

Development Control Committee



Forest Heath
District Council

Minutes of a meeting of the **Development Control Committee** held on **Wednesday 2 August 2017** 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

David Bowman

Ruth Bowman J.P.

Louis Busuttill

Roger Dicker

Stephen Edwards

Brian Harvey

Carol Lynch

Peter Ridgwell

245. **Chairman's Announcements**

Prior to commencing consideration of the items of business on the agenda; the Chairman advised all present that the Service Manager (Planning – Development) would be delivering a briefing to the Committee on conclusion of the meeting on the development control service.

Furthermore, the Committee was advised that Agenda Item 7 had been withdrawn from consideration and Agenda Item 6 was to be brought forward as the first substantive item of business, in view of the Chairman having to declare an interest in the application.

246. **Apologies for Absence**

Apologies for absence were received from Councillors Andrew Appleby, Simon Cole, Louise Marston and David Palmer.

247. **Substitutes**

There were no substitutes present at the meeting.

248. **Minutes**

The minutes of the meeting held on 5 July 2017 were unanimously received as a correct record and were signed by the Chairman.

249. **Planning Application DC/17/1025/HH - 16 High Street, Tuddenham
(Report No: DEV/FH/17/030)**

Councillor Rona Burt declared a non pecuniary interest in this item, as a nearby resident of Tuddenham High Street. She withdrew from the meeting for this item so as not to take any part in proceedings.

In the absence of the Chairman the Vice Chairman took the Chair for this item.

Householder Planning Application - Detached garage/garden store

Prior to making her presentation the Principal Planning Officer introduced the Committee to the Planning Apprentice, who was in attendance, and who was the assigned Case Officer for the application.

This application was referred to the Development Control Committee following consideration by the Delegation Panel. A Member site visit was held prior to the meeting.

Tuddenham Parish Council objected to the application in light of concerns about the scale of the building, which was contrary to the Officer recommendation of approval, subject to conditions, as set out in Paragraph 31 of Report No DEV/FH/17/030.

Councillor Roger Dicker moved that the application be approved, as per the Officer recommendation, and this was duly seconded by Councillor Carol Lynch.

Upon being put to the vote and with the vote being unanimous, it was resolved that

Decision

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

1. Time Limit
2. Compliance with plans
3. Parking/Manoeuvring to be Provided (SCC)
4. Tree Protection Measures
5. Restrict construction hours

On conclusion of this item Councillor Rona Burt rejoined the meeting and took the Chair.

250. **Planning Application DC/17/0938/TPO - 50 The Street, Gazeley
(Report No: DEV/FH/17/028)**

TPO002(2014) Tree Preservation Order - i) Fell - 2no Sycamore (G002 on plan, within group G2 of Order), 1no. Sycamore (T042 on plan, within group G4 of Order), 1no Horse Chestnut (T008 on plan, within Group G1 of Order), 1no Tree of Heaven (T009 on plan, within Group G1 of Order) and 1no Ash (T041 on plan, within Group G2 of Order) and (ii) 1no Sycamore (T032 on plan, within Group G3 of

Order) Remove the two lowest limbs on left side to balance crown (amended 18.07.2017 - T040 on plan, within group G2 of Order - removed from proposal)

This application was referred to the Development Control Committee at the request of the Ward Member (Iceni). A Member site visit was held prior to the meeting.

Gazeley Parish Council objected to the proposal which was recommended for a split decision, as set out in Paragraph 26 of Report No DEV/FH/17/028.

The Planning Assistant in her presentation took the Committee through each of the trees concerned with the application and outlined the Assistant Arboricultural Officer's comments in respect of each.

Speakers: David Southern (resident) spoke against the application
Philip Gilbey (applicant) spoke in support of the application

Members asked a number of questions with regard to the trees in the application which the Assistant Arboricultural Officer responded to.

Councillor David Bowman moved that the split decision be approved, as per the Officer recommendation, and this was duly seconded by Councillor Louis Busuttil.

Upon being put to the vote and with 9 voting for the motion and with 1 against, it was resolved that

Decision

- A. Consent be **GRANTED** for the felling of G002 Sycamore, T042 Sycamore, T008 Horse Chestnut, T009 Tree of Heaven and the removal of the 2 lowest limbs on left side to balance crown of T032 Sycamore subject to the following conditions:
1. The authorised works shall be carried out to the latest arboricultural standards (ref BS 3998:2010 Tree Works: recommendations)
 2. The works which are the subject of this consent shall be carried out within two years of the date of the decision notice.
 3. The 2no. Sycamore, 1no. Horsechestnut and 1no. Tree of Heaven, the removal of which is authorised by this consent, shall be replaced by 2no. English Oak (*Quercus robur*), 2no. Small-Leaved Lime and 3no. Beech (*Fagus sylvatica*) planted within 2 metres of the existing trees as shown on the Tree Planting Specification, Drawing No. 6072-D dated 17.07.2017 within 6 months of the date on which felling is commenced or during the same planting season within which that felling takes place (whichever shall be the sooner), unless an alternative scheme is otherwise agreed and the Local Planning Authority shall be advised in writing that the replanting has been carried out. If any replacement tree is removed, becomes severely damaged or becomes seriously diseased it shall be replaced with a tree of similar size and species unless the Local Planning Authority gives written consent to any variation.

B. Consent be **REFUSED** for the felling of T041 Ash for the following reason:

The defects in the Ash tree (T041) mean that long term retention is unlikely, but the tree is not at imminent risk of failure. The retention of this tree can be achieved by reducing the south east lateral up to 1.5m and by supporting with a cable and brace system which would allow its safe retention. Due to the loss of a significant number of trees within the site and the resulting lack of tree cover in the short to medium term, the retention of the tree will reduce the immediate impact on the amenity of the area while replacement trees are established.

251. **Planning Application DC/17/0766/HH - 14 Collings Place, Newmarket (Report No: DEV/FH/17/029)**

Householder Planning Application - Two storey rear extension

This application was referred to the Development Control Committee following consideration by the Delegation Panel; the application having been referred to the Panel by a Ward Member (St Mary's) due to concerns raised by neighbours.

A Member site visit was held prior to the meeting. Newmarket Town Council had raised no objections and Officers were recommending that the application be approved subject to conditions, as set out in Paragraph 24 of Report No DEV/FH/17/029.

The Committee was advised by the Planning Assistant that the adjoining property to the application site already had the benefit of a single-story rear extension and had recently been granted (via Officer Delegation) permission for a two-storey rear extension. Members were informed that the same neighbours objected to that application as those who objected to the scheme seeking determination from the Committee.

Speaker: Sam Sadler (applicant) spoke in support of the application

Councillor Chris Barker advised the meeting that he was the St Mary's Ward Member who had requested referral of the application to the Delegation Panel. He explained that the neighbours who had raised objections in light of the application (and the neighbouring property) had concerns that further terraced properties in the vicinity would now submit similar planning applications.

Councillor Roger Dicker moved that the application be approved, as per the Officer recommendation, and this was duly seconded by Councillor David Bowman.

Upon being put to the vote and with 9 voting for the motion and with 1 abstention, it was resolved that

Decision

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

- 1 The development hereby permitted shall be begun not later than 3 years from the date of this permission.
- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking and re-enacting that Order) the car parking spaces shown on revised plan 170228-03 Rev 1 shall be retained solely for the parking of private motor vehicles and shall be used for no other purpose.
- 4 Demolition or construction works shall not take place outside 8.00 hours to 17.00 hours Mondays to Fridays and 8.30 hours to 14.00 hours on Saturdays and at no time on Sundays or Bank Holidays.

252. **Planning Application DC/16/0866/VAR - Motocross Circuit, Hayland Drove, West Row (Report No: DEV/FH/17/031)**

As advised by the Chairman earlier in the meeting, this item was withdrawn from the agenda and would be considered at a future meeting of the Development Control Committee.

The meeting concluded at 6.37 pm

Signed by:

Chairman
