

## NOTES OF THE SPROUGHTON PARISH COUNCIL PUBLIC MEETING WOLSEY GRANGE: AN UPDATE

Wednesday, 24<sup>th</sup> February, 7.00pm at the Tithe Barn, Lower St., Sproughton

### WELCOME

Cllr Simon Curl, Sproughton Parish Council Chairman, opened the meeting at 7.00pm, introducing himself, and Mrs Sue Frankis, the Parish Clerk. He advised that the Parish Council had been working with a number of its fringe parishes, and asked any members to make themselves known.

### A RECAP OF THE PROPOSED DEVELOPMENT

Cllr S. Curl presented a Power Point presentation which included:

- A recap of the first hearing of the planning application by a Babergh District Council (BDC) Planning Committee on 25<sup>th</sup> November 2015. During the meeting a folded piece of paper was handed to a district cllr, who passed it on to a Committee member; the Committee member had held the piece of paper aloft for the chairman to see and then placed it to his side, at the end of the table. The Committee resolved to refuse planning permission 7/6.
- The decision by the BDC Monitoring Officer to re-run the meeting of 25<sup>th</sup> November 2015, at a meeting on 10<sup>th</sup> February 2016, at which the application was unanimously approved. The Parish Council understands BDC had received a complaint, (it is thought by the developer), than an impropriety had taken place when the folded piece of paper had been passed to the Committee member. The Monitoring Officer took the decision to re-run the hearing of the application.
- Details of letters of complaints submitted to BDC, letters of requests for information to BDC and a request for a meeting with BDC CEO; to date, no responses have been received and no meeting has taken place. Letters of complaints and FOI requests have been submitted to BDC by parishioners; responses to FOI requests have been that it would not be in the public interest to release the information.
- Next steps?  
To do nothing and assume the decision of the Planning Committee of 10<sup>th</sup> February 2016 stands. The advantage would be that Parish Council resources could be concentrated on other issues; the disadvantages would be to set a precedent for Planning Policy to be set aside.  
To do something by seeking the reinstatement of the 'refused' decision by a legal challenge. The advantages would be to seek to achieve an acceptable development, to protect the standing of the Babergh District Council Planning Policy and to seek to improve the quality of decision making; the disadvantage would be the cost of time and money.

Cllr S.Curl advised the meeting was a forum by which to provide an update and to receive parishioner's views in order to enable to the Parish Council to make its decision going forward. He explained that the Parish Council is not adverse to the development of the site but that any development should be in line with BDC Local Plan Policy for the site.

## COMMENTS & DISCUSSION

A member of the public expressed concerns regarding the likely increase in traffic volumes; Cllr S.Curl advised the Parish Council were not happy with the issue and that when the BDC Planning Committee had undertaken their site visit, it had been at 9am, after the 'rush hour' traffic period.

Mr J.Foster advised that traffic had been a substantial issue throughout. Numbers indicate that traffic could be moved away from the site but it would be by moving the problem onto somewhere else; he advised that consultants had agreed there was no solution available at the present.

Cllr S.Curl advised the Parish Council is making enquiries about insurance cover against legal costs; the cost of the premium would be indicative of a successful/unsuccessful judicial review.

A member of the public suggested asking Ipswich Borough Council to contribute to any legal costs.

Mr J.Foster advised that he and Mr C.Harris had taken up some of the legal challenge; as parishioners they would be able to pursue any unsatisfactory complaint responses from BDC with the Ombudsman whereas the Parish Council, as a local authority wouldn't be able to. He considered the re-visit of the Wolsey Grange application could set a precedence for all future controversial applications to be considered at planning committee meetings; a meeting could be deemed null and void simply by passing a folded piece of paper to a Committee member. He advised BDC had promised him answers to his questions and complaints by 9<sup>th</sup> February 2016, and that if he hadn't received an answer, a reason would be forthcoming; to date no answer or reason has been received. He advised he is now proceeding through the 'count down' process before going to the Ombudsman.

Cllr S.Curl advised that at the BDC Planning Committee meeting of 25<sup>th</sup> November 2015, a folded piece of paper was passed from cllr A to cllr B to Cllr C, and the application was dismissed. At the BDC Planning Committee meeting of 10<sup>th</sup> February 2016, a Committee member received and read a text message. The Chairman of the meeting subsequently read the message and deemed it to be ok; the application was unanimously approved.

A member of the public advised that the Ombudsman would only be able to make recommendations.

A member of the public asked for clarification that the sole reason for the re-visit to the application was due to the passing of a note. She had been present at the BDC Planning Committee meeting of 10<sup>th</sup> February 2016, and considered it was clearly a different meeting to that of the 25<sup>th</sup> November 2015, as it had soon become apparent that additional information, regarding a sound buffer, had not been considered before. No further consultation had been granted for the consideration of this new and additional information; the application should have been considered as a revised application.

It was the view of the meeting that the Parish Council should at least start and initiate legal proceedings. If the application was allowed to be developed in its present form, it would set a precedence for future phases of the development of the Chantry Vale.

A member of the public congratulated the Parish Council for the work it had undertaken and considered that the Parish Council should continue to 'make noises' however no one should be deluded about making a difference.

A member of the public asked about associated S106 contributions; S106 R66 Heads of Term will be available on the BDC website.

Mr J. Foster considered the lack of transparency of BDC as a public body by withholding information was unacceptable and asked if the Parish Council would consider writing to every elected district member to ask them to be accountable, and to provide worthwhile responses as to why Sproughton Parish Council had not received replies to its submissions. He also suggested advising the members that the Parish Council is taking detailed legal advice and will pursue further legal action.

The meeting was asked if there was anyone present who had made submissions to BDC and had received an acknowledgement of receipt, or a response. A number of parishioners advised they had made submissions but there was no one who had received a response from BDC.

A member of the public asked if details of the points of issue could be made available in order that parishioners may make their own representations to BDC; Cllr S.Curl agreed to draft the details and will arrange for them to be published on the Parish Council website. For those without internet access, arrangements could be made with the Clerk to access the information.

Cllr S.Curl advised that he and the Vice-Chair have been invited to attend an initial meeting with IBC regarding the development of the Masterplan for the former sugar beet site.

County Cllr, Dave Busby asked the meeting to consider its objectives.

In terms of process there is a probable successful challenge against the BDC Monitoring Officer's decision to re-visit the application, which could be moved forward via a legal route. At the request of a parishioner, a straw poll was taken of the Parish Council pursuing a Judicial Review against BDC; the meeting was unanimously in favour of Sproughton Parish Council seeking a Judicial Review, no one indicated they were against the option and there were no abstentions.

Mr P.Eaton, of Hintlesham & Chattisham PC considered there were two issues, (i) is there any relevance to the BDC Core Strategy; BDC can't adhere to their own Plan with regards to the proposed Wolsey Grange application, and (ii) who controls BDC? Should we not expect the CEO and Leader of the Council to meet with the electorate.

District Cllr, Nicholas Ridley considered the first Planning Committee meeting had fought hard and it was an enormous shame that a trivial misdemeanour, and the subsequent threat of a Judicial Review by the developer against BDC; he consider the only way forward for the Parish Council was to pursue a Judicial Review.

A member of the public asked the Parish Council to keep the Parish informed with regards to expenditure of reserves.

Cllr S.Curl thanked those present for attending the meeting.

The meeting closed at 8.20pm.

70 members of the public attended.