

**Unconfirmed**



Minutes of a Meeting of the **Planning Committee South** held in the Deben Conference Room, East Suffolk House, Melton, on **Tuesday, 23 January 2024 at 2.00pm.**

**Members of the Committee present:**

Councillor Tom Daly, Councillor Mike Deacon, Councillor John Fisher, Councillor Katie Graham, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Mike Ninnmey, Councillor Mark Packard, Councillor Rosie Smithson

**Officers present:**

Ellie DeGory (Assistant Planner), Matt Makin (Democratic Services Officer (Regulatory)), Agnes Ogundiran (Conservative Political Group Support Officer), Rachel Smith (Principal Planner (Development Management, Central Area Lead)), Dominic Starkey (Assistant Enforcement Officer (Development Management)), Becky Taylor (Assistant Planner), Ben Woolnough (Planning Manager (Development Management, Major Sites and Infrastructure))

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**1 Apologies for Absence and Substitutions**

No apologies for absence were received.

**2 Declarations of Interest**

Councillor Colin Hedgley declared a Non-Registerable Interest in the planning application being considered at item 6 of the agenda as he had attended a number of public and parish council meetings on the application in his capacity as ward member.

**3 Declarations of Lobbying and Responses to Lobbying**

Councillor Colin Hedgley declared he had been lobbied in writing on the planning application being considered at item 6 of the agenda; he advised that he had responded only to acknowledge receipt of correspondence.

**4 Minutes**

On the proposition of Councillor Hedgley, seconded by Councillor Ninnmey, it was by a unanimous vote

**RESOLVED**

That the minutes of the meeting held on 19 December 2023 be agreed as a correct record and signed by the Chair.

## **5 East Suffolk Enforcement Action - Case Update**

The Committee received report **ES/1825** of the Head of Planning and Coastal Management, which provided a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers up until 13 December 2023. At that time there were 16 such cases.

The Chair invited the Assistant Enforcement Officer (Development Management) to comment on the report. The Committee was advised that in respect of case F.4 (28 Brick Kiln Avenue, Beccles), following a further court hearing additional fines and costs had been issued against the site owner.

On the proposition of Councillor Deacon, seconded by Councillor Hedgley, it was by a unanimous vote

### **RESOLVED**

That the outstanding enforcement matters up to 13 December 2023 be noted.

## **6 DC/22/3748/FUL - Land off Keightley Way, Tuddenham St Martin**

The Committee received report **ES/1826** of the Head of Planning and Coastal Management, which related to planning application DC/22/3748/FUL. The application sought full planning permission for 25 dwellings on a site allocated within the Suffolk Coastal Local Plan (the Local Plan) in Tuddenham St Martin for approximately 25 dwellings.

The application was before the Committee for determination at the request of the Head of Planning and Coastal Management, as per the scheme of delegation set out in the East Suffolk Council Constitution, due to the significant interest from members of the public, Tuddenham St Martin Parish Council, a neighbouring parish council, and a ward member.

The Committee received a presentation from the Principal Planner (Development Management, Central Area Lead), who was the case officer for the application. The site's location was outlined and the Principal Planner highlighted Keightley Way's relationship to the High Street and the proposed access to the application site. The Committee's attention was drawn to the update sheet, published on 22 January 2024, which made a correction to paragraph 6.1 of the report in respect of prior development in Tuddenham St Martin.

The Committee was shown an aerial view of the site and was advised that the site allocation policy in the Suffolk Coastal Local Plan (the Local Plan) required the retention of the existing boundary vegetation. The Principal Planner provided a profile of Tuddenham St Martin which outlined previous development in the village, facilities, the total number of dwellings, the total number of new homes built between 2008/09 and 2018/19, and the village's population profile.

The Committee was shown photographs of the site demonstrating the following views:

- Looking along the High Street towards the junction with Keightley Way
- Keightley Way/High Street junction from x and y directions
- Looking in and out of the Keightley Way/High Street junction
- Along Keightley Way towards the existing playing fields access
- The existing playing fields adjacent to the application site (including the proposed new access from the development site, per the site allocation policy)
- Properties on Keightley Way adjacent to the proposed site access
- Looking into the site from the proposed access location
- Across the site towards the northern, southern, eastern and western boundaries

During the display of the images, the Principal Planner highlighted existing parking issues on Keightley Way that had been raised as concerns by residents and the Parish Council.

The Committee was shown the proposed site layout plan; members of the Committee were advised that this plan had undergone several revisions following consultations and discussions with the applicant. The Principal Planner noted that eight affordable housing units would be delivered on the site in accordance with the site allocation policy.

The Principal Planner displayed the proposed elevations for the various types of housing units proposed for the site, along with the housing mix plan and the proposed materials plan.

The material planning considerations and key issues were summarised as the principle of development, the proposal's compliance with the requirements of the site allocation policy, design, layout and landscaping, highways, and a surface water drainage strategy. The recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report, was outlined to the Committee.

The Chair invited questions to the officers. The Principal Planner highlighted the areas of the application site proposed as public highway, shared drive, and private drive, confirming that the latter would not be open to public parking.

In response to a question on drainage of the surface water attenuation area, the Principal Planner advised this question would be best answered by the applicant's representatives, who were present to address the Committee later in the meeting.

The Principal Planner advised that there had been no pre-application advice sought on the scheme by the applicant and said that in relation to heating, the developer would be required to meet building regulations more stringent than what was required in the Local Plan.

A member of the Committee asked if the Council could insist on linking cycle routes to the public right of way network, citing land ownership issues. The Planning Manager (Development Management, Major Sites and Infrastructure) advised that this would need to be discussed with Suffolk County Council as the relevant authority and highlighted that there was an infrastructure delivery plan in place for the village, with

£100,000 of Section 106 funding allocated for pedestrian improvements. The Committee was advised that the proposed connections to existing routes was considered by officers to be acceptable.

Another member of the Committee queried the proposed mix of affordable housing units and asked if there was a need for larger units in the area; he also asked about car movements on and off the site and if the density of the proposed development was in keeping with the rural area. The Principal Planner noted that the proposed affordable housing mix included two 3-bedroom properties and met the demand identified by the Council's Housing team.

The Planning Manager added that the provision of parking on the site met the Highways Authority's parking standards and that body had not objected to the proposal. In respect of the density per hectare, the Principal Planner noted the site was 1.5 hectares in size and that the density was 15-16 dwellings per hectare.

In response to further questions on linking the application site to the surrounding area, officers advised that although any planning permission would be subject to a Section 106 agreement, there was no policy requirement to improve existing routes in the surrounding area and this was not considered essential for the development to be considered viable. A breakdown of the existing population by age range was provided to the Committee, in response to a question on the number of "family" homes already in Tuddenham St Martin.

A member of the Committee highlighted the Parish Council's comments that the development was contrary to policy SCLP7.1 of the Local Plan regarding sustainable transport and sought further clarity from officers. The Planning Manager said that although SCLP7.1 was a material planning consideration, the Committee was required to also consider the site allocation policy which set out what should be achieved on the site, including transport links.

In response to a supplementary question on insisting on a connection as part of any planning permission granted, the Planning Manager advised that the Committee was required to consider the application that was before it and noted that Suffolk County Council, as the relevant authority for both highways and public rights of way, had not objected to the application; the Committee was informed that as the responsible authority, objections would be expected where this authority had concerns about an application.

Replying to further questions about linking the site to existing facilities in the village, officers noted there would be difficulties with providing a pedestrian link on the High Street which did not involve crossing the highway due to the terrain and the highway width.

Members of the Committee were assured by officers that should it delegate authority to the Head of Planning and Coastal Management to approve the application, the applicant would need to satisfy all the recommended conditions before any permission was granted. In response to a request that the Chair and Vice-Chair of the Committee be consulted before planning permission was issued, the Planning Manager said this

was not standard procedure but it was in the Committee's gift to require this as part of any resolution it made.

The Committee was advised that local people would be given priority on affordable housing and that this would be detailed in the Section 106 agreement.

The Chair invited Mr Ward, who objected to the application, to address the Committee. Mr Ward displayed materials during his presentation and highlighted the route that would be taken through Keightley Way by vehicles leaving the application site. Mr Ward displayed images comparing Keightley Way from 2002 to 2022 and considered that at least 20 dwellings had been constructed in that period; he noted the location of his own home and was of the view that visitor parking would take place on Keightley Way.

Mr Ward provided a photograph of on-street parking taking place adjacent to the proposed site access location, highlighting that parking was on the pavement and would extend on to the site when the development was completed. Mr Ward also displayed a photograph of an oil tanker attempting and failing to make a delivery to a dwelling on The Paddocks due to on-street parking. Mr Ward said that the situation was already poor and would be made worse by the development.

The Chair invited questions to Mr Ward. Mr Ward confirmed that he was representing a group of objectors that lived adjacent to the application site and that residents were concerned about issues arising due to parking issues.

When asked if alternative parking arrangements had been considered, Mr Ward explained that some issues had been discussed by residents to improve the situation in Keightley Way, including the creation of a car park either on the application site or by relocating an existing electricity sub-station.

In response to a question from a member of the Committee, the Principal Planner confirmed that the application met the Highways Authority's parking standards.

The Chair invited Councillor Procter, representing Tuddenham Parish Council, to address the Committee. Councillor Procter confirmed that the Parish Council's concerns and objections remained as set out in their consultation responses, which were included in the report. Councillor Procter said it was helpful that the update sheet had corrected the report to accurately reflect the level of development that had already taken place in Tuddenham St Martin.

Councillor Procter considered that the development had been "parachuted" into Tuddenham St Martin with little attention to how it would relate to the village, including sustainable transport. Councillor Procter considered that pedestrian link issues had been inadequately addressed and said that should the application be approved, contrary to the views of the Parish Council and residents, the Committee should consider imposing conditions prohibiting construction traffic approaching from the east to avoid further damage to the highway.

Councillor Procter highlighted that highway and pedestrian issues were such a concern that a significant amount of funding had been allocated to address it through Section

106 and Section 278 agreements. Councillor Procter said the benefits of the proposal did not outweigh the harm that it would cause to the area and asked the Committee to minimise this negative impact if it was minded to approve the application.

The Chair invited questions to Councillor Procter. Councillor Procter confirmed that during the examination of the Local Plan, the Parish Council had made representations against the allocation of the site due the concerns previously expressed, and these concerns had not been taken into account by the Planning Inspector.

When asked about linking the site to the wider village, Councillor Procter said the Parish Council was of the view that whilst this would be difficult, it could be achieved and had not been given full consideration by the Highways Authority, and wanted to see it considered further.

A member of the Committee asked if the Parish Council considered that affordable housing was not needed. Councillor Procter acknowledged that it was required but reiterated that the benefits of the scheme did not outweigh the harm it would cause. Councillor Procter confirmed that the parking allocation for The Paddocks had been inadequate.

In response to a query on accidents in Tuddenham St Martin, Councillor Procter said these mostly involved vehicles colliding with one another rather than pedestrians and said that the primary issue was pavement parking restricting the accessibility of pedestrian routes. When asked about the existing playing fields, Councillor Procter said that the Parish Council was funding increased use of the area and said that it was currently used for football, planting, and social events.

The Chair invited Mr Bell, representing the applicant, to address the Committee. Mr Bell was accompanied by Mr Clarke-Gifford, who was present to answer any questions the Committee had. Mr Bell confirmed he was speaking on behalf of the developer who had made the application and was principally present to answer questions.

Mr Bell outlined that the proposal was in line with the site allocation policy and had been submitted in September 2022, and had been revised following an extensive consultation with both public and statutory consultees. Mr Bell noted that the only objections had come from the Parish Council regarding site access.

Mr Bell said that the Highways Authority was not objecting to the allocation of the site for development or the application, and had not raised concerns about the impact of the scheme on the road network. Mr Bell highlighted that colleagues had met with members of the public and the Parish Council and had made changes to the proposed construction management plan in response to concerns raised.

Mr Bell concluded that the site was allocated for development in the Local Plan and the application accorded with the relevant policy, having met all the requirements. Mr Bell added that the application was compliant with the Highways Authority's parking standards and that rigorous work had been undertaken to ensure the application was policy compliant.

The Chair invited questions to Mr Bell and Mr Clarke-Gifford. When asked if the developer was receptive to the concerns of the community, Mr Bell said that they had been acknowledged but were not backed up by the Highways Authority, reiterating that no other statutory consultees had objected to the application.

A member of the Committee noted that 75 third party objections had been made in respect of the application and asked why Mr Bell had implied that the Parish Council was the only objector. Mr Bell said he was concerned by the level of objections and noted that in his address, he was referring to statutory consultee.

Mr Bell reiterated his view that the development would not add to the existing difficulties in the area and highlighted that the development was overproviding on parking provision and providing funding through a Section 106 agreement to further mitigate any issues. Mr Bell confirmed that the unallocated parking spaces would be distributed evenly across the site and said that no existing on-street parking on Keightley Way would be lost as a result of the development.

Mr Bell explained that whilst the areas marked as a private drive would not be available for on-street parking, there would be no privately owned parking spaces on the site; the site would be overseen by a management company.

In response to a question on surface water attenuation drainage, Mr Bell explained that this would be discharged into the existing ditch network immediately to the north of the site, which would be maintained by the management company. Mr Bell added that landowners across the wider network would be responsible for maintaining ditches on their land.

Mr Bell confirmed that air source heat pumps would be used for all dwellings of the site. In respect of biodiversity net gain, Mr Bell noted this was yet to come into force but assured the Committee it would be meeting the various proposed ecological conditions and would be improving the biodiversity of the site.

In response to questions on parking, the Planning Manager advised the Committee that the development at The Paddocks had been subject to older parking standards and that current standards looked to achieve an amount of parking in excess of what was needed.

The Chair invited the Committee to debate the application that was before it. A member of the Committee, who was also ward member for the application, stated that he was not against the principle of development on the site but was concerned that the proposed scheme was a cramped form of development. The Member also expressed concern that the Highways Authority had not fully considered the impact on the road network and pedestrian routes and considered the development was at odds with the Council's cycling and walking strategy.

The Member highlighted that despite allocated funding there were limits on how the High Street could be improved and noted that there were existing issues with buses having to stop in the middle of the road to service the bus stop in Tuddenham St Martin, causing traffic issues. The Member also expressed some concerns about attenuation and drainage given recent flooding events and suggested that the

condition proposed by the Parish Council in respect of construction traffic be added should the Committee resolve to approve the application.

Concerns were raised during debate that there were a large number of variables relating to the application that needed to be clarified before a decision could be taken.

Councillor Deacon proposed that the determination of the application be deferred to facilitate the Committee undertaking a visit to the application site, to enable Members to understand the nature of the entire area along with the concerns of both neighbouring residents and Tuddenham St Martin Parish Council; this proposal was seconded by Councillor Ninnmey and on being put to the vote it was by a majority

**RESOLVED**

That the determination of the application be **DEFERRED** to facilitate the Committee undertaking a visit to the application site, to enable Members to understand the nature of the entire area along with the concerns of both neighbouring residents and Tuddenham St Martin Parish Council.

The meeting concluded at 3.28pm.

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Chair