

MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **DEVELOPMENT CONTROL COMMITTEE B** held at the Council Offices, Needham Market on 26 August 2015

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

Conservative and Independent Group

Councillor: Gerard Brewster*
Jessica Fleming
Elizabeth Gibson-Harries *
Glen Horn
Barry Humphreys MBE
Sarah Mansel *
Dave Muller

Green Group

Councillor: Keith Welham

Liberal Democrat Group

Councillor: Mike Norris

Denotes substitute *

In attendance: Corporate Manager (Development Management) (PI)
Senior Development Management Planning Officer (ET)
Governance Support Officer (VL)

SA13 APOLOGIES FOR ABSENCE/SUBSTITUTIONS

Councillors Sarah Mansel, Elisabeth Gibson-Harries and Gerard Brewster were substituting for Councillors Jane Storey, Julie Flatman and Roy Barker respectively. Apologies for absence were received from Diana Kearsley.

SA14 DECLARATIONS OF PECUNIARY/NON-PECUNIARY INTEREST

Councillor Gerard Brewster declared a non-pecuniary interest in application 1132/15 as the Portfolio Holder for Economy.

SA15 DECLARATIONS OF LOBBYING

It was noted that Members had been lobbied by email on application 0294/15/OL. Councillor Fleming had also been directly approached by concerned members of the public.

SA16 DECLARATIONS OF PERSONAL SITE VISITS

There were no declarations of personal site visits.

SA17 MINUTES OF THE MEETING HELD 1 JULY 2015

The Minutes of the meeting held on 1 July 2015 were confirmed as a correct record. A minor typographic error was noted on page B.

SA18 QUESTIONS FROM MEMBERS

None received.

SA19 SCHEDULE OF PLANNING APPLICATIONS

| Application Number | Representations from |
|--------------------|---|
| 0294/15 | Chris Pitt (Parish Council) Andrew Cann (Objector) |
| 1132/15 | Lisa Howard (Objector) Martin Last (Agent) |

Item 1

| | |
|----------------------|--|
| Application Proposal | 0294/15/OL Outline planning application with all matters reserved for residential development, comprising 40 dwellings with a new vehicular access off Thornham Road |
| Site Location | GISLINGHAM – Land to the rear of West View Gardens |
| Applicant | New Hall Properties (Eastern) Ltd |

Chris Pitt, speaking for the Parish Council, stated the development was inappropriate for a small rural village like Gislingham, although he accepted the community would have to accept a share in future housing development in the district. He also noted that another, smaller development (23 dwellings at Chapel Farm Close) had been completed but struggled to sell. In addition, a further 40 houses were a disproportionate increase on the existing 400 dwellings. Mr Pitt further noted that the local school was already up to capacity, and there were hardly any local employment opportunities. Mr Pitt stated a survey undertaken in 2011 when the Parish Plan was drawn up suggested 66% of those surveyed did not feel there was a need for additional housing and at a public meeting to discuss the proposal no one spoke in favour. Mr Pitt concluded that the developer was taking advantage of the lack of the five-year land supply.. Mr Pitt asked the planning permission be refused and the Parish Council allowed time to revise the Parish Plan and look at what type of housing the village needed

Andrew Cann introduced himself as a planning consultant representing a group, 'Guardians of Gislingham'. He referred to a similar application for Planning Permission at Stowupland, which had more merit but was refused. Although Gislingham was designated a primary village it should be allowed to retain its rural charm and character. He advised there were 17 vacant properties in Gislingham, therefore no further housing was required. He stated there were no places available at the local school so new residents would be likely to drive their children to school as there was no reliable bus service running through the village. There were no employment opportunities and new residents would need to commute for work elsewhere, which

would put pressure on local roads. He said any new development would be inherently unsustainable and this should be added as a valid reason for refusal should this case go to an appeal.

The Chairman advised that the Ward Member could not attend the Committee meeting and no statement had been received.

Members considered the application and representations made and requested clarification of various points. While having sympathy with the local concerns regarding sustainability, it was agreed the overriding reason for refusal was the lack of affordable housing and contributions to infrastructure with no evidence that it was not viable to do so. A motion to refuse as per the recommendation was proposed and seconded.

By a unanimous vote.

Decision – That Planning Permission be refused for the following reason:

The proposal fails to make adequate provision/contributions (and/or agreement to provide) for community and other facilities/services for the occupants of the dwellings. The applicants have not entered into the necessary legal agreement, which is required to ensure the following Community Infrastructure Requirements/Facilities are provided:

- The provision of 35% of the dwellings as on site Affordable Housing
- Financial contributions towards Primary School and secondary School places, Libraries and Waste
- Financial contributions towards additional bus stops and improvements to the Public Right of Way network
- Contributions to Community Facilities in particular the Gisingham Silver Band Hut
- A Management Plan to deal with the provision, maintenance and transfer of public open space.

Having regards to the absence of common ground on viability and the absence of a package of agreed Section 106 obligations the proposal is therefore contrary to the NPPF and saved Policy CS6 and saved Altered Policy H4 of the adopted Mid Suffolk Local Plan First Alteration.

Item 2

| | |
|---------------|---|
| Application | 1132/15 |
| Proposal | Change of use of existing buildings to six holiday lets together with ancillary games/office building |
| Site Location | MICKFIELD – Former Mickfield Water Garden Centre, Debenham Road |
| Applicant | Mr M Baker |

It was noted that three additional conditions were recommended in the tabled papers:

- 1) No windows to be inserted in the west elevation of building 2,
- 2) No amplified music outside within the site,

3) Details of all noise emitting equipment/games within the games room to be agreed.

Lisa Howard, an objector, stated she had lived at Silver Birches since August last year and her property shared a boundary with the site. She commented they bought Silver Birches because her family were attracted by the rural and quiet location of the property. They were aware the neighbouring site had been designated for business use previously and operated during normal retail/working hours of 9 am to 5 pm. She was concerned activity at the holiday let site would be all year round and questioned who would monitor the restrictions on hours of use of the games room and outdoor music. She said it had been suggested the games room would be removed from the application and asked whether that was still an option. The proposed games room building was only 9m away from her garden. She was concerned music played after 11pm would have a negative effect on their life and asked who would be responsible for governing conduct at the holiday lets. Ms Howard also pointed out that the proposed location of the bin store was near the border with entrance to Orchard Cottage. Ms Howard also noted there would be potential traffic-related hazards as the drive of holiday lets would be joining a road with a national speed limit. She concluded by saying they would not object if a retail unit was developed on the Water Garden Centre site; however, the proposed holiday lets were likely to result in noise pollution, increased traffic and other security issues.

Martin Last (Agent) informed the Committee that the proposed holiday lets would house a maximum 16 people at any one time. He commented it would be unlikely 16 people would produce excessive volumes of noise. He further commented the development would have many sustainable features (such as a bike shed to minimise use of cars and reduce traffic to/from the site) and would benefit the tourism industry in the area. Traffic would in fact be less than if the site was used for the existing approved use. He noted Mr and Mrs Barker would employ staff to help them run the holiday lets and use local agents to let the units, which created employment and business opportunities. There would be no overlooking and little impact on the existing trees and wildlife. The owners lived only a short distance away and would easily be able to attend to deal with any issues that arose.

Councillor Glen Horn, Ward Member, expressed concerns over the road layout and lack of visibility. There were no safe footpaths and with the local amenities and attractions some distance away, the only option to reach them was by driving. He commented it would be reasonable to consider the Water Garden Centre site for a business or retail use; however, changing the use to holiday lets would mean there would be activity outside normal working hours. The games room and its use late in the evening was also a concern. He also referred to the Balancing Exercise on page 72 of the report and questioned whether an employment opportunity for 2 full-time jobs was enough to justify the holiday lets development and whether it was realistic to expect the owners to be available to address any issues on site at all times. Councillor Horn suggested economic reasons evidenced so far were not enough to justify the change of use – self-catering units would likely benefit supermarkets mostly and not local shops and food outlets. He concluded by saying there were so many conditions attached to the application, it put the sustainability of the holiday lets into question.

Members were generally satisfied with the application with the additional conditions but had some concerns regarding the poor mobile phone coverage in the area and the ability of residents to contact the owners or emergency services. Further concern was

expressed regarding the proposed bin storage area being on the boundary adjoining the neighbouring property. A motion for approval subject to additional conditions to deal with these issues was proposed and seconded.

By a unanimous vote.

Decision – That Full Planning Permission be granted subject to the following conditions:

- Holiday use only, no stay longer than 28 days
- As recommended by the Local Highway Authority
- Ecological mitigation and enhancement
- No use of building 2 between the hours of 9pm and 8am
- Details of sound insulation of building 2
- Use of maintenance track for maintenance vehicles and disabled visitors only
- Tree protection measures
- Details of measures to encourage cycling, walking and use of public transport
- Details of proposed external lighting
- Detail of package treatment plant
- No windows to be inserted in the west elevation of building 2
- No amplified music outside within the site
- Details of all noise emitting equipment/games within the games room to be agreed.
- Scheme of fire and emergency precautions to safeguard future occupants TBA.
- Notwithstanding details on the application bin storage areas to be relocated away from boundary with Orchard Cottage.