

**Minutes of the Shotley Parish Council meeting held on Tuesday, November 15<sup>th</sup>, 2022, at 7:30 pm, at the Shotley Village Hall.**

**Present:** Cllrs C Mills (Chairman), B Powell, R Green, M Williams, S Pallant, C Smith, and Mrs D Bedwell (Parish Clerk).

**County and District Councils:** District Cllr. D Davis and County Cllr. S Harley.

**Public gallery:** Approximately one hundred members of the public.

*Cllr C Mills (Chairing) welcomed everyone to the meeting and gave a brief speech on how the meeting would be managed and expected conduct by all parties. Attendees were reminded that once the open session ended, they would not be permitted to speak; therefore, any points were to be made during the allocated time.*

**SPC/22/134: To receive and approve any apologies for absence:** Apologies had been received from Cllrs T Ingram and R Wrinch. Cllr R Wrinch had also declared a pecuniary interest in item 137 (a) and would not have been able to attend the meeting for that reason.

**SPC/22/135: To receive any declarations of interest with regard to items on the agenda and consider any requests for dispensation:** A request for dispensation for Cllr C Mills had been circulated to members ahead of the meeting and was dully approved. There were no further declarations of interest from those in attendance.

**SPC/22/136: Public participation at meetings** (Meeting open to allow members of the public to speak, at the Chairman's discretion). Cllr C Mills informed all present that comments would be received in the same order as the agenda and asked that points were not repeated and that representatives spoke on behalf of their group wherever possible.

Cllr C Mills invited the Agent for the applicant to speak, and a presentation followed. The Agent provided an outline of the historic factors underpinning the application, the reasons for the type of design and affordable housing provision, the management of open spaces, the provision of replacement hedgerows, and intentions to be sympathetic with existing heritage and vistas.

At the end of the presentation, Cllr C Mills asked if there was any representation in favour of application DC/22/05162 who wished to speak. There was none.

Cllr C Mills then invited anyone else to speak. The process began with a planning consultant speaking on behalf of a Community Group, neighbouring Parish Councils' representatives, and members of the public wishing to comment against the application. Some of the comments included references to the following issues (*the list is not exhaustive*):

- It was asserted that it was not possible to produce a legal agreement which prevented further development of the site (unlike what had been stated by the Agent)
- Despite Babergh Planning Officers' initial rejection of the proposals and recommendations for options with lesser frontage, this had been dismissed by the applicant without an explanation being provided
- Adequate housing supply was a critical factor in planning determination, and there was no need for unsustainable development
- The local authority recommendation for the area was small-scale development, but this was large-scale

- development on a green field site on the edge of the village, which affected its rural setting
- The applicant had referred to the allocation on the emerging local plan of an alternative site for 50 dwellings; the emerging plan carried no legal weight, and the approval of this application could result in the removal of the other site
  - It was argued that plans for the development of either site should be abandoned, as they were both too big for the village; but if either were approved, there was a risk that further development would be forthcoming in a Hinterland village, which was not sustainable
  - There was already planning permission granted to just over 500 dwellings, which would be unsustainable; there was very little in terms of employment opportunities, which meant that most working people would need to commute, putting additional pressures on existing infrastructure
  - The adverse impact in terms of landscape, archaeology, nature, and views had been well documented by the relevant consultees
  - The development would cause extra pressure on already stressed facilities, such as doctor's surgery and schools
  - There does not appear to be evidence that any benefits outweigh the potential harm the development will cause
  - There was no need for any more housing in the village, and only six units could be deemed as genuinely social housing in terms of affordability
  - Reference had been made to a Housing Needs Survey, but it could be argued that a response rate of less than 15% was scientifically unreliable, particularly when some areas of the parish did not appear to have been included in the process
  - There was a lack of any mitigating measures for the overflow of traffic onto a blind bend, in a section of the highway with three other speed staggering points, despite assurances given by the applicant that consultations had been carried out with the relevant entities
  - The financial contribution noted in the SCC Highways document would not be sufficient for any meaningful improvements; the effects of additional traffic would potentially be felt as far as Bourne Bridge
  - There were questions regarding the management of the open space and wildflower areas, which would remain in the ownership of the applicant (with permissive access) and on a rolling programme of maintenance by a third party
  - Impact on Anglia Water provision and flow to dwellings further down Shotley Gate, as the provider could only guarantee one bar of pressure but not flow rate
  - The removal of extensive sections of much-valued hedgerows and hedges

District Cllr D Davis gave a brief speech in which he explained that in his role, he was there to represent members of the public and would be in a position to do so when the application came forward for consideration by the planning authority. He had taken on board all the comments received and those posted on the planning portal. In answer to a query posed by another member, Cllr Davis also explained that there was a system in place in Babergh that all development paid into called Community Infrastructure Levy. This was broken down into funds that were then dispersed to the parish council and funds which remained with the District council. He confirmed that it had already been agreed that Babergh CIL funds would go towards local schools, and that they had a £2m project for expansion earmarked already. Holbrook and Shotley Surgery were also already planning to extend their services (provided they could get enough GP's), so funds were already available for infrastructure to be there for when developments came about. This development would also be expected to pay towards the CIL pot. In fact, Cllr Davis had seen in a report that day that SCC Highways were asking for £20k for mitigating measures just for the access, and it could be that Highways required some further financial support.

Cllr Davis volunteered that as he could potentially sit on the Babergh Planning Committee making the decision, he could not express a view at this point but was happy to take any questions.

A member of the public raised that there was no mention of pedestrian access and that it could be extremely dangerous if such provision was not in place, particularly for children trying to get to school. Cllr Davis agreed that it would need to be considered in more detail, as it only appeared to be mentioned on the transport report.

County Cllr Simon Harley, who had interjected at relevant points when Highways matters had been discussed, cited sections of the Highways report that referred to the cumulative impact of the development, to the holding objection raised until mitigating measures were agreed, and for the need for a crossing point to be established.

For the benefit of those present, Cllr C Mills asked Cllr D Davis for clarification on the Community Infrastructure Levy, ie, what it was, where the funds were held, when developers paid towards it, and how it could be spent/who by, who could access it and who decided how it was spent. Cllr Davis explained that in some way, CIL replaced what used to be called a S106 agreement, a legal agreement between a developer and the planning authority. A new development attracted a specific payment per square footage, and developers were aware of the amounts due at the application stage. How much was due depended on what stage the development reached. These funds went into a large "pot" held by Babergh and could be applied for by any organisation wishing to provide infrastructure, for example, schools. Anyone could apply for it if they presented a good business case. Then there was the pot held by a Parish Council, from 15 % to 25% of the total contribution (depending on the existence of a Neighbourhood Plan). A village could then use this fund for any community infrastructure project within it. A small amount of 5% was kept by Babergh District Council to cover the costs of administering the scheme.

Further questions to Cllr D Davis ensued and were responded to accordingly.

Cllr D Davis ended his participation by stating that, as the Ward member, he would be given five minutes to represent the one hundred people present, as well as the ninety-two online representations; that although there had been no supporters of the application present, there was support for the application in the village; that he knew personally of people who needed social housing, and that he needed to represent all sides. He explained that planning officers would make a recommendation and that he would represent the Ward, but that it would be the members of the Planning Committee who would ultimately make the decision.

Cllr D Davis was challenged by members of the public in terms of evidence of support for the application, as there was only one on the planning portal. Cllr Davis explained that not everyone felt comfortable making their

views public. Therefore, they would occasionally approach him directly in confidence, but their details would be protected under data protection legislation.

Cllr S Harley added that if a person wished to make an objection on the planning portal, they were unable to do so anonymously; it wasn't unreasonable that those not prepared to share theirs should be given the same weight.

Representation was received from Woolverstone and Chelmonsdison Parish Councils: The planning authority currently had a buffer of land supply in excess of seven years; that any presumption in favour of sustainable development, which this was not (in their view), should be disputed based on Babergh's own policies; that the application would potentially affect everyone between Wherstead and Shotley (citing some of the comments made during Ganges considerations), and that there were some inconsistencies in the information provided within the transport report (width of the road in Woolverstone was 5.3m and not 7m) (full content available on the planning portal).

Cllr S Pallant read out a letter which had been received from a local landowner and which listed their concerns about the application (full content available on the planning portal).

Representation was then received from objectors to DC/22/05131 - Erwarton Hall Farmyard: Over four years, three previous applications had been successfully resisted for several reasons, including the importance of the setting and the history of the site and neighbouring properties. The objector read out a list of reasons why they continued with the same views, as there had been no material changes in the new application (full content available on the planning portal).

The applicant for DC/22/05131 - Erwarton Hall Farmyard also made a representation. They argued that the latest application answered many of the questions raised by previous refusals, adding that as there was no longer any viable agricultural use for the buildings, this latest proposal would be the only realistic alternative for the site.

*The public session came to an end, and most members of the public left the meeting at this point.*

### **SPC/22/137: Planning matters**

- a) **DC/22/05162 - Land North Of, The Street** - Erection of 48 dwellings (including 24 affordable homes) with associated highways access, estate road, landscaping and Public Open Space: Members discussed several points about this application, including the impact on the existing infrastructure, the increased traffic on the roads, the provision within the schools, additional strain to the doctor's surgery services, the safety of the access points to the site, the fact that the proposed development was outside the village envelope, and the cumulative effect it would have (once the Ganges and Marina sites were delivered), among other things.

When asked about committed amounts for investment on infrastructure, Cllr S Harley confirmed that it would not be sufficient for road surface improvements, re-building of roads, or making them fit for purpose.

Following due consideration, and based on the number of people in attendance and the weight of objections against this application, members resolved to recommend the refusal of this planning application due to its scale, the lack of infrastructure, highways concerns (including access and egress, and already being busy enough), being outside of the village boundary, and the applicant not making a case for the development.

- b) DC/22/05131 - Erwarton Hall Farmyard, Shotley Road** -Conversion, repair and extension of existing agricultural buildings to form five dwellings. Demolition of existing metal-clad barns (Resubmission following the refusal of planning application DC/20/03083): As this application had only recently been received, it was resolved to defer it to the next meeting.
- c) DC/22/05287 - 7 Gate Farm Road** - Erection of single-storey side extension (following demolition of existing extension), insertion of roof light and removal of dormer window: the applicant, who was present, was permitted to provide some details about the application. Following de consideration, it was resolved to recommend the approval of this application.
- d) DC/22/05238** - Hedgerow Removal, The Street (Anglia Water): Deferred.
- e) DC/22/05239** - Hedgerow Removal, Main Road (Anglia Water): Deferred.
- f) DC/22/05240** - Hedge Removal, Main Road (Anglia Water): Deferred.

**SPC/22/138: Date of next meeting:** November 17th 2022 (to include accounts for 1<sup>st</sup> and 2<sup>nd</sup> quarter): Noted.

With no further matters to be transacted, the meeting ended at 9.55 pm.

Signed:\_\_\_\_\_ Date:\_\_\_\_\_