

## **ACTIONS TAKEN BY WOOLPIT PARISH COUNCIL CLERK UNDER DELEGATION OF FUNCTIONS JUNE 2020.**

### **Legal Action Concerning Bury Road Planning Decision**

Woolpit Parish Council believes the decision made on 21st February by MSDC to grant planning permission for the development for 300 dwellings, spine road, land for primary school, burial ground extension, car park associated infrastructure land off Bury Road planning application 18/04247 to be legally flawed. It has sought legal opinion on the decision from a barrister who has advised that there are grounds to challenge it. These grounds arise from MSDC having failed to keep its planning policy documents up to date. There are conflicts between the draft Joint Local Plan (JLP) which includes this site for development, the draft Woolpit Neighbourhood Plan which did not include it and the Five-Year Housing Supply report. The existing district Local Plan was made many years ago and did not anticipate the current housing demands made by central government. It is still the only adopted policy. MSDC planning officers sought to pre-empt the planning process by treating the draft JLP as if it has been adopted so allowing sites such as this to be developed.

On 25th June, instructed by WPC, legal advisers sent to MSDC a letter setting out the reasons why the decision was not correctly made. It referred to the errors in the report of the District Council's planning officer which recommended granting permission. The letter advises that WPC 'fairly and reasonably' wish to afford MSDC an opportunity to understand the errors in the Committee Report such that they can be corrected, and that the development application be re-considered by the Planning Committee. MSDC is invited to take leading counsel's opinion on the Committee Report and the legal grounds of challenge raised by WPC's own barrister.

Potentially, this course of action could save both parties unnecessary and expensive time and costs of a judicial review. The grounds stated in the WPC letter are:

1. MSDC erred in law in finding the key policies to be out-of-date.
2. MSDC erred in law in failing to give adequate reasons for finding the key policies to be out-of-date.
3. MSDC failed to apply the correct legal test with regards to the weight to be given to emerging plan policies.

There is no guarantee that MSDC will take the suggested course of action nor that legal advice obtained by them will agree with WPC. The sending of this letter does not prevent the seeking of judicial review at a future time.

### **Woolpit Neighbourhood Plan**

The Public Notice for the 'Focused' Consultation on proposed significant modifications to the Woolpit Neighbourhood Plan 2016-2036 has been received and displayed. The consultation runs until 13 July 2020.

### **Woolpit PC Coronavirus Emergency Group**

The group continues to provide assistance to many vulnerable Woolpit residents

### **Report**

**Allotments** – one half plot is now available.

**Road names** – MSDC has advised that the road from Green Road towards Drinkstone near The Grange area can be named Pykotts Way. With regard to the road from Green Road to Heath Road being named Green Lane, MSDC has advised that the properties on that road are addressed as 'The Green', so it would require agreement from the owners to change the street name before a new name can be considered.

**Gas canisters in car park** – the use of these has been reported to the Police.

**Road Sweeper bins** – these have not been emptied for some time. The Clerk has contacted MSDC and the matter should now be rectified.

**2019/20 Accounts** – the internal audit has been completed and the accounts have been sent to the external auditor.

## Planning

**20/02475** Application for Lawful Development Certificate for Existing Use or Operation including those in breach of a planning condition. Town and Country Planning Act 1990. Section 191 as amended by Section 10 of the Planning Compensation Act 1991. Town and Country Planning (Development Management Procedure) (England) Order 2015 - Use of site for Class B2 operations. Former Poultry Processing Plant, Haughley Park, Haughley. – do not wish to comment.

**20/01409** Discharge of conditions application for 1636/16 Condition 10 (Surface water drainage). Land south of Old Stowmarket Road. MSDC decision – satisfied.

**20/01707** Application for approval of Reserved Matters following grant of Outline Planning Permission DC/17/03582 - Details of Appearance, Landscaping, Layout and Scale for Plot 1 Land Opposite The Grange Green Road. MSDC decision – approved.

**20/01571** Full planning application change of used of granny annexe to holiday let (retention of). Spoonsers, The Heath. MSDC decision – granted for 3 year period.

## Payments

Suffolk County Council £269.02 pension payment, Laura Bayly £44.00 Millennium Garden May, K Harknett £55.76 litter picking May, Mr M Brewster £75.00 internal audit of accounts 2019/20, Payments by Standing Order/Direct Debit Mrs P Fuller £835.45 May salary, Mr R Balk £175.33 May salary, Eon £24.23 pump light quarterly bill.

## Correspondence

**MSDC.** Town & Parish survey (planning), social distancing measures. **Rural**

**Services Network** Rural Bulletin 1, 9, 16, 23, 30 June, Funding Digest June. **SALC**

Covid-19 ebulletin 1, 8, 15, 22, 29 June, new area forum page on SALC website,

AGM 30 July, Code of Conduct consultation. **SCC** Trading Standards newsletter 11

June, Collaborative Communities Covid-19 board newsletter 18, 25 June,

Suffolkonboard newsletter June. **Highways England** notification of roadworks A14

J50 Stowmarket to J52 Claydon both directions 11 May – 4 August 8pm to 6am.

**Suffolk Police** Constable County June, consultation for the joint police/fire station in

Stowmarket. **County Cllr Storey** briefing on Covid-19 in care homes. Resident

thanks to all for setting up buddy scheme through the Coronavirus Emergency Group.

Signed.....

Dated.....