

**Confirmed**



Minutes of a Meeting of the **Planning Committee South** held in the Deben Conference Room, East Suffolk House, Melton, on **Tuesday, 23 November 2021 at 2.00pm**

**Members of the Committee present:**

Councillor Stuart Bird, Councillor Chris Blundell, Councillor Tony Cooper, Councillor Tom Daly, Councillor Mike Deacon, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Kay Yule

**Other Members present:**

Councillor Paul Ashdown, Councillor Maurice Cook

**Officers present:**

Eleanor Attwood (Assistant Planner), Rachel Lambert (Planner (Major Sites)), Matt Makin (Democratic Services Officer), Alli Stone (Democratic Services Officer), Natalie Webb (Senior Planner), Ben Woolnough (Planning Development Manager)

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**Announcements**

The Chairman opened the meeting advised that she had re-ordered the agenda and that after item 5 the remaining items would be heard in the following order - item 8, item 7 and finally item 6.

**1 Apologies for Absence and Substitutions**

Apologies for absence were received from Councillor Mark Newton. Councillor Paul Ashdown attended the meeting as Councillor Newton's substitute.

**2 Declarations of Interest**

No declarations of interest were made.

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

Councillor Paul Ashdown declared that he had been lobbied by email on item 6 of the agenda and had not responded to any communication.

Councillor Stuart Bird declared that he had been lobbied on item 6 of the agenda and had not responded to any communication.

Councillor Chris Blundell declared that he had been lobbied on item 6 of the agenda by both letter and email; he had not responded to any communication.

Councillor Tony Cooper declared that he had been lobbied on item 6 of the agenda by both email and telephone; he advised that he acknowledged receipt of communication and had not commented on the application.

Councillor Tom Daly declared that he had been lobbied on item 6 of the agenda and had responded only to acknowledge receipt of communication.

Councillor Mike Deacon declared that he had been lobbied on item 6 of the agenda and had responded only to acknowledge receipt of communication.

Councillor Colin Hedgley declared that he had been lobbied on item 6 of the agenda by both letter and email; he had not responded to any communication.

Councillor Debbie McCallum declared that she had been lobbied on item 6 of the agenda by email, letter and telephone; she had not responded to any written communication and had advised telephone callers that she would not discuss the application.

Councillor Kay Yule declared that she had been lobbied on item 6 of the agenda by email, letter and telephone; she had not responded to any written communication and had advised telephone callers that she would not discuss the application.

#### **4 Minutes**

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

#### **RESOLVED**

That the Minutes of the Meeting held on 26 October 2021 be agreed as a correct record and signed by the Chairman.

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

The Committee received report **ES/0954** of the Head of Planning and Coastal Management, which was 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 25 October 2021. At that time there were 10 such cases.

The Planning Development Manager advised that the enforcement case at Homeland House, Ashbocking Road, Swilland was heard at court on 29 October 2021; the individual concerned had pleaded guilty and had since complied with the enforcement notice on the site. The Planning Development Manager added that the enforcement case at Top Street, Martlesham would be heard at court in early 2022; the individual concerned had pleaded not guilty at an earlier hearing.

The Chairman invited questions to the officers.

The Planning Development Manager confirmed that the status of the signage erected in Sandy Lane, Martlesham by the operators of the Top Street site would be investigated.

Councillor Bird sought an update on the situation at 2 Hamilton Road, Felixstowe, the former Coes Department Store building. The Planning Development Manager explained that approximately two weeks ago officers had been notified that the building on the site had been demolished to ground level, which was in contravention of the planning permission granted in 2020 for the renovation and refurbishment of the building.

The Committee was advised that the building had been a Non-Designated Heritage Asset located in a Conservation Area and the demolition was therefore considered a criminal offence. Officers had written to the site developer to advise them of this and would be working with the developer to ensure that a similar building was restored on the site; the Planning Development Manager noted that it was important that such a prominent site was not left undeveloped for a significant period of time.

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

#### **RESOLVED**

That the outstanding enforcement matters up to 25 October 2021 be noted.

#### **8 DC/21/3848/FUL - 7 Moorfield Close, Kesgrave, IP5 2YD**

The Committee received report **ES/0955** of the Head of Planning and Coastal Management, which related to planning application DC/21/3848/FUL.

The application sought retrospective planning permission for the retention of a 2-metre-high fence which faced the highway. The application had been presented to the Planning Referral Panel on 28 September 2021 as the objection from Kesgrave Town Council was contrary to the officer recommendation of approval.

The Planning Referral Panel had referred the application to the Committee to allow a debate in public to take place in regard to certain issues, including the impact on streetscene and the character of the area.

The Committee received a presentation from the Assistant Planner, who was the case officer for the application. The site's location was outlined as a detached dwelling at the end of Moorfield Close, Kesgrave. The area of Moorfield Close towards the front of the site was used for parking and turning. The Assistant Planner outlined the existing planning permission on the site.

The Committee was shown photographs of the site of the fence as it fronted on to Fentons Way, views of the fence from both west and east, the view of the fence from the driveway of the host dwelling, the view of the fence from Moorfield Close, and the hedgerow that it had replaced.

Both the block plan and elevations of the fence were displayed.

The Assistant Planner displayed photographs of similar fencing in the Kesgrave area.

The material planning considerations and key issues were summarised as design and visual amenity.

The recommendation to approve the application, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the officers.

It was confirmed that the entirety of the application site was in the ownership of the applicant.

The Planning Development Manager advised that there was a mix of boundary treatments within the Grange Farm development.

The Chairman invited Councillor Rod Gibson, representing Kesgrave Town Council, to address the Committee.

Councillor Gibson considered that the replacement of the hedgerow with a timber fence radically changed the open plan aspect of the area, which was prevalent in Kesgrave. Councillor Gibson noted that the Committee had refused a similar application in the area earlier in the year to protect the open plan aspect of the area.

The comparisons with other fencing in the Kesgrave area were considered invalid by Councillor Gibson, as the examples shown related to rear gardens and not front gardens, as was the case for the application. Councillor Gibson stated the application went against the open plan nature of Kesgrave, which the Town Council sought to preserve.

There being no questions to Councillor Gibson the Chairman invited Mr Paul Spurdens, the applicant, to address the Committee.

Mr Spurdens apologised for the application being retrospective, explaining that this had been an oversight on his part. Mr Spurdens considered the case to retain the fence had been well-made in the report and by the officer's presentation.

Mr Spurdens said that the fence had reinstated the screening he and his family had enjoyed from the hedgerow for the last 30 years and separated his home for a busy layby area and seating area. Mr Spurdens highlighted that all his immediate neighbours supported the application as well as several neighbours further afield. Mr Spurdens said that there were several fences in the area of a similar aspect which had not been challenged by the Town Council.

Mr Spurdens highlighted that he had planted vegetation in front of the fence to soften its impact and will be adding further planting in due course. Mr Spurdens said he did not agree to moving the fence back as this would create a stepped back fence which

would look out of place and result in having to maintain part of his garden on the roadside.

Referring to Kesgrave Town Council's objection, Mr Spurdens noted that the decision was split two to one and the Member in favour of the application said they would have done the same thing. Councillor Stuart Lawson, Ward Member for Kesgrave, had also visited the site and considered the fence was acceptable. Mr Spurdens concluded that there was significant support for the application and asked the Committee to give it the benefit of the doubt.

The Chairman invited questions to Mr Spurdens.

Mr Spurdens advised that he had spoken to all but one of his neighbours who had supported the application; the one neighbour he did not approach later expressed their support for the application.

Mr Spurdens advised that the access in the fence had been added for the sole use of access to maintain the planting on the exterior hedge. Previously, Mr Spurdens had taken a longer route via the front of his property to maintain the side of the hedgerow facing the highway.

Mr Spurdens stated that the hedgerow had been 2.1 metres in height, compared with the fence's height of 1.98 metres at its highest point. Mr Spurdens said that he had planted the hedge 31 years ago and it had been at the height demonstrated in the photograph for approximately 25 years.

The Assistant Planner confirmed that Councillor Lawson had not submitted any formal representations on the application.

The Chairman invited the Committee to debate the application that was before it.

Several members of the Committee acknowledged the concerns of Kesgrave Town Council regarding the impact on the open plan nature of the town but considered the height and positioning of the fence resulted it not having a greater impact than the hedge that had preceded it. Councillor Ashdown suggested that an additional condition be added to add further planting in front of the fence to soften its view.

Councillor McCallum supported the views of Kesgrave Town Council and was concerned that the whole area would eventually become fenced in. Councillor McCallum highlighted that fence was around a front garden and not a rear garden, and was also concerned about the height of the fence and the access through it. The Planning Development Manager noted that the hedgerow had not contained any access but that the access created in the fence was to the applicant's property and not to a public right of way.

Other members of the Committee concurred with Councillor McCallum's comments and suggested that the hedgerow had been more appropriate than the fence now in place. Councillor Blundell suggested that the fence would set a precedent in the area.

There being no further debate the Chairman sought a proposer and seconder for the recommendation to approve the application, including the additional condition for planting suggested by Councillor Ashdown.

On the proposition of Councillor Cooper, seconded by Councillor Hedgley it was by a majority vote

## **RESOLVED**

That the application be **APPROVED** subject to the following conditions:

1. The following documents and drawing(s) are hereby approved
  - Site Location Plan received 12 August 2021.
  - Drawing Nos. 3 (7 Moorfeld Close, Kesgrave, IP5 2YD - Existing block plan) and 4 (7 Moorfeld Close, Kesgrave, IP5 2YD - Elevations) received 12 August 2021.

*Reason: For avoidance of doubt as to what has been considered and approved.*

2. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

*Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity*

3. Additional planting condition including time limit.

*Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity*

Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

## **7 DC/21/3303/OUT - Clopton Commercial Park, Debach Airfield, Clopton, IP13 6QT**

The Committee received report **ES/0957** of the Head of Planning and Coastal Management, which related to planning application DC/21/3303/OUT.

The application sought outline planning permission, with only access to be considered, for an extension to Clopton Commercial Park with the erection of one and two-storey business units and studio/gym/creche.

The site was in the countryside, where policy SCLP3.3 states that new employment outside of settlement boundaries will not be permitted unless specific policies state otherwise. The application site was also outside of the employment allocation for the

former Debach airfield site as identified by Local Plan Policy SCLP12.35, which primarily provides B Class Uses. No sequential test had been submitted to confirm that the proposed uses could not otherwise be located within the existing airfield site, a more sustainable location or employment area located within the district as required by Local Plan Policy SCLP4.2.

The application was therefore lacking in evidence as to why the existing employment site should be expanded and the development was not otherwise considered to accord with any of the policies within the Local Plan which would support new commercial or employment development in the countryside. Therefore, the development was contrary to SCLP3.2, SCLP3.3, SCLP4.2, SCLP4.3 or SCLP4.5; the principle of development has not been established.

The application was presented to the Planning Referral panel on 28 September 2021, as officers were minded to refuse the application, which was contrary to Clopton Parish Council's support. The Planning Referral Panel considered that there were material planning considerations which warranted discussion by the Committee, and so referred it to the Committee for determination.

The Committee received a presentation from the Senior Planner, who was the case officer for the application.

An aerial view of the site was displayed, and the site's relationship with nearby allocated employment sites was outlined. The Senior Planner noted the Public Right of Way 5 ran through the site.

The site's location was outlined, and the complex planning history on the site was set out to the Committee. The Senior Planner detailed the most recent applications on the site, some of which had been permitted and others had been withdrawn.

The Senior Planner detailed allocated or consented sites in the proximity of the application site. The Planning Development Manager highlighted that the developer of the site at Hillview, Otley, where consent for B1 use had been granted, had since claimed that the site was not viable for this use.

The proposed development for business uses was outlined; the site would include a studio which would provide a gym, nursery and cafe, which would be ancillary to the existing uses on the site.

The Committee received the illustrative block plan and photographs of the site outlining the existing access approach from Debach, existing access approach from Clopton, the view to the east towards the existing units on Clopton Business Park, the view to the south-east towards existing units on Clopton Business Park, and the view north down the access which joins the B1078.

The material planning considerations and key issues were summarised as the principle of development and the sustainability of the site.

The recommendation to refuse the application, as set out in the report, was outlined to the Committee.

The Chairman invites questions to the officers.

The Senior Planner confirmed that the application site was not within an allocated site for employment use.

In response to a question on the sustainability of the site in comparison to the adjacent employment sites, the Planning Development Manager noted that the allocated employment sites were on brownfield land and could be accepted as a rural location for employment as established employment sites. The Planning Development Manager advised that the application site was considered to be greenfield land and would double the employment use in the area, therefore creating an increased demand on car use to access the site.

The Chairman invited Councillor Peter Raffell, representing Clopton Parish Council, to address the Committee.

Councillor Raffell said that the Parish Council considered the proposed development to be a rare opportunity to provide 135 varied jobs for local people. Councillor Raffell highlighted that most applications at the Commercial Park were for B8 commercial use which created low skilled jobs and increased HGV traffic in the area, whereas the proposed development would provide B1 commercial use on the site.

Councillor Raffell highlighted that the development of the Commercial Park had made significant improvements to the existing site and created space for a range of businesses and that a further provision was needed to continue those improvements.

Councillor Raffell said that the location of the proposed development would provide the best opportunity to attract a variety of businesses and the proposed location would allow workers to get out of the office and away from the desk during breaks, bringing a physical and mental health benefit. Councillor Raffell hoped that the application would be a model for rural development.

Councillor Raffell highlighted that although the relevant planning policy stated that the allocated site was fully occupied, it also stated that planning permission could be granted for new employment provision in the area. Councillor Raffell said that the Parish Council considered that developing a site adjacent to the allocated site could be justified to create new jobs and that the approval of the application would contribute to East Suffolk Council's sustainability goals, reducing travel out of Clopton for work.

The Chairman invited questions to Councillor Raffell.

Councillor Raffell considered the application would offer more sustainability to the community and limit the B8 commercial use in the area, and that it may result in the resumption of a bus service in the area.

Councillor Raffell suggested that the proposed ancillary facilities would be used by local people; he considered that at least a dozen people from Clopton would use the facilities, which could also serve neighbouring villages.

It was suggested by Councillor Raffell that the development would attract creative industries and provide opportunities for start-up businesses and create an enterprise hub.

Councillor Raffell said that he was not able to provide figures of expected jobs for local people but considered that any increase would be better than the current position. Councillor Raffell said the development was a risk worth taking.

The Chairman invited the Planning Development Manager to address the Committee on some of the points raised by Councillor Raffell.

The Planning Development Manager reiterated the allocated or consented sites located near to the application site, including unimplemented permissions for B1 and B2 commercial uses. The Planning Development Manager noted Councillor Raffell's comments about excessive B8 use and highlighted that as the application was for outline planning permission there was no guarantee of further B8 use not coming forward on the site. The Planning Development Manager noted the parish profile of Clopton and said that although the site would provide employment opportunities in the village it would also serve a wider catchment area.

The Chairman sought comments from Mr Simon Charlesworth, the Council's Sector Development and Trade Lead, who was present at the meeting. Mr Charlesworth advised that he and Mr Paul Wood, the Council's Head of Economic Development and Regeneration, had visited the site the previous week and been given a guided tour, learning about the businesses on the site and the aims and aspirations of the freeholder and developer.

Mr Charlesworth was of the view that a lot of time and effort had already been invested in the site to attract tenants and it was fully occupied; he said from an economic development perspective, looking at a demand for premises, the applicant was looking to create flexible and attractive accommodation for a variety of business types and that the Economic Development team considered the scheme to be an attractive one which would be a welcome addition.

In response to questions from members of the Committee, Mr Charlesworth said that there did not appear to be as much open space on the Commercial Park as originally thought and that the developer was keen to make this new development separate from what was already on the site; he confirmed that the Economic Development team considered that the site had potential.

The Chairman invited the Committee to debate the application that was before it.

Several members of the Committee spoke in support of the development, acknowledging the comments from Planners regarding planning policy but balancing this against creating more employment opportunities for the wider area. Members also highlighted the support for the application from the Parish Council and the Council's Economic Development team and considered that refusing the application would go against the economic goals of the Council's Strategic Plan. Councillor Bird commented that it would not be plausible to refuse the application on sustainability grounds when there were neighbouring employment sites in the area.

The Planning Development Manager noted that implementing the Local Plan was integral to the Council's Strategic Plan and assisted in building the right environment to grow the economy; he reiterated that a considerable amount of land had been allocated for employment use and that such developments should come forward via allocated sites. The Planning Development Manager advised the Committee that the application was for outline planning permission and remained speculative at this stage.

Other members of the Committee supported refusing the application, acknowledging the need to support economic growth but cited that the site was not allocated for the type of development proposed, was against planning policy and could potentially damage the countryside and the tourism industry, factors important to the district's economy. Members also highlighted the number of sites in the area allocated for a variety of employment uses. Several members of the Committee noted that there was no guarantee at this stage of the details of what would be developed on the site.

Councillor McCallum asked if the ancillary facilities proposed in the application could be guaranteed. The Senior Planner advised that these facilities were only speculative at this stage and that the final use of units on the site would not be known until a Reserved Matters application was made, which could change the proposed use of the site. Councillor McCallum was sympathetic to the application but considered that it was against planning policy and could not support approving it.

There being no further debate the Chairman sought a proposer and seconder for the recommendation to refuse the application, as set out in the report.

On the proposition of Councillor Cooper, seconded by Councillor Deacon it was by a majority vote

## **RESOLVED**

That the application be **REFUSED** for the following reasons:

1. This application seeks Outline Planning Permission (with only access to be considered) for the extension to Clopton Commercial Park, Debach Airfield, Clopton with erection of one and two-storey business units and studio/gym/creche. The site lies in the countryside, where policy SCLP3.3 states that new employment outside of settlement boundaries will not be permitted unless specific policies state otherwise. The development is not considered to accord with any of the policies within the Local Plan which would support new commercial or employment development in the countryside.

Additionally, no sequential test has been submitted to confirm that the proposed uses could not otherwise be located within a more sustainable location. Therefore, the development would be contrary to SCLP3.2, SCLP3.3, SCLP4.2, SCLP4.3 or SCLP4.5; the principle of development has not been established.

2. The site has poor sustainability; it is remote from residential areas has no footway or cycle connections to any nearby, which are small and very rural. There is an informal bus stop at the entrance of the site, which provides limited transport links to/from

Woodbridge and Ipswich. Users and employees of this site would therefore predominantly be reliant on reaching the site by car. The NPPF outlines that new development should promote sustainable transport, noting that “significant development should be focused in locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes” (para 105). Paragraph 85 further states that new development should exploit any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport).

The proposed development does not demonstrate how the unsustainable location could be mitigated in any way to reduce travel by car, although this is unlikely to be possible in such a rural area. For these reasons the development is considered to be contrary to paragraphs 85 and 105 of the NPPF and Local Plan Policy SCLP4.5.

Informatives:

1. The Council offers a pre-application advice service to discuss development proposals and ensure that planning applications have the best chance of being approved. The applicant did not take advantage of this service. The local planning authority has identified matters of concern with the proposal and the report clearly sets out why the development fails to comply with the adopted development plan. The report also explains why the proposal is contrary to the objectives of the National Planning Policy Framework and local plan to deliver sustainable development.

*Following the conclusion of this item the meeting was adjourned for a short break. The meeting was adjourned at 3.23pm and was reconvened at 3.33pm.*

## **6 DC/20/3326/OUT - Land at Victoria Mill Road, Framlingham**

The Committee received report **ES/0956** of the Head of Planning and Coastal Management, which related to planning application DC/20/3326/OUT.

The application sought outline planning permission with all matters reserved apart from access, for a phased development comprising the erection of up to 49 custom/self-build homes (plots) (including 16 affordable homes), public open space (including an equipped play and multi-use games area), landscaping, and other associated infrastructure.

In accordance with the Scheme of Delegation set out in the East Suffolk Council Constitution, the Head of Planning and Coastal Management had referred the application to the Committee for determination due to the significance of public interest in the proposal.

The Committee received a presentation from the Planner, who was the case officer for the application. The Planner summarised the additional information included in the update sheet, which had been circulated on Monday 22 November 2021. The Committee was advised that matters relating to appearance, landscaping, layout and scale would be agreed at a later stage under a reserved matters application.

The site was described as comprising of a parcel of land south of Victoria Mill Road, Framlingham, with an overall area of approximately 2.6 hectares. The Planner noted that the site currently formed Grade 2/3 allocated land and was allocated for development under policy FRAM25 of the Framlingham Neighbourhood Plan (hereafter referred to as the Neighbourhood Plan).

The site's topography and its relationship to its surroundings was outlined. The site was located within Flood Zone 1 and a public right of way (Footpath 50) was located at its north-west corner, continuing south-westerly from Victoria Mill Road.

The Committee was shown photographs of the site showing views east on Victoria Mill Road, from Victoria Mill Road through the site, Footpath 50, looking back to residential properties on Victoria Mill Road, and from the north-east corner of the site looking south.

The Planner advised that the principle of development on the site had been established with its allocation in policy FRAM25 of the Neighbourhood Plan, which allocated the site for the accommodation of a new residential development.

The Committee was shown the illustrative masterplan, which demonstrated how up to 49 dwellings could be accommodated on the site, as well as an indicative phasing plan. The Planner also displayed computer-generated images showing how the development would relate to its surroundings.

The Planner detailed the highway works outside the site allocation that were proposed to create a site entrance and junction with safe and suitable access. The Planner summarised the five matters of consideration that would be addressed in relation to these works as the highway extent and landownership, road width, footway width at pinch-point, heritage impact, and Asset of Community Value (ACV) nomination.

The Committee received photographs of the current 'dogleg' layout of Victoria Mill Road, the comments on landownership from Framlingham Town Council and the response from the applicant confirming details of ownership, drawings of the proposed road widening (including the footway pinch-point). The Planner noted the comments of the Highways Authority on the proposed highway works and the Government guidance on footways in relation to inclusive mobility and said that the proposed works were considered acceptable.

The Planner referenced the objections to changing the road layout of Victoria Mill Road and stated that the Council's Principal Design and Conservation Officer, although considering the change of layout unfortunate, had not formally objected to the application. A planning condition was proposed to ensure archaeological assets within the development would be safeguarded.

The Committee was advised Framlingham Town Council had submitted a nomination to list areas of green verges along Victoria Road as an ACV. The Council had concluded that only one of the three nominated parcels of land met the definition of an ACV.

The Chairman invited questions to the officers relating to highways matters.

In response to a question on the discrepancy in road dimensions supplied by the applicant and objectors, the Planner stated that the applicant was obliged to submit accurate drawings and measurements as part of the application. Confirmation had been received from the applicant's engineering specialist that the specifications supplied were accurate and the Planner highlighted that a Grampian condition was recommended to ensure that all highway works be completed before development of the site begins.

The Committee was advised that the road realignment was not considered necessary to accommodate 30 or fewer dwellings on the site.

The Planning Development Manager confirmed that a Section 278 agreement would deliver the required highways works, which would be checked by the Highways Authority throughout the process before being signed off at completion.

The Chairman invited the Planner to continue her presentation.

It was proposed that the total number of developments on the site, up to 49, would all be custom or self-build plots. The Planner stated that the increased quantum was considered acceptable subject to the proposed highways works.

The Committee was advised that FRAM25 set out that the site should not be developed before 2025; officers considered that by making an outline planning application before a reserved matters application, the timescale of the development would be in accordance with this requirement of FRAM25.

It was noted that the proposals provided an excess of the number of two-bedroom units required on a site of this size but failed to meet the required number of one-bedroom units. The Planner highlighted the additional merit of the custom/self-build nature of the site. The site was described as being policy compliant for affordable housing.

The Planner considered that the illustrative masterplan demonstrated that the number of proposed dwellings could be accommodated on the site at the required design standard.

The land use parameter plan, access and movement parameter plan, landscape and open space parameter plan, and the building heights parameter plan were displayed to the Committee.

The numerous material planning considerations, as set out in the report, were summarised.

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 Chairman invited questions to the officers.

It was outlined that the reference to 30 dwellings in FRAM25 was the approximate number of dwellings that could be accommodated on the site, and that the application before the Committee was for up to 49 dwellings; it was considered that the site could accommodate more than 30 dwellings if the proposed highways works were completed.

The Planning Development Manager noted that given the large amount of development already taking place in Framlingham, the Neighbourhood Plan had taken on allocating sites for development during its creation during 2015-16, which had resulted in sites for development not being allocated during the Housing Options stage of the most recent Suffolk Coastal Local Plan in 2017. The Planning Development Manager advised that the allocation in the Neighbourhood Plan provided an expectation that the site accommodate at least 30 dwellings and for a higher quantum the onus would be on the developer to demonstrate this would cause no harm.

In response to a further question regarding the requirement for highway works to accommodate the higher number of dwellings, the Planning Development stated that officers had considered the application accorded with the Neighbourhood Plan regarding the principle of housing on the site. The Chairman reminded the Committee that the application was for outline permission for up to 49 dwellings, with the final number to be confirmed at the reserved matters stage.

The Planning Development Manager advised that the nature of self-build plot construction would meet the required timeline of development on the site set out in FRAM25 and that the custom-build plots would be led by a developer and their delivery would therefore be controlled.

The Planner noted that a likely contractor to develop the site had not yet been identified; there would be an obligation and timeframe for registered providers to come onboard with the scheme and implement the custom-build plots. If a registered provider was not sourced within the timeframe the custom-build plots would be built out as standard dwellings.

The Chairman invited Mr Tim Fitzhigham, representing objectors to the application, to address the Committee.

Mr Fitzhigham considered that the application was not in line with the Neighbourhood Plan and that FRAM25 had been misquoted. Mr Fitzhigham referred to policy FRAM1 of the Neighbourhood Plan which he said stated that the site could only accommodate up to 30 dwellings and that access was not the primary factor for the quantum of housing that could be accommodated on the site. Mr Fitzhigham said that this policy had been amended by the Planning Inspector to safeguard the distinct features and character of Framlingham.

It was noted by Mr Fitzhigham that the Local Plan acknowledged the significant development in Framlingham allowed on appeal which had been a detriment to the town; he highlighted that Framlingham had the worst GP to patient ratio in the country.

Mr Fitzhigham said that flooding on Victoria Mill Road had not been considered and an independent survey undertaken by residents had shown that the proposed dimensions for the highway works were incorrect, and the plans did not take into account overhanging eaves and subterranean issues. Mr Fitzhigham was of the view that Victoria Mill Road was too narrow to deliver the highways works proposed by the applicant.

Mr Fitzhigham criticised the planned accessibility of footways on Victoria Mill Road and considered they were contrary to the various documents and guidance that governed such matters; he said it was deeply upsetting that those with accessibility issues appeared to be excluded by the plans.

Mr Fitzhigham asked the Committee to support both the policies in the Development Plan and relevant legislation to keep residents safe by rejecting the application.

The Chairman invited questions to Mr Fitzhigham.

Mr Fitzhigham said that FRAM1 and FRAM25 should be taken in conjunction; he considered that FRAM25's statement of "approximately" 30 dwellings to be the same as FRAM1's "up to" 30 dwellings.

The Planning Development Manager outlined the full text of both FRAM1 and FRAM25 to the Committee and noted that FRAM1 was not specific to the allocated site but referred to developments within the physical limits boundary of Framlingham; the Neighbourhood Plan set out its allocated sites in policy FRAM2 and FRAM25 dealt specifically with the application site. The Planning Development Manager advised the Committee that his interpretation of FRAM1 was that it related to unallocated sites.

*Note: later in the meeting, it was noted that slides submitted by Mr Fitzhigham, 24 hours in advance of the meeting as required, were not displayed during his address to the Committee as he had requested. Mr Fitzhigham, via the Clerk to the Committee, distributed hard copies of these slides to the Committee. The Planning Development Manager confirmed that the slides corresponded with the comments made by Mr Fitzhigham during his address.*

The Chairman invited Councillor Simon Garrett, representing Framlingham Town Council, to address the Committee.

Councillor Garrett confirmed that the Town Council objected to the application and considered that the Neighbourhood Plan specified a maximum of 30 dwellings on the site. Councillor Garrett said that it was incorrect to assume that the quantum of housing on the site could increase if highways improvements were made, as the road would remain narrow and be unsuitable, especially for emergency vehicles.

Councillor Garrett considered that the proposed accessibility of the footpaths on Victoria Mill Road were inappropriate and suggested they may be legally indefensible. Councillor Garrett said that the Town Council did not consider that the proposed housing was needed at this time and there was no reason to support an application that was contrary to the Neighbourhood Plan.

Councillor Garrett said that the application was contrary to FRAM1 and did not meet the mix of housing required by policy FRAM3 and provide the walkways required by policy FRAM14. Councillor Garrett stated that it was not appropriate to waive these requirements. Councillor Garrett also highlighted concerns about flooding on the site which had not been referenced in the application.

Councillor Garrett concluded that the application was too large for the site and contrary to the Neighbourhood Plan.

Councillor Garrett was of the view that both FRAM1 and FRAM25 had been designed to limit the number of dwellings on the site to a maximum of 30. Councillor Garrett queried the density calculation as it included all open spaces on the site and considered that if the proposed housing was looked at in isolation, the density would be significantly higher than on the other side of Victoria Mill Road.

In response to a question regarding paragraph 5.5 of the Neighbourhood Plan, which referenced minimum housing numbers, Councillor Garrett considered the policies of the Neighbourhood Plan to be paramount.

Councillor Garrett said that the Town Council would content with a scheme for the site that met the policies of the Development Plan but remained concerned about the access to the site.

The Chairman invited Mr Ben Marten, representing the applicant, to address the Committee.

Mr Marten said that the applicant, Leaper Land Promotion, was a specialist in custom-build developments and looked forward to bringing forward a high-quality scheme on the site. The applicant would have design and place at the core of what it brought forward at the development, using an award-winning architect. Mr Martens said that the applicant would be following the appropriate design code to meet the vernacular of Framlingham.

Mr Martens considered that the application, first submitted in August 2020, had been rigorously assessed by officers to ensure the scheme was policy compliant; he added that there had been no objections from any of the technical consultees. Mr Martens highlighted that the applicant had made a number of changes to the design of the site to ensure the development would be in keeping with the character of the area.

Mr Martens said that the development would meet housing needs in the area on a site allocated in the Neighbourhood Plan, delivering more than the minimum number of dwellings specified without creating a dense scheme and provided a higher than required number of affordable housing units as well as open space.

The scheme would provide 28 one-bedroom or two-bedroom dwellings, which Mr Martens considered this would allow this would provide options for those looking to purchase their first home or downsize. Mr Martens added that occupiers of custom-build plots would have a significant degree of choice and the development would intimately involve its future residents. Mr Martens was delighted that the application was recommended for approval.

The Chairman invited questions to Mr Martens.

Mr Martens considered that the realignment of Victoria Mill Road was essential to accommodate up to 49 dwellings on the site.

The Chairman invited Councillor Maurice Cook, Ward Member for Framlingham, to address the Committee.

Councillor Cook referred to the significant local opposition to the development and considered the varied points raised to have been well made. Councillor Cook stated that communities had been encouraged to create neighbourhood plans to prevent speculative development and schedule planned development and highlighted that the site was allocated for 30 dwellings and not to be developed before 2025, specifically to allow for Framlingham's infrastructure to keep pace with development already taken place.

Councillor Cook queried the need for a neighbourhood plan if it was ignored when applications such as the one before the Committee were made. Councillor Cook concurred with the views of Framlingham Town Council and did not accept the premise that the number of the houses that could be accommodated on the site was dependent on the access to the site.

Councillor Cook considered that many of the application's aspects were open to challenge and did not consider the application appropriate for the allocated site. Councillor Cook was of the view that Victoria Mill Road would not be able to accommodate construction traffic and considered that there needed to be a consistent approach to East Suffolk's development plan. Councillor Cook suggested that the Committee visit the site before determining the application.

There being no questions, Councillor McCallum opened the debate and proposed that the application be deferred, and a site visit be organised to allow the Committee to view the green spaces and road layout at Victoria Mill Road. This was seconded by Councillor Deacon, and it was by a majority vote

## **RESOLVED**

That the application be **DEFERRED** and a site visit be organised to allow the Committee to view the green spaces and road layout at Victoria Mill Road.

It was agreed that the site visit would take place at 9.30am on Monday 6 December 2021; the Planning Development Manager advised that further details would be sent to Members in due course.

The meeting concluded at 4.38pm

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Chairman