

Development Control Committee

Minutes of a meeting of the **Development Control Committee** held on **Wednesday 7 September 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

Carol Bull

Sara Mildmay-White

John Burns

Andy Neal

Jason Crooks

David Nettleton

Roger Dicker

David Palmer

Andy Drummond

David Smith

Susan Glossop

Peter Stevens

Ian Houlder

270. **Apologies for absence**

Apologies for absence were received from Councillors Brian Harvey and David Roach.

271. **Substitutes**

The following substitutions were declared:

Councillor David Nettleton substituting for Councillor Brian Harvey; and Councillor Sara Mildmay-White substituting for Councillor David Roach.

272. **Minutes**

The minutes of the meeting held on 3 August 2022 were confirmed as a correct record, with 14 voting for the motion and with 1 abstention, and were signed by the Chair.

273. **Declarations of interest**

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

274. **Reserved Matters Application DC/22/0420/RM - Hatchfield Farm, Fordham Road, Newmarket (Report No: DEV/WS/22/034)**

Reserved matters application - Submission of details under outline planning permission DC/13/0408/OUT (Granted by the Secretary of State under reference APP/H3510/V/14/2222871) - details of the two vehicle site accesses (Phase 1) and internal spine road (Phase 2)

The application was referred to the Development Control Committee following consideration by the Delegation Panel. The application was referred to the Panel due to the comments received from Newmarket Town Council. Subsequently, one of the local Ward Members (Newmarket North) Councillor Karen Soons, also requested that the application be referred to Committee.

As part of his presentation the Principal Planning Officer explained that outline planning permission had been granted for up to 400 dwellings at the site in March 2020.

The application before the Committee sought approval of matters reserved by condition 2 of the outline planning permission for some parts of the site. These being the areas around the previously approved vehicular accesses and a new road corridor through the site that would form a new distributor road serving the approved housing, the allocated employment site to the north and a proposed school and connection to the two approved accesses.

Members were advised that the employment land site and the primary school site were outside of the application site and did not have the benefit of planning permission to date.

For clarification, the Principal Planning Officer informed the Committee that the two points of vehicular access into the development site from the existing highway were included for submission as part of the outline application and therefore did not (and could not) fall to be considered at the secondary reserved matters stage.

Officers were recommending that the application be approved subject to conditions as set out in Paragraph 51 of Report No DEV/WS/22/34.

Speakers: Councillor Karen Soons (Ward Member: Newmarket North) spoke against the application
Richard Gee (applicant) spoke in support of the application
(Councillor Soons was not in attendance to personally address the Committee and, instead, the Democratic Services Officer read out a pre-prepared statement on her behalf.)

Councillor David Nettleton spoke in support of the application and suggested that the majority of the concerns raised could be mitigated by conditions. Accordingly, he proposed that the application be approved as per the Officer recommendation.

This was duly seconded by Councillor Roger Dicker who also spoke in support of the application and welcomed the progress of the scheme which would deliver much needed housing to Newmarket.

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

Decision

Reserved Matters Consent be **GRANTED** subject to the following conditions:

1. No development shall be commenced until an estate road phasing and completion plan has been submitted to and approved in writing by the local planning authority. The estate road phasing and completion plan shall set out the development phases and the standards of construction that the estate roads serving each phase of the housing development will be completed to and maintained at. Development shall only take place in accordance with the approved estate road phasing and completion plan.
2. Before the development is commenced details (location/s, specification/s and timing of delivery) shall be submitted to and approved in writing by the Local Planning Authority showing the proposed bus stop provision. The approved scheme shall be carried out in its entirety and in accordance with the approved details in accordance with the approved timetable.

(Councillor Andy Drummond joined the meeting at 10.16am during the Officer's presentation, accordingly he was advised by the Chair that he would be unable to take part in the voting on this item.)

275. Planning Application DC/22/0618/RM - Land NW of Haverhill, Anne Suckling Road, Little Wratting (Report No: DEV/WS/22/035)

(Councillors John Burns and David Smith each declared a non-pecuniary interest in this item in light of the fact that they had attended Haverhill Town Council's meeting when the Town Council considered the application. However, both Councillors stressed that they would keep an open mind and listen to the debate prior to voting on the item.)

Reserved matters application - submission of details under outline planning permission SE/09/1283 - the means of access, appearance, landscaping, layout and scale for the construction of 98 dwellings, together with associated means of enclosure, car parking, vehicle and access arrangements, landscaping and open space for a phase of residential development known as Phase 6. The application includes the submission of details to enable the discharge of conditions B9, B16, B17, B20, B21, B24 of outline planning permission SE/09/1283

This application was referred to the Development Control Committee following a call-in request from the local Ward Member (Haverhill North) Councillor Joe Mason. Haverhill Town Council also objected to the application.

Members were advised that the application was part of the wider North-West Haverhill site, which was one of the two strategic growth sites for Haverhill identified in the adopted Core Strategy. The application before the Committee sought approval of details for parcel 6 of residential development.

As part of her presentation the Senior Planning Officer explained that outline planning permission had been granted on 27 March 2015 for residential development, a primary school, local centre including retail and community uses, public open space, landscaping infrastructure, servicing and other associated works alongside full permission for the construction of a relief road.

Attention was drawn to the supplementary 'late papers' issued in respect of the application and the Officer also showed videos of the site by way of a virtual 'site visit'.

Officers were recommending that the application be approved subject to conditions as set out in Paragraph 9.1 of Report No DEV/WS/22/035.

Speakers: Councillor Joe Mason (Ward Member: Haverhill North) spoke against the application
Beth Deacon (applicant) spoke in support of the application
(Councillor Mason was not in attendance to personally address the Committee and, instead, the Democratic Services Officer read out a pre-prepared statement on her behalf.)

Councillor John Burns raised a number of concerns in relation to the application, with specific reference made to the waste collection arrangements and the steep gradients on the site and lack of dropped kerbs which would impact future residents in manoeuvring their bins.

In response, the Senior Planning Officer displayed a plan to the meeting which showed the bin drag distances concerned. She advised that these complied with West Suffolk Council's waste collection guidance whilst also being mindful of the fact that waste vehicles will not enter private drives.

Councillor Andy Neal voiced disappointment at there being no single storey accommodation within the scheme; particularly when considering the needs of an aging population and those with mobility issues.

Councillor Jason Crooks made reference to the Urban Design Officer's comments as set out in the supplementary 'late paper'. He echoed the concerns raised in respect of the Local Square being traffic dominated and the need for additional trees within the site.

The Senior Planning Officer advised that the Landscaping Plan had been amended since first submission to include additional and much larger trees. However, the Anglian Water easement on the site reduced the ability to provide further planting in the area.

In response to a question regarding the level of affordable housing to be provided the Service Manager (Planning – Development) confirmed that there would be 30% delivered across the site as a whole. She also added that the Affordable Housing provision included a bespoke unit requested by the Strategic Housing Team to cater for the needs of a family on the register with specific access requirements.

Councillor Peter Stevens spoke in support of the scheme and advised that West Suffolk Council offered an assisted waste collection service to residents in need. Accordingly, he proposed that the application be approved as per the Officer recommendation and this was duly seconded by Councillor Ian Houlder.

Upon being put to the vote and with 10 voting for the motion, 5 against and with 1 abstention it was resolved that

Decision

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

- 1 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
- 2 Prior to commencement of development (including demolition, ground works, vegetation clearance) a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:
 - a. Risk assessment of potentially damaging construction activities
 - b. Identification of "biodiversity protection zones"
 - c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
 - d. The location and timing of sensitive works to avoid harm to biodiversity features
 - e. The times during construction when specialist ecologists need to be present on site to oversee works
 - f. Responsible persons and lines of communication
 - g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
 - h. Use of protective fences, exclusion barriers and warning signs.
 - i. Containment, control and removal of invasive non native species present on site.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

- 3 Prior to commencement of development an ecological design strategy (EDS) addressing the specific ecological mitigation, compensation and enhancements for phase 6 has been submitted to and approved in writing by the Local Planning Authority, before or concurrent with the CEMP. This should include measures for bats, birds, Hazel Doormouse, Reptiles, Hedgehogs, retained habitats (trees, scrub, hedgerows and associated ground flora) and new habitats created (wildflower meadows, scrub, SuDS and associated habitats).

The EDS shall include the following:

- a. Purpose and conservation objectives for the proposed works
- b. Review of site potential and constraints
- c. Detailed design(s) and/or working method(s) to achieve stated objectives
- d. Extent and location/area of proposed works on appropriate scale maps and plans

Notwithstanding the details shown on the soft landscaping plans the strategy must include in hibernacula/log piles, hedgehog links through impermeable boundaries to provide connectivity and bat and bird boxes.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

- 4 Prior to installation to the installation of lighting, 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 installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) 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.

- 5 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the following reports as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination:

- Updated Ecological Walkover survey of phases 2-6 and relief road at Haverhill (JBA 25th March 2022 Revised 9th June 2022)
- Preliminary Ecological Appraisal of phases 2-6 (JBA January 2019)
- Botanical Survey (Including Sulphur Clover Survey) of phases 2-6 and Relief Road (August 2019)
- Sulphur Clover translocation and working method statement for phases 2-6 (JBA February 2022)
- Precautionary method statement for clearance regarding phase 6 (Revision A August 2022)
- Hazel Doormouse survey report of phases 2-6 (JBA December 2019)
- Reptile survey of phases 2-6 and relief road (JBA June 2019)
- Breeding bird survey of phases 2-6 and relief road (JBA October 2019)
- Hedgerow survey of phases 2-6 and relief road (JBA August 2019)
- Wintering bird survey of phases 2-6 and relief road (JBA February 2020)
- Great crested newt eDNA survey of phases 2-6 (JBA June 2019)
- Bat activity survey report of phases 2-6 and relief road (JBA October 2019)
- Badger survey of phases 2-6 and relief road (JBA 2019)
- Haverhill ecology mitigation requirements JBA 18-351 ECO 23 Rev B 21st June 2022

This may require 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.

- 6 If the phase 6 development hereby approved does not commence within a period of 2 years from the date of the planning consent, the approved ecological mitigation measures secured by condition shall be

reviewed and where necessary amended and updated.

The review shall be informed by further ecological surveys commissioned to:

- Establish if there have been any changes in the presence and/or abundance of the existing habitat and protected and priority species, and
- Identify any likely new ecological impacts that might arise from these changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation shall be submitted and approved in writing to the Local Planning Authority prior to the commencement of the site infrastructure phase.

Works will then be carried out in accordance with the new approved ecological measures and timetable.

- 7 No development above slab level shall take place until details of the external materials to be used in the construction of the buildings and details of the fenestration (including fenestration colour and depth of reveals), doors, garage doors, porches, balconies and rainwater goods have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 8 Prior to any construction works above slab level taking place, and notwithstanding the submitted landscaping details, should the planting need to be amended as a result of easements associated with the water pipe, details will be submitted and approved in writing. The plans will broadly follow the approved scheme.
The details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities. The approved scheme of soft landscaping works shall be implemented not later than the first planting season following 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.
- 9 No above ground construction shall take place until details of the visitor parking designation and the lining or signage to promote use as well as the future management arrangement where spaces do not form part of the adopted highway. The spaces shall be provided and maintained in accordance with the approved details.
- 10 Prior to the first occupation of the dwellings, the street furniture to include bins and benches, shall be fully installed in accordance with details previously submitted to the local planning authority and agreed in writing.
- 11 Prior to any development above slab level taking place for the apartments, full details of the secure cycle storage for the occupants of those buildings shall be submitted to the local planning authority and agreed in writing. The storage shall accommodate adult and children's

- cycles and non-standard cycles. Full details of any racking systems shall be provided as part of the scheme. The storage shall be provided in accordance with the approved details prior to the first occupation of the building to which it relates.
- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking and re-enacting that Order) the garage shall be used solely for the garaging of private motor vehicles and for ancillary domestic storage incidental to the occupation and enjoyment of the associated dwelling and shall be used for no other purpose.
 - 13 Prior to the commencement of the internal road network, an access strategy setting out an appropriate network of dropped kerbs across the site to facilitate access for all shall be submitted the local planning authority and agreed in writing.
 - 14 The development hereby permitted shall not be brought into use/first occupied until the refuse storage and recycling facilities indicated on Drawing no. 21-3114-004 B have been provided in their entirety and been made available for use. Thereafter these facilities shall be retained in accordance with the approved details and continue to be available for use unless the prior written consent of the Local Planning Authority is obtained for any variation to the approved details.
 - 15 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.

276. **Listed Building Consent DC/22/0365/LB - The Deanery, 3 The Great Churchyard, Bury St Edmunds (Report No: DEV/WS/22/036)**

(Councillors Mike Chester and Andrew Smith declared non-pecuniary interests in this item in light of the fact that they were members of the Parochial Church Councils of their Parish Churches which came under the St Edmundsbury and Ipswich Diocese as did the application site, they therefore asked that this be noted in the interests of transparency.

Councillor Peter Stevens also declared a non-pecuniary interest in this item in light of the fact that he had been invited to view the building in question prior to the scheduled site visit, he therefore asked that this also be noted in the interests of transparency.)

Application for listed building consent - External alterations to include; a. single storey extension to north wing to include partial demolition of rear wall and window; b. external door and window alterations to include replacement and reinstatement of window and doors to rear elevation; c. provision of gratings to basement window areas; Internal alterations involving remodelling of internal layouts to include; demolition of staircase to main entrance hall to allow for large dining area; b. partial relocation of modified staircase from main entrance hall to new stairwell within existing laundry room; c. demolition of internal partition between existing bedroom one and two; d. provision of new attic staircase; e. upgrading of thermal elements to existing attic accommodation together with provision of shower room; f. upgrading of internal doors to half hour fire

resistance; g. renewal of services to include electrics, heating and plumbing together with other modifications

This application, as well as a Full Planning Application (DC/22/0364/FUL) for related works was considered at the Development Control Committee meeting on 6 July 2022, having been referred there by the Delegation Panel, and a Member site visit was undertaken on 4 July 2022.

Officers recommended that the planning application be approved, subject to conditions as set out in Paragraph 93 of Report No DEV/WS/22/024 and also recommended that the application for Listed Building Consent be refused for the reason outlined in Paragraph 94 of that report. This latter recommendation was in conflict with the view of Bury St Edmunds Town Council who supported the proposals.

Members at the July Committee meeting resolved to grant planning permission for the Full Planning Application (DC/22/0364/FUL), in line with the Officer recommendation, subject to the conditions. This decision has subsequently been issued.

However, Members also resolved that they were 'minded to' approve the Listed Building Consent, contrary to the Officer recommendation of refusal. The Decision Making Protocol was subsequently invoked which required a Risk Assessment report to be prepared for further consideration by the Committee.

Members resolved that they were minded to approve the application because they considered that the level of public benefit from the proposed works would outweigh the degree of harm caused, due in part to the staircase not being an original feature of the building.

The purpose of the further report before the Committee (No DEV/WS/22/036) was to provide a more detailed analysis of the public benefit that could be afforded to the Listed Building Consent proposal, as well as a Risk Assessment (in accordance with the Decision-Making Protocol) which set out the potential risks that could arise should Listed Building Consent be approved.

Officers were continuing to recommend that the application be refused, for the reason set out in Paragraph 33 of the report.

Attention was drawn to the supplementary 'late papers' issued in respect of the application and the Officer also showed videos of the site by way of a virtual 'site visit'.

Speakers: Councillor Robert Everitt (Adjacent Ward Member: Minden, speaking on behalf of the Ward Members for Abbeygate) spoke in support of the application
The Very Reverend Joe Hawes (applicant) spoke in support of the application
(Councillor Everitt was not in attendance to personally address the Committee and, instead, the Democratic Services Officer read out a pre-prepared statement on his behalf.)

Considerable debate took place on the application. Whilst some Members recognised the significant weight that had to be attributed to Historic England's objection others remarked on the need for Listed Buildings to evolve and serve a useful purpose within communities.

The Council's Senior Conservation Officer was in attendance and was invited by the Chair to further elaborate on her reasons for recommending refusal.

In response to questions posed, the Service Manager (Planning – Development) explained that it would not be reasonable or enforceable to condition the application to ensure that the public benefits of the scheme had to remain in perpetuity.

Councillor Peter Stevens spoke in support of the application and proposed that it be approved, contrary to the Officer recommendation, and this was duly seconded by Councillor Andy Drummond.

However, upon being put to the vote and with the vote being 5 voting for the motion and 11 against, the Chair declared the motion lost.

Councillor Jason Crooks then proposed that the application be refused as per the Officer recommendation, and this was duly seconded by Councillor David Nettleton.

Upon being put to the vote and with 12 voting for the motion, 3 against and with 1 abstention it was resolved that

Decision

Listed Building Consent be **REFUSED** for the following reason:

When considering the impact of a proposed development on significance of a designated heritage asset, great weight should be given to the asset's conservation and the more important the asset the greater the weight should be, this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm or loss of the significance of a designated heritage asset should require clear and convincing justification, in accordance with paragraphs 199-202 of the NPPF, policy DM15 of the JDMPD and section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The staircase removal would cause harm to the significance of the building and especially the understanding of its adaptation from use as an Almshouse to Vicarage, which has become a large part of its significance. This harm would not be mitigated by its partial reuse within the building, the staircase would be removed from its original setting and its character as a piece of architecture designed to impress would be lost. The grandeur of the staircase albeit it in a modified form would also appear inappropriate to its proposed back of house location. The level of public benefit from the proposed works, resulting in the proposed use of a hospitality space, is not considered to be of such significance that it would outweigh the degree of harm caused to the highest grade listed building.

Given the importance of partition wall between bedroom one and two and the effect of its partial removal on the building's significance, insufficient justification has been provided for its removal, contrary to paragraph 200 of the NPPF.

The proposal does not therefore meet the provisions of policy DM15 or paragraphs 199-202 of the NPPF, and there are no material considerations, including the limited public benefit for the use of the hall, that outweigh this very significant conflict with the policy.

(On conclusion of this item the Chair permitted a short comfort break.)

277. Planning Application DC/22/0585/FUL - The Folly, Hargrave Road, Chevington (Report No: DEV/WS/22/037)

(Councillor Mike Chester declared a non-pecuniary interest in this item in light of the fact that he had met with the applicant prior to the scheduled site visit, he therefore asked that this be noted in the interests of transparency.)

Planning application - vehicular access from Hargrave Road

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

The Parish Council had registered support for the application which was contrary to the Officer recommendation of refusal for the reason set out in Paragraph 25 of Report No DEV/WS/22/037.

A Committee site visit was held prior to the meeting. At that site visit Members posed questions in respect of the proximity of the telephone box in relation to the proposed access.

The Principal Planning Officer confirmed that he had raised this matter specifically with Suffolk County Council Highways who had confirmed that they did not have concerns in relation to the telephone box as it did not impinge on visibility to any great extent, largely due to the fact you can see through it via the windows.

Councillor Mike Chester voiced support for the application and proposed that it be approved, contrary to the Officer recommendation, as he did not consider that the scheme would cause significant harm to the character of the area. This was duly seconded by Councillor Carol Bull.

The Service Manager (Planning – Development) explained that Members' interpretation of Policies DM2 and DM24 was subjective relating to the character of the site and the area, meaning the Decision Making Protocol would not need to be invoked as a Risk Assessment would not be considered necessary.

The Principal Planning Officer then verbally advised on the conditions that could be appended to a permission, if granted.

Upon being put to the vote and with the vote being unanimous, it was resolved that

Decision

Planning permission be **GRANTED, CONTRARY TO THE OFFICER RECOMMENDATION**, subject to the following conditions:

1. Time Limit
2. Approved Plans
3. New access in accordance with the drawing - No other part of the development hereby permitted shall be commenced until the new access has been laid out and completed in all respects in accordance with drawing no. DM01 with an entrance width of 4.5 metres measured from the nearside edge of the metalled carriageway. Thereafter it shall be retained in its approved form.
4. Access surfacing condition - Prior to the development hereby permitted being first occupied, the new access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres measured from the nearside edge of the metalled carriageway, in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority.
5. Access gradient condition - The gradient of the vehicular access shall not be steeper than 1 in 20 for the first five metres measured from the nearside edge of the highway.
6. Drainage: Ditch condition - Prior to the access being constructed the ditch beneath the proposed access shall be piped or bridged in accordance with details that previously shall have been submitted to and approved in writing by the Local Planning Authority. The piped or bridged ditch shall be retained thereafter in its approved form.
7. Visibility as per the drawing - Before the access is first used visibility splays shall be provided as shown on Drawing No. 2777/02 REV A with an X dimension of 2.4 metres and a Y dimension of 43 metres [tangential to the nearside edge of the carriageway] and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

278. **Planning Application DC/22/0609/HH and Listed Building Consent & DC/22/0610/LB - Smallwood Farm House, Smallwood Green, Bradfield St George (Report No: DEV/WS/22/038)**

Planning Application and Listed Building Consent - Installation of solar panels to rear roof of central barn

These applications were originally considered at the Development Control Committee meeting on 3 August 2022, having been referred to the Committee by the Delegation Panel.

The Committee at the August meeting resolved that they were 'minded to' approve these applications; accordingly the Decision Making Protocol was

invoked requiring a Risk Assessment report to be produced for further consideration by the Committee.

Members resolved that they were minded to approve the applications because they considered it to be a sustainable development, highlighting the contribution of the solar panels to the green agenda, providing renewable energy.

Members also considered that the proposal would not have a detrimental impact on the character, integrity and setting of the Grade II Listed Farm House, and would not contravene policy DM15. It was also stated that the proposal's public benefits would outweigh any harm caused to the heritage asset.

The purpose of report before the Committee (No DEV/WS/22/038) was to provide a more detailed analysis of the public benefit that could be afforded to the Listed Building Consent proposal, as well as the Risk Assessment which set out the potential risks that could arise should Listed Building Consent and planning permission be approved.

Since publication of the agenda the Planning Officer advised that a further email had been received from the Parish Council reaffirming their support for the proposal.

Officers were continuing to recommend that the applications be refused for the reason set out in Paragraph 31 of the report.

Speaker: Philip and Catherine Doe (applicants) spoke in support of the applications
(Mr and Mrs Doe were not in attendance to personally address the Committee and, instead, the Democratic Services Officer read out a pre-prepared statement on their behalf.)

A number of Members made comment on the applications, with considerable reference being made to the current energy crisis and the need to consider renewable forms of energy.

The Council's Senior Conservation Officer was in attendance and was invited by the Chair to further elaborate on her reasons for recommending refusal.

Councillor Sara Mildmay-White voiced support for the applications and proposed they be approved, contrary to the Officer recommendation, as she did not consider that the scheme would cause significant harm, given the black materials on the roof of the barn and attributed greater weight to the public benefit it brought about in relation the green agenda. This was duly seconded by Councillor Carol Bull.

The Planning Officer then drew attention to Paragraph 14 of the report which contained a list of conditions that could be appended to the permissions, if granted.

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

Decision

Planning permission be **GRANTED, CONTRARY TO THE OFFICER RECOMMENDATION**, 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.

And

Listed Building Consent be **GRANTED, CONTRARY TO THE OFFICER RECOMMENDATION**, 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 until details in respect of the following have been submitted to and approved in writing by the LPA:
 - (i) Details of the solar panels to be installed and method of installation
 - (ii) Details of the proposed battery storage including its location, size and appearance and method of installationThe works shall be carried out in full accordance with the approved details unless otherwise subsequently approved in writing by the Local Planning Authority.

279. **Listed Building Application DC/22/0113/LB - 7 The West Front, Samsons Tower, The Great Churchyard, Bury St Edmunds (Report No: DEV/WS/22/039)**

Application for listed building consent - roofing remedial works to Samson's tower as amended by plan received 04 March 2022

This application was originally referred to Development Control Committee on 6 April 2022 as it was an application submitted by West Suffolk Council's Property Services department on a building owned by West Suffolk Council.

At the meeting in April Members were advised that the consideration of proposals where a Local Planning Authority require Listed Building Consent for proposals, relating to the execution of works for the demolition, alteration, or extension of listed buildings and the Council is the applicant, the Authority should apply to the Secretary of State for that consent under the provisions of The Planning (Listed Buildings and Conservation Areas) Regulations 1990.

Accordingly, the previous recommendation was that consent be granted following the referral to the Secretary of State for determination, and subject to the outstanding ecological matters being addressed.

The report before the Committee provided an update on the position in relation to ecology and explained why referral to the State is not actually required.

Henceforth, Officers were recommending that Listed Building Consent be approved, subject to conditions as set out in Paragraph 20 of Report No DEV/WS/22/039.

In response to a question raised about works to the building owned by the Council, the Service Manager (Planning – Development) explained that the decision to undertake the works and any subsequent budgetary provision made was not relevant to the determination of the planning application by the Committee.

Councillor John Burns proposed that consent be granted, as per the Officer recommendation, and this was duly seconded by Councillor Andy Drummond.

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

Decision

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 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Bat Roost Assessment (Adonis Ecology Ltd, 27th May 2022) and Precautionary Method Statement (Suffolk County Council, November 2020) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

The meeting concluded at 1.53pm

Signed by:

Chair
