item.

Alternative options: There were none considered.

Declarations of interest: There were none declared.

Dispensations: There were none reported.

80. **OUTSTANDING ENFORCEMENT MATTERS AND APPEALS LODGED**

The Committee considered a report at Agenda item 16, that sought the Committee to note the progress on authorised enforcement matters.

Decision: The Committee noted the report.

81. **URGENT BUSINESS**

There was no urgent business considered.

The meeting closed at 1.00 pm.

Chairman