

THURSTON PARISH COUNCIL

MINUTES of the Thurston Planning Committee MEETING held on Wednesday 28th April 2021 at 6.00pm by VIDEOCONFERENCE of Thurston Parish Council.

Present (by video): Cllrs. Dashper (Chair), Haley, Morris, Rainbow and West. Also in attendance (by video): Mrs V Waples, Parish Clerk, Mrs A King, Deputy Clerk, District Cllr. Turner (in part) and one member of the public.

1. **OPENING** – the Chairman opened the meeting advising all that the Video Protocol adopted by the Parish Council, would be enacted for this meeting. *A copy of the Protocol is available from the Clerk or can be downloaded from the website: <https://thurstonparishcouncil.uk/parish-council/policies-procedures-and-strategy/>.*
2. **APOLOGIES FOR ABSENCE** –
 - a) There were no applicable apologies for absence.
3. **DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST FROM COUNCILLORS INCLUDING GIFTS OF HOSPITALITY EXCEEDING £25** –
 - a) To receive declarations of pecuniary, local non-pecuniary interest(s) and personal interests in items on the agenda and their nature including gifts of hospitality exceeding £25 – there were no declarations declared for the agenda under discussion.
 - b) To receive declarations of lobbying for planning matters on the agenda – Cllr West declared a declaration of lobbying for Agenda Item 6a.
 - c) To receive requests for dispensations – there were none received.
4. **TO APPROVE THE MINUTES OF THE FOLLOWING MEETINGS:** (all as previously circulated) and to agree that delegated authority be given to the Chair to sign the minutes outside of the meeting:
 - a) Minutes of the planning committee meeting of 14th April 2021 - all agreed that the minutes as presented were a true and accurate record of the meeting that took place, aif.
5. **PUBLIC FORUM:** *due to government advice relating to public meetings, it was confirmed that the Meeting ID and Password for this meeting had been made available via the website and the parish noticeboards for those who wished to join the meeting* – whilst there were no members of the public present, the meeting was made aware of comments from a member of the public concerning DC/21/02112 which had been sent in via email – a summary of which was provided to the meeting:
 - A further access on the 60 miles per hour Barton road is a potential accident risk.
 - Visibility onto the Barton Road from the track is poor.
 - Traffic approaching the track from Great Barton, travelling at speed has poor visibility of the track.
 - Barton Road is subject to daily road killing of wildlife including deer. There have been no reported accidents because access onto the road is limited.
 - No footpath provision linking with the village.
6. **PLANNING APPLICATIONS TO BE CONSIDERED:**
 - a) DC/21/02112 – Application for prior approval of a proposed: change of use of Agricultural Building to 1 No Dwelling house (Class 3) and for building operations reasonably necessary for conversion. The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – Schedule 2, Part 3, Class Q @ Mill Farm, Mill Lane – an email detailing the provisions of Class Q and how the GPDO sets out the criteria for Class Q which covers the conversion of agricultural buildings into dwellings and lists what must be met before permission can be given had been circulated previously to the Committee Members. Overall there was a concern that this application was possibly a means to an end and that the plans for a clad barn of this size at this point in the village would be more than likely to be merely to set a precedent for future expansion. Implication for the future is of concern. It was agreed that overall the issues regarding highway safety were valid and had been raised by the parish council on a previous application for this site. Whilst it was recognised that

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the issue of cumulative development and that this could be the precedent to set this in motion – i.e. unlocking of the land - was a non-material concern, the Council was in agreement that this should be mentioned in its submission. It was agreed that the material concerns were of access from a farm track onto the highway at a derestricted section of the village without proper controls or surfacing and the lack of connectivity to the village, both of which should form the basis of the Council's objection, aif.

- b) DC/21/02123 – Application for Approved Matters following Outline Planning Permission DC/17/04197 (Allowed under Appeal decision APP/W3520/W/18/3193933) – appearance, landscaping, layout and scale for construction of single dwelling house following demolition of two existing buildings @ The Piggery, Great Green – it was confirmed that the application submitted in 2017 had been considered by the Council before the cumulative impact of the significant five had been assessed and that at that time the PC had no objection to the principle of development. Confirmation was given that there were already two barn conversions in the area which were of a considerable size and that this one was located close to a listed building. It was felt that the proposal was not in-keeping with the surrounding dwellings given the size being proposed and that a significant impact would be had on the listed building. It was agreed that given the scale, materials and impact on the setting of the location in which it was set, the Council would object to the proposal, aif.
- c) DC/21/02158 – Application for consent to carry out works to trees protected by a Tree Preservation Order – T1 (Mature Scott's Pine) – fell @ 19 Blackbird Close – the Tree Warden provided commentary which suggested that the reason for the removal was not as accurate as had been given on the application form. Council was in agreement that it did not wish to see a healthy species removed and that attempts to remove such a notable tree should be resisted given the impact on the landscape, aif.
- d) DC/21/02372 – Application for approval of Reserved Matters following Outline Approval DC/17/04938 Town and Country Planning Order 2015 – appearance, layout scale, design and access including turning area, parking and landscaping details for the erection of 1 No dwelling @ Ashdown, Poplar Farm Lane – *it was agreed that this item be deferred until the meeting scheduled for May 5th due to the amended agenda not having been received by Councillors.*

7. PLANNING MATTERS RELATING TO THURSTON - to consider further the following Planning Applications for which a response has already been issued:

- a) DC/21/01485 - Full planning application for change of use of land to form gardens to serve Plots 2 and 3 @ land south of Barrells Road – to consider the response of the Planning Officer (via Cllr. Richardson) to the Parish Council's response as submitted: *circulated email of 22.04.21 refers* – it was agreed that whilst the PC disagreed with the overall proposals for the area, the conditions being brokered by the District Cllrs. with the Planning Dept offered were acceptable and it had no further objections to make to the proposal, aif.

For clarity the conditions being proposed were:

1. *That MSDC revoke Permitted Development rights for the land associated with the application, so that any further construction (e.g. garden sheds or greenhouses) would require formal planning approval so that the impact on the open countryside is considered.*
 2. *That a landscaping scheme be agreed to minimise the visual impact of the extended gardens (e.g. enlarged hedgerows or tree planting).*
 3. *That clarification be sought (by MSDC) from the applicant about their intentions for the remaining land behind the proposed dwellings – Sian raised concerns about liability for the maintenance of this parcel of land going forward, regardless of the application, so offered to speak with the applicant to try to understand their position.*
- b) Removal of hedgerow on Barton Road (Bovis/Vistry Homes) – the Clerk made the meeting aware of an email trial over concerns at the timing of the removal of the hedgerow fronting Barton Road on the Grange Park Development. It was confirmed that whilst the removal of the hedgerow was not

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disputed, the timing of its removal had been challenged. Clarity had been sought from the Arboricultural Officer at BMSDC who had advised that the offence is the disturbance of nesting birds and not the time of year the work is undertaken. Work should not be undertaken until adequate checks have been made to ensure birds are not present. For this reason hedge trimming/removal is usually undertaken outside the 'bird nesting season' to avoid this potential issue. Ultimately he has advised that unless there was a requirement under condition to prove that there were no nesting birds or mammals and an inspection of the hedgerow and adjacent ground for any bird nesting and hidden/nesting mammals has been undertaken then it will be the choice of BMSDC as to whether they choose not to accept his word and the onus would be on BMSDC to prove the law has been broken.

- c) Removal of hedgerow – Barrells Road – the meeting was made aware of an email trail between residents and the Enforcement Officer at BMSDC concerning the removal / cutting down of the mature hedgerow on the north (road) boundary of this site. There was a concern that this might contravene the planning approval under condition 2 which referred to work being executed in accordance with the approved drawings. Drawing 1236.01a shows existing vegetation only being cut back to the line of the existing post and rail fence. The Enforcement Officer in his response has stated that the existing vegetation shown on the approved plan is all in front of the post and rail fence (red line) and is noted as to be removed back to the fence line; that no vegetation is shown on the plan to be retained between the fence and the front garden/garage for the plot; that the plan makes no mention of hedging or vegetation to be retained; that the removal of the hedging is not in breach of the approval or plan. It was further noted that the removal of the vegetation/hedging is to be mitigated by new native hedge planting and is conditioned to replace what has been removed. If replanting does not take place then they may be in breach of the relevant condition and BMSDC can then act to require the new planting. As no current breach had been identified at this time with the hedge removal no action can be taken by BMSDC. The meeting questioned as to whether there was evidence that an inspection of the hedgerow and adjacent ground for any bird nesting and hidden/nesting mammals also held true for this application. It was confirmed once again that the offence was the disturbance of nesting birds and not the time of year the work is undertaken. Work could be undertaken at any time of the year provided adequate checks are made to ensure nesting birds / mammals were not present. Cllr. Morris made the meeting aware that she would raise the issue of the timing of the removal of the hedgerow with the Enforcement Officer.

- 8. PLANNING APPLICATIONS DETERMINED:** to receive details of the planning applications considered by the Local Planning Authority (Mid Suffolk District Council):
- a) DC/21/00239 – Discharge of Conditions – Application for 5070/16 – Condition 6 (Construction Management Plan) @ land on the north side of Norton Road
 - b) DC/21/01661 – Discharge of Conditions Application for 3181/13 approved under Appeal reference APP/W3520/A/14/2226787 – Condition 8 (Hard Surfacing) @ Thurston Granary, Station Hill
 - c) DC/21/00999 – Discharge of Conditions Application for DC/17/02232 – Condition 4 Detailed Lighting Scheme), Condition 12 (Electric Car Charging) and Condition 19 (Refuse/Recycling Bins) @ land on the west side of Barton Road
 - d) DC/21/01018 – Prior Approval granted – Agricultural to Dwelling – change of use of agricultural buildings to 2 No dwelling houses (Class 3) and for building operations reasonably necessary for the conversion. The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – Schedule 2, Part 3, Class Q @ Barn at Moat Farm, Barrells Road
- 9. TO CONFIRM THE DATE OF THE NEXT PLANNING COMMITTEE MEETING:**
- a) 19th May 2021 – venue and format to be confirmed - commencing at 7.15pm.
- 10. CLOSURE OF THE MEETING** – there being no other business the meeting was closed at 18.49pm.

Signed Chairman

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Appendix A - Glossary of Common Abbreviations used

Aif	All in favour
AGAR	Annual Governance and Accountability Return
APM	Annual Parish Meeting
ASB	Anti-social Behaviour
BACS	Bankers Automated Clearing Services
BUAB	Built Up Area Boundary
BMSDC	Babergh & Mid Suffolk District Councils
CC	Credit Card
CCG	Clinical Commissioning Group
CEO	Chief Executive Officer
Chq.	Cheque
Cllr.	Councillor
CMP	Construction Management Programme
Cttee.	Committee
DC	District Council
DCLG	Department of Communities and Local Government
DD	Direct Debit
EHO	Environmental Health Officer
FOI	Freedom of Information
FR	Financial Regulations
GPoC	General Power of Competence
HMRC	Her Majesty's Revenue and Customs
HRA	Habitats Regulations Assessment
JR	Judicial Review
LAIS (from SALC)	Local Association's Information Services
LGBCE	Local Government Boundary Commission for England
LPA	Local Planning Authority
MSDC	Mid Suffolk District Council
NHS	National Health Service
NDP	Neighbourhood Development Plan
NP	Neighbourhood Plan
NR	Network Rail
PC	Parish Council
PCSO	Police Community Support Officer
Pdf	Portable Document Format
PIISG	Parish Infrastructure Investment Steering Group
Rec.	Recreation
RFO	Responsible Financial Officer
SARS	Suffolk Accident Rescue Service
SEA	Strategic Environmental Assessment
SALC	Suffolk Association of Local Councils
SCC	Suffolk County Council
SID	Speed Indicator Device
SNT	SaferNeighbourhood Team
SO	Standing Order
SPS	Suffolk Preservation Society
TCC	Thurston Community College
TNPSG	Thurston Neighbourhood Planning Steering Group
TPO	Tree Preservation Order
TRO	Traffic Regulation Order
VAS	Vehicle Activated Sign

Signed

Chairman

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