

Development Control Committee

Minutes of a meeting of the **Development Control Committee** held on **Wednesday 5 July 2023** at **10.00am** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present

Councillors

Chair Andrew Smith

Vice Chair Jon London

Mick Bradshaw

Carol Bull

Roger Dicker

Mike Chester

Susan Glossop

Rachel Hood

Ian Houlder

Gerald Kelly

Sara Mildmay-White

Lora-Jane Miller-Jones

Andy Neal

David Smith

Jim Thorndyke

354. **Apologies for absence**

Apologies for absence were received from Councillors Diane Hind and Phil Wittam.

355. **Substitutes**

The following substitution was declared:

Councillor Gerald Kelly substituting for Councillor Phil Wittam.

356. **Minutes**

The minutes of the meeting held on 7 June 2023 were confirmed as a correct record and signed by the Chair.

357. **Declarations of interest**

There were no declarations of interest made.

358. **Planning Application DC/22/2078/FUL & Listed Building Consent DC/22/2079/LB - Land at Malting Row, Honington (Report No: DEV/WS/23/016)**

Planning Application - conversion of existing outbuilding to form dwelling

Application for Listed Building Consent - conversion of existing outbuilding to form dwelling

These applications were referred to the Development Control Committee following consideration by the Delegation Panel on 8 June 2023 and in view of the Parish Council's objections being in conflict with the Officer's recommendations for approval of both the Planning Application and Listed Building Consent, subject to conditions, as set out in Paragraphs 97 and 98 of Report No DEV/WS/23/016.

A Member site visit was held prior to the meeting and as part of her presentation to the meeting the Planning Officer also showed videos of the site.

The Committee was advised of two corrections to the agenda papers:

1. Paragraph 14 of the report indicated there was no planning history. This was in fact not correct. Application E/88/3985/P was refused for an Outline Planning application for a single dwelling on land to the rear of this application site and Malting Row. This was dismissed on 31 January 1990.

The reasons for the dismissal were:

- That a dwelling on this land at the rear would adversely affect the setting of the listed buildings.
- That a dwelling on this land would not be well related to the existing pattern of development.

Officers were satisfied, given the age of the decision, the difference between the proposals, and the policies in place at that time and currently, and for the reasons expressed in the report, that the relevance of the previous application and appeal decision to the consideration of the current scheme seeking determination was negligible.

2. The proposed site layout plan indicated that the 'existing garden space' was to be retained and used with the new dwelling. Firstly, Officers were not satisfied that the current lawful use of the land was as garden land. Secondly, this annotation was incorrectly left on the revised drawing when the red line application site was reduced during negotiation on the application. A revised plan with the annotation removed had been received from the applicant and this was displayed to the meeting.

Speakers: Councillor Robert Williams (Chair, Honington cum Sapiston Parish Council) spoke against the application
Councillor Andrew Smith (Ward Member: Bardwell) spoke on the application
Mark Cleveland (agent) spoke in support of the application

The Planning Officer responded to questions/comments in connection with the following topics:

Restoration Works – attention was drawn to condition No 3 of the Listed Building Consent recommendation and Members were reassured that no works in this respect would take place until a fully detailed specification had been received and approved by the Planning Authority;

Light Pollution – attention was again drawn to the conditions; No 13 of the Planning Application recommendation required a lighting design scheme for biodiversity to be submitted and approved by the Planning Authority;

Bin Storage/Collection – the Planning Officer confirmed that the land on which the adjacent cottages had historically stored their refuse bins was not owned by them and it appeared that no formal arrangement was in place to use the land owned by the applicant for this purpose. The cottages had space to their rear to make provision for bin storage on their own property. It was also clarified that the refuse vehicles would not need to use the access within the application on collection days, as bins would be collected from the kerbside as per normal arrangements;

Settlement Boundary – a map showing the settlement boundary was shown to the meeting and the Planning Officer confirmed that the outbuilding on the site was within the boundary; and

Construction – in response to concerns raised, particularly in relation to the site's proximity to the village school, the Planning Officer explained that a construction management plan could be added to the conditions for the Planning Application if Members were minded to.

Following comments made in connection with Building Regulations and sewer/manhole covers, the Committee was reminded that both of these matters were separate to the planning process and not relevant to the determination of the applications.

The Planning Officer also explained that in order to alleviate some concerns raised a condition could be added to remove permitted development rights, therefore, ensuring that a planning application would have to be submitted for any further development on the site.

The Service Manager (Planning – Development) responded to remarks made in relation to the consultation process and assured Members that in light of the Planning Application having received 13 public representations and the Listed Building Consent application having received 11, together with the attendance of the Parish Council representative, she was content that the local community had been aware of the proposals.

Considerable discussion took place in relation to bats with a number of Members feeling strongly that a full bat survey should be undertaken. The Service Manager (Planning – Development) explained that she considered this to be a reasonable request and it could be added as a condition if Members were minded to approve the Planning Application.

Councillor Ian Houlder proposed that the applications be approved, as per the Officer recommendations and inclusive of the additional conditions for the Planning Application in respect of a Construction Management Plan, removal of permitted development rights and a bat survey. This was duly seconded by Councillor Roger Dicker.

Upon being put to the vote and with 12 voting for the motion, 2 against and with 1 abstention it was resolved that

Decisions

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, unless otherwise stated.
- 3 No other part of the development hereby permitted shall be occupied until the existing vehicular access has been improved, laid out and completed in all respects in accordance with Suffolk County Council's standard access drawing DM03, with a minimum entrance width of 4.5 metres for a shared access and made available for use. Thereafter the access shall be retained in the specified form.
- 4 Prior to first use of the development hereby permitted, the existing access onto the site shall be properly surfaced with a bound impervious material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the Local Planning Authority.
- 5 Prior to first use of the development hereby permitted, the area(s) within the site shown on drawing No. 06 B 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.
- 6 Before the development is commenced, details of secure, lit and covered cycle storage and electric vehicle charging infrastructure 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.
- 7 No development above ground shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.
- 8 Before the development is occupied details of the areas to be provided for the presentation for collection/emptying of refuse and 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.
- 9 No development above ground level shall take place until a scheme of soft landscaping for the site drawn to a scale of not less than 1:200, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include accurate indications of the position, species, girth, canopy spread and height of all existing trees and hedgerows on and adjacent to the site and details of any to be retained, together with measures for their protection during the course of development. Any retained trees removed, dying or becoming seriously damaged or diseased within five years of commencement 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. The works shall be completed in accordance with the approved plans and in accordance with a timetable to be agreed with the Local Planning Authority.
- 10 No development above ground level shall take place until details of a hard landscaping scheme for the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels and contours showing earthworks and mounding; surfacing materials; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulations areas; hard surfacing materials; minor artefacts and structures (for example furniture, play equipment, refuse and/or other storage units, signs, lighting and similar features); proposed and existing functional services above and below ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features); retained historic landscape features and proposals for restoration where relevant. The scheme shall be implemented prior to the occupation of any part of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority).
- 11 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Greenlight, 29 November 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g., an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.
- 12 Prior to occupation 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. There shall be no occupation unless and until details of the biodiversity enhancement measures to be installed have been agreed in writing by the Local Planning Authority.
- 13 Prior to occupation a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.
All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.
- 14 Demolition or construction works shall not take place outside

- 8am to 6pm Mondays to Fridays and 8am to 1pm on Saturdays and at no time on Sundays, public holidays or bank holidays.
- 15 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.
 - 16 The dwelling(s) hereby approved shall not be occupied until the 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.
 - 17 Prior to first occupation, all dwellings with off street parking shall be provided with an operational electric vehicle charge point at reasonably and practicably accessible locations, with an electric supply to the charge point capable of providing a 7kW charge.
 - 18 All construction traffic movements to and from the site over the duration of the construction period shall be subject to a Construction and Deliveries Management Plan which shall be submitted to and approved in writing by the planning authority before any deliveries of materials commence. The Construction and Deliveries Management Plan shall include timings for all anticipated deliveries to and collections from the site. No construction traffic movements shall be permitted to and from the site other than in accordance with the timings defined in the Plan.
 - 19 There shall be no development on site unless or until the Local Planning Authority has been provided in writing with the results of a survey undertaken by a suitably qualified individual investigating the presence or absence of bats on the site or otherwise affected by the development.
 - 20 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.

And, Listed Building Consent be **GRANTED** subject to the following conditions:

- 1 The works to which this consent relates must be begun not later than three years from the date of this notice.
- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents, unless otherwise stated.
- 3 The relevant works shall not take place/no development above ground level shall take place until details in respect of the following have been submitted to and approved in writing by the Local Planning Authority.
 - a. Fully detailed specification for the restoration workThe works shall be carried out in full accordance with the

- approved details unless otherwise subsequently approved in writing by the Local Planning Authority.
- 4 All new external and internal works and finishes and works of making good to the retained fabric shall match the existing historic work adjacent in respect of materials, methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.
- 5 No mechanical and electrical extract fans, ventilation grilles, security lights, alarms, cameras, and external plumbing, including soil and vent pipe shall be provided on the exterior of the building until details of their location, size, colour and finish have been submitted to and approved in writing by the Local Planning Authority.
- 6 No works involving new/replacement windows shall take place until elevation(s) to a scale of not less than 1:10 and horizontal and vertical cross-section drawings to a scale of 1:2 fully detailing the new/ replacement windows to be used (including details of glazing bars, sills, heads and methods of opening and glazing) have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority all glazing shall be face puttied. The works shall be carried out in complete accordance with the approved details.
- 7 No works involving new/replacement doors shall take place until elevation(s) to a scale of not less than 1:10 and horizontal and vertical cross-section drawings to a scale of 1:2 fully detailing the new/ replacement internal/external doors and surrounds to be used (including details of panels and glazing where relevant) have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority all glazing shall be face puttied. The works shall be carried out in complete accordance with the approved details.
- 8 No works involving external joinery shall take place until the details of the type and colour(s) of the following have been submitted to and approved in writing by the Local Planning Authority:
- a. Protective finish to be used on all external joinery
 - b. Paint to be used on external softwood joinery
 - c. Stain to be used on any external hardwood joinery
 - d. Lime-wash to be used on any external joinery.
- The works shall be carried out in complete accordance with the approved details unless the prior written consent of the Local Planning Authority is obtained for any variation.

The meeting concluded at 11.00am

Signed by:

Chair
