

Development Control Committee

Minutes of a meeting of the **Development Control Committee** held on **Wednesday 5 January 2022** at **10.00 am** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present **Councillors**

Chair Andrew Smith

Vice Chairs Mike Chester and Jim Thorndyke

Roger Dicker

David Palmer

Susan Glossop

David Roach

Brian Harvey

David Smith

Ian Houlder

Peter Stevens

James Lay

In attendance

Nick Clarke (Ward Member: Clare, Hundon & Kedington)

200. **Welcome**

The Chair formally commenced the meeting, welcomed all present to the Development Control Committee and reminded Members that following the Prime Minister's announcement to re-introduce some COVID restrictions (so-called 'Plan B') additional precautionary health and safety measures had been put in place for the meeting, with the aim of reducing and restricting transmission of the virus, as such all attendees were being requested to wear masks at all times (unless exempt) except when speaking.

201. **Apologies for absence**

Apologies for absence were received from Councillors Richard Alecock, Carol Bull, John Burns, Jason Crooks and Andy Drummond.

202. **Substitutes**

The following substitution was declared:

Councillor James Lay substituting for Councillor Andy Drummond.

203. **Minutes**

The minutes of the meeting held on 1 December 2022 were unanimously confirmed as a correct record and signed by the Chair.

204. **Declarations of interest**

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

205. **Planning Application DC/21/1986/VAR - Land West of Eriswell Road, Lakenheath (Report No: DEV/WS/22/001)**

Removal of condition 14 part A(ii) and B of F/2013/0394/OUT for 140 dwellings

This application was referred to the Development Control Committee because it was for a 'major' development and one of the Lakenheath Ward Members (Councillor Stephen Frost) had referred the proposals.

Furthermore, the recommendation to grant planning permission was contrary to the views of Lakenheath Parish Council.

The Principal Planning Officer – Major Projects explained that the application was recommended for conditional approval (as set out in Paragraphs 43 and 44 of Report No DEV/WS/22/001) subject to the adoption by the Local Planning Authority of an 'Appropriate Assessment' under the provisions of Regulation 63 of The Conservation of Habitats and Species Regulations 2017, which confirms no likely significant effects to the Breckland Special Protection Area, arising from the proposals; and completion of a S106 Agreement (or equivalent) to secure the planning obligations captured from the related planning permission F2013/0394/OUT.

The Committee's attention was drawn to Paragraph 32 of the report and Members were advised that the reference therein to Condition No 20 was inaccurate and should have read No 14.

As part of his presentation the Officer explained that the other pending major development applications that had been approved for Lakenheath had similarly sought removal of the same condition from their permissions.

Speaker: Beth Deacon-Bates (Persimmon Homes – applicant) spoke in support of the application

A number of Members posed questions in respect of the noise monitoring and enforcement.

In response, the Principal Planning Officer – Major Projects referred to the evidence supplied by the MOD in respect of the difference in character of noise output between the F35 and F15 aircraft and displayed the noise contour mapping to the meeting. He also explained the role of building control and enforcement in relation to the application.

Councillor Peter Stevens proposed that the application be approved, as per the Officer recommendation, this was duly seconded by Councillor Mike Chester.

Upon being put to the vote and with 10 voting for the motion, 1 against and with 1 abstention it was resolved

Decision

That, subject to

- i) The adoption by the Local Planning Authority of an 'Appropriate Assessment' under the provisions of Regulation 63 of The Conservation of Habitats and Species Regulations 2017 which confirms no likely significant effects to the Breckland Special Protection Area, arising from the proposals,

and;
- ii) Completion of a S106 Agreement (or equivalent) to secure the planning obligations captured from the related planning permission F2013/0394/OUT (as discussed in the report)

Planning permission be **GRANTED**.

The planning permission shall be subject to the same conditions as attached to planning permission DC/13/0660/FUL with the exception of condition 14 which shall be amended as set out below:

- **Condition 14** - No construction for any dwelling shall commence until details in respect of each of the following have been submitted to and approved in writing by the Local Planning Authority:
 - i) Details of the development that demonstrate for each unoccupied dwelling and its associated sound insulation that noise levels with windows closed shall not exceed a daytime level of 35 Db (16hrs) within living rooms between 07.00 and 23.00 hours, and a night-time level of 30 Db laEQ (8hrs) within bedrooms between 23.00 and 07.00 hours, using the methodology advocated within BS 8233:2014 'Guidance on sound insulation and noise reduction for buildings' (2014). The development shall adopt the proposed sound insulation measures as stated.

In the event that it cannot be demonstrated the proposals would not lead to likely significant effects to the Breckland Special Protection Area, the planning application be returned to Committee for further consideration and fresh determination.

206. **Planning Application DC/21/0079/FUL - Rabbit Hill Covert, Station Road, Lakenheath (Report No: DEV/WS/22/002)**

Planning application - engineering operations for the introduction of a drainage attenuation basin, as amended

The application proposals for a surface water drainage basin were linked to a housing development on adjacent land and was submitted alongside a separate application for reserved matters for the housing.

The application was, therefore, referred to the Development Control Committee for determination, alongside the housing reserved matters, following consideration by the Delegation Panel.

Members were advised that whilst the Reserved Matters had already been considered and conditionally approved by the Committee, the progress of the planning application for the surface water drainage basin was delayed for technical reasons and had become separated from the reserved matters proposals to which it related.

Officers were recommending that planning permission be granted, subject to conditions as set out in Paragraph 25 of Report No DEV/WS/22/002.

Councillor Brain Harvey posed specific questions in respect of surface water and the Principal Planning Officer – Major Projects explained that all future planned development had been taken into consideration. Furthermore, the Committee was advised that underground provision was only usually considered as a last resort.

Councillor David Roach proposed that the application be granted as per the Officer recommendation. This was duly seconded by Councillor Peter Stevens.

Upon being put to the vote and with 11 voting for the motion and with 1 abstention it was resolved that

Decision

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

- Detailed landscaping scheme (to incorporate trees, hedges and shrubs as necessary)
- Ecological enhancement measures
- Bird mitigation strategy (to ensure birds are not encouraged to the basin)
- Construction management plan
- Drainage verification scheme
- Implementation of the drainage scheme.

207. **Applications DC/21/1806/HH & DC/21/1807/LB - Calford Green Cottage, Calford Green, Kedington (Report No: DEV/WS/22/003)**

Householder planning application - Installation of dark framed solar panels to the front elevation
Listed building consent application - Installation of dark framed solar panels to the front elevation

These applications were referred to the Development Control Committee following consideration by the Delegation Panel.

As part of her presentation the Principal Planning Officer outlined the planning history of the site.

Officers were recommending that the applications be refused for the reason set out in Paragraph 40 of Report No DEV/WS/22/003.

Speakers: Councillor Nick Clarke (Ward Member: Clare, Hundon and Kedington) spoke in support of the application
Ian Evans (applicant) spoke in support of the application

Considerable debate took place by the Committee, with a number of Members voicing opinion that the solar panels would not cause harm to the listed building in view of a modern extension already having been constructed.

Reference was also made to the global climate emergency and the need for renewable energy sources, however, Councillors were reminded of the need to determine applications based on the development plan policies currently in place and the duty under Section 66 of Planning (Listed Buildings and Conservation Areas) Act 1990.

The Chair invited the Senior Conservation Officer to address the meeting and elaborate further on her comments set out in Paragraph 10 of the report.

The Principal Planning Officer confirmed, in response to a question, that should Members be minded to approve the application, contrary to the Officer recommendation, the Decision Making Protocol would be invoked and a risk assessment would be produced for further consideration by the Committee.

Councillor Roger Dicker proposed that both applications be refused, as per the Officer recommendation. This was duly seconded by Councillor Peter Stevens.

The Chair advised Members that he would take a vote on both applications separately.

Upon the planning application DC/21/1806/HH being put to the vote and with 7 voting for the motion and 5 against; and upon the listed building consent application DC/21/1807/LB being put to the vote and with 7 voting for the motion and 5 against, it was resolved that

Decision

Permission for both applications be **REFUSED** for the following reason:

1. Calford Green Cottage is referred to within the list description as a C17 timber framed and plastered house with thatched roof and diagonally shafted chimney stack. Whilst remodelled in the C20 it still retains much of its original character. The special architectural and historic interest of the building lies in its simple vernacular form. The proposed panels would be located on the southern (front) roof slope of the slate roofed side extension views of which would be possible not only from within the curtilage of the cottage but also the wider public realm. The proposed panels would sit proud of the roof plain incorporating a black glass face with each panel subdivided into 60 cells, the appearance of which would be a stark contrast to the more mellow and natural colour and softer texture of both the existing slate roof, currently appreciated, and the thatch roof of the original dwelling alongside which they would be

appreciated. As a result, their provision would appear as an incongruous addition to a designated heritage asset and would detract from and cause harm to its significance. The harm identified would result in less than substantial harm and the tests of para 202 of the NPPF should therefore apply. The modest benefits of the proposal do not override the requirement to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The proposal is therefore considered to be contrary to Policies DM2 and DM15 of the Joint Development Management Policies Document, Policy CS3 of the St Edmundsbury Core Strategy, para 202 of the NPPF and the duties imposed by section 16 of the Planning (Listed Buildings and Conservation Act) 1990.

The meeting concluded at 11.13am

Signed by:

Chair
