
Development Control Committee



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Development Control Committee** held on
Thursday 2 February 2017 at 10.00 am at the **Conference Chamber,**
West Suffolk House, Western Way, Bury St Edmunds

Present: **Councillors**

Chairman Jim Thorndyke
Vice-Chairman Angela Rushen

John Burns
Terry Clements
Jason Crooks
Robert Everitt
Susan Glossop
Ian Houlder

Ivor Mclatchy
Alaric Pugh
David Roach
Peter Stevens
Julia Wakelam

Substitutes attending:

Andrew Smith

Frank Warby

287. **Apologies for Absence**

Apologies for absence were received from Councillors Carol Bull, Paula Fox and Patsy Warby.

288. **Substitutes**

The following substitutions were announced :

Councillor Andrew Smith for Councillor Paula Fox and
Councillor Frank Warby for Councillor Patsy Warby.

289. **Minutes**

The minutes of the meeting held 5 January 2017 were confirmed as a correct record and signed by the Chairman.

290. **Planning Applications**

RESOLVED – That :

- (1) subject to the full consultation procedure, including notification to Parish Councils/Meetings and reference to Suffolk County Council, decisions regarding applications for planning permission, listed building consent, conservation area consent and approval to carry out works to trees covered by a preservation order be made as listed below;
- (2) approved applications be subject to the conditions outlined in the written report (DEV/SE/17/10) and any additional conditions imposed by the Committee and specified in the relevant decision; and
- (3) refusal reasons be based on the grounds in the written report (DEV/SE/17/09) and any reasons specified by the Committee and indicated in the relevant decision.

291. Outline Planning Application DC/16/1252/OUT

17 no. dwellings, access, parking and landscaping (following demolition of existing building) at Social Services/Magistrates' Court, Camps Road, Haverhill for Emlor Homes.

(Councillor John Burns declared a non-pecuniary interest in this application as a Member of Suffolk County Council who were owners of the site. He remained within the meeting.)

The applicants had lodged an appeal against the non-determination of the application; the time period for determination having expired on 14 October 2016. The Committee was no longer in a position to decide the application as the proposal would now be considered by an appointed Inspector. The matter had been referred to the Committee to seek its views as to what the decision might have been had it been in a position to determine the application.

The following person spoke on the application :

- (a) Objector - Stephen Segasby, East of England Ambulance NHS Trust.

In considering this matter the Committee recalled that it had been asked at its meeting on 5 January 2017 to indicate its views in respect of an application (reference DC/16/0876/FUL) by Churchill Retirement Living to re-develop an adjoining site, also in the ownership of Suffolk County Council, which was also the subject of a current appeal against non-determination. On that occasion the Committee had indicated that it would have been mindful of refusing this application for the reasons stated in the written report had it been in a position to decide it. At that time Members had also expressed disappointment that no overall strategic approach had been adopted towards redeveloping both sites.

In the case of Application DC/16/1252/OUT the majority of Members concurred with the suggested grounds of refusal put forward in the written report. In particular the view was expressed that the proposed layout did not take account of the obvious constraints associated with the site, i.e. the shared access/egress with the ambulance station, which was used intensively by ambulances and the vehicles of ambulance service staff, and for the nearby school, which was also extensively used as a pedestrian thoroughfare by pupils. It was felt that this unsatisfactory situation would adversely effect ambulance response times not only during any construction period but also subsequently when the dwellings became occupied. Reference was also made to the situation that dwellings at the rear of the development would be situated close to the ambulance station site and therefore the residents of these were likely to suffer loss of amenity because of the unavoidable noise associated with ambulance movements at any time during the day or night. Members were again of the view that an overall strategic approach should have been adopted for the re-development of this and the adjoining site and that arrangements for circulation of traffic and for parking of vehicles should have been a first priority in formulating a scheme of re-development for the whole area.

Decision

That (1) had the Committee in a position to determine the application it would have been refused on the basis of the reasons set out briefly in paragraph 57 of Report DEV/SE/17/09; and

(2) The Head of Planning and Growth be authorised to :

(i) defend the decision of this Committee at the forthcoming appeal hearing/ public inquiry;

(ii) remove/ amend or add to the reasons of refusal in response to new evidence, information or amendment in the lead up to the forthcoming appeal hearing/ public inquiry;

(iii) appoint an advocate and expert witness, as necessary, to present the Council's case and defend its reasons of refusal;

(iv) agree a Statement of Common Ground with the appellant and any other Rule 6 party; and

(v) suggest conditions to be imposed on any grant of planning permission should the Inspector be minded to allow the appeal.

292. Planning Application DC/16/2562/FUL and Listed Building Application DC/16/2563/LB

(a) Application DC/16/2562/FUL : (i) Change of use, conversion and extension of existing barns (following demolition of existing modern steel portal framed buildings and grain silos); (ii) reinstatement of existing access to farmhouse; and (iii) 3 no. garages ; and

(b) Application DC/16/2563/LB : (i) Change of use, conversion and extension of existing barns (following demolition of existing modern steel portal framed buildings and grain silos); (ii) reinstatement of existing access to farmhouse; and (iii) 3 no. garages

at Shardelows Farm, New England Lane, Cowlinge for David Midwood trading as Midwood Farms.

This application was required under the delegation arrangements to be considered by the Committee because the applicant was the spouse of an Elected Member of the Council.

The Officer presenting the report, Penny Mills, was thanked for the concise way the issues involved with the applications had been put to the Committee and then summarised comprehensively by her.

Officers reported that in addition to the demolition of the existing modern agricultural structures at the application site the proposal also involved the removal of a small portion of the listed building and a single storey building attached to the barns which better revealed the significance of the principal building. Officers felt the modern extension was acceptable since it would allow for the proposed window insertions to be provided with minimal harm to the historic fabric and would allow natural light into the building which was currently without fenestration.

In response to Members' questions Officers advised as follows :

(a) the Listed Building status of the barns precluded an application coming forward under the Prior Approval Notification process. In the normal way the applications would have been decided under Officer Delegated authority but in this case because the applicant was the husband of a Councillor they required decision by the Committee;

(b) the proposed extension would provide kitchen and living accommodation for two of the dwellings with the bedrooms and bathrooms being located within the existing barn structure. The basis for this arrangement was that the extension as designed would provide an airier and lighter kitchen facility which would be appropriate for modern living. An alternative method of achieving this would be with a corridor or link arrangement but in the view of Officers the proposed scheme would have a less detrimental effect in visual terms and upon the historic fabric. Officers were satisfied that the extension would not be visually intrusive with only the slate roof and uppermost brick courses of the existing building being seen from New England Lane;

(c) whilst there were currently commercial uses associated with the application site these would be discontinued if planning permission and listed building consent were granted; and

(d) whilst in the case of proposals to change the use of redundant agricultural buildings it was usual for evidence to be produced that a marketing exercise had been carried out with negative results it was not a requirement of the relevant policy. In this instance the applicant had produced information in

support of the applications which indicated the difficulties he had in identifying any alternative economic use for the buildings.

The Committee in considering the applications accepted that the Heritage benefits of the proposed conversion outweighed other policy considerations. The majority of Members were also of the view that the proposed extension had been designed sympathetically and respected the integrity of the historic barn building.

Decision

(a) Application DC/16/2562/FUL – Planning permission be granted; and

(b) Application DC/16/2563/LB - Listed Building Consent be granted

293. Changed date of Committee meeting May 2017

The Chairman advised that it had been necessary for the second time to move the date of the Committee's meeting in May because of the County Council Elections on the 4th of that month. Members were asked to note that the meeting would now be held on Wednesday 3 May 2017 at 10.00am.

The meeting concluded at 11.10am

Signed by:

Chairman
