

THURSTON PARISH COUNCIL

MINUTES of the MEETING held on Wednesday 29 April 2020 at 6.30pm by VIDEOCONFERENCE of Thurston Parish Council.

Present (by video): Cllrs. Dashper (Chair), Cllrs. Fawcett, Haley, Morris, Rainbow, Thurlbourn, Towers, Turner and West.

Also in attendance (by video): Mrs V Waples, Parish Clerk, District Cllr. Turner and one member of the public.

1. **OPENING** – the Chairman opened the meeting advising all that the Video Protocol had now been adopted by the Parish Council. It was confirmed that the meeting had been called to discuss the planning applications as identified in Agenda Item 5 below and to agree the following recommendations which will be submitted to Mid Suffolk District Council.
2. **APOLOGIES** –
 - a) Council to receive apologies for absence – there were none as all were present.
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 inc. gifts of hospitality exceeding £25 – Cllr. Haley declared a local non-pecuniary interest for Agenda Item DC/20/00585 as the applicant had undertaken work for a relative and was a friend and DC/20/00608 as he knew the applicants and had been involved with them on other projects.
 - b) To receive declarations of lobbying for planning matters on the agenda – the Chair made reference to the extensive comments that had been submitted on local social media and it was noted that whilst Councillors might have monitored this forum none had responded individually. The following Councillors declared that they had been subject to lobbying by member(s) of the public: Cllrs. Fawcett, Morris, Thurlbourn, Towers, Turner, and West – all for planning application DC/20/00608.
 - c) To receive requests for dispensations – none had been received.
4. **PUBLIC FORUM** - due to government advice relating to public meetings it was not possible to facilitate a full public forum, however, those who had previously registered to speak were allowed to address the meeting.

The following comments, summarized, were submitted to the Parish Council by the member of the public present:

- Generally, would like to compliment the PC on the roll-out of the COVID-19 Emergency Plan. It had been appreciated by the village.
 - DC/20/00608 – The Drift Development – the resident confirmed that he had spoken to many residents of late who were frustrated and angry by the constant stream of developers that seem to be targeting Thurston. Old Thurston was regarded as the last bastion of peace and tranquillity. There was a communal aspect of those tending the allotments. The area at this point in the village was free from light pollution with clear skies and evident sounds of nature and wildlife. This application would tear out the life of the village. There were an unprecedented number of objections. The timing of the submission of the application was regarded by many as extremely dubious. Concerns were raised that the applicant has been a resident of the village for a number of years and yet has no respect for the area or its history.
- The following detailed concerns were raised: dangerous access. No photos of road access submitted and as such no consideration of visibility displays. Outside of BUAB. Against a number of policies in the Thurston NDP. A number of statutory consultees were recommending refusal or had

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submitted holding objections: SCC Highways; Heritage and Design; Environmental Sustainability & Energy; Public Realm and Sewage, Water and Flooding Departments. It was noted that the NHS letter had stated that there were insufficient GPS, Dental and Social Care Facilities in the area.

This was an unwanted, unneeded and damaged application which was ill thought out. He urged the PC to oppose this.

- The meeting was made aware that an alternative proposal had been submitted by a resident for the land as detailed under DC/20/00608. This proposal had been submitted too late to be added to the agenda for this meeting and Council was informed that this would be added to the agenda for the Parish Council meeting due to take place the following week.

5. PLANNING APPLICATIONS – to consider matters relating to Planning for Thurston

- a) Council considered the following in relation to guidance received from the Local Planning Authority on the planning and building control functions during the COVID-19 pandemic:
- letter dated 6th April 2020 as received from the Chief Planning Officer with regards to the Coronavirus and Temporary Arrangements for Planning Applications and Parish Consultation and Publicity – noted.
 - Power to Act out of Council Meeting – General Power – decision taken 15th April 2020 – Temporary Suspension of paragraph d of the Planning Protocol contained in the MSDC Planning Charter (subject to review if government remove requirement for social distancing)
 - Power to Act out of Meeting – General Power – decision taken 16th April 2020 – approval of 1) suspension of the installation of site notices by way of publicity for applications for a period of 12 weeks from 24 March; 2) suspension of the provision of hard copy documentation to community venues for public viewing as well as public consultation and exhibitions for pre-application proposals for a period of 12 weeks from 24 March; 3) approval for the alternative approach to publicity for the duration of this suspension a) for all **Non-Major and similar category applications**: provide increased scope (taking in more adjacent properties) neighbour letters to surrounding neighbours in excess of statutory requirements of the Development Management Procedure Order (DMPO) and b) for all **Major category applications**: provide increased scope (taking in more adjacent properties) neighbour letters to surrounding neighbours in excess of statutory requirements of the DMPO **after consultation with the Ward Members** regarding the proposed publicity arrangements and confirmation that these are considered appropriate to the scale and nature of the development proposed.
- b) To consider the following planning applications: It was confirmed that written comments submitted by members of the public prior to the meeting, that where they had related to a particular planning application had been circulated in full to the parish council members prior to the consideration of the planning applications.

The Chair agreed to alter the agenda to allow for consideration of the following planning application so that the member of the public could leave the meeting once the debate had finished:

- **DC/20/00608** – Outline Planning Application (all matters reserved). Erection of up to 58 No dwellings (including 8 No affordable) @ Apple Tree Cottage, The Drift

It was noted that to date 108 objections had been posted by the public on MSDC's website and that the local forum "Nextdoor" had been very active with comments. The Chair urged Councillors to exercise caution in terms of how you interacted on social media and how to engage with members of the public and that at all time there was a need to be aware of predetermination. All were reminded that they needed to ensure that they did not respond to comments submitted to them as individuals and to ensure correct protocols were observed.

Councillors debated the application before it and the following concerns were submitted:

- Need to maintain sustainable and resilient communities to deal with the covid-19 type of events as a result of climate change

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- Important centre of the village for community activity particularly geared around the allotments
- Preservation of biodiversity is crucial – this would be a destruction of a significant rural space
- Highways issues likely to increase with roads unable to cope
- Impact on the environment and the sustainability of wildlife
- Density of housing and impact on Stone Lane residents in terms of privacy given the elevation of the site
- Evidence of the anger, resentment and anxiety caused by this application. Objections submitted via the MSDC Planning Portal were generally well laid out and covered all the points. Arguments in the main could see no benefit of this scheme for the village of Thurston.
- Concerns on all levels with this application should not be underestimated – site itself; location; what is currently on it; immediate area and setting in which it is found; impact on road network; location of railway line; impact on safety issues with the rail station; flooding.
- Once again real concerns over the relationship to the Thurston NDP and the emerging local plan have come to the fore.
- Concerns raised by statutory bodies should also be noted.
- The Chair made the meeting aware that for those who had not attended the pre-application meeting with the applicant there was a real dislocation between what was expected, what had been discussed in any pre-application meeting with that which had been submitted in the planning application. He also confirmed that at no time had the PC expressed a view one way or the other, but it had merely listened in accordance with its duty to listen and engage.
- Copy of letters from No 10 and other Government organisations as submitted in the application should be viewed as an implied threat and when analysed it was difficult to interpret comments coming from the DCLG as being supportive of this strategy.
- No engagement with the public – surely there is a requirement to undertake public strategy – the Clerk was asked to raise this point.
- Misleading statements in the design and access statement suggesting that the PC were in support of this – all agreed that this was to be rebutted given the Chair’s comments.
- The meeting endorsed the paper submitted by Cllr. Morris on the history of allotments noting that the proposal was aiming to reduce the provision of allotments by two thirds. It was noted that only one of the developments coming forth in the village was offering allotments – 9 in total.
- The lack of allotments within the village was noted and their provisioning had been mentioned in the NDP.
- The meeting’s attention was drawn to a quotation from the National Allotment Society – “The social contact offered by gardening in an allotment environment helps to combat the lack of social capital embodied by loneliness” and their loss to those who tended them should not be underestimated.
- It was also noted that the proposed allotments may be smaller than the standard plot size.
- The meeting further noted the comments from the Co-Chair of the Thurston NDP sub-committee which (*summarized*) covered:
 - Number of objectors
 - Unwanted development by the village
 - Low quality houses on the site
 - Not in conformity with the Thurston NDP
 - Proof of requirement for further affordable housing in the village
 - Outside settlement boundary
 - Requirement to meet National Standards for housing sizes

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- Does not meet Design Expectations (DEVF1)
- Lack of footpaths to core of village
- Lack of a traffic assessment
- Highways response had indicated that there would be a need to widen the stretch of Church Road from the access to School Road as a minimum and for School Road to be widened between Church Road and School Lane. It was noted that this would impact on the Oaks aligning the route and as such Cllr. Morris as Tree Warden had alerted the Arboricultural Officer at MSDC to the proposal.
- Access – blind point at this point of Church Road with poor visibility from those approaching from under the bridge - buttress of bridge comes to the edge of land.
- Proximity of railway track – noise.
- Density – ¼ the size of one of the large developments but has the highest density on one of the most inappropriate sites.
- Layout too tight with part of area taken up with the long access route into the development.
- Not in accordance with the Thurston NDP. Elevation issues with housing looking down onto those on Stoney Lane. Same size development as Laurence Homes are proposing.
- Safety aspect of roads on the proposed layout – too narrow.
- Many statutory consultees have raised issues
 - No traffic assessment. Full requirement for a traffic assessment which must bring into account all the junctions as previously researched for the cumulative impact
 - Heritage dept – requires a heritage statement
 - Environmental Health – sound impact not addressed
 - Sewage, water and flooding – no studies
 - Public realm – loss of public open space.
- Pressure on road network and for those assessing the A14. Cumulative impact on the road infrastructure should not be underestimated and the PC should repeat its concerns raised on many previous occasions. Not an insignificant number of traffic movements from this site.

The meeting noted that real anger had been demonstrated via comments submitted at the whole of process of allowing this application to come forward and that in essence everything you could object to was contained within this application.

Agreement was given that the application be refused on material aspects as mentioned previously; location outside of the BUAB; not in conformity with the made Thurston NDP; cumulative impact on transport infrastructure; loss of an amenity; impact on amenities and that reference should be made of the considerable input from residents of the village, aif.

- **DC/20/00639** – Application for planning permission without compliance of conditions – application under S73 to remove or vary conditions relating to approved DC/19/05126 dated 16.01.2020 (erection of 1 No detached self-build dwelling, garage/studio with attic accommodation and new vehicular access) (Condition 2 Approved Plans and Documents) – to i) reduce the extent of timber cladding ii) change roofing material to slate iii) omit ground floor windows to west elevation of drawing room iv) omit high level glazing over glazed screen to master south elevation @ land west of Elgin Lodge, Barrells Road – it was noted that this had been approved under delegated powers that day.
- **DC/20/01477** – Householder application – conversion of garage to additional living accommodation (work room) @ The Garden House, Great Green – it was noted that the proposal would not extend beyond the curtilage of the current building but would result in the loss of a parking space by conversion of the garage. It was further noted that there was sufficient off-road

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parking within the plot to compensate for this. It was agreed that the meeting was minded to recommend approval with the condition that the dwelling remains ancillary to the host dwelling, aif.

- **DC/20/00585** – RECONSULTATION – Planning Application – erection of dwelling with associated works including provision of landscaping and internal access road @ Harveys Garden Plants, Great Green – it was noted that this was now a variation to the application submitted for three dwellings. Concerns were raised over the relative ease, given the layout of the site, for a further two plots to be added back in at a later date. Again, it was confirmed that this is outside of the BUAB and as such contrary to the Thurston NDP, there would be an impact on the road network and that there was a reliance on the motor vehicle for access to facilities and services. It was agreed that the principal to build should not change the Parish Council's position over dwellings in the countryside. It was agreed that whilst the precedent might have been set for those built across the road, the PC should hold fast to its original comment. The Clerk drew the meetings attention to the comments made by the Area Planning Manager – Development Management – Sustainable Communities which in essence appeared to hold to the premise that planning decisions were made on the basis that they did not want to have to defend an appeal further down the line. Concern was also raised at the comments and approach made by the Area Planning Manager who had suggested that it might be best to accept one as otherwise you could get three. Concerns were raised that the NPPF was becoming more developer friendly and that LPA's were disregarding made NDPs by claiming that the NPPF allows development to take place outside of the settlement boundary.

It was agreed that the Parish Council would recommend refusal of the one single dwelling and that within its response it would cover comments made by the Area Planning Manager – Development Management – Sustainable Communities about the Thurston NDP and would reiterate that the made Thurston NDP was and should be used as an effective planning tool for applications within Thurston, aif.

c) To consider the following planning application as submitted to West Suffolk District Council:

- **DC/20/0566/FUL** - Planning Application - Highway improvements to the crossroads known as Fishwick Corner through the creation of a staggered junction with associated landscaping, drainage and infrastructure @ Land Adjacent To Fishwick Corner, Thurston Road, Rougham Suffolk – it was confirmed that this was a parallel application to that which was submitted under DC/19/1519/OUT and that Bloor Homes was in fact tracking this application. Original application DC/19/1519/OUT has been deferred whilst the legal review of application DC/19/03486 in MSDC is determined. It was agreed that this was the same project as previously submitted but that this had now come forward as a full application. It was agreed that the comments made under the Parish Council's previous submission were still valid and that the meeting should take note of a late submission to the Parish Council on this application from a member of the public which covered: width of Mount Road; potential issues at rush hour with vehicles approaching the junction from Rougham wishing to turn into the staggered junction to Thurston who would then block the road for vehicles travelling to Bury St Edmunds. Equally those travelling the opposite way and wishing to turn towards Rougham may then block the road for those travelling to Beyton. Concern was noted that this may create greater pressure on Pokeriage Corner. It was further commented that no plans appeared to have been submitted for the redundant road which opens onto Mount Road (as evidenced under Document dated 27/3/20, Site and Other Drawings Visibility Splays, Drwg. X601_PL_201 B) and that there was a concern as to the future use of an area that had open access to the road and would be seeded grass between the redundant road and the new staggered junction. It was agreed that there was a need to rebut this in the strongest terms using comments as submitted under DC/19/03486 reminding West

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Suffolk that there was an outstanding legal challenge against that application and that should this be approved then the Parish Council would seek leave for this to be included within the ongoing legal challenge, aif.

d) To note planning applications determined by the local planning authority:

- **DC/19/05114** – Outline Planning Permission granted (access to be considered) – erection of 9 No self-build dwellings @ land to south of Barrell’s Road.

The meeting expressed concern at the manner in which the decision had been taken and that there should have been a more detailed appraisal of the objections submitted and the relationship to the Thurston NDP. There was a concern that the eight objections were briefly summarized with the Parish Council’s comments reduced to one sentence whilst the one in support was repeated in full. Once again it appeared that decisions were being made not on material considerations but on how difficult it would be to defend an appeal if refusal were given. It was also noted that the working definition of ‘self-build’ did not apply to this proposal as the dwellings were being marketed as built to existing designs which surely negated them as being self-build and therefore meant that the Planning Officer failed to consider whether this was compliant or not. It was further noted that the houses were being built to a pre-determined design and that a condition of the "self build" was that any purchaser must use the nominated developer to carry out the build. The Clerk informed the meeting that she had discussed this application with both District Cllrs. Turner and Richardson and both had agreed that due to the manner in which comments made by the Planning Officer had been overturned by the Area Planning Manager with little or no regard to objections / concerns raised both were prepared to submit an official complaint with the Parish Council over the determination of this application. Cllr Turner stated that she had discussed launching such a complaint with the relevant Officers at MSDC and would discuss the matter further with the Parish Clerk and District Cllr. Richardson to allow her to complete the forms to allow the complaint to be taken further. It was confirmed that despite requests from District Cllr Richardson, no plans detailing the footpath within the site to allow for occupiers to access Stoney Lane had been submitted and that there was no guarantee that the funding secured in lieu of affordable housing contribution would be used for Thurston’s needs. He had confirmed that this detail along with the highway improvements vis-à-vis would have resulted in a renewed call-in.

All agreed that there was a breakdown in trust as to processes undertaken by MSDC Planning Department and how they had dealt with not only the Ward Members concerns but also those of the Parish Council and that yet again there was the exploitation of wording within the Thurston NDP. It was agreed that a joint complaint should be submitted on the decision taken and procedural issues as raised by the Ward Members and the Parish Council, aif.

- **DC/19/05377** – Planning Permission granted – erection of 2 No detached dwellings and garages @ Plots 1 and 2, Cedars Close.

e) To note responses to previous planning comments submitted as statutory consultees:

- **DC/20/01249** - Council noted that the Clerk had submitted the response against the application for Phase 2 for the site to the North of Norton Road and that a response had been received from the Area Planning Manager – Development Management – Sustainable Communities at MSDC in which it was stated that “we will look at this in detail and consider possible solutions for the issues raised. At this time, it is intended that this application will be a committee matter”.

f) To note matters arising from approved planning applications:

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- **DC/19/05465** – land East of Woodlands, Barrells Road – Council noted that an appeal had been submitted for this application but MSDC was still awaiting a start date from the Planning Inspectorate at which point all parties will be notified and given further opportunity to comment.

6. To confirm the date of future meetings:

- 6th May 2020 – full Council Meeting – via the Zoom platform - commencing at 7.00pm
- 20th May 2020 – full Council Meeting – via the Zoom platform – commencing at 5.00pm

7. Close of the Meeting – there being no other business the meeting was closed at 20.10pm.

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
FOI	Freedom of Information
FR	Financial Regulations
GPoC	General Power of Competence
HMRC	Her Majesty's Revenue and Customs
HRA	Habitats Regulations Assessment
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

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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

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