

183. **Planning Application DC/21/1198/FUL - Land North of Green Acre, Thetford Road, Ixworth Thorpe (Report No: DEV/WS/21/039)**

Planning application - Three dwellings (following demolition of existing dwellings) Amended plans submitted 24th August

This application was originally referred to the Development Control Committee in September 2021 following consideration at the Delegation Panel.

Following receipt of amended plans on 24 August 2021 the application was subsequently withdrawn from the September agenda in order for further consultation to be carried out.

The Committee was advised that the scheme now seeking determination was a resubmission of a previously refused proposal determined at a previous Development Control Committee and subsequently dismissed at appeal.

Officers were recommending that the application be refused for the reason set out in Paragraph 58 of Report No DEV/WS/21/039, which was in conflict with the view of the Parish Council who cited no objections.

As part of her presentation the Principal Planning Officer showed videos of the site by way of a virtual 'site visit'.

Speakers: Councillor John Griffiths (Ward Member: Ixworth) spoke in support of the application
Phil Cobbold (agent) spoke in support of the application
(Councillor Griffiths did not attend the meeting to personally address the Committee and instead the Democratic Services Officer read out a pre-prepared submitted statement on his behalf.)

During the debate Members posed questions in respect of the Permitted Development 'fallback' position. To aid their understanding the Chair invited the agent to advise on the property boundaries/curtilage.

A number of the Committee voiced support for the proposal which they considered to be an improvement to the existing properties on the site.

Councillor David Roach proposed that the application be approved, contrary to the Officer recommendation, as he (i) considered the location to be within a cluster of development, (ii) the proposal to be a proportionate replacement for the existing dwellings and, (iii) in view of the scheme having reduced the dwellings now proposed from 5 to 3, he considered it to accord with policy. This was duly seconded by Councillor Brian Harvey.

The Principal Planning Officer made reference to the reasons given for approval and advised Councillors Roach and Harvey that whilst reasons (ii) and (iii) were subjective, he would advise caution with regard to reason (i) as there were clear definitions as to what was deemed a cluster and this site had been assessed by the recent Appeal Inspector as not being within a cluster.

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(extract of Development Control Committee minutes of October 2021)

Furthermore, if the proposer and seconder were content to withdraw reason (i) from their motion then the Decision Making Protocol would not need to be invoked and a risk assessment would not be required.

Accordingly, Councillors Roach and Harvey confirmed to the Chair that they were happy to withdraw this element from their proposal.

The Principal Planning Officer then outlined conditions that could be appended to a permission, if granted.

Upon being put to the vote and with 8 voting for the motion and 8 against and it was resolved on the Chair's casting vote 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.
3. Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time on Sundays, public holidays or bank holidays.
4. 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.
5. Prior to the dwellings hereby permitted being first occupied, the existing vehicular access onto the highway shall be properly surfaced with a bound material for a minimum distance of 10 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.
6. Prior to the occupation of the dwellings hereby approved details of the areas to be provided for storage and presentation for collection of Refuse/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.
7. The use shall not commence until the areas within the site shown on Drawing No. 100 REV C for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that those areas shall be retained and used for no other purposes.
8. Prior to the occupation of the dwellings hereby approved details of the areas to be provided for secure cycle storage 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.
9. The development hereby permitted should be completed in accordance with the mitigation and enhancement measures detailed within the submitted ecological survey report by Hillier Ecology dated October 2019.

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10. The development hereby permitted; shall not in any circumstances commence unless the Local Planning Authority has been provided with either:
 - a. A licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorizing the specified activity/development to go ahead; or
 - b. A statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.
11. No development above slab level shall take place until full details of the materials, including for the roof, of the dwellings 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.
12. 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.
13. 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.
14. No development above ground level shall take place until details of the treatment of the boundaries of the site have been submitted to and approved in writing by the Local Planning Authority. The details shall specify the siting, design, height and materials of the screen walls/fences to be constructed or erected and/or the species, spacing and height of hedging to be retained and / or planted together with a programme of implementation. Any planting removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by soft landscaping of similar size and species to those originally required to be planted. The works shall be completed prior to first use/occupation in accordance with the approved details.
15. Prior to the occupation of the dwellings hereby approved, the existing cottages on site shall be demolished in their entirety. The site of the demolished dwellings shall be cleared and finished in accordance with a scheme first submitted to and approved by the Local Planning Authority.