Development Control Committee

St Edmundsbury BOROUGH COUNCIL

Minutes of a meeting of the **Development Control Committee** held on **Monday 12 March 2018** at **10.00 am** at the **Council Chamber, District Offices,** College Heath Road, Mildenhall, IP28 7EY

Present: **Councillors**

Chairman Jim Thorndyke
Vice Chairman Carol Bull and David Roach

John Burns	David Nettleton
Terry Clements	Andrew Smith
Robert Everitt	Peter Stevens
Ian Houlder	Julia Wakelam

By Invitation:
Jane Midwood

1. **Apologies for Absence**

Apologies for absence were received from Councillors Paula Fox, Susan Glossop and Alaric Pugh.

2. **Substitutes**

There were no substitutes present at the meeting.

3. **Minutes**

The minutes of the meeting held on 1 February 2018 were unanimously received by the Committee as a correct record and were signed by the Chairman.

4. **Planning Application DC/17/2429/VAR - Haverhill Research Park, Hanchett End, Haverhill (Report No: DEV/SE/18/011)**

Variation of condition 8 of DC/14/2087/OUT to remove use class restrictions limiting B1 (c) light industry to ancillary areas of individual buildings only, allowing for a general B1 (a) (b) (c) light industrial use across the whole site

This application had been referred to the Development Control Committee as it related to a major development and because objections had been received from both Withersfield Parish Council and Haverhill Town Council.

The Ward Member (Withersfield) also objected to the application along with a number of local residents.

Officers were recommending that the application be approved, as per Paragraph 19 of Report No DEV/SE/18/011 with a minor typographical correction – in that the reference to *"Condition 1"* be amended to read *"Condition **2**"*.

The Principal Planning Officer explained that the applicants had stated that development plots within the site had been actively marketed, in accordance with the 2014 outline planning permission, however to date no businesses had chosen to locate to the Research Park.

It was the opinion of the applicants that the condition restriction was no longer necessary and, furthermore, it was this restriction that was contributing to the lack of interest in businesses locating to the site. Hence, the application before Members was made seeking to vary this.

For Members' reference the Case Officer, as part of his presentation, outlined the definitions of B1/B2/B8 business use class.

The Committee were advised that since publication of the agenda:

- A further 9 letters of objection had been received from residents, all raising matters that had previously been covered in earlier representations; and
- A document stating to be a petition (but which contained no signatures) listing 42 names and addresses, had been handed in immediately prior to the Committee meeting.

Speakers: Mr Martin Young (resident) spoke against the application
Councillor Terry Rich (Withersfield Parish Council) spoke against the application
The Case Officer read out a prepared statement from Councillor Pat Hanlon (Haverhill Parish Council) against the application
Councillor Jane Midwood (Ward Member: Withersfield) spoke against the application
(During her statement to the meeting Councillor Midwood explained that she had been emailed the day before by a resident outlining their representation in objection to the application and she would pass this to the Case Officer.)
Mr Paul Sutton (agent) spoke in support of the application

A lengthy debate then ensued with the following comments made by Members of the Committee:

- The need for a site visit was raised;
- Discussion took place on potential alternative access routes, to prevent dual use by residents and businesses;
- The linkage to Vision 2031 and the original aspirations for a *'research'* park/employment zone were discussed;
- The potential to amend the condition to apply to just certain areas/plots furthest away from the residential development (and not the whole site) was put forward; and

- The degree to which the site had been marketed was questioned, with some Members suggesting that more time was needed to undertake this.

The Service Manager (Planning – Development) reiterated that the application before Members was purely seeking the variation of a condition for the entire application site. The extant permission for the development was not up for debate, with the highways/access having been agreed as part of this.

The Service Manager also advised Members on the linkage of the site's application history to the Borough's Vision 2031 Development Plan and emphasised that the relevant policy in the Vision (HV10) permitted light industrial use (B1c), which was the subject of the variation application. The application was, therefore, in accordance with the Development Plan policy for the site. Members were also reminded that, by definition, light industrial use was one that was capable of being carried out without adversely impacting on residential amenity.

Councillor David Roach stressed that the area in question was always intended as an employment area and that all individual plots within the scheme would be subject to individual reserved matters applications. Hence, he moved that the application be approved as per the Officer recommendation. However, this failed to be seconded.

Further discussion then took place, with frequent reference to the impact the application could have on the residential amenity of the neighbouring dwellings.

In light of these concerns, Councillor David Nettleton moved to refuse the application, contrary to the Officer recommendation, and this was duly seconded by Councillor John Burns.

Councillor Robert Everitt questioned the degree to which residents would be affected and, instead, proposed that the application be deferred in order to allow Officers more time in which to work with the applicants. However, this failed to be seconded.

The Service Manager (Planning – Development) explained that the only motion on the table was to refuse the application, contrary to the Officer recommendation, on the grounds of the potential impact on residential amenity. In light of the proposal being in accordance with the Development Plan and in the absence of evidence to support a refusal on residential amenity grounds (i.e. the Council's Public Health & Housing Officers not having objected to the application on these grounds), she advised Members that the Decision Making Protocol would be invoked in respect of this application and that should Members resolve to refuse, Officers would produce a risk assessment for consideration at the next meeting of the Committee.
Furthermore, taking into account comments made during the debate, a Member site visit would be scheduled prior to the next Committee meeting and Officers would endeavour to discuss any possible amendments with the agent for the application, who was present and who had heard all the discussion during the meeting.

Upon being put to the vote and with 8 voting for the motion, 3 against and with 1 abstention it was resolved that

Decision

Members were **MINDED TO REFUSE PERMISSION, CONTRARY TO THE OFFICER RECOMMENDATION**, due to concerns relating to the impact on residential amenity.

(On conclusion of this item the Chairman permitted a short comfort break before continuing with the items on the agenda.)

5. **Planning Application DC/17/2451/HH - 6 Spring Cottages, Sturmer Road, Haverhill (Report No: DEV/SE/18/012)**

Householder Planning Application - Single storey rear extension

This application had been referred to the Development Control Committee because the applicant was an employee of the Local Authority.

Haverhill Town Council had cited no objections to the development and no third party representations had been received.

Officers were recommending that the application be approved subject to conditions, as set out in Paragraph 12 of Report No DEV/SE/18/012.

Councillor John Burns spoke as Ward Member (Haverhill East) and raised no objection to the proposal. Henceforth, he moved that the application be approved, as per the Officer recommendation. This was duly seconded by Councillor David Nettleton.

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. 01A – 3 year time limit
2. 14FP – Accordance with approved plans

6. **Tree Preservation Order TPO/028 (2017) - The Foundry, Old Bury Road, Stanton (Report No: DEV/SE/18/013)**

The Ecology Tree & Landscape Officer advised the Committee that a Tree Preservation Order (TPO) was made on two Horse Chestnut trees located at The Foundry, Old Bury Road, Stanton on 23 November 2017. The TPO was served to protect the two trees in response to an outline planning application to develop the site.

Members were informed that the trees occupied a prominent position within Stanton on the junction of Old Bury Road, Hepworth Road and Upthorpe Road

and were considered to contribute significantly to the character, appearance and amenity of the locality.

One letter of objection had been received in response to the TPO (as outlined in Paragraph 5 of Report No DEV/SE/18/013).

Officers considered the TPO to be necessary to ensure that the trees were properly considered as part of any planning application and, therefore, recommended that the TPO be confirmed without modification.

The Chairman spoke as Ward Member (Stanton) and wholeheartedly agreed that the trees in question did contribute significantly to the locality.

Councillor Andrew Smith moved that the recommendation be approved and this was duly seconded by Councillor Carol Bull.

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

Decision

The report be noted and Tree Preservation Order TPO/028 (2017) The Foundry, Old Bury Road, Stanton be **CONFIRMED WITHOUT MODIFICATION**.

7. **Announcement**

Prior to closing the meeting, the Chairman reminded all Members that they were to receive a training seminar immediately following the Committee.

The meeting concluded at 11.26 am

Signed by:

Chairman