

Development Control Committee



Forest Heath
District Council

Minutes of a meeting of the **Development Control Committee** held on
Wednesday 4 March 2015 at **6.00 pm** at the **Council Chamber, District
Offices**, College Heath Road, Mildenhall IP28 7EY

Present: **Councillors**

Chairman Chris Barker

Vice Chairman Andy Drummond

Michael Anderson	David Gathercole
Bill Bishop	Warwick Hirst
John Bloodworth	Tim Huggan
David Bowman	Carol Lynch
Rona Burt	Tony Simmons
Simon Cole	Eddie Stewart
Roger Dicker	Tony Wheble

24. **Apologies for Absence**

There were no apologies for absence.

25. **Substitutes**

There were no substitutes at the meeting.

26. **Minutes**

The minutes of the meeting held on 4 February 2015 were unanimously accepted by the Committee as an accurate record and were signed by the Chairman.

27. **Announcement by Development Manager**

Prior to the consideration of the applications listed on the agenda the Development Manager advised the Committee that since publication of the agenda the Council had formally adopted its Development Management Policies; therefore they were no longer 'emerging policies' as referenced in Report Nos DEV/FH/15/008 and DEV/FH/15/009. Likewise, the saved policies also referenced in the reports from the Forest Heath Local Plan 1995 were therefore no longer relevant and should be disregarded.

28. **Planning Application NMA(1)/14/1289 - The Gym Mildenhall, District Offices, College Heath Road, Mildenhall (Report No DEV/FH/15/008)**

Non-material amendment to planning permission DC/14/1289/F4LA – addition of new fire exit on north elevation.

This application was referred to the Development Control Committee as Forest Heath District Council were the owners of the site.

Officers were recommending that the application be granted as set out in Paragraph 14 of Report No DEV/FH/15/008.

With the vote being unanimous, it was resolved that:

The non-material amendment be **GRANTED**.

29. **Planning Application DC/14/2209/FUL - Brickfields Cottages, Cemetery Hill, Newmarket (Report No DEV/FH/15/009)**

Construction of horse walker and re-location of previously approved ménage.

This application was referred to the Development Control Committee following consideration by the Delegation Panel and because Newmarket Town Council raised concerns with regard to the close proximity of the horse walker to residential properties.

A Member site visit had been held prior to the meeting. Officers were recommending that planning permission be granted as set out in Paragraph 33 of Report No DEV/FH/15/009.

The Senior Planner advised the Committee that since publication of the agenda one further email of representation had been received which covered most of the points raised previously (as set out in Paragraph 13 of the report) together with additional reference to:

- Concern at young children in residential properties having their sleep disturbed;
- Noise pollution from music; and
- Issues with being subjected to overhearing the bad language associated with the racing fraternity.

The Officer also informed Members that an additional condition needed to be added to the list in Paragraph 33 to ensure that the rubber matting within the horse walker was retained and maintained.

Councillor Andy Drummond welcomed the additional condition but made reference to the limits set for the hours of use of the horse walker (condition No 3 in Paragraph 33). He proposed that these limits should be amended and set at no more than 9.00am – 6.00pm Monday to Saturday and 10.00am – 4.00pm on Sundays and Bank Holidays. He proposed that the application be approved inclusive of the additional condition re the matting and with his amendment to the hours of use. His proposal was duly seconded by Councillor Eddie Stewart.

A number of Members supported the proposed amendment to the maximum hours of use of the horse walker. However, some raised questions as to the impact the seasons would have on the hours of use as no lighting was to be installed; meaning they would be limited to daylight hours of usage.

The Development Manager proposed that condition No 3 be amended further in order to allow the Head of Planning and Growth, in consultation with the Committee Chairman and Cabinet Member for Planning, Housing and Transport, to consult with colleagues in Environmental Services with regard to the precise hours of use of the horse walker, but that the maximum be set as proposed by Councillor Drummond. Councillor Drummond and Councillor Stewart confirmed they were happy to take this further amendment on board as part of their motion.

Councillor Carol Lynch then proposed a further motion in that the application be approved as per the Officer recommendation set out in Paragraph 33 (with no amendments). However, this motion was not seconded by another Member of the Committee.

The Chairman, therefore, put Councillor Drummond's motion to the vote and with 11 voting for the motion, 4 against and with 1 abstention it was resolved that:

Planning permission be **GRANTED** subject to the following conditions:

1. Time limit;
2. Boundary treatment details to be submitted and approved;
3. Limit hours of use for horse walker to a maximum of 9.00am – 6.00pm Monday – Saturday and 10.00am – 4.00pm Sundays and Bank Holidays and that Delegated Authority be given to the Head of Planning and Growth, in consultation with the Committee Chairman and Cabinet Member for Planning, Housing and Transport, to consult with colleagues in Environmental Services with regard to the precise hours of use of the horse walker (bearing in mind the seasonal variations to daylight hours);
4. No lighting to ménage;
5. Compliance with approved plans; and
6. Rubber matting within the horse walker to be retained and maintained.

Councillor Tim Huggan joined the meeting at 6.19pm during the preliminary discussion of the above item.

30. **Review of Framework for Shared Planning Services (Report No DEV/FH/15/010)**

The Development Manager presented this report which reviewed the procedures relating to decision making that were introduced in January 2014 as part of the shared Planning Service; with particular reference to delegated and committee procedures and protocols.

The Officer highlighted those working practices which had been amended as of January 2014, and outlined the proposed further changes as set out in the recommendations.

Members asked a number of questions with regard to the workings of the Delegation Panel which were clarified by the Officer.

In response to a query with regard to the application paperwork sent to all Parish and Town Councils; the Officer explained that a piece of work was due to be undertaken in order to review this process with the aim of promoting electronic circulation where possible in the future.

Specific attention was drawn to the public speaking protocol. Some Members had raised concern following the amendment to the protocol which permitted more than one person to share the three minute speaking 'slot'. The Committee was being asked to decide whether to continue with this way of working or to revert back to the previous public speaking arrangement which only permitted one speaker in each 'slot'; filled on a first come first served basis.

Councillor Rona Burt proposed that recommendations 1, 3, 4 and 5 be approved together with Option 2 for the public speaking protocol (recommendation No 2). This was duly seconded by Councillor Andy Drummond.

With the vote being unanimous, it was

RESOLVED:

That:-

1. The Council's website would be updated to provide a plain English version of the Decision Making Protocol and Officers would ensure that when the protocol was invoked a clear summary of the deferral was given at the Committee for the benefit of any members of the public at the meeting;
2. The Guide to Public Speaking should set out the allocation of speaking slots as OPTION 2 (one person per three minute 'slot' (for/against/Parish Council) allocated on a first come first served basis);
3. Previous relevant reports should continue to be reproduced as Working Papers when a item was considered again at Committee after a deferral;
4. Policies and conditions in Committee reports be listed by name or code, unless a particular policy wording needed more detailed discussion in the report or a bespoke condition was recommended; and
5. The Joint Task and Finish Group, to consider and agree a Members Code of Conduct for Planning, be convened after the elections in

May 2015 including the appointment of three Members from each authority to the Group. The proposed Code of Conduct would then be subject to agreement by each authority's Development Control Committee.

31. **Urgent Business**

There were no items of Urgent Business raised.

The meeting concluded at 6.36 pm

Signed by:

Chairman
