

# Development Control Committee



Forest Heath  
District Council

**Minutes** of a meeting of the **Development Control Committee** held on **Wednesday 5 October 2016** at **6.00 pm** at the **Council Chamber, District Offices**, College Heath Road, Mildenhall IP28 7EY

Present: **Councillors**

**Chairman** Rona Burt

**Vice Chairman** Chris Barker

Ruth Bowman

Victor Lukaniuk

Louis Busuttil

Carol Lynch

Simon Cole

David Palmer

Roger Dicker

Peter Ridgwell

**In attendance:**

Lance Stanbury

## 171. **Apologies for Absence**

Apologies for absence were received from Councillors Andrew Appleby, David Bowman, Stephen Edwards, Brian Harvey and Louise Marston.

## 172. **Substitutes**

Councillor Victor Lukaniuk attended the meeting as substitute for Councillor Andrew Appleby.

## 173. **Minutes**

The minutes of the meeting held on 7 September 2016 were accepted as an accurate record and were signed by the Chairman, with 9 voting for the motion and with 1 abstention, subject to the insertion of the following **wording**:

Minute No. 169     Planning Application DC/16/0596/OUT – Land East of Newmarket Road and North of Elms Road, Red Lodge (Report No: DEV/FH/16/028)

“Comments were also made in regard to:

- The proximity of the building line to the dual carriageway;
- The location and level of open space to be provided; and
- The degree of planting/replanting to be carried out (**with Councillors David Bowman and Peter Ridgwell having made specific**

***reference to a young oak tree that they would wish to see replanted on the site, if possible).***

The Officer explained that all of which would be considered as part of the Reserved Matters application.

***Councillor Carol Lynch referred to the comments in response to the application from Red Lodge Parish Council (Paragraph 32), particularly those concerned with the lack of provision of housing for the elderly. She asked that Officers make a note of this in respect of Red Lodge and to consider in any future schemes for the village."***

**174. Planning Application DC/16/1175/FUL - Weston, Milburn Drove, Moulton (Report No: DEV/FH/16/031)**

The Chairman agreed to bring this item forward on the agenda.

(i) Change of use of existing garage to Hairdressing salon (Use class A1) (ii) Retention of extension to front of existing garage.

This application was referred to the Development Control Committee at the request of the Delegation Panel. It was deferred from consideration at the Committee's meeting on 7 September 2016 and a Member site visit was held prior to that meeting.

Whilst Moulton Parish Council supported the application a number of objections had been received from residents. Officers were recommending that the application be approved as set out in Paragraph 32 of Report No DEV/FH/16/031.

The Committee were advised that since publication of the agenda three further letters of objection had been received from residents citing concerns previously raised, and summarised in Paragraph 9 of the report, together with one further letter of support.

In response to questions from Councillor Ruth Bowman the Case Officer confirmed that: a) there were no windows on the boundary side of the garage/salon building and b) whilst the Parish Council had suggested removal of the front boundary wall, Suffolk County Council had not considered this work necessary to enable vehicles to exit in a forward gear.

Councillor Peter Ridgwell raised concern over the proximity of the animals that were within the application's grounds on the site visit. The Principal Planning Officer explained that these were domestic pets which belonged to the owner of the property and this was not a material planning consideration.

Some Members raised queries as to whether the hairdressing salon needed to have an extraction system in place in order to reduce the noise and smell from hairdryers and hair products. The Case Officer explained that as the salon would operate on such a small scale it would not be reasonable to require this.

In response to a number of questions the Principal Planning Officer explained that the proposed conditions had been discussed with the Council's Enforcement Officer who was of the opinion that all were enforceable.

Councillor Roger Dicker spoke as Ward Member for the application. He advised the Committee that Moulton Parish Council had been criticised by some of the objectors for the way in which they had dealt with the application. Councillor Dicker considered this criticism unfair and moved that the application be approved. This was duly seconded by Councillor Louis Busuttil.

With the vote being unanimous, it was resolved that

Planning permission be **GRANTED** subject to the following conditions:

1. Standard Time limit
2. Accord with plans
3. Hours of operation – (09.00 – 19.00 Monday to Friday & 09.00 - 15.00 Saturdays with no working on Sundays or Bank Holidays).
4. No more than one stylist to be on site at anytime
5. No more than 4 clients on any working day (log to be kept and made available for inspection)
6. Operation of the business to be tied to the dwelling
7. Restrict to approved use only
8. Highways – Parking & Manoeuvring to be retained
9. Tarmac surfacing completed prior to use commencing

Speakers: Mr Tony Hargreaves (neighbour) spoke against the application.  
Mr Kevin Watts (agent) spoke in support of the application.

175. **Planning Application DC/16/1762/HH - Heathside, Kennett Road, Herringswell (Report No: DEV/FH/16/029)**

Single storey rear extension.

This application was referred to the Development Control Committee because the applicant was an elected Member.

No objections had been received from third parties and Officers were recommending that the application be approved as set out in Paragraph 20 of Report No DEV/FH/16/029.

It was moved by Councillor Carol Lynch, seconded by Councillor Simon Cole and with the vote being unanimous, it was resolved that

Planning permission be **GRANTED** subject to the following conditions:

1. Time limit
2. Compliance with plans

**176. Planning Application DC/16/1436/FUL - Coopers Cottage, 42 Mill Road, Lakenheath (Report No: DEV/FH/16/030)**

2no. dwellings (following demolition of existing outbuilding/garage) with associated vehicular access.

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

A Member site visit was held prior to the meeting. Officers were recommending that the application be approved as set out in Paragraph 23 of Report No DEV/FH/16/030

The Senior Planning Officer provided the Committee with a brief outline of the planning history of the site. She explained that the concerns previously raised in response to applications had been addressed in the scheme before Members, hence the recommendation on balance was now one of approval. Lakenheath Parish Council, however, objected to the application.

The Officer advised the Committee that since publication of the agenda a further representation had been received from the Board of Governors at Lakenheath Community Primary School. The Governors objected to the application primarily due to safeguarding concerns in that the proposed development would directly overlook the school's playground and some classrooms which could not be entirely mitigated by the school (in respect of the outside area affected).

In response to this, the Officer explained that should the Committee approve the application she would propose an additional condition in respect of rear boundary treatment details. The applicant had submitted the plans with a 1.8m fence included, however, whilst on site it was noted that neighbours had an additional trellis which further heightened their fencing.

In response to questions raised by Members, the Case Officer confirmed that the windows on the top floor of the development could neither be made into roof lights or obscure glazed, as the angle of the roof would not allow it and the windows served habitable rooms.

Councillor Roger Dicker moved that the application be approved, as per the Officer recommendation, and with the additional condition re boundary treatment. This was duly seconded by Councillor Victor Lukaniuk and with 4 voting for the motion, 6 against and with 1 abstention the Chairman declared the motion lost.

Councillor Carol Lynch then spoke against the application for reasons of:

1. Concerns re safeguarding/overlooking of the neighbouring primary school;
2. The design not being in keeping with the surrounding area; and
3. The scheme constituting as overdevelopment for the site.

The Principal Planning Officer explained that the school would be able to mitigate the overlooking of the classrooms in question with the installation of blinds or similar, but it would not be possible to prevent the overlooking of

the playground. However, Officers had carried out research in respect of this particular issue and as similar concerns were raised by the primary school when the neighbouring properties were constructed, Officers would not be able to support a refusal on the grounds of overlooking.

Councillor Simon Cole then moved that the application be refused, contrary to the Officer recommendation, on the grounds of the scheme being out of keeping and overdevelopment of the site. This was duly seconded by Councillor Lynch.

The Case Officer confirmed that the two reasons for refusal were defensible and that the application would not be subject to a risk assessment and would not, therefore, need to be deferred to the next meeting of the Committee.

Upon being put to the vote, and with 6 voting for the motion, 4 against and with 1 abstention, it was resolved that

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

1. The design not being in keeping with the surrounding area; and
2. The scheme constituting as overdevelopment for the site.

Speaker: Councillor Hermione Brown (Lakenheath Parish Council) spoke against the application.

Councillor Roger Dicker left the meeting at 7.07pm on conclusion of this item.

**177. Tree Preservation Order TPO 5, 2016 - Land South of Broom Road, Lakenheath (Report No: DEV/FH/16/032)**

The Committee were advised that a provisional Tree Preservation Order (TPO) was made on trees at land South of Broom Road, Lakenheath on 2 June 2016. The TPO was served to protect the mature trees which form an important landscape feature characteristic of the area and of the Breckland landscape character type.

The TPO was required to prevent the precipitous removal of trees on the potential adjacent development site and to protect retained trees into the future when, if the site was developed, they would increase in their public amenity value.

The statutory consultation period for the TPO expired on 4 July 2016 and one objection to the TPO had been received from an agent acting on behalf of the landowner.

Officers did not consider the objection to be justified, for the reasoning set out in Report No DEV/FH/16/032, and were recommending that the TPO be confirmed without modifications,

It was moved by Councillor Simon Cole, seconded by Councillor Carol Lynch and with the vote being unanimous, it was

**RESOLVED:**

That the report be noted and Tree Preservation Order TPO 5, 2016 Land South of Broom Road, Lakenheath be confirmed without modifications.

178. **Tree Preservation Order TPO 6, 2016 - Land West of Eriswell Road, Lakenheath (Report No: DEV/FH/16/033)**

The Committee were advised that a provisional Tree Preservation Order (TPO) was made on trees on land West of Eriswell Road, Lakenheath on 2 June 2016. The TPO was served to protect the mature trees which form an important landscape feature characteristic of the area and of the Breckland landscape character type and which also formed a gateway into Lakenheath.

The TPO was required to protect the trees when the site was developed and into the future.

The statutory consultation period for the TPO expired on 4 July 2016 and one objection to the TPO had been received from an agent acting on behalf of the landowner.

Officers did not consider the objection to be justified, for the reasoning set out in Report No DEV/FH/16/033, and were recommending that the TPO be confirmed **with** modifications (and not *without*, as incorrectly written in the synopsis of the report) as set out in the recommendation at Paragraph 23.

It was moved by Councillor Carol Lynch, seconded by Councillor Simon Cole and with the vote being unanimous, it was

**RESOLVED:**

That the report be noted and Tree Preservation Order TPO 6, 2016 Land West of Eriswell Road, Lakenheath be confirmed with the following modification:

Group of 4 Beech, 8 Silver Birch and 1 Lombardy Poplar.

The meeting concluded at 7.09 pm

**Signed by:**

**Chairman**

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