

THURSTON PARISH COUNCIL

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Guidance for Planning Matters to be discussed at Parish Council Meetings during COVID-19

On 4th April 2020, the government brought forward The Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) (England) Regulations 2020 which allows local authorities to conduct meetings remotely.

Attached are some guidelines that will be followed during meetings held remotely:

1. Effective 2nd September, separate meetings to discuss planning matters will be called on a three weekly basis to ensure that the Parish Council is able to respond within statutory deadlines.
2. The Chairman of the parish council will chair the meeting in accordance with Standing Orders. At all times, the Virtual Meeting Protocol will be followed.
3. All meetings will be scheduled to last for no more than one and a half hours and will be extended at the Chairman's discretion.
4. Members of the Planning Committee consist of: Cllr. Christopher Dashper (Chair); Cllr. Derrick Haley; Cllr. Barbara Morris; Cllr. Bryan Rainbow; Cllr. John Thurlbourn & Cllr. Julian West
5. Members of the parish council not currently sitting on the committee will be able to attend and make representations in the public forum.
6. The Co-Chairs of the Thurston Neighbourhood Plan Working Group will be able to speak at the meetings but will have no voting rights.
7. During the meeting, members must be able to hear and (where practicable) see and be heard and (where practicable) be seen by other members in attendance at the meeting. This full requirement also extends to members of the public attending to exercise a right to speak at the meeting (b). All other members of the public must as a minimum be able to hear (but if practicable be seen as well) (c). In practice this means that if members and speaking members of the public can be heard and hear each other and other members of the public not speaking can hear, this would fulfil the minimum criteria as set out in the legislation.

8. In accordance with legislation, the duty to post notices of meetings on publicly accessible noticeboards is replaced with a definition to allow for the publication of details of meetings on a (parish) website.
9. The meeting will be open to the public via access by remote means. Such access will take the form of video conferencing and where a meeting is accessible to the public through this remote means, the meeting will be deemed to be open to the public whether or not members of the public are able to attend the meeting in person.
10. The period of time designated for public participation at a meeting shall be identified in the agenda at each and every meeting but will not usually exceed a period of 30 minutes
11. For each application being considered only one representative to support the development and one to object to the development will be allowed to speak for up to 3 minutes each. This period will only be extended at the Chairman's Discretion.
12. All members of the Planning Committee should look at the applications on the agenda on the Mid Suffolk District Council website before the meeting:
<http://www.midsuffolk.gov.uk/planning/development-management/application-search-and-comment/search-for-applications/>
13. If Councillors do not know the sites, they might wish to familiarise yourselves with the locations but please remember to respect social distancing guidelines, privacy rules and not to trespass on private land.
14. It is likely that councillors will, to some extent, rely on local knowledge of those who live closest to the sites in question. Google maps might be helpful too.
15. Take a look at the Local Plan on the Mid Suffolk District Council site:
<https://www.midsuffolk.gov.uk/planning/planning-policy/adopted-documents/mid-suffolk-district-council/core-strategy/>
16. Note that any objections need to be expressed in material considerations (see Appendix A), which includes referring to particular policies that Mid Suffolk District Council have adopted as well as policies within the Thurston Neighbourhood Development Plan which has been adopted by Mid Suffolk District Council on 24th October 2019 (list of Policies is available at Appendix B).
17. Please also look at the Draft Joint Babergh Mid Suffolk Local Plan workings at the following link:
<https://www.midsuffolk.gov.uk/planning/planning-policy/new-joint-local-plan/>
18. Refer to the paper entitled Material Considerations if you are unfamiliar with the items that are covered under this term.
19. Take a look at the National Planning Policy Framework:
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
this also works as a reference document for making objections on the bases of material considerations.

20. Be careful when expressing any concerns Councillors might have at the meeting carefully e.g. do not make inappropriate comments about the applicant - however accurate!

Appendix A – Material Considerations:

Material Planning Considerations

A material consideration is a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision. For comments to be effective, they must be planning considerations and related to planning legislation (which is to regulate the use and development of land in the public interest). The weight attached to materials considerations is a matter of judgement for the decision maker (i.e. the Local Planning Authority) however, they will be expected to demonstrate that in reaching that decision they have considered all relevant matters.

There may be further considerations, but these are the more commonly used:

MATERIAL CONSIDERATIONS – issues that may be relevant to the decision taken:

- Primacy of the Development Plan (Structure Plan and Local Plan)
- Planning policy guidance from central government
- Emerging policy in the form of central government consultation papers, white papers
- Relevant case law
- Pre-application planning consultation (carried out on behalf of or by the applicant)
- Design and impact on the visual appearance of an area – to also cover density; layout; design, appearance and materials
- Impact on a listed building or conservation area
- Impact on trees – including loss
- Impact on highway safety and the free flow of traffic – can include parking & traffic
- Existing use of the site and site features
- Prematurity
- Alternative site for development / fallback position
- Incompatible or unacceptable uses
- Precedent including previous planning decisions and appeals
- Resource, economic, social and cultural matters – including deficiencies & capacity
- Nature conservation
- Landscaping – can include means of enclosures
- Loss of sunlight
- Overshadowing / loss of outlook (to the detriment of a residential amenity)
- Noise or disturbance – resulting from use including hours of operation
- Smells and fumes
- Local financial considerations – S106 or CiL

- Human rights (as follows)
 - Article 6 Right to a fair trial
 - Article 8 Right to respect for private and family life
 - Article 14 Prohibition of discrimination
 - Article 1 of 1st Protocol

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

IF AN IDENTIFIED PROBLEM FROM THE LIST ABOVE CAN BE DEALT WITH BY MEANS OF A SUITABLE CONDITION, THEN WITH REFERENCE TO THE NATIONAL

PLANNING POLICY FRAMEWORK (NPPF), THE LOCAL AUTHORITY IS REQUIRED TO CONSIDER THIS RATHER THAN BY ISSUING A REFUSAL.

NOT MATERIAL CONSIDERATIONS – issues that are not relevant to the decision

- Private issues between neighbours - property rights, boundary/access disputes, damage to property, covenants
- Ancient and other rights to light
- Right to a view or loss of a view
- Problems arising from the construction period (can be covered by Control of Pollution Acts)
- Effect on property values
- Competition
- Motives or personal circumstances of the applicant (unless relevant to the application)
- Matters covered by other Building Regulations or other non-planning legislation (e.g. structural stability, drainage details, fire precautions, licences)
- Previously made objections / representations regarding another site or application
- Factual misrepresentation of the proposal
- Opposition to principal of development if this has been settled by an outline planning permission or appeal

Appendix B -Thurston Neighbourhood Development Plan (NDP).

Below are the Policies that now form the Thurston NDP.

POLICY 1: THURSTON SPATIAL STRATEGY

- A. New development in Thurston parish shall be focused within the settlement boundary of Thurston village as defined on the Policies Maps (at the end of this paper).
- B. Development proposals within the settlement boundary (as defined on the Policies Maps pages will be supported subject to compliance with the other policies in the Neighbourhood Plan.
- C. All new housing proposals will be expected to address the following key matters:
 - a. Ensure they address the evidence-based needs of the Thurston Neighbourhood area in accordance with Policy 2; and
 - b. In accordance with the statutory tests in the Community Infrastructure Levy Regulations 2010, contribute towards education infrastructure and other key infrastructure which shall include health, transport and movement, community facilities, utilities and public realm improvements, through direct provision and/or developer contributions (including Community Infrastructure Levy and/or Section 106).
 - c. Design high quality buildings and deliver them in layouts with high quality natural landscaping in order to retain the rural character and physical structure of Thurston.
- D. Development proposals to meet specialist housing and care needs on sites that are outside the settlement boundary will be permitted where it can be demonstrated that no available and deliverable site exists within the settlement boundary.
- E. Where development uses best and most versatile agricultural land, it must be clearly demonstrated that the remaining parts of any fields remain economically viable for commercial farming.

POLICY 2: MEETING THURSTON'S HOUSING NEEDS

- A. Proposals for new residential development must contribute towards Thurston's role as a Key Service Centre/Core Village. This means addressing both the needs of the wider Housing Market Area and the needs of Thurston as a rural community.
- B. Within the context of Thurston's needs, all housing proposals of five or more units must reflect the need across all tenures for smaller units specifically designed to address the need of older people (for downsizing) and younger people (first-time buyers).
- C. An alternative dwelling mix will only be permitted where evidence is brought forward with an application that clearly demonstrates the need for a different mix.
- D. In order to address the needs of younger people in Thurston, development that provides housing specifically designed to address their needs will be supported.
- E. In order to address the needs of older people in Thurston, development that provides housing specifically designed to address their needs will be supported. This includes the provision of sheltered housing.

POLICY 3: MEETING SPECIALIST CARE NEEDS

In order to address the care needs of older people in Thurston, the provision of specialist care facilities (Class C2) is supported. This includes the provision of a residential care home.

POLICY 4: RETAINING AND ENHANCING THURSTON CHARACTER THROUGH RESIDENTIAL DESIGN

- A. Development proposals must demonstrate how they contribute to the features which positively define Thurston's character, taking into consideration the Thurston Character Assessment 2017 – revised 2018. All development shall protect the amenity of neighbours, and reflect the scale, mass, height and form of neighbouring properties.
- B. In particular, development proposals are encouraged to:
- a. Provide short, winding streets/closes (excluding main access roads) that promote an intimacy to development with a variety of styles and designs; and
 - b. Retain historic buildings that contribute to the distinctive character and historic and architectural interest of the village; and
 - c. Not lead to over-development of a site and avoid the appearance of cramming; and
 - d. Ensure provision is made to store refuse and recycling bins out of sight; and
 - e. Promote 'active travel' – walking and cycling; and
 - f. Use boundary treatments which, where possible, provide a soft feel to the boundary; and
 - g. Retain distinctive trees such as Scots Pines and oaks and mixed hedging and provide similar as part of new development.
- C. New dwellings that incorporate electric charging points for vehicles will be supported.

POLICY 5: COMMUNITY FACILITIES

- A. Proposals that would result in the loss of existing community facilities will not be supported unless appropriate re-provision is made. Such re-provision will be required to demonstrate that the replacement facility is:
- a. At least of an equivalent scale to the existing facility; and
 - b. In a generally accessible location to the community of Thurston within the neighbourhood plan area; and
 - c. Made available before the closure of the existing facility; and
 - d. Of a quality fit for modern use.
- e. Schemes that are adjacent to the existing settlement boundary may be supported in order to deliver new or improved facilities.
- B. Proposals for new and/or improved community facilities will be supported subject to the following criteria:
- a. The proposal would not have significant harmful impacts on the amenities of surrounding residents and other activities; and
 - b. The proposal would not have significant harmful impacts on the surrounding local environment; and
 - c. The proposal would not have unacceptable impacts on the local road network; and
 - d. The proposal would provide appropriate car parking facilities; and

- e. The proposal is located within or immediately adjacent to the current settlement boundaries as defined in Policy 1. New provision or improvements to existing community facilities that are clearly separate from the settlement boundary will only be supported if it is demonstrated that new or improved provision of community facilities is not required or achievable within the settlement boundary.
- C. The provision of the following community facilities will be strongly supported:
- a. A neighbourhood equipped area for play (NEAP)
 - b. A multi-use games area (MUGA)
 - c. Allotments or community growing spaces
 - d. An adventurous type play area designed for use by older, 14+ children/young adults and a skate park.

POLICY 6: KEY MOVEMENT ROUTES

- A. Where appropriate, new developments must ensure safe pedestrian and cycle access to link up with existing pavements and cycle infrastructure that directly connect with the Key Movement Routes as identified on the Policies Maps. Such routes should also ensure that access by disabled users and users of mobility scooters is secured.
- B. Proposals to enhance the identified Key Movement Routes will be supported. Development that is immediately adjacent to the Key Movement Routes will be expected to:
- a. Contribute towards the enhancement of the Key Movement Route in accordance with the statutory tests in the Community Infrastructure Levy Regulations 2012; and
 - b. Not have a detrimental impact on the Key Movement Route and assess and address the impact of the additional traffic movements on the safety and flow of pedestrians and cyclists.
- C. The Public Rights of Way network should be protected. Where appropriate, in accordance with the statutory tests in the Community Infrastructure Levy Regulations 2010, development should enhance the Public Rights of Way network by improving routes or creating new links. Linking the Public Rights of Way network to the Key Movement Routes is encouraged.

POLICY 7: HIGHWAY CAPACITY AT KEY ROAD JUNCTIONS

- A. Where a Transport Assessment or Transport Statement is required, this should address the transport impacts on road junctions, particularly including the following junctions on the Policies Maps:
- a. Fishwick Corner;
 - b. Pokeriage Corner;
 - c. Junction of Beyton Road and New Road;
 - d. The railway bridge/junction of Barton Road and Station Hill.

POLICY 8: PARKING PROVISION

- A. Development proposals that generate an increased need for parking must provide adequate and suitable parking, having regard to the Suffolk County Council Parking Guidance 1 (2015) or any successor document, in order to minimise obstruction of the local road network in the interests of the safety of all road users, including pedestrians and cyclists, unless it can be satisfactorily demonstrated that an alternative provision

would be appropriate on a specific site. Parking spaces must be permanently available for parking use.

- B. Proposals that would reduce the existing level of off-street parking provision (both public and private) will be resisted unless it can be satisfactorily demonstrated that the amount of overall provision is adequate. This is particularly the case in respect of public car parking serving community facilities.
- C. The provision of a new primary school in Thurston must be designed to support appropriate levels of off-road parking and drop-off facilities for cars, buses and coaches.

POLICY 9: LANDSCAPING AND ENVIRONMENTAL FEATURES

- A. Development must be designed to ensure that its impact on the landscape and the high-quality rural environment of Thurston is minimised.
- B. Development which abuts open countryside must not create a hard edge. Proposals must demonstrate how the visual impact of buildings on the site has been minimised through their layout, heights and landscaping. In particular, the retention and planting of trees, hedges and vegetation is encouraged to soften the impact of development, retain and improve the street scene and keep the rural village feel of Thurston. A native species landscape buffer is required where a development abuts open countryside.
- C. Development must ensure that valued features of the local landscape, as identified in the Thurston Parish Environment, Landscape, Green and Open Spaces (2018), including hedgerows, are protected where possible. New development must preserve these features and they should only be lost where it is fundamentally necessary for the delivery of the development, e.g. to provide access to the site.

POLICY 10: LOCAL GREEN SPACES

- A. The following areas shown on the Proposals Map are designated as a Local Green Spaces:
 1. The New Green Open Space Area
 2. The Recreation Field, Church Road
 3. Genesta Drive Open Space
 4. Heather Close Open Space
 5. Furze Close Open Space
 6. Hambros Open Space
 7. Maltings Garth Open Space
 8. Barton Road Chalk Pit
 9. School Road Old Gravel Pit Open Space.
- B. Proposals for development on the Local Green Spaces will be only be permitted in very special circumstances.

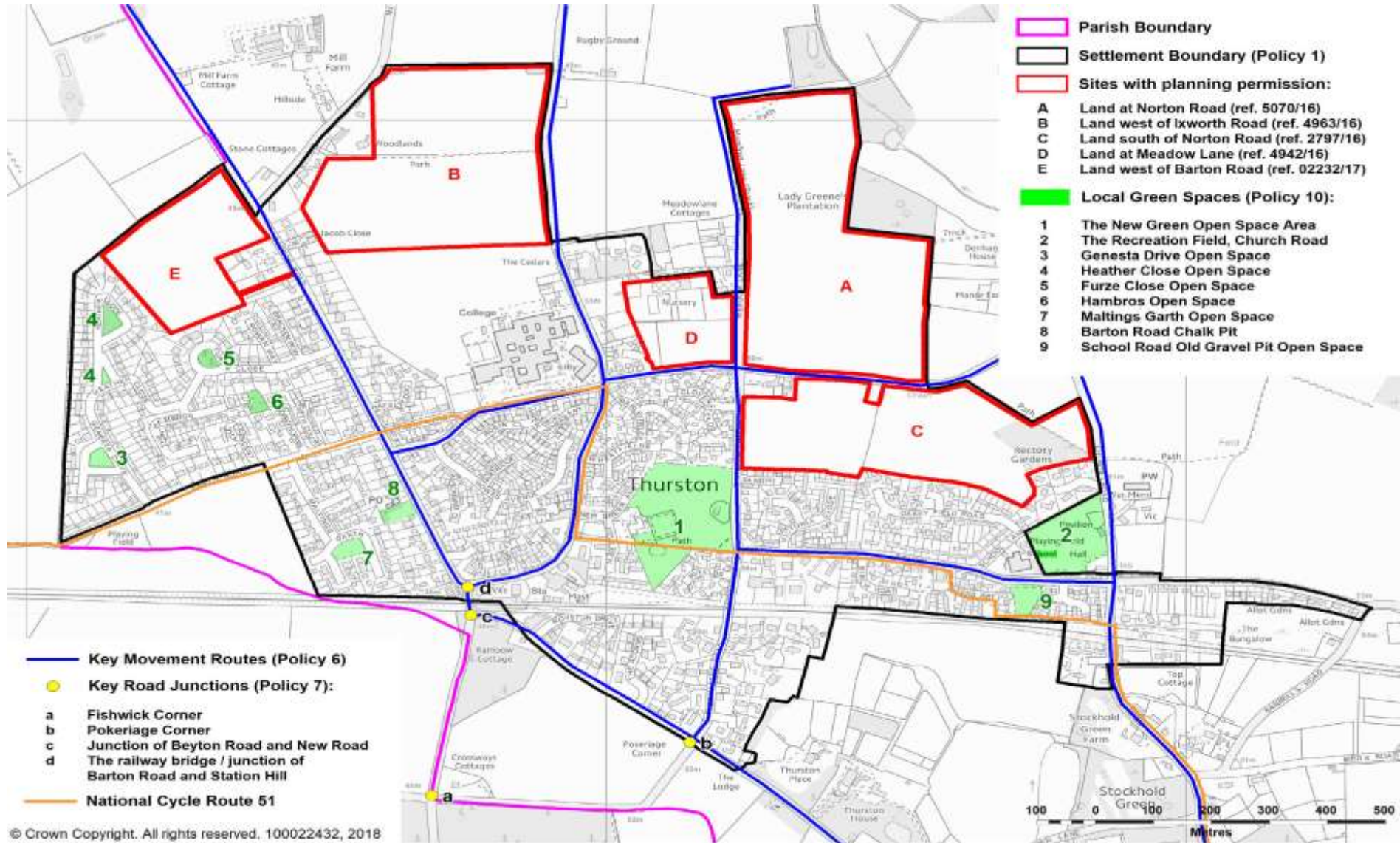
POLICY 11: PROVISION FOR WILDLIFE IN NEW DEVELOPMENT

- A. Development proposals that incorporate into their design features which encourage wildlife to thrive will be strongly supported.

- B. All new housing proposals shall incorporate provision for local wildlife to thrive. Specific examples of such provision include:
 - a. Bird and bat boxes and hedgehog runs;
 - b. Measures to support character species of fauna and flora;
 - c. Planting schemes including native species of trees and shrubs and nectar-rich plants for bees and other pollinators;
 - d. Veteran tree retention;
 - e. A sustainable drainage systems (SuDS) approach to natural water management and flood resilience, including soft, green landscaping and wetland habitat close to where people live.
- C. Planting, landscaping and features which encourage wildlife in new development should connect wider ecological networks where possible.

POLICY 12: MINIMISING LIGHT POLLUTION

- A. In recognition of the County Council's standards with regards to public lighting of the adopted highway, new development should be required to demonstrate how it has minimised light pollution created through its proposed use.
- B. Where lighting of public places is proposed, the use of down lighters will be required.
- C. New development should have regard to guidance from the Institute of Lighting Professionals ('Guidance Notes for the Reduction of Obtrusive Light' (2011) or any successor document) in respect of sites where relevant.
- D. Sensitive use of lighting shall be used to minimise impact on light sensitive species where relevant.



28.08.2020