

Development Control Committee

Minutes of a meeting of the **Development Control Committee** held on **Wednesday 7 April 2021** at **10.00am** via Microsoft Teams

Present **Councillors**

Chair Andrew Smith

Vice Chairs Mike Chester and Jim Thorndyke

Richard Alecock

Carol Bull

John Burns

Jason Crooks

Roger Dicker

Andy Drummond

Susan Glossop

Ian Houlder

David Palmer

David Roach

David Smith

Peter Stevens

Don Waldron

113. **Welcome**

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.

114. **Apologies for absence**

No apologies for absence were received.

115. **Substitutes**

No substitutions were declared.

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

116. **Minutes**

The minutes of the meeting held on 3 March 2021 were unanimously confirmed as a correct record.

117. **Declarations of interest**

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

118. **Planning Application DC/21/0016/FUL - Liberty House, Hepworth Road, Market Weston (Report No: DEV/WS/21/006)**

Planning application - change of use from single dwelling house (C3) to a holiday let property (sui generis)

Due to the recent planning history and the level of local interest in the site the application was referred directly to the Development Control Committee at the request of the Assistant Director, Planning and Regulatory Services.

As part of his presentation to the meeting the Planning Officer drew attention to the relevant planning and appeal history, he also took Members through videos of the site by way of a virtual 'site visit'.

Reference was made to enforcement queries that had been submitted to the Planning Authority in connection with the application site, Members were advised that these were being investigated separately and the matter was not pertinent to the consideration of the application before the Committee.

Officers were recommending that the application be approved, subject to conditions as set out in Paragraph 77 of Report No DEV/WS/21/006.

Speakers: Nigel French (neighbouring objector) spoke against the application
Councillor Miranda Martin (Market Weston Parish Council) spoke against the application
Councillor Carol Bull (Ward Member: Barningham) spoke on the application
Juliet Hargrave (applicant) spoke in support of the application
(Nigel French and Councillor Martin did not connect to the meeting to personally address the Committee and instead the Democratic Services Officer read out pre-prepared submitted statements on their behalf.)

A number of Members made comment/posed questions on the application which the Case Officer responded to as follows:

Booking information – the Committee was advised that the booking details the Planning Authority had been provided with did not include the number of occupants for each booking;

Operation under GPDO – the Officer confirmed that under a General Permitted Development Order the property would be able to be hired out for 28 days per annum without planning permission; and

Noise monitoring/residential amenity – attention was drawn to the sections of the report which covered the comments made by Public Health & Housing.

Councillor Mike Chester spoke in support of granting the application but with a two-year temporary approval that was subject to a review after one year. However, the Service Manager (Planning – Development) explained that it would not be technically possible to grant permission in that way.

Councillor Jim Thorndyke then proposed that the application be granted but for a temporary 12-month occupation period. This was duly seconded by Councillor Andy Drummond.

The Planning Officer then verbally advised on the conditions that could be appended to a temporary permission including a noise management condition.

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

Decision

Planning permission be **GRANTED FOR A TEMPORARY 12-MONTH OCCUPATION PERIOD** subject to the following conditions:

1. The holiday-let use of the property hereby permitted shall be discontinued and the property shall revert back to a single C3 dwelling house within 12 months from the date of this planning 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. Within 2 months from the date of this planning permission, a Noise Management Plan which sets out the measures that are to be taken to minimise the potential noise impacts of the development shall be submitted to and approved in writing by the LPA. Unless otherwise agreed in writing, the development shall be carried out in complete accordance with any details as shall have been approved by the LPA and the Noise Management Plan shall not be altered or amended without the prior written consent of the LPA.
A written 12 month record of all bookings (including party size and booking type) shall be maintained and made available to the LPA for inspection upon request.
4. Details of the areas to be provided for storage and presentation of Refuse/Recycling bins 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 for no other purpose.
5. Within 6 months from the date of this planning permission, the holiday let property hereby approved 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.
6. Within 3 months from the date of this permission, details of biodiversity enhancement measures to be installed at the site, including details of the timescale for installation, shall be submitted to and approved in writing by the Local Planning Authority. Any such measures as may be agreed shall be installed in accordance with the agreed timescales and thereafter retained as so installed.

119. Planning Application DC/17/2269/FUL - 27 Old Clements Lane, Haverhill (Report No: DEV/WS/21/007)

(Councillor David Smith declared a non-pecuniary interest in this item in light of the fact that he had taken part in Haverhill Town Council's consideration of the application when they resolved to oppose the scheme. However,

Councillor Smith stressed that he would keep an open mind and listen to the debate prior to voting on the item.)

Planning Application - 3no dwellings and access (following demolition of existing dwelling and garage)

This application was referred to the Development Control Committee following consideration by the Delegation Panel, having been presented to the Panel at the request of the Ward Member Councillor Aaron Luccarini (Haverhill Central).

Haverhill Town Council objected to the scheme which was in conflict with the Officer's recommendation of approval, subject to conditions as set out in Paragraph 70 of Report No DEV/WS/21/007.

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

Speakers: Martin Espin (neighbouring objector and also on behalf of fellow neighbouring objectors Mr Kiddy & Mrs Webb) spoke against the application
Councillor Pat Hanlon (Haverhill Town Council) spoke against the application
Councillor John Burns (neighbouring Ward Member) made a statement against the application on behalf of Haverhill Central Ward Member Councillor Aaron Luccarini

In relation to a comment made by a speaker concerning the inaccuracy of a boundary map shown in the Case Officer's presentation, the Officer displayed a map to the meeting which showed the correct boundary.

A number of Members voiced concern with the application; principally in relation to the existing dwelling being a non-designated heritage asset. Local Member Councillor Jason Crooks spoke at length on the history of the dwelling and its importance to the town.

Councillor Ian Houlder made reference to the need for additional housing and proposed that the application be approved as per the Officer recommendation. However, this failed to achieve a seconder.

Following further debate the Chair invited the Senior Conservation Officer (Buildings) to address the meeting and further elaborate on her comments which were included within the report.

Councillor David Roach proposed that the application be refused, contrary to the Officer recommendation, due to (i) overdevelopment and the impact on the character of the area, (ii) access concerns, and (iii) the loss of the non-designated heritage asset. This was duly seconded by Councillor Don Waldron.

The Service Manager (Planning – Development) explained that if Members were minded to refuse the application, contrary to the Officer recommendation, for the reasons stated by Councillor Roach then a Risk

Assessment would need to be produced in respect of reason '(ii) access' because Suffolk County Council, as statutory consultee as Highways Authority, had not raised concerns with the scheme in this respect.

However, if the proposer and seconder were content to pursue a refusal motion with just reasons (i) and (iii) as outlined above then a Risk Assessment would not be necessary.

The Chair sought clarification from Councillors Roach and Waldron who both agreed that reason (ii) could be disregarded from the motion.

Accordingly, upon being put to the vote and with 14 voting for the motion and with 2 against it was resolved that

Decision

Planning permission be **REFUSED, CONTRARY TO THE OFFICER RECOMMENDATION**, for the following reasons:

1. Policy DM2 Creating Places - Development Principles and Local Distinctiveness and Policy DM22 Residential Design provide that proposals for all development should, recognise and address the key features, characteristics, landscape/townscape character and local distinctiveness. In addition, proposals should maintain or create a sense of place and/or local character, particularly restoring or enhancing localities where strong local characteristics are lacking or have been eroded.

The surrounding area comprises a mix of properties which are predominantly two-storey and three-storey. The dwellings along Old Clements Lane are of traditional design with pitched roofs and are either semi-detached or in short terraces.

The proposed dwellings would be an inappropriate deviation from the prevailing pattern of development in the surrounding area, and from the rhythm of built form. The proposal would significantly alter the grain of development in the vicinity and fail to respect and reflect the particular character of the locality.

It is the scale, bulk, design and positioning at an elevated level above the existing properties that render these dwellings so at odds with the prevailing character. The dwellings fills the plot in a way that is considered to result in a cramped and contrived overdevelopment of the site.

The proposal would therefore be contrary to Policy DM2 which requires new development to address the characteristics and local distinctiveness of the area. As a consequence the proposal would also be contrary to the provisions of DM22, Core Strategy Policy CS3, and to the provisions of the NPPF in relation to good design.

2. Policy DM16 sets out the criteria which will be considered when considering proposals which will lead to the loss of Local Heritage Assets. This includes a requirement to demonstrate a clear understanding of the significance of the building and to ensure that any proposal will not lead to an unacceptable loss. Furthermore, paragraph 197 of the NPPF advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that

directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

In this case the proposal will lead to the total demolition of the building. 27 Old Clements Lane is a double fronted two-storey house with a modified rear 'outshut' most likely dating from the early part of the 19th century. Despite the changes that have since taken place to this building, it is still considered to meet the criteria of a non-designated heritage asset, and is considered worthy of retention. Based on the information provided the proposed demolition would prove contrary to policy DM16 in particular insofar as the proposal to demolish the building will entail an unacceptable loss. In cases where the works would cause harm to a local heritage asset clear justification for the works must be provided so that the harm can be weighed against any public benefits. Whilst evidence has been provided of the costs associated with the repair of the building this is not considered compelling. Furthermore, no obvious public benefit arises from the proposal to otherwise outweigh this harm. The proposal is therefore considered contrary to the provisions of DM16, as well as to the provisions of paragraph 197 of the NPPF.

(On conclusion of this item the Chair permitted a short comfort break and asked that an adjournment slide be displayed in the live stream, before reconvening the virtual meeting and taking a roll-call of those present.)

120. **Planning Application DC/20/1729/HH - Welham House, South Street, Risby (Report No: DEV/WS/21/008)**

Householder planning application - a. Two bay car port/wood store b. brick enclosure for heat pump c. outdoor swimming pool d. rebuilding of front wall

This application was referred to the Development Control Committee following consideration by the Delegation Panel, having been presented to the Panel at the request of the Ward Member Councillor Susan Glossop (Risby).

The Committee were advised that Risby Parish Council had initially objected to the scheme, however, after being reconsulted on amended plans they withdrew their objections.

Officers were recommending that planning permission be granted, subject to conditions as set out in Paragraph 61 of Report No DEV/WS/21/008.

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

Members were also shown a detailed landscaping plan which had been submitted by the applicant since publication of the agenda and which related to condition No 4.

Speakers: George Irving (neighbouring objector) spoke against the application

Jonathan Wooldridge (applicant) spoke in support of the application
(George Irving did not connect to the meeting to personally address the Committee and instead the Democratic Services Officer read out a pre-prepared submitted statement on his behalf.)

In response to questions posed by Members during the debate the Planning Officer confirmed that the cleaning/maintenance and soakaway of the swimming pool were not material planning considerations.

Councillor Mike Chester moved that the application be approved as per the Officer recommendation. This was duly seconded by Councillor Jim Thorndyke.

Upon being put to the vote and with 15 voting for the motion and with 1 against, 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 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. Prior to the occupation of any unit/dwelling:
 - i) All of the noise protection and mitigation works associated with that pool as detailed in the submitted noise information dated 05/01/2021 shall be completed in their entirety in accordance with the approved details prior to the first use of the swimming pool hereby permitted. These works shall thereafter be retained for as long as the pool is in situ on site.
4. All planting comprised in the approved landscaping plan submitted on the 06.04.2021 shall be carried out in the first planting season following the commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

121. **Planning Application DC/20/2197/HH - Holly Bungalow, Stow Road, Ixworth (Report No: DEV/WS/21/009)**

Householder planning application - single storey side extension to create an annexe following demolition of existing garage

This application was referred to the Development Control Committee following consideration by the Delegation Panel, having been presented to the Panel because Ixworth Parish Council raised no objections to the scheme which was

in conflict with the Officer's recommendation of refusal, for the reason set out in Paragraph 25 of Report No DEV/WS/21/009.

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

Councillor Jim Thorndyke spoke in support of the application but voiced preference for the finish to be in brick as opposed to timber cladding. In response to which, the Officer explained that the applicants had indicated that they would consider amending the material finish of the extension to a matching brick.

Councillor David Roach echoed the support for a brick finish and, subject to including this, he proposed that the application be approved, contrary to the Officer recommendation, as he considered Policy DM2 to be subjective and in his opinion the proposal did respect the scale and character of the dwelling and the character and appearance of the surrounding area. This was duly seconded by Councillor Jim Thorndyke.

The Service Manager (Planning – Development) advised the Committee that if they were minded to approve the application contrary to the Officer recommendation a Risk Assessment would not be required.

The Planning Assistant then verbally outlined the conditions which could be appended to a permission.

In response to questions relating to conditions in respect of restricting the usage of the annex and electric charging points, Members were advised that neither of these were necessary or proportionate to the application.

Upon being put to the vote and with 13 voting for the motion and with 2 against, it was resolved that

Decision

Planning permission be **GRANTED, CONTRARY TO THE OFFICER RECOMMENDATION** and 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. Notwithstanding the detail shown on the submitted drawings or within the application form, the materials to be used in the extension hereby approved shall match in type, colour and texture those on the existing building.

(Councillor Susan Glossop left the meeting at 1.01pm during the preliminary introduction of this item.)

The meeting concluded at 1.18pm

Signed by:

Chair
