

Development Control Committee



Minutes of a meeting of the **Development Control Committee** held on **Wednesday 3 February 2021 at 10.00 am** via Microsoft Teams

Present **Councillors**

Chair	Andrew Smith
Vice Chairs	Mike Chester and Jim Thorndyke
Richard Alecock	Ian Houlder
Carol Bull	David Palmer
John Burns	David Roach
Jason Crooks	David Smith
Roger Dicker	Peter Stevens
Andy Drummond	Don Waldron
Susan Glossop	

98. **Welcome and Tribute**

The Chair formally commenced the meeting and jointly welcomed all present and those externally viewing the Development Control Committee. A number of housekeeping matters and remote meeting guidance were highlighted to all.

The Chair also paid tribute to Captain Sir Tom Moore who had sadly passed away the day before the meeting. He spoke fondly of Captain Sir Tom and gave thanks for the incredible fundraising he generated for the NHS in 2020. Lastly, the meeting was informed that all Council buildings were flying their flags at half-mast in Captain Sir Tom's honour.

99. **Apologies for absence**

Apologies for absence were received from Councillor Ann Williamson.

100. **Substitutes**

The following substitution was declared:

Councillor Carol Bull substituting for Councillor Ann Williamson

The Democratic Services Officer then verbally outlined all Members of the Committee who were present, together with any attending Councillors and the names of the Officers supporting the meeting.

101. **Minutes**

The minutes of the meeting held on 6 January 2021 were unanimously confirmed as a correct record.

102. Declarations of interest

Members' declarations of interest are recorded under the item to which the declaration relates.

103. Planning Application DC/20/1870/FUL - Maid's Head, 9 Kingsway, Mildenhall (Report No: DEV/WS/21/001)

(Councillor Ian Houlder declared a non-pecuniary interest in this item in view of having worked for Greene King (the owner of the premises) for a number of years prior to retirement. He would continue to take part in the meeting and determination of the item.

Councillor Richard Alecock declared a non-pecuniary interest in this item in view of being a Mildenhall High Town Councillor, however, he stipulated that he did not take part in the High Town Council's formal consideration of the application and he would therefore continue to take part in the Committee meeting and determination of the item.

Councillor Andy Drummond declared a non-pecuniary interest in this item in view of his parents living close to the application site, he would therefore not take part in the determination of the item.)

Planning application - Conversion of existing storage barn to one dwelling with associated access and parking

This application was referred to the Development Control Committee following consideration by the Delegation Panel and in view of the support from Mildenhall High Town Council, which was in conflict with the Officer's recommendation of refusal, for the reason set out in Paragraph 46 of Report No DEV/WS/21/001.

As part of his presentation the Officer provided videos of the site by way of a virtual 'site visit'.

Speakers: Councillor Ian Shipp (Ward Member: Mildenhall Kingsway & Market) spoke in support of the application
Ron Pammenter (applicant) spoke in support of the application
(Neither individual connected to the meeting to personally address the Committee and instead opted to have the Democratic Services Officer read out pre-prepared submitted statements on their behalf. During this part of the meeting Councillor Carol Bull briefly lost connection during the Ward Member's statement, accordingly the Chair asked the Democratic Services Officer to re-read this statement once Councillor Bull had regained connection.)

During the debate the Committee posed a number of questions which the Planning Officer responded to as follows:

Wall – it was confirmed that the wall in question was not listed and had been assessed by the Council's Conservation Officer as not being of listed status;
Access – the joint access was not able to be amended and the application should be considered as set out in the proposed plans;

Occupation – contrary to the statement from the applicant, the Planning Authority had been advised that the intention was for the converted building to be rented out; and

Linkage condition – Members were informed that, if they so wished, it would be possible to condition planning permission to tie the occupation of the converted building to that of the public house, thereby, preventing it from being an independent premises.

Councillor Don Waldron proposed that the application be approved, contrary to the Officer recommendation, as he did not consider that the proposal would have a significant adverse impact on the public house or future residents of the converted building. This was duly seconded by Councillor Jim Thorndyke.

In response, the Service Manager (Planning – Development) addressed the meeting and advised that the proposal would not be 'minded to' and the Decision Making Protocol would not be invoked in this instance.

The Chair sought clarification from the proposer and seconder if their motion included the condition to tie the occupation of the converted building in with the public house. Councillors Waldron and Thorndyke confirmed that they did not consider the condition to be necessary.

Following which, the Planning Officer verbally outlined the conditions that could be appended to a planning permission, if granted.

Upon being put to the vote and with 15 voting for the motion and with 1 abstention, it was resolved that

Decision

Planning permission be **GRANTED, CONTRARY TO THE OFFICER RECOMMENDATION**, subject to the following conditions:

1. 01A - The development hereby permitted shall be commenced no later than 3 years from the date of this permission.
2. 14FP - The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
3. The use shall not commence until the area within the site shown on Drawing No. 20-5079-04 REV A for the purposes of manoeuvring and parking of a vehicle has been provided and thereafter that area shall be retained and used for no other purposes.
4. Before the development is first occupied details of the areas to be provided for secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.
5. The areas to be provided for storage of Refuse/Recycling bins as shown on Drawing No. 20-5079-04 REV A shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

6. Prior to first occupation, the dwelling hereby permitted shall be provided with an operational electric vehicle charge point at a reasonably and practicably accessible location, with an electric supply to the charge point capable of providing a 7kW charge.
7. 12B – Limit Water Use - The dwelling(s) hereby approved shall not be occupied until the optional requirement for water consumption (110 litres use per person per day) in part G of the Building Regulations has been complied with and evidence of compliance has been obtained.
8. No occupation of the dwelling hereby permitted shall take place until details of the treatment of the boundaries of the site have been submitted to and approved in writing by the Local Planning Authority. The details shall specify the siting, design, height and materials of the screen walls/fences to be constructed or erected and/or the species, spacing and height of hedging to be retained and / or planted together with a programme of implementation. Any planting removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by soft landscaping of similar size and species to those originally required to be planted. The works shall be completed prior to first use/occupation in accordance with the approved details.
9. Permitted Development – Extensions And Outbuildings Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking or re-enacting that Order), the dwelling shall not be extended in any way, and no structures shall be erected within the curtilage of the dwelling.

104. **Planning Application DC/20/1898/OUT - Plot 1, Landmark, Coltsfoot Green, Wickham Brook (Report No: DEV/WS/21/002)**

Outline planning application (means of access to be considered) - two dwellings

This application was referred to the Development Control Committee following consideration by the Delegation Panel.

Officers were recommending that the application be refused for the reasons set out in Paragraph 44 of Report No DEV/WS/21/002.

As part of her presentation the Officer provided videos of the site by way of a virtual 'site visit'.

Speaker: Jonny Rankin (agent) spoke in support of the application

During discussion reference was made to the ongoing West Suffolk Local Plan consultation and the Service Manager (Planning – Development) confirmed that the Wickham Brook community had engaged with the consultation process.

Councillor Roger Dicker proposed that the application be refused, as per the Officer recommendation. This was duly seconded by Councillor Jim Thorndyke.

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

Decision

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

1. The 2019 National Planning Policy Framework (NPPF) provides that the planning system should recognise the intrinsic character and beauty of the countryside and actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus development in sustainable locations. Local Planning Authorities should avoid new homes in the countryside unless there are special circumstances. Policies CS1 and CS4 between them establish the spatial strategy and the settlement hierarchy for development within the area, whilst policy CS13 reinforces this position and provides that development which is proposed outside of the settlement boundaries identified through policy CS4 will be strictly controlled. Both of these policies seek to resist residential development outside of settlement boundaries. Furthermore, Policy DM5 (Development within the Countryside) states that areas designated as countryside will be protected from unsustainable development and Policy DM27 sets out the strict circumstances where dwellings will be permitted outside of settlement boundaries. The site falls outside of any designated settlement boundaries, showing two detached dwellings. The plots do not front a highway or form an infill within a continuous built up frontage. The proposal does not therefore meet the provisions of any of these policies and there are no material considerations that outweigh this very significant conflict with the Development Plan.
2. Policies DM2 and DM22 of the Development Management Policies Document and the National Planning Policy Framework attach great importance to good design, expecting new developments to be visually attractive, respond to local character and reinforce local distinctiveness whilst Policy CS4 seeks to ensure that development proposals do not adversely affect the setting of a settlement. Owing to its location on the periphery of the hamlet of Coltsfoot Green, which does not benefit from being within a settlement boundary, the character of the area is rural in nature, with open countryside to the south and west of the application site. Residential development on the site would therefore have an urbanising impact on the otherwise rural character and appearance of the locality through the introduction of additional built form and a formalised vehicular access. The proposal is therefore contrary to the provisions of policies CS1, CS4 and CS13 of the Core Strategy, Policies DM2 and DM22 of the Joint Development Management Policies Document and the National Planning Policy Framework 2019.
3. Policies DM2 and DM22 of the Development Management Policies Document states that proposals for all development should not adversely affect residential amenity, nor the amenities of adjacent areas by reason of noise, smell, vibration, overlooking,

overshadowing, loss of light, light pollution, and volume or type of vehicular activity generation. Given the negligible distance provided between the proposed access and the residential property of Landmark, the vehicular movements to and from the new dwellings are considered to result in a detrimental impact to their residential amenity by virtue of noise, light pollution, vibrations and potential overlooking from the comings and goings and lights of vehicles along the access. As such, the proposal is considered to be contrary to the National Planning Policy Framework and provisions of the Joint Development Management Policies Document, in particular to Policies DM2 and DM22, in respect of residential amenity.

**105. Planning Application DC/20/1816/HH - 6 Nethergate Street, Hopton
(Report No: DEV/WS/21/003)**

Householder planning application - a. front porch b. part two storey and part single storey side extension

This application was referred to the Development Control Committee following consideration by the Delegation Panel and view of the support from Hopton cum Knottishall Parish Council, which was in conflict with the Officer's recommendation of refusal, for the reason set out in Paragraph 34 of Report No DEV/WS/21/003.

As part of her presentation the Officer provided videos of the site by way of a virtual 'site visit'.

Speakers: Councillor Carol Bull (Ward Member: Barningham) spoke on behalf of the applicant, in support of the application
Lee Brewer (agent) spoke in support of the application

During the debate Members of the Committee made comments both in support and against the proposal.

In response to a question regarding Permitted Development, the Service Manager (Planning – Development) explained that PD 'fall-back' was not relevant in this case because there was no permitted development right relating to two-storey side extensions.

Councillor David Roach proposed that the application be approved, contrary to the Officer recommendation, as he considered the interpretation of Policy DM24 to be subjective and in his view the impact on the character of the dwelling and street scene was not considered to be harmful such that planning permission should be refused. This was duly seconded by Councillor Ian Houlder.

In response, the Service Manager (Planning – Development) addressed the meeting and advised that the proposal would not be ' minded to' and the Decision Making Protocol would not be invoked in this instance.

Following which, the Planning Officer verbally outlined the conditions that could be appended to a planning permission, if granted.

Upon being put to the vote and with 9 voting for the motion and 7 against, it was resolved that

Decision

Planning permission be **GRANTED, CONTRARY TO THE OFFICER RECOMMENDATION** subject to the following conditions

1. The development hereby permitted shall be begun not later than three 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. Use of the extension hereby permitted shall not commence until the area within the site shown on Drawing No. 119-03 A for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area shall be retained and used for no other purposes.
4. Demolition or construction works shall not take place outside 8.00am hours to 6.00pm hours Mondays to Fridays and 8.30am hours to 1.30pm hours on Saturdays and at no time on Sundays, public holidays or bank holidays.

The meeting concluded at 11.50am

Signed by:

Chair
