



2004-2005  
Supporting People  
2006-2007  
Waste and Recycling  
2006-2007  
Culture and Sport for  
Hard to Reach Groups

# G206

## BABERGH DISTRICT COUNCIL

### DEVELOPMENT COMMITTEE

**5 MARCH 2008**

## SCHEDULE OF APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Item	Page No.	Application No.	Location	Officer	Decision
<b>DEFERRED ITEMS</b>					
1	6-10	B/07/000177/FUL	<b>CHILTON</b> – Gravel Works, Newton Road	CJT	
2.	11-15	B/07/02035/FUL B/07/02036/CAC	<b>STRATFORD ST MARY</b> – Homelands, School Lane	CJT	
<b>APPLICATIONS REQUIRING REFERENCE TO DEVELOPMENT COMMITTEE</b>					
3.	16-19	B/08/00166/FUL	<b>WHATFIELD</b> – Grubbs Edge, The Street	CJT	
4.	20-24	B/08/00140/OUT	<b>BURES ST MARY</b> – Builders Yard, Cuckoo Hill	CJT	
5.	25-28	B/07/01269/FUL	<b>HADLEIGH</b> – Hadleigh United Football Club, Layham Road	BE	
6.	29-32	B/08/00145/FUL	<b>SPROUGHTON</b> – The Stables, High Street	BE	
7.	33-36	B/07/01306/OUT	<b>GLEMSFORD</b> – Former Builders Yard, Drapery Common	BE	
8.	37-40	B/07/01926/FUL	<b>GREAT CORNARD</b> – 6a Stour Court	BE	
9.	41-43	B/07/01839/FUL	<b>BENTLEY</b> – Tattingsstone Trout Farm, Ipswich Road	BE	
10.	44-56	B/07/00566/FUL B/07/00567/LBC	<b>BOXTED</b> – Trucketts Hall, Glemsford Road	GD	
11.	57-60	B/07/1957/FUL	<b>HITCHAM</b> – Syers Farm (North), The Causeway	GD	
12.	61-65	B/07/01798/FUL	<b>SUDBURY</b> – 36 Station Road	CT	
13.	66-72	B/08/00077/FUL	<b>LEAVENHEATH</b> – 43 High Road	LB	

Item	Page No.	Application No.	Location	Officer	Decision
14.	73-75	B/07/01924/FUL	<b>LITTLE WALDINGFIELD</b> – Newmans Hall Farm, Bell Corner	MB	
15.	76-78	B/07/02010/FHA	<b>SUDBURY</b> – 46 Elm Road	FB	

#### **DISTRICT COUNCIL DEVELOPMENT**

16.	79-80	B/08/00201/DPA	<b>GREAT CORNARD</b> – Grass Verges (4 no) Between 21 and 47 and Grass Verges (4 no) Between 30 and 56, Chelsworth Avenue	AS	
17.	81-82	B/08/00180/DPA	<b>GREAT CORNARD</b> – Grass Verges (2 no) Between 33 and 52, 42 and 61 and Grass Verges (2 no) Between 7 and 16, Kersey Avenue	AS	
18.	83	B/08/00266/TCA	<b>SUDBURY</b> – North Street Car Park	DP	

N Ward  
Chief Planning Control Officer

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## **PUBLIC SPEAKING ON PLANNING APPLICATIONS AT MEETINGS OF THE DEVELOPMENT COMMITTEE**

1. The Council has a policy of allowing members of the public to speak on planning applications when they are discussed at meetings of the Development Committee.
2. Prior to the consideration of each application on the planning schedule the Chairman will ask whether anyone in the public gallery who is eligible to speak wishes to address the Committee.
3. If there are, the Chairman will ask the public concerned to indicate whether they are a representative from the Town or Parish Council, an objector or either the applicant or his/her representative. If there is more than one objector present, the Chairman will ask whether they have nominated a spokesperson to speak on their behalf. If they haven't they will be asked to leave the meeting to determine a spokesperson and the Chairman will move to the next item in the meantime. The objectors will be reminded that if they are unable to agree a spokesperson then they will not be able to make any representations.
4. The following procedure and order of business applies in respect of each item:-  
  
Introduction of item by Planning Officer.  
  
Representations by Town or Parish Council representative (or Parish Meeting where there is no Parish Council).  
  
Representations by objector.  
  
Representations by applicant or representative.  
  
Clarification of any points by the Planning Officer and consideration of application by Members.  
  
Decision by Members.
5. Prior to making any representations, speakers will come forward, one at a time at the invitation of the Chairman, and sit on one of the raised seats facing the main chamber and state their name and who they represent. Speeches cannot exceed 3 minutes and speakers will be asked to stop immediately if they exceed this period of time. Speakers will then return to the public gallery.
6. Speakers can only make statements of opinion or fact. They are not allowed to ask questions of Members or Officers and equally Members or Officers are not allowed to ask questions of them. Furthermore, speakers cannot ask questions to other speakers. Speakers can only rely on verbal statements and no presentational material can be displayed either on the notice boards or on the overhead projector. No information or materials can be handed around the Committee by the speakers whilst the meeting is in progress.
7. Babergh Councillors are not entitled to speak with regard to an application or other matter under this policy. However, a representative of the Councillor may speak on their behalf provided they are not a Councillor.

## BABERGH DISTRICT COUNCIL

### DEVELOPMENT COMMITTEE

#### SCHEDULE OF APPLICATIONS MADE UNDER THE TOWN AND COUNTRY PLANNING ACT 1990, AND ASSOCIATED LEGISLATION, FOR DETERMINATION OR RECOMMENDATION BY THE DEVELOPMENT COMMITTEE

This Schedule contains proposals for development which, in the opinion of the Chief Planning Control Officer, do not come within the scope of the Scheme of Delegation to Officers (Planning Control) adopted by the Council or which, although coming within the scope of that scheme, he wishes the Committee to determine.

Background Papers in respect of all of the items contained in this Schedule of Applications are:

1. The particular planning, listed building or other application or notification (the reference number of which is shown in brackets after the description of the location).
2. Any documents containing supplementary or explanatory material submitted with the application or subsequently.
3. Any documents relating to suggestions as to modifications or amendments to the application and any documents containing such modifications or amendments.
4. Documents relating to responses to the consultations, notifications and publicity both statutory and non-statutory as contained on the case file together with any previous planning decisions referred to in the Schedule item.

#### DELEGATION TO THE CHIEF PLANNING CONTROL OFFICER

The delegation to the Chief Planning Control Officer includes the power to determine the conditions to be imposed upon any grant of planning permission, listed building consent, conservation area consent or advertisement consent and the reasons for those conditions or the reasons to be imposed on any refusal in addition to any conditions and/or reasons specifically resolved by the Development Committee..

(Minute No 48(a) of the Council dated 19 October 2004).

#### **PLANNING POLICY**

**In the interests of economy the reports in this paper do not contain extracts from planning policy - simply the references. The Suffolk Structure Plan can be accessed online at: [http://www.suffolkcc.gov.uk/e-and-t/structure\\_changes/adopted\\_structure\\_plan/index.html](http://www.suffolkcc.gov.uk/e-and-t/structure_changes/adopted_structure_plan/index.html) and the Alteration no 2 to the Babergh Local Plan at: <http://www.babergh.gov.uk/babergh/LocalPlan>)**

## **LIST OF ABBREVIATIONS USED IN THIS SCHEDULE**

<b>AWS</b>	<b>Anglian Water Services</b>
<b>CFO</b>	<b>County Fire Officer</b>
<b>LHA</b>	<b>Local Highway Authority</b>
<b>EA</b>	<b>Environment Agency</b>
<b>EH</b>	<b>English Heritage</b>
<b>EN</b>	<b>English Nature</b>
<b>HoCAM</b>	<b>Head of Contract and Asset Management</b>
<b>HSE</b>	<b>Health and Safety Executive</b>
<b>MoD</b>	<b>Ministry of Defence</b>
<b>PC</b>	<b>Parish Council</b>
<b>PM</b>	<b>Parish Meeting</b>
<b>SPS</b>	<b>Suffolk Preservation Society</b>
<b>SWT</b>	<b>Suffolk Wildlife Trust</b>
<b>TC</b>	<b>Town Council</b>

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Item No: 1

Reference: B/07/00177/CMA

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Parish: CHILTON

Location: OS 0043, 7939, Part OS 0079, 7612 Land north and south of Winthorp Hall, Newton Road, Chilton, Sudbury

Proposal: Application under Regulation 3 of the Town and Country Planning General Regulations 1992 – The extraction of sand and gravel from land at Chilton Estate, Chilton, Sudbury, Suffolk and restoration of the land to agriculture with woodland and hedgerow planting and new wildlife habitat, together with the erection and use of a concrete batching plant and aggregates bagging plant.

Applicant: Brett Aggregates Ltd

Case Officer: Chris Tivey

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## 1. INTRODUCTION

- 1.1 Members will recall that on the 18<sup>th</sup> April 2007 the Development Committee objected to the application for the extraction of sand and gravel from land at Chilton Estate, Chilton, Sudbury, Suffolk.
- 1.2 Members considered that the proposed development was unacceptable for a number of reasons and were of the view that the scheme was at significant variance to that discussed at the Public Inquiry into the Minerals Local Plan and its allocation as Site P14, purely for sand and gravel extraction.
- 1.3 As the application also included the erection of a concrete batching plant, aggregates bagging plant and construction and demolition waste recycling plant, vehicle movements would be far higher than for a pure sand and gravel operation: bulk sand and gravel extraction would have amounted to approximately 17% of the total movements when taking into account the figures that were cited within the Transport Assessment submitted with the original Environmental Statement. This greater number of vehicle movements would have had a detrimental effect upon the general amenities of the area both in terms of noise and dust generation.
- 1.4 Furthermore, it was considered that the introduction of a greater number of vehicles and in particular HGV's would increase the risk of road traffic accidents occurring on the A134, an already dangerous stretch of road which is already over-capacity with a high number of accidents. Slow moving HGV's both accessing and exiting the site would lead to further traffic hold-ups, which are all too common along that stretch of road.
- 1.5 It was the general view that much construction and demolition waste would have been taken to the site from Ipswich, which would neither have been sustainable (due to the distances travelled) or acceptable in the terms of the Policy WLP4 of the Waste Local Plan.
- 1.6 Members thought that a waste recycling centre would generate unnecessary trips and materials unsuitable for site restoration purposes would have to be transported back out of the site. Whilst it was recognised that material would have to be imported for restoration purposes and indeed the District Council could, to some extent, see merit in reducing the use of raw aggregates in concrete products, the proposal was providing facilities way above what one would expect for a basic gravel extraction operation.

1.7 This would have led to structures and associated paraphernalia within the processing Plant over and above that originally envisaged by local people, and would have caused unacceptable harm to the character of the landscape. Whilst it was acknowledged that bunding and planting would to some extent screen the Plant area and the remainder of the area of gravel extraction, the overall effect would have been of seriously degraded countryside. The proposal would also have had a devastating impact on the lives of surrounding residents further affected by dust generated and noise created.

1.8 Babergh District Council therefore objected to the proposed development.

## 2. AMENDMENTS TO THE APPLICATION

2.1 The application has since been amended and embraced the following changes, which were reported to the Development Committee on the 28<sup>th</sup> November 2007:

- The transfer and sorting of general waste was omitted from the application.
- As a consequence of the above, the number of daily HGVs was reduced from 61 to 36, i.e. 72 movements.
- The proposed means of access was subject to more detailing and provided for the slight movement of the carriageway to the south and inclusion of addition land to provide for the realignment.
- A conveyor would be used in part to transport aggregate to the plant area.
- The boundaries of the site had been extended to embrace off site landscaping (not extending the area of extraction).
- Provision of a permissive footpath.

2.2 At the meeting on 28<sup>th</sup> November 2007, Members resolved to defer their consideration of the matter pending the provision of additional information. Clarification of the type and size of HGVs likely to visit the site was required, with Members having particular concerns with regards to slow moving articulated lorries using a ghost right turn, which would give rise to traffic hold ups and associated dangers to highway safety. Members considered that a roundabout would be necessary at the junction of the application site with the A134 but required a copy of the Highway Authority's formal response before they could consider the application further.

2.3 Notwithstanding requests sent to Suffolk County Council, the applicant's final submission and request for a highway safety audit was not made until the 7<sup>th</sup> December 2007. Suffolk County Council had informed the District Council that it would not be possible for the application to be considered by their Development Control Committee until the 6<sup>th</sup> March 2008 and that the Local Highway Authority's comments would be placed on the website when available. At the time of writing this report, the Local Highway Authority's comments were still not available, although the results of the Highway Safety Audit are now available in plan form. In Summary, a 2.4m by 215m visibility splays are to be provided with a right turn lane. The plan submitted includes annotation, which identifies visibility with the right turn lane fully queued.

2.4 With respect to the request for details of the largest vehicle that it is proposed to use to transport aggregates, and the average number of daily loads from the site, Brett Aggregates anticipates that an average of about 400 tonnes of sand and gravel would be exported in 30 ton articulated lorries per week, which would result in an average of less than 3 loads per day.

- 2.5 A copy of a letter sent to Suffolk County Council from the applicant's agent on the 25<sup>th</sup> November refers to a request that Suffolk County Council made to make the lorry movement tables more easily understood. A further table has been submitted which identifies the potential importation of sand for blending on the concrete batching plant and which shows that this material would be imported on return journeys. It has the effect of increasing daily average movements associated with the proposed development from 36 in and 36 out to 37 in and 37 out.
- 2.6 For the avoidance of doubt the tables reflect the projected importation of additional sand for blending with indigenous sand in order to produce quality assured concrete and supersede the level of importation identified in the planning application and environmental statement. Average annual movements associated sand and gravel in bulk would amount to 6618, construction and demolition waste 3118 with the batching plant 5325 and the bagging plant 5167 giving a total average annual number of movements generated of 22228 and based upon 275 working days per year average daily movements of 74 (the 37 in and 37 out previously cited). Therefore, annual average movements associated with sand and gravel in bulk amount to 32%.
- 2.7 With respect to other comments raised by Members, Suffolk County Council have clarified that inert materials and excavation soil would be used for restoration purposes. There is no proposed change to the restoration level as proposed in the planning application (on average the site levels would be lowered by approximately 2m).

### 3. REPRESENTATIONS

#### 3.1 **Great Cornard Parish Council** oppose the proposals for the following reasons:

- The large increase in heavy traffic along the A134.
- The proposed layout of the feeder lane would not work as large lorries take some time to turn and other drivers could easily misjudge this.
- The increased traffic will cause car users to use narrow back roads as "rat runs".
- There are no measures (policing and or penalties) in place to prevent lorries using Valley Road as a short cut.
- Despite the amendments there are still a significant amount of business associated with the site which is nothing to do with the extraction of minerals from it.
- If this is not a viable site for mineral extraction, on a stand-alone basis, then the Parish Council feels that the application should be dismissed out of hand.
- The site is not sufficiently removed from residential and business premises and although a dust management plan will be implemented, it will be impossible for them to remain unaffected.

#### 3.2 **Chilton Parish Council** remain opposed to the proposed development and in summary consider that:

- The quarry will add more than 20,228 slow moving lorry movements to a very busy and narrow section of road that has a poor accident record.
- A roundabout would be preferable at the entrance in highway safety terms and point out that there is Police support for such a proposal.
- The proposal would result in additional mud on the road which would be detrimental to highway safety.
- The traffic calculations may be incorrect.
- The importation of 6,000 tonnes of rock each year for bagging and redistribution will add to traffic movements and is not sustainable.
- Visibility along the road is poor.

- 3.3 The Parish Council also point out that they have conducted their own traffic surveys and question whether it is appropriate for Suffolk County Council to determine the application as the landowner.
- 3.4 **Newton Parish Council** object to the application and consider the proposal would have an unacceptable impact on the existing road network. While they welcome the reduction in lorry movements associated with the transfer and sorting of general waste, they would not expect this aspect of the application to be introduced at a later date. They also question why the noise impacts associated with the operation of the proposed conveyor have not been included within the application.
- 3.5 Newton Parish Council has major concerns that accident data has only been used in the Transport Assessment for the section of road immediately outside of the site. They still consider an average of 74 lorry movements per day to be unacceptable and that it will have an adverse impact on traffic flows. The slowing and turning of lorries will, in their view, be a danger to other road users. Furthermore, the Safety Audit does not give adequate consideration to visibility at the right hand turn into Nursery Bungalow. The Parish Council are of the view that improvements should be made to the A134 between the Northern Road roundabout and the junction with the A1071. In conclusion, they consider the proposal to be unacceptable and if the Suffolk County Council is minded to approve the application a roundabout should be provided at the site entrance, speed restrictions introduced and improvements undertaken to improve access to Newton. They consider the District Council should object to the application.
- 3.6 **Tim Yeo, MP**, states that Suffolk County Council's Highways Committee rejected the original proposed road alterations for the site as inadequate for such a dangerous stretch of road and concluded that roundabout may be the only safe option. However, nothing in this amended application sufficiently ameliorates the hazard in what is already one of the most dangerous stretches of road in the Sudbury District. Taking the latest proposals by widening and straightening the road are likely only to increase the risk of excessive speed. Furthermore, the removal of land and hedgerow will have a negative effect on amenity and bio-diversity. He appreciates that the County Council has a statutory responsibility to provide sufficient resources to meet its apportion quota of sand and gravel, however, it is clear that only 30% of the proposed truck movements will be for minerals actually being worked from the site with the rest being imported to cement aggregates and buildings waste, much of which would be from Ipswich.
- 3.7 Mr Yeo goes on to state that since there is clearly a limit to the tonnage extractable from the site, the number of associated lorry movements from extraction and subsequent infill would be finite. However, if permission is granted for additional industrial working on the site the potential exists for a near infinite extension of the industrial activity there. He states that it must be presumed that having twice drawn up plans for this location Brett Aggregates do not consider the current available tonnage is economically viable without the additional industrialisation of the site and that even then it is not economic to cover the expanse of generally adequate road improvements to counter the very severe road hazard. Consequently he urges Babergh District Council to oppose the proposal for the site, firstly as having an unacceptable level of impact on the existing road network, currently future road users and secondly for loss of amenity and thirdly by definition the proposal being unsustainable.

- 3.8 **Neighbourhood Police Inspector for Sudbury, Great Cornard and West Babergh.** All of his concerns are regarding the access/egress to the site and he still stands by his suggestion that a roundabout would be the favoured solution. His principle concern is that if the road is merely widened to allow the installation of a filter lane, this would in no way slow down traffic using the A134 and one would then be faced with heavily laden and very slow vehicles pulling across the flow of traffic; the proposed plans indicate that part of the road to the south of the entrance would be widened and in effect straightened which may even cause an increase in vehicular speed. He suggests that if a roundabout is rejected then a speed limit should be considered as historically this area has had high level of road traffic and instance and speed seems to be the main factor.
- 3.9 Three letters of representation have been received from local residents. All express concern about the impact of the proposal on driving conditions on the A134 and the vastly increased risk of road accidents especially at the junction to the Winthrop Hall Road. Concerns are also raised with respect to the noise and pollution that the quarry would bring.

## **RECOMMENDATION**

Based upon the amendments to the application and in particular the fact that the waste recycling element has been omitted from the proposal it is recommended that Babergh District Council informs Suffolk County Council that it has no objection to the principle of the development, subject to the highway improvements being to the satisfaction of the Highway Authority and in accordance with the Highway Safety audit. All mitigating measures previously advanced to protect the local environment should also be implemented.