Development West Suffolk **Control Committee**



Title	Agenda			
Date	Wednesday 3 March 2021			
Time	10.00am			
Venue	Facilitated by Microsoft TeamsLive virtual meetings platform only			
	The meeting will be accessible by the press and public via a live stream; the link to which will be published on the Council's website alongside the agenda papers			
Full Members	Chair Andrew Smith			
	Vice Chairs Mike Chester and Jim Thorndyke			
	Conservative Group (9)	Andy Drummond Susan Glossop Ian Houlder	David Roach Peter Stevens Ann Williamson	
	The Independent Group (6)	Richard Alecock John Burns Jason Crooks	Roger Dicker David Palmer Don Waldron	
	Labour Group (1)	abour Group (1) David Smith		
Substitutes	Conservative Group (5)	Carol Bull Terry Clements Rachel Hood	Sara Mildmay-White David Nettleton	
	The Independent Trevor Beckwith David Palmer Group (2)			
	Labour Group (1) Diane Hind			
Interests – declaration and restriction on participation	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.			
Quorum	Six Members			
Where required, site visits will be facilitated virtually by way of the inclusion of videos within the Case Officer's presentation of the application to the meeting				
Committee administrator	Helen Hardinge - Democratic Services Officer Telephone 01638 719363 Email helen.hardinge@westsuffolk.gov.uk			



Development Control Committee Agenda notes

Subject to the provisions of the Local Government (Access to Information) Act 1985, all the files itemised in this Schedule, together with the consultation replies, documents and letters referred to (which form the background papers) are available for public inspection.

All applications and other matters have been considered having regard to the Human Rights Act 1998 and the rights which it guarantees.

Material planning considerations

1. It must be noted that when considering planning applications (and related matters) only relevant planning considerations can be taken into account. Councillors and their officers must adhere to this important principle which is set out in legislation and Central Government guidance.

2. Material planning considerations include:

- Statutory provisions contained in planning acts and statutory regulations and planning case law
- Central Government planning policy and advice as contained in circulars and the National Planning Policy Framework (NPPF)
- Supplementary planning guidance/documents eg. Affordable Housing SPD
- Master plans, development briefs
- Site specific issues such as availability of infrastructure, density, car parking
- Environmental; effects such as effect on light, noise overlooking, effect on street scene
- The need to preserve or enhance the special character or appearance of designated conservation areas and protect listed buildings
- Previous planning decisions, including appeal decisions
- Desire to retain and promote certain uses e.g. stables in Newmarket.
- The following planning local plan documents covering West Suffolk Council:
 - Joint development management policies document 2015
 - o In relation to the Forest Heath area local plan:
 - i. The Forest Heath Core Strategy 2010 as amended by the High Court Order 2011
 - ii. Core strategy single issue review of policy CS7 2019
 - iii. Site allocations local plan 2019
 - o In relation to the St Edmundsbury area local plan:
 - i. St Edmundsbury core strategy 2010
 - ii. Vision 2031 as adopted 2014 in relation to:
 - Bury St Edmunds
 - Haverhill
 - Rural

Note: The adopted Local Plans for the former St Edmundsbury and Forest Heath areas (and all related policy documents, including guidance and SPDs) will continue to apply to those parts of West Suffolk Council area until a new Local Plan for West Suffolk is adopted.

- 3. The following are **not** material planning considerations and such matters must **not** be taken into account when determining planning applications and related matters:
 - Moral and religious issues
 - Competition (unless in relation to adverse effects on a town centre as a whole)
 - Breach of private covenants or other private property or access rights
 - Devaluation of property
 - Protection of a private view
 - Council interests such as land ownership or contractual issues
 - Identity or motives of an applicant or occupier
- 4. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission must be determined in accordance with the Development Plan (see section 3 above) unless material planning considerations indicate otherwise.
- 5. A key role of the planning system is to enable the provision of homes, buildings and jobs in a way that is consistent with the principles of sustainable development. It needs to be positive in promoting competition while being protective towards the environment and amenity. The policies that underpin the planning system both nationally and locally seek to balance these aims.

Documentation received after the distribution of committee papers

Any papers, including plans and photographs, received relating to items on this Development Control Committee agenda, but which are received after the agenda has been circulated will be subject to the following arrangements:

- a. Officers will prepare a single committee update report summarising all representations that have been received up to 5pm on the **Thursday** before each committee meeting. This report will identify each application and what representations, if any, have been received in the same way as representations are reported within the Committee report;
- b. the update report will be sent out to Members by first class post and electronically by noon on the **Friday** before the committee meeting and will be placed on the website next to the committee report.

Any late representations received after 5pm on the **Thursday** before the committee meeting will not be distributed but will be reported orally by officers at the meeting.

Public speaking

Members of the public have the right to speak at the Development Control Committee, subject to certain restrictions. Further information is available on the Council's website.



Development Control Committee

Decision making protocol

The Development Control Committee usually sits once a month. The meeting is open to the general public and there are opportunities for members of the public to speak to the Committee prior to the debate.

Decision making protocol

This protocol sets out our normal practice for decision making on development control applications at Development Control Committee. It covers those circumstances where the officer recommendation for approval or refusal is to be deferred, altered or overturned. The protocol is based on the desirability of clarity and consistency in decision making and of minimising financial and reputational risk, and requires decisions to be based on material planning considerations and that conditions meet the tests of Circular 11/95: "The Use of Conditions in Planning Permissions." This protocol recognises and accepts that, on occasions, it may be advisable or necessary to defer determination of an application or for a recommendation to be amended and consequently for conditions or refusal reasons to be added, deleted or altered in any one of the circumstances below:

- Where an application is to be deferred, to facilitate further information or negotiation or at an applicant's request.
- Where a recommendation is to be altered as the result of consultation or negotiation:
 - The presenting officer will clearly state the condition and its reason or the refusal reason to be added/deleted/altered, together with the material planning basis for that change.
 - In making any proposal to accept the officer recommendation, a Member will clearly state whether the amended recommendation is proposed as stated, or whether the original recommendation in the agenda papers is proposed.
- Where a member wishes to alter a recommendation:
 - In making a proposal, the member will clearly state the condition and its reason or the refusal reason to be added/deleted/altered, together with the material planning basis for that change.
 - o In the interest of clarity and accuracy and for the minutes, the presenting officer will restate the amendment before the final vote is taken.
 - Members can choose to:
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory);
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory) following consultation with the Chair and Vice Chair(s) of Development Control Committee.
- Where Development Control Committee wishes to overturn a recommendation and the decision is considered to be significant in terms of overall impact; harm to the planning policy framework, having sought advice from the Assistant

Director (Planning and Regulatory) and the Assistant Director (Human Resources, Legal and Democratic) (or officers attending Committee on their behalf);

- A final decision on the application will be deferred to allow associated risks to be clarified and conditions/refusal reasons to be properly drafted.
- An additional officer report will be prepared and presented to the next Development Control Committee detailing the likely policy, financial and reputational etc risks resultant from overturning a recommendation, and also setting out the likely conditions (with reasons) or refusal reasons. This report should follow the Council's standard risk assessment practice and content.
- In making a decision to overturn a recommendation, members will clearly state the material planning reason(s) why an alternative decision is being made, and which will be minuted for clarity.
- In all other cases, where Development Control Committee wishes to overturn a recommendation:
 - Members will clearly state the material planning reason(s) why an alternative decision is being made, and which will be minuted for clarity.
 - In making a proposal, the member will clearly state the condition and its reason or the refusal reason to be added, deleted or altered, together with the material planning basis for that change.
 - Members can choose to:
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory)
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory) following consultation with the Chair and Vice Chair(s) of Development Control Committee
- Member Training
 - o In order to ensure robust decision-making all members of Development Control Committee are required to attend Development control training.

Notes

Planning Services (Development Control) maintains a catalogue of 'standard conditions' for use in determining applications and seeks to comply with Circular 11/95 "The Use of Conditions in Planning Permissions."

Members and officers should have proper regard to probity considerations and relevant codes of conduct and best practice when considering and determining applications.

Agenda

Procedural matters

Part 1 - public

1. Apologies for absence

2. Substitutes

Any member who is substituting for another member should so indicate, together with the name of the relevant absent member.

3. Minutes 1 - 8

To confirm the minutes of the meeting held on 3 February 2021 (copy attached).

4. Declarations of interest

Members are reminded of their responsibility to declare any pecuniary or local non pecuniary interest which they have in any item of business on the agenda, **no later than when that item is reached** and, when appropriate, to leave the meeting prior to discussion and voting on the item.

5. Planning Application DC/20/1782/HH - 7 Bury Road, 9 - 22 Hengrave

Report No: **DEV/WS/21/004**

Householder planning application - detached garage

6. Planning Application DC/20/2244/FUL - Brandon Sports 23 - 32 Centre, Church Road, Brandon

Report No: **DEV/WS/21/005**

Planning application - a. insertion of two external doors and seven windows to north elevation b. replacement of external condensation units on north elevation c. external door to south elevation

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 ThorndykeRichard AlecockIan HoulderCarol BullDavid PalmerJohn BurnsDavid RoachJason CrooksDavid SmithRoger DickerPeter StevensAndy DrummondDon 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:

<u>Wall</u> – 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; <u>Access</u> – 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

<u>Linkage condition</u> – 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, Wickhambrook (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 Wickhambrook 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 negligeable 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 Knettishall 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.

П	ne	meeting	conc	luded	at	11.50am
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Signed by:

Chair



Development Control Committee 3 March 2021

Planning Application DC/20/1782/HH - 7 Bury Road, Hengrave

Date 14 October 2020

Expiry date: 9 December 2020 **EOT agreed:** 4 March 2021

registered:

Debbie Cooper Recommendation:

Approve application

officer:

Case

Ward:

Risby

Parish: Flempton Cum

Hengrave

Proposal: Householder planning application - detached garage

Site: 7 Bury Road, Hengrave

Applicant: Mr and Mrs W Lowe

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and associated matters.

Recommendation:

It is recommended that the committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

Debbie Cooper

Email: deborah.cooper@westsuffolk.gov.uk

Telephone: 07866 172895

Background:

This application is before the Development Control Committee following consideration by the Delegation Panel. It was referred to the Delegation Panel as the Officer's recommendation was one of APPROVAL, contrary to the Parish Council's objection to the application.

Proposal:

- 1. Planning permission is sought for a detached double garage positioned within a parking area to the rear of the host dwelling, following removal of the existing shed. The garage measures 5 metres in width and 6 metres in depth and will be constructed in red brick, timber weatherboarding and red clay tiles. The height to the eaves is 2.4 metres with a ridge height of 3.9 metres.
- 2. The plans as originally submitted proposed the garage to be further away from the house with a shorter manoeuvring area. Following discussions on site with the agent, an amended plan was submitted to re-site the garage 1 metre closer to the house to increase the distance available for vehicle manoeuvring.

Application supporting material:

3.

- Application form
- Location plan
- Proposed elevations and floorplans (Drawing No. 2020.42) (includes now superseded block plan)
- Proposed block plan (February 2021)
- Planning statement

Site details:

- 4. The application site comprises of a one-and-a-half storey detached dwelling situated within the countryside in the village of Hengrave. The dwelling is a Grade II Listed Building and is set within a designated Conservation Area.
- 5. The dwelling forms part of a tightly knit group of listed houses with rear outbuildings accessed via a shared driveway.

Planning history:

Reference	Proposal	Status	Decision date
DC/18/0795/LB	Application for Listed Buildings Consent - 1no. Dormer Window	Application Granted	6 September 2018
DC/18/1013/HH	Householder Planning Application - 1no. Dormer Window	Application Granted	6 September 2018
DCON(A)/18/0795	Application to Discharge Condition 3 (notice before roof rafters works) of DC/18/0795/LB	Application Granted	23 November 2018

Consultations:

6. Conservation Officer -

This application is for the erection of a garage to the rear of 7 Bury Road, Hengrave. This building, together with the neighbouring properties, are listed buildings within the Hengrave Conservation Area. The properties form a tightly knit group of houses and outbuildings.

The proposed location of the garage is already used for parking and also contains a shed which would be removed. The materials - red brick and clay pantiles - are appropriate for the outbuilding, reflecting the materials of other outbuildings in the vicinity. The specific brick proposed may look too uniform compared to the traditional soft red bricks which tend to contain a mix of orange, red and dark red bricks, so samples of the materials and finishes are required by condition.

Views of the rears of the listed buildings are currently possible from the access track but these views are interrupted by the existing outbuildings, shed and fences and are not views which contribute to the significance of the buildings or their settings.

Whilst I raise no objection to the proposed building, I note that it would be close to the shared boundary with 8 Bury Road, which is defined by a close-boarded fence. Such boundary fences require maintenance and eventually replacement, so it is imperative that adequate access is available for this work to be carried out.

I note other comments made regarding access and turning but these issues are beyond the scope of my advice.

Providing sufficient space is available for maintenance purposes, I have no objection to this application subject to the following conditions:

09D (i) samples of external materials and surface finishes (ii) details of the materials, colour/finish and means of opening of the garage doors

09CC (sample panel - brickwork)

Commenting on the additional block plan received 14.12.2020: From this, it appears that there is sufficient space to carry out maintenance to the exiting fence. On that basis, I have no objection to this application subject to the conditions set out in my earlier comments.

Commenting on the amended block plan received 09.02.2021: The repositioning of the garage would have a minimal impact on the setting of the listed buildings. I therefore have no objection to the revised plans subject to the conditions set out previously.

7. Suffolk County Council Highways Authority -

This proposal would not have a severe impact on the highway network, in terms of vehicle volume or highway safety. Therefore, Suffolk County Council does not wish to restrict the grant of permission.

We note the Parish Council's observations about not being able to ascertain quite how much vehicle manoeuvring space is available at the site. We also note the comments of a nearby resident questioning if there is enough space for the proposed vehicular movements to occur safely after construction of the proposed garage. The Highway Authority wish to revise our first recommendation and suggest that it would be appropriate for a dimensioned plan of the manoeuvring area and proposed garage area to be submitted please. We shall look forward to reviewing this plan in due course.

We have reviewed the amended Block Plan (received 14.12.2020) which shows the dimensions of the manoeuvring area around the proposed garage and widths of the track leading to the highway. The 6.1 metre distance between the garage doors and the boundary fence meets our recommended minimum distance standard of 6 metres. It is possible that a reversing manoeuvre from the easterly garage space may require a three point turn to depart in a forward direction but the space available should permit that, as long as there is no other car parking in the manoeuvring area. This area is not a public highway so no formal parking restrictions can be enforced by the Highway Authority. In our view, if additional parking occurred, that made manoeuvring more complicated, a driver would be able to complete a turn in one of the other driveways or wider areas of the track and is therefore, very unlikely to return to the highway in reverse gear. The track is wide enough at a number of points to permit vehicles to pass. Notice is hereby given that the County Council as Highways Authority does not wish to restrict the grant of permission.

No comments have been received in relation to the amended block plan received on 09.02.2021. These will either be reported in the late papers or verbally at the meeting.

Representations:

8. Parish Council:

Original comments -

- a) The council has concerns over the size and height of the garage particularly with regard to its relationship to adjacent Grade 2 listed properties.
- b) The close proximity of the building to the neighbouring property boundaries would make access for maintenance of the boundary difficult and the only rear access to 7 Bury Rd. would be via the building.
- c) The Parish Council would appreciate the opinion of West Suffolk Planning as regard to the building materials chosen given the buildings relationship to Grade 2 listed property in a conservation area.
- d) The Parish Council request that a site visit is carried out by West Suffolk Planning as the block plan and Google Earth do not accurately display the amount of space available.

Following receipt of the additional block plan received on 14.12.2020 -

These plans seem very little different from the original application. All our previous comments still apply. The 30cm gap between the fence and the building seems too small for access or maintenance. The size of the building seems to overdevelop the site particularly with its relationship to listed buildings. Again, we must request that a site visit is made to this site.

No comments have been received in relation to the amended block plan received on 09.02.2021. These will either be reported in the late papers or verbally at the meeting.

9. **Ward Councillor:** The Ward Member (Councillor Susan Glossop) has liaised with the planning officer with regards to the Parish Council and neighbour comments to ascertain that their submitted observations of the planning application have been fully addressed in the report as per planning policy. Also, that the Planning Officer has carried out a site visit.

10. Neighbour Representations:

Four letters of representation (plus photographs) from the owner/occupier of the adjacent property (Pigeon Cottage, 8 Bury Road). Full details of the representations are available on the website. These are summarised as the following concerns and objections:

- The garage will have a dominant impact on neighbouring buildings.
- The garage will have an overbearing impact on our amenity space and light given its substantial height above the boundary. It is 6 metres in length and would run parallel to our kitchen and sitting room windows effectively blocking the existing skyline view and light.
- The gap to the boundary is not enough space to walk through or conduct maintenance.
- The proposed rear access to the garden of No. 7 must be through the garage which is distinctly out of keeping.
- It is unclear if there is sufficient manoeuvring space.
- The garage size doesn't meet Suffolk County Council parking standards and would represent a loss of two car parking spaces.
- The choice of materials is not in keeping with the local vernacular. Unless
 it is painted or rendered it will not fit into the style of the other listed
 buildings.
- There is an extension to No. 9 which blocks our window on the right-hand side and so this would hem us in badly.
- Potential for the roof / guttering to overhang our property.
- Once built the roof / guttering on our side is likely to be impossible to maintain without access to our property.
- The buildings on the opposite side of the lane are not garages but are general storage outbuildings.
- Concerns about drainage and water run-off.

Policy:

11. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in

place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.

- 12. The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy 2010 & Vision 2031 have been taken into account in the consideration of this application:
 - Policy DM1 Presumption in Favour of Sustainable Development
 - Policy DM2 Creating Places Development Principles and Local Distinctiveness
 - Policy DM15 Listed Buildings
 - Policy DM17 Conservation Areas
 - Policy DM24 Alterations or Extensions to Dwellings, including Self Contained annexes and Development within the Curtilage
 - Policy DM46 Parking Standards
 - Core Strategy Policy CS3 Design and Local Distinctiveness
 - Vision Policy RV1 Presumption in favour of Sustainable Development

Other planning policy:

13. National Planning Policy Framework (NPPF)

The NPPF was revised in February 2019 and is a material consideration in decision making from the day of its publication. Paragraph 213 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2019 NPPF that full weight can be attached to them in the decision-making process.

Officer comment:

- 14. The issues to be considered in the determination of the application are:
 - Principle of Development
 - Impact on neighbouring amenity
 - Impact on Listed Buildings and the Conservation Area
 - Highway safety

Principle of development

15. Policy DM24 states that extensions and alterations (including outbuildings) shall respect the scale, character and design of the existing dwelling and the character and appearance of the immediate and surrounding area. It should not result in over-development of the dwelling curtilage or adversely affect the residential amenity of neighbouring dwellings.

16. In this case, the curtilage of the site is large enough to accommodate the proposed garage without overdevelopment occurring. Therefore, the principle of the development is considered to be acceptable, albeit further consideration is necessary in relation to the design and amenity impacts, the effects on highway safety and the effects upon the setting of the listed buildings and the conservation area.

Impact on neighbouring amenity

- 17. The garage is in close proximity to the boundary fence with the neighbouring property (Pigeon Cottage), which has windows and a patio area facing this boundary. The garage has an eaves height of 2.4 metres, with a ridge height of 3.9 metres and so will be visible above the current 1.8 metre fence. Given this, there will be some adverse impact to the current outlook and a moderate loss of light.
- 18. However, given that there is a 6.5 metre distance from the neighbouring windows to the boundary fence; that there is an existing intimate relationship between the properties; and that Pigeon Cottage has a wider and deeper garden area to the rear of the house, it is not considered to have such an impact as to warrant a refusal of planning permission on those grounds. In addition, given the orientation of the dwellings, the proposed garage is positioned to the north-west of Pigeon Cottage and therefore any loss of light or overshadowing would only occur at the end of the day and would not be significant enough to justify refusal, particularly given the separation distance.
- 19. The proposal is therefore considered to comply with policies DM2 and DM24 in this respect.

Impact on Listed Buildings and the Conservation Area

- 20. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing a listed building or its setting or any features of special architectural or historic interest which it possesses.
- 21. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 22. There are a number of outbuildings accessed via the shared rear driveway that are similar in height to the proposed garage. For example, the outbuilding to the rear of the neighbouring property at No. 6 is around 4 metres in height. Views of the rear of the listed buildings are currently interrupted by the existing outbuildings, sheds and fences and are not views which contribute to the significance of the buildings or their settings. The proposed materials (red brick, timber weatherboarding and red clay tiles) are appropriate for the outbuilding, reflecting the materials of other outbuildings in the vicinity and the precise details of these materials can be controlled by condition.
- 23. Maintenance of the boundary fence is an important consideration as its deterioration would adversely affect the setting of the listed buildings. With the smallest gap of 350mm being from the inside line of the fence posts, with

- a gap of around 525mm to the face of the boards at this narrowest point, it is considered that there is sufficient space between the garage and the boundary fence to enable the maintenance of the fence.
- 24. The proposed garage is of an appropriate design, scale and form, respects the character and appearance of the dwelling and the wider area and does not adversely harm the setting of the host listed building or adjacent listed buildings. There is no adverse impact on the character or appearance of the Conservation Area. The proposal is therefore considered to comply with policies DM2, DM15 and DM17.

Highway Safety

- 25. The site of the garage is accessed via a shared access track which varies in width. The southern boundary of the track to the rear of the proposed garage is a narrow grass verge with a couple of fence posts on this verge denoting the extent of manoeuvring available. The amended block plan acknowledges this verge (and posts) and moves the garage back into the site to allow for a 6.5 metre distance from the front of the garage to the fence posts opposite, thereby exceeding the minimum distance standard of 6 metres.
- 26. It is very unlikely that a vehicle would return to the Highway in reverse gear given the opportunities to turn within the track. Similarly, it is unlikely that parking will be displaced onto the Highway as there are parking restrictions along the A1101 to prevent this. Whilst the size of the garage is smaller than the guidance provided within the Suffolk County Council parking standards, the 5-metre width is sufficient to enable two vehicles to be parked and for drivers to get in and out of the cars. County Highways have confirmed that they do not object to the application on highway safety grounds.
- 27. Therefore, the siting of the garage is considered to allow sufficient space for off-road parking and manoeuvring, with no impact on highway safety. The proposal is therefore considered to be compliant with policies DM2 and DM46 in this respect.

Conclusion:

28. In conclusion, the principle and detail of the development as set out above is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

- 29. It is recommended that planning permission be **APPROVED** subject to the following conditions:
- 1 The development hereby permitted shall be begun not later than three years from the date of this permission.
 - Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.
- The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:

Proposed block plan

(-)

2020.42

Reason: To define the scope and extent of this permission.

- The relevant works shall not take place until details in respect of the following have been submitted to and approved in writing by the Local Planning Authority.
 - i) Samples of external materials and surface finishes
 - ii) Details of the materials, colour/finish and means of opening of the garage doors

The works shall be carried out in full accordance with the approved details unless otherwise subsequently approved in writing by the Local Planning Authority.

Reason: To protect the special character, architectural interest and integrity of the building, in accordance with policy DM15 and DM16 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and all relevant Core Strategy Policies.

- 4 No development above ground level shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:
 - (i) Sample panel(s) of all new facing brickwork shall be constructed on site showing the proposed brick types, colours, textures; face bond; and pointing mortar mix and finish profile and shall be made available for inspection by the Local Planning Authority;
 - i) The materials and methods demonstrated in the sample panel(s) shall be approved in writing by the Local Planning Authority. The approved sample panel(s) shall be retained on site until the work is completed and all brickwork shall be constructed in all respects in accordance with the approved details.

Reason: To protect the special character, architectural interest and integrity of the building, in accordance with policies DM15 and DM17 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and all relevant Core Strategy Policies.

Prior to first use of the development hereby permitted, the area(s) within the site shown on the submitted block plan (received 9th February 2021) for the purpose of loading, unloading, manoeuvring and parking of vehicles shall be provided. Thereafter the area(s) shall be retained and used for no other purpose.

Reason: To ensure that sufficient space for the on-site parking of vehicles

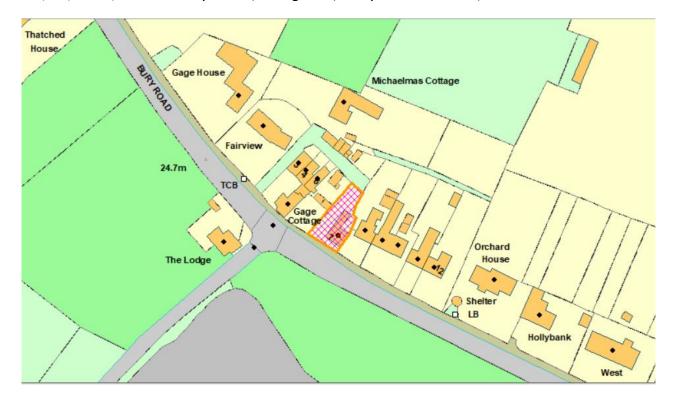
is provided, in accordance with policy DM2 and DM46 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

Documents:

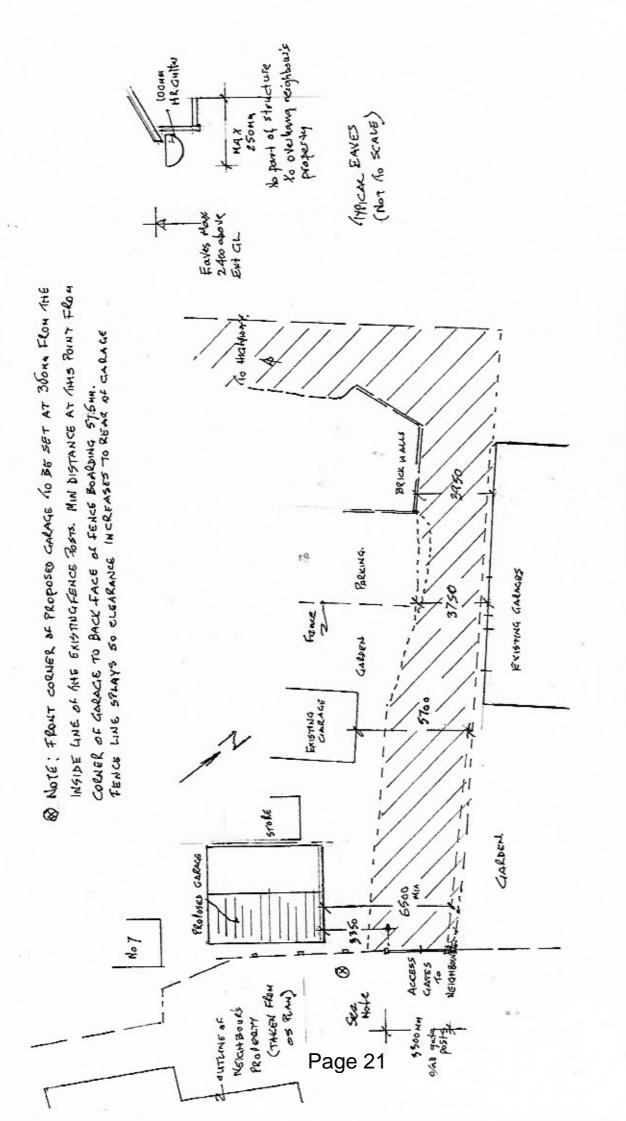
All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online $\frac{DC}{20}/1782/HH$



DC/20/1782/HH - 7 Bury Road, Hengrave, Bury St. Edmunds, IP28 6LS







BLOCK PLAN INDICATING SHARED ACCESS ARRANGENTS scale 1:200at A4 PLANNING APPLICATION REF: DC/20/1782/HH december 2020 (Amended Ecology 2021)



Development Control Committee 3 March 2021

Planning Application DC/20/2244/FUL -**Brandon Sports Centre, Church Road, Brandon**

Date 22 December 2020 **Expiry date:** 16 February 2021 registered:

(EOT 4 March 2021)

Olivia Luckhurst Case Recommendation: Approve application officer:

Parish: Brandon **Brandon Central** Ward:

Planning application - a. insertion of two external doors and seven **Proposal:**

windows to north elevation b. replacement of external condensation

units on north elevation c. external door to south elevation

Site: Brandon Sports Centre, Church Road, Brandon

Applicant: West Suffolk Council

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and associated matters.

Recommendation:

It is recommended that the committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

Olivia Luckhurst

Email: Olivia.Luckhurst@westsuffolk.gov.uk

Telephone: 07971 534416

Background:

The application has received no objections however, as West Suffolk Council are the applicants for the proposed works, the application must be determined by the Development Control Committee.

Proposal:

1. Planning permission is sought for the insertion of two external doors and seven windows to the north elevation, the replacement of external condensation units on the north elevation and the insertion of an external door to the south elevation.

Application supporting material:

2.

- Location Plan
- Existing and proposed elevations and floor plans
- Planning statement
- Drainage documentation
- Structural assessment report
- Mechanical and electrical plant report

Site details:

3. The application site is located outside of the Brandon settlement boundary and is therefore considered as countryside in planning policy terms. The site is accessed via Church Road and is host to Brandon Sports Centre, a two storey building constructed from red brick and steel with upvc and aluminium windows and doors. The building is partially screened to the south by existing trees located next to the site entrance and a public foot path is located to the east of the site. The closest residential property is positioned 37m from the building and is screened by existing trees which run along the footpath. The site is not positioned within a conservation area, however, it is located adjacent to the Brandon Conservation area to the south of the site.

Planning history:

1	
7	

4. Reference	Proposal	Status	Decision date
F/2011/0315/FUL	Construction of 3 new openings on rear elevation for 2 no. windows and 1 no. exit door complete with window to side. Installation of additional air handling units to provide climate control for new fitness suite and studio conversion	Approve with Conditions	27 July 2011
F/2011/0612/FUL	Installation of a 49.35kWp photovoltaic installation comprising of 210 solar panels	Approve with Conditions	25 November 2011

Consultations:

5. Conservation Officer

The proposed works are located outside a conservation area and do not affect a listed building or a non-designated heritage asset nor do they affect the setting of the conservation area. I therefore have no objections.

6. Town Council

No objections

7. Ward Councillor

No comments received

8. Public Health And Housing

No objections

Representations:

9. One letter was received from the owner/occupier of 23 Victoria Avenue, Brandon on 20 January 2021 confirming no objections to the proposed works.

Policy:

- 10.On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved Forest Heath District Councill.
- 11. The following policies of the Joint Development Management Policies

 Document and the Forest Heath Core Strategy have been taken into account in the consideration of this application:

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM17 Conservation Areas

Policy DM41 Community Facilities and Services

Core Strategy Policy CS5 - Design quality and local distinctiveness

Other planning policy:

12. National Planning Policy Framework (NPPF)

13. The NPPF was revised in February 2019 and is a material consideration in decision making from the day of its publication. Paragraph 213 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2019 NPPF that full weight can be attached to them in the decision making process.

Officer comment:

- 14. The main consideration in the determination of this application are:
 - Principle of development
 - Impact on the Conservation area
 - Impact on amenity
 - Design and Form/Impact on the Street Scene

Principle of Development

- 15.Policy DM41 Community Facilities, states that the provision and enhancement of community facilities and services will be permitted where they contribute to the quality of community life and the maintenance of sustainable communities.
- 16. The existing leisure centre offers sport and leisure provision for the community and the aim of this application is to improve and upgrade the Council owned building to offer more attractive facilities for all ages. The current building is considered to function well, however, the proposed changes would allow for a more effective use of space and internal layout changes.
- 17. The addition of new windows and doors on the north and south elevation will allow for more natural light to enter the building, improve the overall aesthetic of the building and provide views of the outdoor sports area. The existing air handling units are to be replaced as part of the Mechanical and Electrical works to improve the existing building.
- 18.As the proposed works are considered to improve an important community facility in the form of a sports centre, it is considered that the development is acceptable and complies with policy DM41.

Impact on the Conservation area

- 19. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 20. The application site is located adjacent to the Brandon conservation area which borders the site to the south along Victoria Avenue. Given the minor nature of the proposed works, it is not considered that the development

would have an impact on the setting of the conservation area and is therefore compliant with policy DM17.

Impact upon Amenity

21. The site is bordered by trees and a public footpath to the south which provides natural screening to the dwellings on Victoria Avenue to the south east. The nearest dwelling to the sports centre is located 37m away. The majority of the additional windows and doors will be positioned on the north elevation and will not be visible from the residential properties, therefore, it is not considered that the proposed development would have a detrimental impact on residential amenity in terms of overlooking or loss of privacy. The proposed condensation units will replace the existing 5 units already positioned on the north elevation which is located on the opposite side of the building from the residential properties. The building itself will help to mitigate any noise which may occur from the replacement units and therefore, is not considered that the units would result in an unacceptable level of noise or disturbance. The Public Health and Housing Team have been consulted on the application and confirm that they have no objections to the proposed works, therefore, the development is considered to comply with policy DM2.

Design and Form/Impact on the Street Scene

22. Given the existing appearance and nature of the building, the proposed works are considered to be minor and would not have an impact on the character or appearance of the area. The majority of the works would not be visible from the public realm and the materials proposed match those of the host building. Overall, the proposed works are considered to improve the appearance and functionality of the existing building without having a detrimental impact on the street scene. The proposal is therefore considered to comply with policy DM2 and CS5.

Conclusion:

23.In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

- 24.It is recommended that planning permission be **APPROVED** subject to the following conditions:
 - 1. The development hereby permitted shall be begun not later than three years from the date of this permission.
 - Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.
 - 2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:

Reference number 1798-SBA -XX -XX - DR -A -901 P05	Plan type Location plan	Date received 22 December 2020
1798-SBA -XX - DR - XX -A -201 P04	Existing elevations	22 December 2020
1798-SBA -XX -00 - DR -A -070 P02	Waste management plan	22 December 2020
1798-SBA -XX -00 - DR -A -070 P02	Demolition plan	22 December 2020
1798-SBA -XX -00- DR -A -1001 P02	Proposed ground floor	22 December 2020
1798-SBA -XX -00-	plan Existing ground floor	22 December 2020
DR -A -903 P05 1798-SBA -XX -01 -	plan Proposed first floor	22 December 2020
DR -A -1002 P02 1798-SBA -XX -01 -	plan Existing first floor plan	22 December 2020
DR-A -904 P04 1798-SBA -XX -XX - DR -A -203 P05	Demolition elevations	22 December 2020

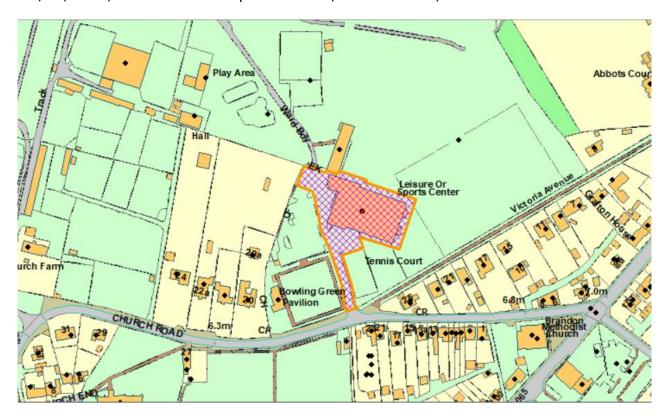
Reason: To define the scope and extent of this permission.

Documents:

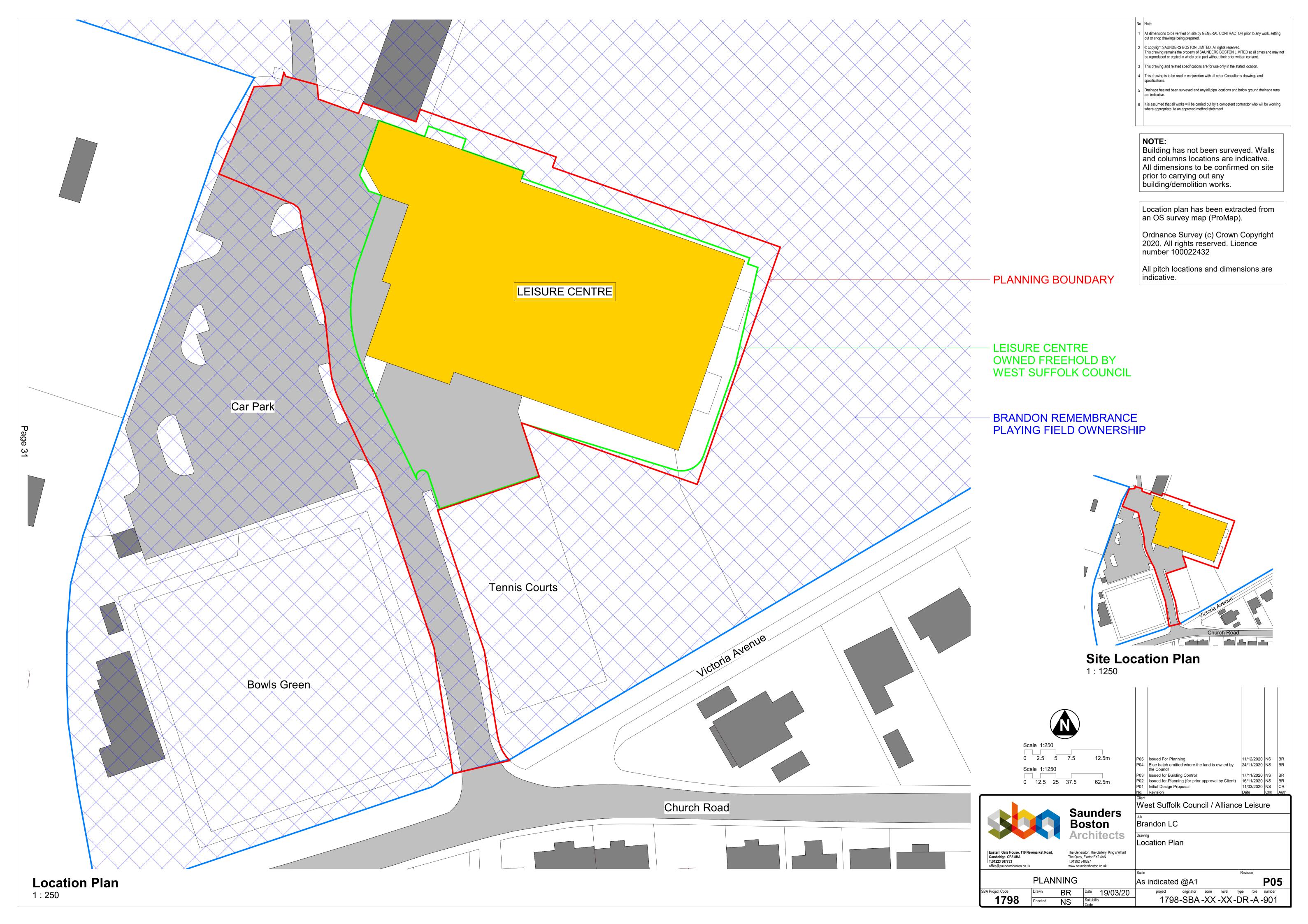
All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online $\frac{DC}{20/2244}$



DC/20/2244/FUL – Brandon Sports Centre, Church Road, Brandon IP27 0JB







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