

Development Control Committee



Forest Heath
District Council

Minutes of a meeting of the **Development Control Committee** held on **Wednesday 2 November 2016** at **6.00 pm** at the **Council Chamber, District Offices, College Heath Road, Mildenhall IP28 7EY**

Present: **Councillors**

Chairman Rona Burt

Vice Chairman Chris Barker

Andrew Appleby	Stephen Edwards
David Bowman	Brian Harvey
Ruth Bowman	Carol Lynch
Louis Busuttill	David Palmer
Simon Cole	Peter Ridgwell
Roger Dicker	

179. Apologies for Absence

There were no apologies for absence.

Councillor Louise Marston was unable to attend the meeting.

180. Substitutes

There were no substitutes at the meeting.

181. Minutes

The minutes of the meeting held on 5 October 2016 were accepted as an accurate record and were signed by the Chairman, with 12 voting for the motion and with 1 abstention.

182. Introduction to Planning Officers

Prior to the consideration of the items on the agenda and with the consent of the Chairman, the Service Manager (Planning – Development) introduced the Committee to two new Planning Officers who were present. She also made reference to other new members of staff within the department who had been appointed following a successful recruitment process.

183. **Planning Applications DC/16/1607/FUL & DC/16/1608/LB - Palace House, Rothschild Yard , Newmarket (Report No: DEV/FH/16/034)**

Change of use of vacant expansion space to Office use (B1).

This application was referred to the Development Control Committee as the applicant was Forest Heath District Council.

No representations had been received and Officers were recommending that deemed consent (planning permission) be granted, and the listed building application be referred to the National Planning Casework Unit in accordance with the requirements of the Planning (Listed Buildings and Conservation Areas) Regulations 1990, and that they be advised that Forest Heath District Council is Minded to Grant Listed Building Consent, subject to conditions.

It was moved by Councillor Simon Cole, seconded by Councillor Carol Lynch and with the vote being unanimous, it was resolved that

Application DC/16/1607/FUL

Deemed Consent be **GRANTED**, subject to the following conditions;

1. 3 year time limit
2. Approved plans
3. Restriction to B1 office use only

Application DC/16/1608/LB

The application be referred to the National Planning Casework Unit for determination under the provisions of The Planning (Listed Buildings and Conservation Areas) Regulations 1990, and that they be advised Forest Heath District Council is Minded to **GRANT** Listed Building Consent, subject to the following conditions:

1. 3 year time limit
2. Approved plans

Councillor Roger Dicker joined the meeting at 6.04pm during commencement of this item and prior to the Case Officer's presentation and the voting thereon.

184. **Planning Application DC/16/1609/VAR - Palace House Stables, Palace Street, Newmarket (Report No: DEV/FH/16/035)**

Variation of Condition 7 to allow use of amended plans for proposed bund location and cross sections for change of existing open paddock space into specific ménage and paddock areas.

This application was referred to the Development Control Committee as the applicant was Forest Heath District Council.

One representation had been received from a neighbouring resident on Lisburn Road citing concerns with regard to the height of the bund.

In response to this, the Principal Planning Officer drew attention to photographs as part of his presentation which demonstrated that the bund was in fact shallower than what was detailed in the plans. Accordingly, Officers had no concerns of spectators being able to overlook the neighbouring properties. Members were advised that Officers would ensure that the applicant provided updated plans showing the shallower bund.

The application was recommended for approval, as set out in Paragraph 26 of Report No DEV/FH/16/035.

It was moved by Councillor Simon Cole, seconded by Councillor David Bowman and with the vote being unanimous, it was resolved that

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

1. Retained in accordance with approved drawings (variation of condition 7). Amended drawings to be submitted showing the amended (shallower) height of the bund.
2. Demolition and construction hours
3. Biodiversity enhancements
4. Restricted use of the ménage

185. **Planning Application DC/16/1629/FUL - Proposed New Dwelling at Cupola Farm, Undley (Report No DEV/FH/16/036)**

(i)1 no. detached dwelling and (ii) two bay cart lodge.

This application was referred to the Development Control Committee as the applicant was related to a Member of the Council.

The tenants of Cupola Farm objected to the application on the grounds that a historic application restricted the site to 1 no. dwelling and a Section 52 agreement had been signed removing residential rights from the 'derelict' farmhouse to the North of the proposal.

No evidence had been supplied to the Council to demonstrate that there was a 'function need' for the proposed dwelling and, as such, Officers were recommending that the application be refused as set out in Paragraph 38 of Report No DEV/FH/16/036.

It was moved by Councillor David Bowman, seconded by Councillor Simon Cole and with the vote being unanimous, it was resolved that

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

1. The proposal does not provide sufficient justification to meet the criteria contained within policies DM5, DM26 and DM27 of the Joint Development Management Policies Documents. The applicant has not demonstrated that there is an overriding case for the development in this countryside location and there is no evidence that it is required to accommodate key personnel employed in agriculture, horticulture or forestry. Furthermore, even if such a need were shown to exist, the Local Planning Authority does not

consider that such could be considered to be an 'essential' need given the existing accommodation on site. If approved, the Local Planning Authority considers the development would lead to an increase in the sporadic scatter of residential development in a location outside the confines of the housing settlement boundary and be of detriment to the character and appearance of the countryside. The proposals are therefore also contrary to policy DM2 of the Joint Development Management Policies Document and policy CS5 and CS10 of the Core Strategy and para. 55 of the National Planning Policy Framework.

Speaker: Mr Jonathan Smith (Agent for Cupola House tenants) spoke against the application.

186. **Planning Enforcement Matters at Small Fen Farm, Small Fen Lane, Brandon (Report No DEV/FH/16/037)**

This matter was reported to the Development Control Committee in accordance with a resolution made by the Committee in September 2015 in refusing planning permission for application DC/14/1711/FUL.

In refusing that application in accordance with the Officer recommendation, the Committee offered a 12 month grace period during which no further enforcement action would be taken, as well as requesting that a written update be brought back before the Committee in due course; hence the report before Members.

The Principal Planning Officer explained that there was no recommendation associated with the report nor did it invite debate; it was purely to provide Members with an update on a long standing enforcement matter.

In response to questions posed by Members of the Committee, the Head of Planning and Growth explained that due to the sensitive nature of the matter he would address any queries with the Councillors concerned outside of the meeting.

The Planning Officer confirmed that he would be happy to provide the Committee with a further update on the matter as appropriate.

The Chairman then closed the meeting.

The meeting concluded at 6.33pm

Signed by:

Chairman
