

# Development Control Committee



Forest Heath  
District Council

**Minutes** of a meeting of the **Development Control Committee** held on  
**Wednesday 3 June 2015** at **6.00 pm** at the **Council Chamber, District  
Offices**, College Heath Road, Mildenhall IP28 7EY

Present: **Councillors**

Andrew Appleby  
Chris Barker  
David Bimson  
David Bowman  
Ruth Bowman  
Rona Burt  
Louis Busuttil

Simon Cole  
Carol Lynch  
Brian Harvey  
James Lay  
Louise Marston  
Peter Ridgwell  
Bill Sadler

## 47. **Election of Chairman for 2015/2016**

This being the first meeting of the Development Control Committee since the Council's AGM on 27 May 2015 the Lawyer opened the meeting and asked for nominations for Chairman of the Committee for 2015/2016.

Accordingly, Councillor Chris Barker nominated Councillor Rona Burt as Chairman and this was seconded by Councillor Carol Lynch, and with the vote being unanimous, it was

### **RESOLVED:**

That Councillor Rona Burt be elected Chairman for 2015/2016.

Councillor Burt then took the Chair for the remainder of the meeting and requested nominations for the election of the Vice-Chairman.

## 48. **Election of Vice-Chairman for 2015/2016**

Councillor Rona Burt nominated Councillor Chris Barker as Vice-Chairman and this was seconded by Councillor David Bowman, and with the vote being unanimous, it was

### **RESOLVED:**

That Councillor Chris Barker be appointed Vice-Chairman for 2015/2016.

**49. Announcements**

For the benefit of those Members of the Committee who had been newly elected to the District Council on 7 May 2015, the Chairman outlined the order of business on the agenda and explained the procedure followed when considering each item.

She also informed all members of the public in attendance that they were present in order to listen to the discussion and did not have the right to address the meeting. They were not to cause a disturbance or interrupt and, if necessary, anyone making a disturbance could be asked to leave.

With the permission of the Chairman, the Service Manager (Planning - Strategy) also addressed the meeting and advised those present of the current position with regard to the Hatchfield Farm (Fordham Road, Newmarket) planning application DC/13/0408/OUT.

For the benefit of those Members new to the Committee the Officer explained that the Secretary of State had called-in the application in question which prevented the Council from issuing the permission granted on 2 July 2014.

Accordingly an inquiry had taken place during April 2015 and the Council had received a letter earlier that week from the Inspector to advise that she was now preparing her report and recommendation for submission to the Secretary of State for his consideration. She also advised that the Secretary of State would issue his decision on or before 12 October 2015.

**50. Apologies for Absence**

Apologies for absence were received from Councillor Stephen Edwards.

**51. Substitutes**

Councillor Bill Sadler attended the meeting as substitute for Councillor Stephen Edwards.

**52. Minutes**

The minutes of the meeting held on 29 April 2015 were accepted by the Committee as an accurate record, with 10 voting for the motion and with 4 abstentions, and were signed by the Chairman.

**53. Member Request**

Councillor Bill Sadler made a request that agenda item 7 (planning application DC/14/2384/FUL) be brought forward on the agenda and considered prior to agenda item 6 (planning application DC/14/2162/FUL) as they both concerned the same site but item 7 was recommended for refusal by Officers, whereas item 6 was recommended for approval.

The Service Manager (Planning - Development) explained that Members were at liberty to consider items in whichever order they wished, however, she reiterated that every planning application was to be considered on its own merits irrespective of decisions made concerning the same site.

The Chairman agreed to put the request to the vote and with 11 voting for the motion and with 3 abstentions, the Chairman agreed to bring agenda item 7 (planning application DC/14/2384/FUL) forward on the agenda.

54. **Planning Application DC/14/2384/FUL - Caravan Mobile Site, Elms Road, Red Lodge (Report No DEV/FH/15/019)**

Change of use of land to a residential caravan park for 4 no. related gypsy families, including 4 no. mobile homes, 6 no. caravans and 4 no. day rooms.

This application was referred to the Development Control Committee by the Head of Planning and Growth due to the controversial and contentious nature of this proposal.

A Member site visit had been held prior to the meeting. Officers were recommending that the application be refused for the reasons set out in Paragraph 100 of Report No DEV/FH/15/019.

The Planning Officer advised that since publication of the agenda West Suffolk Strategic Housing, Suffolk County Council Rights of Way and the Environment Agency had confirmed that they had no further comments to make beyond those which were summarised within the report.

Officers had also been made aware of the letter of objection that had been sent to all Members from an agent on behalf of a public objector.

Councillor Carol Lynch proposed that the application be refused as per the Officer's recommendation, this was seconded by Councillor Brian Harvey and with the vote being unanimous, it was resolved that:

Planning permission be **REFUSED** for the following reasons:

1. The proposed development would result in a detrimental impact to the character and appearance of the countryside, by virtue of the domestic and urban appearance of the site on the wider landscape. The site lies in a prominent location on Elms Road where views into the site are readily available which, notwithstanding the proposed landscape planting, would remain available through the access and at a number of points where landscaping would not break up such views. Such views would provide detriment to the appreciation of the general character of the locality, which is predominantly undeveloped. Furthermore, the provision of the proposed number of buildings within such close proximity to each other within a rural location would appear alien and intrusive in the rural environment. The proposal is, therefore, considered to be contrary to policies CS2 (Natural Environment), CS3 (Landscape Character) and CS8 (Provision for Gypsies and Travellers) of the Core Strategy, as well as Policy H of the PPTS (2012) and Policies DM1, DM2 and DM13 of the Joint Development Management Policies document. Therefore, for all of these reasons, and in the absence of an identified overriding need for the occupants to reside on this site, the development is contrary to the development plan.

55. **Planning Application DC/14/2162/FUL - Caravan Mobile Site, Elms Road, Red Lodge (Report No DEV/FH/15/018)**

Change of use of land to residential use for three gypsy families including 3 no. mobile home and 6 no. amenity buildings.

This application was referred to the Development Control Committee by the Head of Planning and Growth due to the controversial and contentious nature of this proposal.

A Member site visit had been held prior to the meeting. Officers were recommending that the application be approved as set out in Paragraph 93 of Report No DEV/FH/15/018.

The Planning Officer advised that since publication of the agenda West Suffolk Strategic Housing, and Suffolk County Council Rights of Way had confirmed that they had no further comments to make beyond those which were summarised within the report.

Officers had also been made aware of the letter of objection that had been sent to all Members from an agent on behalf of a public objector. A further five letters of objection had also been received by the Council which all covered issues previously raised by objectors, including lack of local primary school places, land contamination concerns and the impact on the highway/traffic.

The following clarifications were also pointed out to the Committee:

- A minor amendment to the layout of the site's access (as detailed on the plans shown as part of the presentation);
- The measurement concerning the gates on the site as set out in Condition 9 in Paragraph 93 should be amended to read 5 metres (as opposed to 10m); and
- Contrary to that which was written in Paragraph 88 of the report, the application before Members was NOT an alternative permission to the 2011 consent (F/2010/0012/FUL) and **was** an additional use.

Lastly, the Officer advised that an additional condition was to be added to the list set out in Paragraph 93 with regard to the levelling required to the site prior to development.

Councillor Bill Sadler asked if it would be possible to include another additional condition to prevent the amenity buildings being used for residential occupation and the Officer agreed to include this. Following which Councillor Sadler proposed that the application be approved as per the Officer recommendation and including the two additional conditions, this was seconded by Councillor Louise Marston and with 4 voting for the motion and with 10 against the Chairman declared the motion lost.

Upon the debate opening up again a number of Members raised concerns primarily relating to the lack of local primary school places and land contamination on the site. Officers explained that the District Council was working closely with Suffolk County Council and a new primary school was timetabled to open in Red Lodge in September 2017. The Planning Officer

explained that both the Environment Agency and the West Suffolk Environmental Health Team considered the contamination report to be satisfactory and had stated that it could be managed with conditions (as included in Paragraph 93).

Councillor David Bowman proposed that the application be deferred in order to allow additional information on the contamination risk to be provided prior to a decision being made on the application and this was seconded by Councillor David Bimson.

The Service Manager (Planning - Development) explained that Members could defer the application for this reason and she would request that representatives from the Environment Agency and the West Suffolk Environmental Health Team attended the next meeting in order to answer Members' questions. However, she asked the Committee to be mindful that these expert consultees had already stated that they did not consider the application to pose a significant risk in terms of contamination and the Council was, therefore, at risk of an appeal for non-determination.

The Chairman then put the motion for deferral to the vote and with 13 voting for the motion and 1 abstention, it was resolved that:

The planning application be **DEFERRED** for consideration at the next meeting of the Development Control Committee on 1 July 2015 in order to allow additional information on the contamination risk to be provided prior to a decision being made.

56. **Planning Application DC/15/0401/ADV -Vehicle Dismantlers, Bridge End Road, Red Lodge (Report No DEV/FH/15/020)**

Application for Advertisement Consent – retention of advertisement on suspended car.

This application was referred to the Development Control Committee following consideration by the Delegation Panel. Red Lodge Parish Council objected to the application which was contrary to the Officer's recommendation for approval as set out in Paragraph 25 of Report No DEV/FH/15/020.

The Senior Planning Officer explained that the application before Members was for the retention of the signage painted on the car suspended from the crane which read "Cash paid. Vehicle Dismantlers". Consent was only required for the advertisement, meaning should the suspended car be re-painted so as not to contain an advertisement no consent would be required by the Local Authority.

Councillor David Bowman proposed that the application be approved as per the Officer recommendation and this was seconded by Councillor Bill Sadler. Upon being put to the vote and with 12 voting for the motion and with 2 against it was resolved that:

Advertisement consent be **GRANTED** subject to the following conditions:

1. Standard advertisement conditions

Speakers: Mr Richard Sykes-Popham (agent for the applicant) spoke in support of the application

The Meeting concluded at 7.19 pm

**Signed by:**

**Chairman**

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