

MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **DEVELOPMENT CONTROL COMMITTEE B** held at the Council Offices, Needham Market on 30 July 2014

PRESENT: Councillor Kathie Guthrie – Conservative and Independent Group (Chairman)

Conservative and Independent Group

Councillor: Roy Barker
Caroline Byles
Stuart Gemmill
Poppy Robinson
Jane Storey

Suffolk Together, Green and Independent Group

Councillor: Gerard Brewster
John Matthissen

Liberal Democrat Group

Councillor: John Field
Michael Norris

Ward Member: Derrick Haley
Wendy Marchant
Stephen Wright

In attendance: Corporate Manager – Development Management
Senior Development Management Planning Officer (IW)
Development Management Planning Officer (LE/TS)
Corporate Manager – Strategic Housing
Senior Policy/Strategy Planner (DS)
Governance Support Officer (VC)

SA13 APOLOGIES FOR ABSENCE/SUBSTITUTIONS

There were no apologies for absence.

SA14 DECLARATIONS OF PECUNIARY/NON-PECUNIARY INTEREST

Councillor John Field declared a non-pecuniary interest in application 1643/14 as the Chairman of Baylham Parish Meeting, in which capacity he would address the meeting.

Councillor Jane Storey declared a non-pecuniary interest in application 1643/14 as a friend of an objector to the proposal.

SA15 DECLARATIONS OF LOBBYING

It was noted that all Members had been lobbied on application 3679/13.

SA16 DECLARATIONS OF PERSONAL SITE VISITS

There were no declarations of personal site visits.

SA17 MINUTES OF THE MEETING HELD 2 JULY 2014

The minutes of the meeting held 2 July 2014 were confirmed as a correct record.

SA18 SCHEDULE OF PLANNING APPLICATIONS

Application Number	Representations from
1643/14	John Field (Parish Meeting) Fiona Ham (Objector) Martin Last (Agent) Giles Hill (Landscape Architect)
3679/13	Martin Doherty (Applicant) Xy Stansfield (Town Council) Antony Spilman (Objector) Phil Cobbold (Agent)
1198/14	Neville Wignall (Objector) Bob Tyrell (Agent)

Item1

Application	1643/14
Proposal	Use of land for the siting of 1 static caravan and 1 touring caravan for occupation by Gypsies/Travellers. Construction of hardstanding. Conversion of existing stables to amenity building. Associated external works and soft landscaping
Site Location	BAYLHAM – Land at Church Lane
Applicant	Mr Anthony Doherty

Members were advised that a further reason for refusal was to be added to the recommendation:

- In the absence of a completed Section 106 the application fails to comply with the Council's adopted policies to secure Open Space and Social Infrastructure

John Field, Chairman of Baylham Parish Meeting, said that the officer assessment of the application was accurate and the recommendation for refusal correct. Baylham was a village in the countryside where, under Mid Suffolk's Core Strategy and its focused review, no development was permitted. It had few community facilities and poor access to sustainable transport. The development would not conform to policies within the Local Development Framework, National Planning Policy Framework or Planning Policy for Traveller Sites.

The site was defined as a Visually Important Open Space (VIOS) and the development would introduce a discordant, out of character element and have an unacceptable impact on the landscape. The appeal relating to an application for stables for four horses on the site was refused as the Planning Inspector considered the proposal would detract from the pleasant open character and appearance of the area contrary to Policy CS5. It was felt that this proposal had the same effect. The village believed the development would have a negative effect on community cohesion.

Fiona Ham, speaking as an objector, said that Baylham was a small rural village with no amenities and poor access. The site was in an open field which provided a transition from the village to the VIOS and the proposed development would destroy this open landscape. The Village Plan identified that no further dwellings were required and the proposal would not have any great bearing on the need for gypsy and traveller homes in the District. Concern had also been raised regarding how the site could be monitored if the development was approved. The proposal was contrary to the Mid Suffolk Core Strategy and against the wishes of residents.

The Agent, Martin Last, advised that the application was personal to the Doherty family and could not be transferred to any other. He confirmed that the site would be residential only and there would be no business use or storage of building materials on site. It was not unusual for a touring caravan to be parked next to a home and the applicant would be willing for the amenity block to be demolished if Members found it unacceptable. He was aware there was much local opposition and fears that visitors may remain on site long term but he assured the Committee this would not happen. The report stated that development was unsustainable in the village but he was aware of several new homes that had recently been built. He advised that the applicant would be happy to accept a temporary permission to show that the family could integrate into the village and residents' fears could be allayed.

Giles How, the Landscape Architect, said that although the site was designated a VIOS it was well screened with no direct views from publicly accessible areas. The proposal comprised low height elements which would not affect any view except from the access. There were no views on to the site from the listed building so its setting was not affected and there was no effect on the existing character of the site. A landscaping scheme was proposed which would augment the existing and provided for future maintenance.

Councillor Stephen Wright, the Ward Member, said the green and rural nature of the area had been recognised by its designation as a VIOS and Special Landscape Area (SLA). It was a timeless, unspoilt and tranquil area and the proposed development would have an unacceptable impact. There were no local facilities and poor access making the site unsustainable. The proposed static caravan was the size of a large bungalow which would not be allowed to be built in the countryside. He asked the Committee to refuse the application.

Members unanimously agreed with the Officer assessment and recommendation including the additional reason for refusal.

By a unanimous vote

Decision – That planning permission be refused as per the recommendation and including the additional reason:

- In the absence of a completed Section 106 the application fails to comply with the Council’s adopted policies to secure Open Space and Social Infrastructure

Item 2

Application **3679/13**
Proposal Residential development
Site Location **NEEDHAM MARKET (PART IN THE PARISH OF BARKING)** – Land
 West of Anderson Close, Hill House Lane
Applicant Mr P Haylock

Members were advised that as further information had been sent to the Environment Agency and their response was still awaited the following sentence had been added to the recommendation to cover the possibility that they might withdraw their objection:

- However should the Environment Agency withdraw their objection to omit Refusal Reason 3

Xy Stansfield, speaking for the Town Council, said he wished to emphasise the reasons for refusal documented by them, and that the Town Council decision had been unanimous.

Antony Spilman, an objector, reiterated the reasons for refusal. He said drainage issues had not been addressed, many gardens in the locality were already waterlogged and further development would exacerbate the problem. The development would also impact on a Special Landscape Area and damage a public amenity used by many. He felt the application pre-empted and undermined the Town Council’s current Neighbourhood Plan process. The need for additional housing was accepted but it had already been demonstrated that there were sufficient sites in the pipeline to meet the five year plan, with many more suitable sites for affordable housing available.

The agent, Phil Cobbold, said that although the Core Strategy stated that there was no need for green field sites to be developed in the next ten years but there was no guarantee that sufficient brown field sites would be brought forward. There was a known demand for more affordable housing and the developers of the Chalk Quarry site were only proposing to provide 14% affordable homes, which assuming 35% of the remaining homes allocated in the Core Strategy were affordable, would still leave a shortfall. This proposed development would provide 50% affordable homes and was the most logical site for an extension to the town. He noted the site was in a Special Landscape Area but said this did not preclude development, hedges would be retained except for the access and there would also be appropriate landscaping. A Flood Risk Assessment had been completed and Anglia Water had confirmed that the drainage system was able to cope with the additional demand. The applicant was happy to enter into a Section 106 Agreement agreeing 50% affordable housing and an infrastructure contribution.

The Corporate Manager – Strategic Housing advised the Committee that the indicative plan showed all the affordable housing units compressed into a small area which did not comply with policy. The plan also showed only 35% affordable homes and she questioned how this could be increased to 50% in the area shown.

Ward Member, Councillor Wendy Marchant, strongly supported the Officer recommendation. She felt the proposal was against Council policies and also did not meet the Environment Agency or Suffolk County Council Highways Department requirements. There had already been a large development on the High Street and a further site was to come forward which together would provide sufficient housing for the town at this time. Although the applicant proposed 50% affordable housing she believed it was highly possible the site would be sold to a developer who would challenge this on viability grounds and less would be provided.

Councillor Mike Norris, Ward Member, also supported the recommendation for refusal for the following reasons: the site was green field and outside the Settlement Boundary; detrimental to local amenity; no pre-application advice had been sought; overlooking of properties on Anderson Close was a concern; development on the site was not included in the Local Plan; access issues; highway safety; no acceptable flood risk assessment; and no agreed Section 106 Agreement.

Members unanimously agreed with the Officer's assessment and amended recommendation.

By a unanimous vote

Decision – Delegate to the Corporate Manager – Development Management to refuse planning permission as per the amended recommendation in late papers

Item 3

Application	1198/14
Proposal	Ground and first floor side and rear extension to existing property
Site Location	HESSETT – Dormy Lakes, Hubbards Lane
Applicant	Mrs Nahaboo

Neville Wignall, an objector, said he did not feel the Officer presentation was clear and did not fully explain the issues. He was also concerned that correspondence from a design consultant referred to their client as 'he' when the applicant was a woman and this indicated that 'he' was not therefore in a position to say that the property would not be sold on in the future. The papers and presentation had made no mention of the fact that as the site was on a former gravel pit, 'pile driving' had been necessary when the existing bungalow was built, if this was required for the proposed extension there would be a serious noise impact on neighbouring properties. He felt the proposed entertainment area was very large for a family and indicated commercial use.

Bob Tyrell, the agent, clarified that the applicants were a family of husband, wife and four children who currently used the property for eight weeks per year for holidays. Their current permanent residence was a large house and they wished to have similar facilities in this property. If piling was necessary he expected the piles to be bored. He had written to the parish council to try and allay their concerns and explained that the proposed building would be totally inappropriate for a hotel or commercial building, to use in this way the bungalow would need to be demolished and rebuilt. This was a householder application for a domestic residence and any change of use would require a planning permission. Coloured perspectives of what the proposed building would look like were passed to Members for information.

Ward Member, Councillor Sam Powell, was unable to be present at the meeting and asked the Chairman to read out her comments regarding the proposal. She said that on first sight of the application she had concerns which were heightened by the number of residents' objections and the Parish Council recommendation for refusal. However, her reasoning must be solely based on planning matters and she did not believe there to be any reasons on planning issues to refuse permission. The proposal would not cause harm to neighbour amenity and no-one had a right to a view, a sewage pump had been installed so additional waste would be dealt with, the design would not have a detrimental impact on its surroundings and as a family holiday home there would be only a small increase in traffic on Hubbards Lane. Concerns had been expressed regarding a future change of use from a home to a hotel or conference centre but as this would require a further planning application she was content with the Officer recommendation.

Councillor Derrick Haley, Ward Member, said it would have been helpful if pre-application advice had been sought as some issues could have been resolved prior to consideration at Committee. He understood the anxieties regarding possible future use of the building but his main concern was the highways issue. At the time of an earlier application the Highways Department had advised that 'Hubbards Lane was unable to assimilate any more traffic' but were now saying that it was acceptable. He believed there was still an issue and that the application should be refused under Policy T10: Highway considerations in development. He said if Members were minded to approve the application that additional conditions were needed to mitigate impact on neighbouring properties from possible piling and with regard to energy efficiency.

Members were generally satisfied with the proposal. It was noted that only three additional bedrooms were proposed which were for family use, although there were other items which increased the footprint, but it was a large site which could easily accommodate the dwelling's increase in size. However, it was felt that the following additional conditions were needed: energy efficiency and sustainable drainage measures to be agreed; and considerate contractor scheme to be agreed. Members also requested that the existing condition regarding working and delivery times be amended to conform with the recommendations from Suffolk County Council Highways Department (page 190 of the agenda).

An informative to the decision notice was also requested noting that the Council was unlikely to agree the conversion of the building to any form of commercial use that would increase traffic.

By a unanimous vote

Decision – Grant planning permission as per the recommendation with the following amendment and additional conditions:

Amend condition 2 on page 169 regarding deliveries to condition HGV1 as advised on page 190 of the agenda

- Scheme of sustainable drainage and energy efficiency measures to be agreed
- Surface water and foul water drainage to be agreed
- Considerate contractor scheme to be agreed, including measures to mitigate piling impacts upon neighbour amenity and to ensure protection of adjacent County Wildlife Site

Add informative note: Council would be unlikely to agree to a future change of use of the dwelling as enlarged to commercial use having regard to the character and nature of highways access to the site