

Public Document Pack



COMMITTEE: **PLANNING COMMITTEE**

VENUE: **King Edmund Chamber -
Endeavour House, 8 Russell
Road, Ipswich**

DATE: **Wednesday, 19 September 2018
9.30 am**

Conservative Group	Independent Group	Independent Conservative Group	Liberal Democrat Group	Labour Group	Babergh Unionists Group
Peter Beer - C Michael Creffield Michael Holt - VC Jennie Jenkins Adrian Osborne Lee Parker Ray Smith	Clive Arthey Stephen Plumb David Rose	John Hinton	David Busby	Luke Cresswell	Sue Burgoyne

The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and the press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Committee Clerk.

AGENDA

PART 1

ITEM	BUSINESS
-------------	-----------------

Page(s)

1 SUBSTITUTES AND APOLOGIES

Any Member attending as an approved substitute to report giving his/her name and the name of the Member being substituted.

To receive apologies for absence.

2 DECLARATION OF INTERESTS

Members to declare any interests as appropriate in respect of items to be considered at this meeting.

3 PL/18/10 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 22 AUGUST 2018

1 - 6

4 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME

5 **SITE INSPECTIONS**

In addition to any site inspections which the Committee may consider to be necessary, the Corporate Manager – Growth and Sustainable Planning will report on any other applications which require site inspections.

The provisional date for any site inspections is Wednesday 26 September 2018.

6 **PL/18/11 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE** 7 - 10

An Addendum to Paper PL/18/11 will be circulated to Members prior to the commencement of the meeting summarising additional correspondence received since the publication of the agenda but before 12 noon on the working day before the meeting, together with any errata.

a **DC/18/03314 Hadleigh Pool and Leisure, Stonehouse Road, Hadleigh** 11 - 20

b **DC/18/02573 94 High Road, Leavenheath** 21 - 28

Notes:

1. The next meeting is scheduled for Wednesday 17 October 2018 commencing at 9.30 a.m.
2. Where it is not expedient for plans and drawings of the proposals under consideration to be shown on the power point, these will be displayed in the Council Chamber prior to the meeting.
3. The Council has adopted Public Speaking Arrangements at Planning Committees, a link is provided below:

<https://babergmidsuffolk.moderngov.co.uk/documents/s11535/20161130BDCPublicSpeakingArrangementsADOPTED30112016.pdf>

Those persons wishing to speak on an application to be decided by Planning Committee must register their interest to speak no later than **two clear working days before the Committee meeting**, as detailed in the Public Speaking Arrangements (adopted 30 November 2016).

The registered speakers will be invited by the Chairman to speak when the relevant item is under consideration. This will be done in the following order:

A representative of the Parish Council in whose area the application site is located to express the views of the Parish Council;

- An objector;
- A supporter;
- The applicant or professional agent / representative;
- County Council Division Member(s) who is (are) not a member of the Committee on matters pertaining solely to County Council issues such as highways / education;
- Local Ward Member(s) who is (are) not a member of the Committee.

Public speakers in each capacity will normally be allowed **3 minutes** to speak.

Local Ward Member(s) who is (are) not a member of the Committee are allocated a maximum of **5 minutes** to speak.

Introduction to Public Meetings

Babergh/Mid Suffolk District Councils are committed to Open Government. The proceedings of this meeting are open to the public, apart from any confidential or exempt items which may have to be considered in the absence of the press and public.

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact the Governance Officer on: 01473 296372 or Email: Committees@baberghmidsuffolk.gov.uk

Domestic Arrangements:

- Toilets are situated opposite the meeting room.
- Cold water is also available outside opposite the room.
- Please switch off all mobile phones or turn them to silent.

Evacuating the building in an emergency: Information for Visitors:

If you hear the alarm:

1. Leave the building immediately via a Fire Exit and make your way to the Assembly Point (Ipswich Town Football Ground).
2. Follow the signs directing you to the Fire Exits at each end of the floor.
3. Do not enter the Atrium (Ground Floor area and walkways). If you are in the Atrium at the time of the Alarm, follow the signs to the nearest Fire Exit.
4. Use the stairs, not the lifts.
5. Do not re-enter the building until told it is safe to do so.

This page is intentionally left blank

Agenda Item 3

BABERGH DISTRICT COUNCIL

BABERGH PLANNING COMMITTEE

MINUTES OF THE MEETING OF THE BABERGH PLANNING COMMITTEE HELD IN KING EDMUND CHAMBER - ENDEAVOUR HOUSE, 8 RUSSELL ROAD, IPSWICH ON WEDNESDAY, 22 AUGUST 2018

PRESENT: Peter Beer - Chairman

Clive Arthey
Sue Burgoyne
John Hinton
Jennie Jenkins
Lee Parker
David Rose

Sue Ayres
David Busby
Michael Holt
Adrian Osborne
Stephen Plumb
Ray Smith

Michael Creffield and Luke Creswell were unable to be present:

26 SUBSTITUTES

It was noted that in accordance with Committee and Sub-Committee Procedure Rule No 20, a substitute was in attendance as follows:-

Sue Ayres (substituting for Michael Creffield)

27 DECLARATION OF INTERESTS

Councillor Dave Busby declared a local non-pecuniary interest in Application No DC/18/00978 (Item 2 of Paper PL/18/9) in his capacity as a Trustee of the Capel St Mary Community Trust. He subsequently stated that he would not vote on the Item.

Councillor David Rose declared a local non-pecuniary interest in Application No DC/18/1384 (Item 1 of Paper PL/18/9) in his capacity as the Council's representative on the Suffolk Coast and Heaths AONB Joint Advisory Committee and Partnership.

28 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME

None received.

29 SITE INSPECTIONS

Jennie Jenkins, Ward Member for Leavenheath, had requested a site inspection in respect of Application No DC/18/02573 – erection of outbuilding, 94 High Road Leavenheath for Members to see the context of the site. The Case Officer, Mark Brands provided a mini-presentation.

The Chairman advised Members that the Ward Member had also made a request for referral to Committee and that although the request had not met the Delegation Panel criteria, the application was considered to be controversial and would be referred to Committee on that basis.

It was RESOLVED

- (1) That a site inspection be held on Wednesday 29 August 2018 in respect of Application No DC/18/02573 – erection of outbuilding following removal of existing aviary and shed, 94 High Road Leavenheath.**
- (2) That a Panel comprising the following Members be appointed to inspect the site:**

**Clive Arthey
Peter Beer
Sue Burgoyne
David Busby
Michael Creffield
Luke Cresswell
John Hinton**

**Jennie Jenkins
Michael Holt
Adrian Osborne
Lee Parker
Stephen Plumb
David Rose
Ray Smith**

30

PL/18/9 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Members had before them a statement from Gordon Jones, the Suffolk County Councillor for Samford Division (circulated to Members the day before the meeting) which related to Item 2 of Paper PL/18/9.

In accordance with the Council's arrangements for Public Speaking at Planning Committee, representations were made as detailed below relating to the items in Paper PL/18/9 and the speakers responded to questions put to them as provided for under those arrangements.

Application No.

Representations from

DC/18/01384

Richard Lingard (Objector)
Shane Rolin (Objector)
Tom Clayton (Objector)
Peter Stebbings (on behalf of the Applicant)

DC/18/00978

Christine Matthews (Parish Council)
Paul Holland (Objector)
Maggie Boswell (Supporter)
Apostolos Petrakis (Agent for the Applicant)
Revd Andrew Sankey (Applicant – to answer questions)
Sue Carpendale (Ward Member)

It was RESOLVED

That subject to the imposition of conditions or reasons for refusal (whether additional or otherwise) in accordance with delegated powers under Council Minute No. 48(a) (dated 19 October 2004) decisions on the items referred to in Paper PL/18/9 be made as follows:-

a **SHOTLEY**

Application No. DC/18/01384/FUL Paper PL/18/9 – Item 1	Full Application – Alterations to the Pier including provision of two buildings for Community / Volunteer facility, Shotley Pier, Queen Victoria Drive.
---	--

Samantha Summers, Development Management Planning Officer in introducing this item, advised Members that there were no updates to the report. She referred to the controversial nature of the application which had attracted some 37 objections, and 1 representation in support, and to the community involvement in the project to restore the Pier. In response to a Member's question, she confirmed that the seating plan was indicative.

It was noted by Members that, on the advice of the Monitoring Officer, neither of the Ward Members was present due to their interests as shareholders of the Shotley Heritage Charitable Benefit Society Ltd (the Applicant).

Following a wide-ranging debate on the considerations to be taken into account, as set out in the report and from the public speaking, the officer recommendation of approval subject to conditions was moved but was lost on being put to the vote.

The Members who had voted against the motion identified their reasons, together with the policy references, which were based upon the harm to the landscape and character of the area which they considered would not be outweighed by the benefits of the development. A motion to refuse was then proposed and seconded based on the above.

It was RESOLVED

That authority be delegated to the Corporate Manager – Growth and Sustainable Planning to refuse planning permission for reasons including the following:

- 1. Policies CNo1, RE06, RE14 and CS15 of the Development Plan, alongside Paragraph 127 of the NPPF, require new development to respect and conserve the landscape qualities of an area (and in this instance the Stour and Orwell estuaries), and to provide an acceptable standard of design in that respect.**
- 2. The development would, by virtue of its siting, scale, and form, harm the landscape character of the area, public views in and out of the area, and the character of the Stour and Orwell estuaries, contrary to the aforementioned policies and where the harm identified would not be outweighed by the benefits of the development.**

b CAPEL ST MARY

Application No DC/18/00978/FUL Paper PL/18/9 – Item 2	Full Application – Application for replacement church building with multi-functional use spaces for church groups and the community, a commercial kitchen, office, plant, WC and storage. The first floor will include the main worship space, a secondary kitchen, meeting, WC and storage spaces, Methodist Church, The Street.
--	--

The Case Officer, Samantha Summers in introducing this item corrected an error in the report in relation to the Post Office which had moved to the Co-op from its previous location diagonally opposite the Church.

Following the decision to defer consideration at the meeting on 16 May pending the receipt of further information, the Case Officer showed slides demonstrating the extent of daylight loss to No 48 The Street at various times during the day and the year, which indicated some extra shadowing at 9 a.m., which was gone by midday. She also showed drawings which illustrated the comparison in height between the front section of the existing building and the proposed development.

Members were aware that the highway authority had not objected to the application subject to the proviso that the maximum capacity would be unchanged and limited by condition. The officer recommendation for approval subject to conditions was moved, with the addition of a further condition to limit the maximum patron capacity to 222, as at present. The motion was lost on being put to the vote.

A motion to refuse permission was then moved and carried, for reasons relating to the unacceptable amenity impacts which the proposed building, including its size and design, would have on the adjacent property, contrary to Policy CN01 and the NPPF.

It was RESOLVED

That authority be delegated to the Corporate Manager – Growth and Sustainable Planning to refuse planning permission for reasons including:-

- 1. Good design is a key component of sustainable development and safeguarding amenity is an element of good design, in accordance with the NPPF, and Policy CN01 of the Development Plan which requires all development to be of an appropriate scale, form and detailed design: particular attention must be paid to the nature of adjacent development.**
- 2. The proposed development would, by virtue of its siting, scale, form and detailed design, represent an overdevelopment of the site that would pose unacceptable amenity impacts (including lighting and outlook) to the residents of 48 The Street, contrary to the aforementioned policies.**

Note:

Following his earlier declaration of a non-pecuniary interest in this item, Councillor Busby stated that after speaking during the debate in relation to some possible parking arrangements which might be agreed between the Capel Community Trust and the Methodist Church, he would not vote on this item, and he did not do so.

c SADBURY

Application No DC/18/02061/FUL Paper PL/18/9 – Item 3	Full Application – Erection of two-storey extension to provide two dance studios and single-storey extension to provide storage, Kingfisher Leisure Centre, Station Road.
--	--

Steven Stroud, Strategic Projects and Delivery Manager introduced this item, which was to be considered at Committee because Babergh District Council is the Applicant. No objections had been received, and neither of the Ward Members had commented.

It was RESOLVED

That authority be delegated to the Corporate Manager – Growth and Sustainable Planning to grant planning permission subject to conditions including:-

- **Standard Time Limit (3 years)**
- **Approved Plans**
- **Surface Water Drainage Strategy**

31 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 25 JULY 2018

Members had before them the Minutes of the meeting held on 25 July 2018, which had been circulated to Members the day before the meeting.

It was RESOLVED

That the public Minutes of the meeting held on 25 July 2018 be confirmed and signed as a correct record.

32 EXCLUSION OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)

It was RESOLVED

That, pursuant to Part 1 of Schedule 12A of the Local Government Act 1972, the public be excluded from the meeting for the business specified below on the grounds that if the public were present during this item, it is likely that there would be the disclosure to them of exempt information as indicated against the item.

The Committee was also satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

33 TO CONFIRM CONFIDENTIAL MINUTE NO 24 OF 25 JULY 2018 MEETING
(Exempt information by virtue of Paragraphs 3 and 5 of Part 1)

It was RESOLVED

That Confidential Minute No 24 of the Planning Committee Meeting held on 25 July 2018 be confirmed and signed as a correct record.

Note:

The meeting adjourned at 12.25 p.m. for a short comfort break following the conclusion of the item referred to in Minute No 30 b above.

The business of the meeting was concluded at 12.50 p.m.

.....

Chairman



PL/18/11

BABERGH DISTRICT COUNCIL

PLANNING COMMITTEE

19 SEPTEMBER 2018

SCHEDULE OF APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Item	Page No.	Application No.	Location	Officer	Decision
------	----------	-----------------	----------	---------	----------

APPLICATIONS REQUIRING REFERENCE TO PLANNING COMMITTEE

1.	11-20	DC/18/03314	HADLEIGH – Hadleigh Pool and Leisure, Stonehouse Road	GP	
2.	21-28	DC/18/02573	LEAVENHEATH – 94 High Road	MB	

Philip Isbell
Corporate Manager – Growth and Sustainable Planning

BABERGH DISTRICT COUNCIL

PLANNING COMMITTEE

SCHEDULE OF APPLICATIONS MADE UNDER THE TOWN AND COUNTRY PLANNING ACT 1990, AND ASSOCIATED LEGISLATION, FOR DETERMINATION OR RECOMMENDATION BY THE PLANNING COMMITTEE

This Schedule contains proposals for development which, in the opinion of the Corporate Manager – Growth and Sustainable Planning, do not come within the scope of the Scheme of Delegation to Officers adopted by the Council or which, although coming within the scope of that scheme, she/he has referred to the Committee to determine.

Background Papers in respect of all of the items contained in this Schedule of Applications are:

1. The particular planning, listed building or other application or notification (the reference number of which is shown in brackets after the description of the location).
2. Any documents containing supplementary or explanatory material submitted with the application or subsequently.
3. Any documents relating to suggestions as to modifications or amendments to the application and any documents containing such modifications or amendments.
4. Documents relating to responses to the consultations, notifications and publicity both statutory and non-statutory as contained on the case file together with any previous planning decisions referred to in the Schedule item.

DELEGATION TO THE CORPORATE MANAGER - GROWTH AND SUSTAINABLE PLANNING

The delegated powers under Minute No 48(a) of the Council (dated 19 October 2004) includes the power to determine the conditions to be imposed upon any grant of planning permission, listed building consent, conservation area consent or advertisement consent and the reasons for those conditions or the reasons to be imposed on any refusal in addition to any conditions and/or reasons specifically resolved by the Planning Committee.

PLANNING POLICIES

The Development Plan comprises saved policies in the Babergh Local Plan adopted June 2006. The reports in this paper contain references to the relevant documents and policies which can be viewed at the following addresses:

The Babergh Local Plan: <http://www.babergh.gov.uk/planning/planning-policy/adopted-documents/babergh-district-council/babergh-local-plan/>

National Planning Policy Framework:

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

LIST OF ABBREVIATIONS USED IN THIS SCHEDULE

AWS	Anglian Water Services
CFO	County Fire Officer
LHA	Local Highway Authority
EA	Environment Agency
EH	English Heritage
NE	Natural England
HSE	Health and Safety Executive
MoD	Ministry of Defence
PC	Parish Council
PM	Parish Meeting
SPS	Suffolk Preservation Society
SWT	Suffolk Wildlife Trust
TC	Town Council

This page is intentionally left blank

Agenda Item 6a

Committee Report

Item No: 1

Reference: DC/18/03314

Case Officer: Gemma Pannell

Ward: Hadleigh South

Ward Members: Cllr Sue Burgoyne, Cllr Kathryn Grandon

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Planning Application. Erection of extension to swimming pool, erection of connecting corridor and demolition of existing pool hall

Location

Hadleigh Pool and Leisure, Stonehouse Road, Hadleigh Ipswich Suffolk IP7 5BH

Parish: Hadleigh

Expiry Date: 18/09/18

Application Type: FUL - Full Planning Application

Development Type:

Applicant: Babergh District Council

Agent: Brooks Architects

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee as Babergh District Council is the applicant.

Details of Previous Committee/Resolutions and Member Site Visit

None.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

Babergh Core Strategy 2014:

- CS1 Applying the Presumption in Favour of Sustainable Development in Babergh
- CS6: Hadleigh
- CS12 Sustainable Design and Construction Standards
- CS15 Implementing Sustainable Development in Babergh

Relevant saved policies of the Babergh Local Plan (Alteration No.2) 2006:

- CN01 Design Standards
- CN08 Conservation Areas
- CR07 Landscaping
- EN22 Outdoor Lighting
- RE01 Sports Facilities

- TP15 Parking Standards for New Developments

Relevant Supplementary Planning Document:

- Suffolk Adopted Parking Standards (2015)

Suffolk Design Guide

National Planning Policy Framework (NPPF)

Consultations and Representations

During the course of the application consultation and representations from third parties have been received. These are summarised below.

A: Summary of Consultations

Hadleigh Town Council

Approve.

BMSDC Heritage

Summary: The Heritage Team considers the proposal would cause a low level of less than substantial harm to designated heritage assets.

The issues of heritage concern relate to the potential impact of the proposals on the character and appearance of the conservation area, as well as the setting of listed buildings, including the GII* East House to the north west and the GII 40-42 George Street to the north.

Pre-application advice was sought on the scheme and the current application is broadly representative of those discussions, with minor changes to the form of the brick and rendered corridors to the south east and some external finishes. Within the initial pre-application response, the Heritage Team considered that there would be a moderate level of harm to the designated heritage assets and in particular has reservations about the relocation of the pool building to the west of the existing leisure building. In addition, there was concern regarding the visual impact of the air handling units being exposed in their existing position which are currently partially screened between the pool and leisure building.

The Heritage Team maintains the view that the relocation of the pool building to the west would cause a low level of harm to the character of the conservation area and setting of neighbouring listed buildings. The proposal is of considerable scale and massing, and the repositioning of the pool building would encroach towards the immediate setting of the GII* East House to the north west and erode the glimpsed views through the conservation area from George Street at the north, into the former potential historic parkland; a feature which contributes positively to the character of the area.

Amendments to the design including the brick panelling in combination with the rendered exterior finishes, aid the breaking-up of the proposed building's mass, as well as providing a softer tonality to relate to its environment. One area where an existing brick panel to the single-storey element of the north east elevation has been removed and now appears to be only render. The existing brick panel should be retained here to give a coherent approach and articulate all elevations in a similar way to the proposed pool building, reducing the massing of the building as a whole (particularly here where the air handling units are positioned and viewed above). Louvred screening has been proposed to the single-storey flat roof to disguise the air handling units. Whilst this approach at first floor level would appear somewhat incongruous and 'retrofitted', it would provide a less industrial appearance to this area, subject to appropriate detailing which should be controlled by condition.

The Heritage Team therefore concludes that the proposal would cause a low level of less than substantial harm to designated heritage assets and therefore recommends that the public benefits be weighed against the level of harm, in accordance with NPPF 196.

Should the LPA be minded to approve the application, the following conditions should be applied:

- Material details and manufacturer's literature.
- Brick panel of no less than 1m square to be inspected, approved and retained on site for the duration of the build.
- Large scale elevation drawings of all proposed windows, doors and rooflights.
- Detailed section drawings at 1:10 of the eaves and verges.
- Large scale elevation drawings of the air handling unit louvred screen, including materials, colours and finishes.
- Lighting scheme and manufacturer's specification of units.
- Schedule, external location and manufacturer's specification of all proposed air handling units, ductwork, extractor fans and attenuators.

BMSDC Air Quality

No objection.

BMSDC Land Contamination

I have reviewed the RSA Geotechnics Report supporting the application and can confirm that I am in agreement with the findings of the report that the risks posed by the former uses of the site is sufficiently low for the development to progress without condition. I have no objection to the proposed development. I would only request that we are contacted in the event of unexpected ground conditions being encountered during construction and that the developer is made aware that the responsibility for the safe development of the site lies with them.

BMSDC Economic Development

No objection. The application for improvements to the existing leisure complex in Hadleigh will ensure that this important facility will be able to cope with additional growth in Hadleigh.

The leisure complex provides valuable local job opportunities as well as a venue for training/meetings that is available for hire by local organisations and businesses.

BMSDC Environmental Health

I can confirm with respect to noise and other environmental health issues that I do not have any adverse comments and no objection to the proposed development.

Due to the nature of demolition and construction sites, however, and the impact on amenity of nearby residential premises for a long period of time, I would recommend that a condition limiting the operating hours of the demolition and construction to 08.00 – 18.00 hours Monday – Friday and 0800 – 13.00 hours Saturdays, with no work to take place on Sundays or Bank Holidays.

I would also recommend that all demolition materials are properly disposed of and that burning material on site is prohibited.

Reason. To prevent any adverse impacts on the quality of life and health of existing occupiers of nearby residential premises.

Hadleigh Society

No objection subject to ensuring that the exterior wall and roofing materials do match those used on the Leisure Centre building. It is also an opportunity to enhance the Complex's setting within the park with new landscaping of shrubs and medium sized trees on its south western and south eastern elevations

B: Representations

None received.

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1 The site is located on the southern side of Stonehouse Road, east of the town centre of Hadleigh. The site, occupied by the Hadleigh Pool and Leisure Centre, is set within 1.5ha of landscaped parkland. The leisure centre comprises a pool building, erected in the 1970s, and a two storey community and leisure centre building erected in 2012.
- 1.2 Beyond the park to the west and south is residential development. A public car park is to the northeast which serves as the principal parking area for the facility, and to the east is St Mary's Primary School.
- 1.3 The site is located in the Town Centre Conservation Area. The buildings occupying the site are not listed. Numerous Grade II listed buildings front George Street north of the site. Two Grade II* listed buildings are also located to the north on George Street (48 George Street and East House).
- 1.4 The main vehicular and pedestrian access to the site is via Stonehouse Road, the existing access road from George Street.
- 1.5 The application site comprises approximately 0.4ha of land. The site is located in Flood Zone 1.

2. The Proposal

- 2.1. The application seeks full planning permission for the demolition of the pool building west of the centre and construction of a new pool building north of the centre. The pool building will be attached to the centre and will house a 25m x 10.5m community pool and associated utility rooms, e.g. change rooms, store, sauna etc.
- 2.2 The proposed pool building is single storey. The design, including finishing materials, takes its cues from the adjacent 2012 leisure centre, including a mono pitched roof, mix of render and red brick finishing.
- 2.3 There are no changes proposed to existing operating hours, number of staff, number of likely patrons or parking provision. The lighting scheme shall be designed to 5 Lux average (2Lux minimum) with a vertical luminance of the building of not more than 5 Lux (after 10.00 pm). No significant tree removal is proposed. Signage does not form part of the application.
- 2.4 The application is supported by a comprehensive suite of technical documents, including planning, design and access statement, ventilation strategy, financial statement, Hadleigh lighting impact assessment, waste management plan, community engagement plan and utilities assessment.

3. The Principle of Development

- 3.1 The applicant has undertaken extensive pre-application engagement with Council planning officers as well as the proposal being subject to extensive community consultation.

- 3.2 Paragraph 91 of the NPPF states that decisions should aim to achieve healthy, inclusive and safe places which, amongst other matters, enable and support healthy lifestyles, for example through the provision of sports facilities. Paragraph 92 seeks to provide the social, recreational and cultural facilities and services the community needs, stating that decisions should ensure that facilities are able to develop and modernise, and are retained for the benefit of the community.
- 3.3 Policy CS6 of the 2014 Strategy sets out the overarching strategy for Hadleigh, stating it will be promoted as a visitor attraction and a wide range of diverse uses and facilities will be encouraged.
- 3.4 Policy RE01 of the 2006 Local Plan supports and encourages sports facilities where there are 'no overriding problems of traffic, and no adverse effects on landscape character, cultural heritage, biodiversity, residential amenity and the environment'.
- 3.5 The principle of retaining and upgrading a local recreational community asset furthers national policy intent and is consistent with local planning policy. The proposal supports paragraphs 91 and 92 of the NPPF and furthers the intent of Policy CS6 and RE01 of the 2014 Strategy and 2006 Local Plan respectively.
- 3.6 With the principle accepted, the key issues for determination are the impacts on the heritage character of the area and residential amenity.

4. Heritage Character

- 4.1 Policy CS15 seeks to ensure all new development makes a positive contribution to the local character, shape and scale of the area.
- 4.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to the desirability of preserving listed buildings and their setting which is of considerable weight and importance.
- 4.3 Policy CN08 states that alterations in a conservation area should, amongst other matters, be of an appropriate scale, form, and detailed design to harmonise with its setting and use materials and components that complement or harmonise with the character and appearance of the area.
- 4.4 Paragraph 192 of the NPPF states that in determining planning applications, local planning authorities should take account of:
 - the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness.
- 4.5 Paragraph 191 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 4.6 Council's Heritage Officer is generally supportive of the proposal albeit noting that the development would cause a 'low level of less than substantial harm to designated heritage assets'. The Heritage Officer acknowledges the public benefits and that these be weighed against the level of harm, in accordance with paragraph 196.

- 4.7 The pool building that is to be demolished is unremarkable in appearance and arguably detracts from, and undermines, the heritage qualities of the parkland setting. The area where the pool building currently sits will be reinstated with grass to match the manicured park. The proposed building is single storey, much lower than the existing pool building. The development will have a far more comfortable visual relationship with the leisure centre, and broader park, than the existing building. These are positive heritage character outcomes.
- 4.8 On balance, it is considered that the significant community benefit brought about by the upgrade of a tiring recreational asset outweighs the limited harm to the conservation area and nearby designated heritage assets.

5. Design and Layout

- 5.1 Paragraph 127 of the NPPF states that decisions should ensure that developments, amongst other things, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and are sympathetic to local character. The scheme accords with this national policy intent. The adopted architecture is appropriate, matching the existing 2012 development. Landscaping is proposed to soften the development and generally enhance the landscape setting. Landscape details are most appropriately secured by planning condition. The built form is subordinate to the main building, does not compete with it or its wider environs. The proposal raises no issues with regard to design and layout.

6. Residential Amenity

- 6.1 The substantial separation distances to neighbouring residential properties will ensure residential amenity is safeguarded. There will be no change in operating hours nor increase in traffic generation or parking demand. The lighting scheme shall be designed to 5 Lux average (2Lux minimum) with a vertical luminance of the building of not more than 5 Lux (after 10.00 pm). There will be no up lights. It is noted that the application has not attracted any resident objections.
- 6.2 The above said, in line with the recommendation of the Environmental Health Officer and given the established residential properties at the park periphery, it is appropriate to limit construction and demolition working hours and this will be managed by planning condition.

7. Vehicle Access, Parking and Highway Safety Considerations

- 7.1 No changes are proposed to either the vehicle access or existing level of parking provision. As there is no change proposed to the likely quantum of patrons visiting the facility, or change in staffing number, the proposal is unlikely to impact in any material way existing parking levels or traffic flows.

8. Land Contamination

- 8.1 Environmental Health do not raise an objection to the scheme on land contamination grounds.

9. Ecology

- 9.1 There is nothing to suggest that the development will result in adverse ecological impacts, noting there is no loss of significant vegetation and the building to be removed is highly unlikely to contain roosting bats.

PART FOUR – CONCLUSION

10. Planning Balance and Conclusion

- 10.1 The principle of upgrading a valued community asset so that it can be enjoyed for future generations is well supported at national and local policy level. The architecture is modern yet suitably restrained, to match the existing leisure centre building. The single storey scale is subordinate to the double storey centre building. The removal of the 1970s pool building, of unremarkable appearance, is a positive character outcome. Any harm to designated heritage assets will be minimal and outweighed by the substantial community benefit brought about by the upgrade of a community asset.
- 10.2 Residential amenity, highway safety, ecology and contamination are all matters that are acceptable and do not require special attention by way of controlling conditions. Archaeology and landscaping will be required by planning condition.
- 10.3 The development has not attracted a single resident objection and both the Town Council and Hadleigh Society have submitted in express support of the scheme.
- 10.4 The scheme represents sustainable development, in support of local policies and the NPPF. The proposal warrants a positive recommendation.

RECOMMENDATION

That the Corporate Manager – Planning for Growth be authorised to grant Planning Permission subject to conditions including:

- Standard time limit
- Accord with approved plans
- Prior to commencement of development written scheme of investigation for archaeological works to be agreed and implemented
- Prior to occupation the site investigation and post investigation assessment has been agreed.
- Detailed soft landscaping plan and specification to be agreed
- Implement soft and hard landscaping as agreed
- Construction and demolition working hours to be between 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 Saturdays, no works on Sundays or bank holidays




This page is intentionally left blank

Application No: DC/18/03314




Parish: Hadleigh



Location: Hadleigh Pool and Leisure, Stonehouse Road

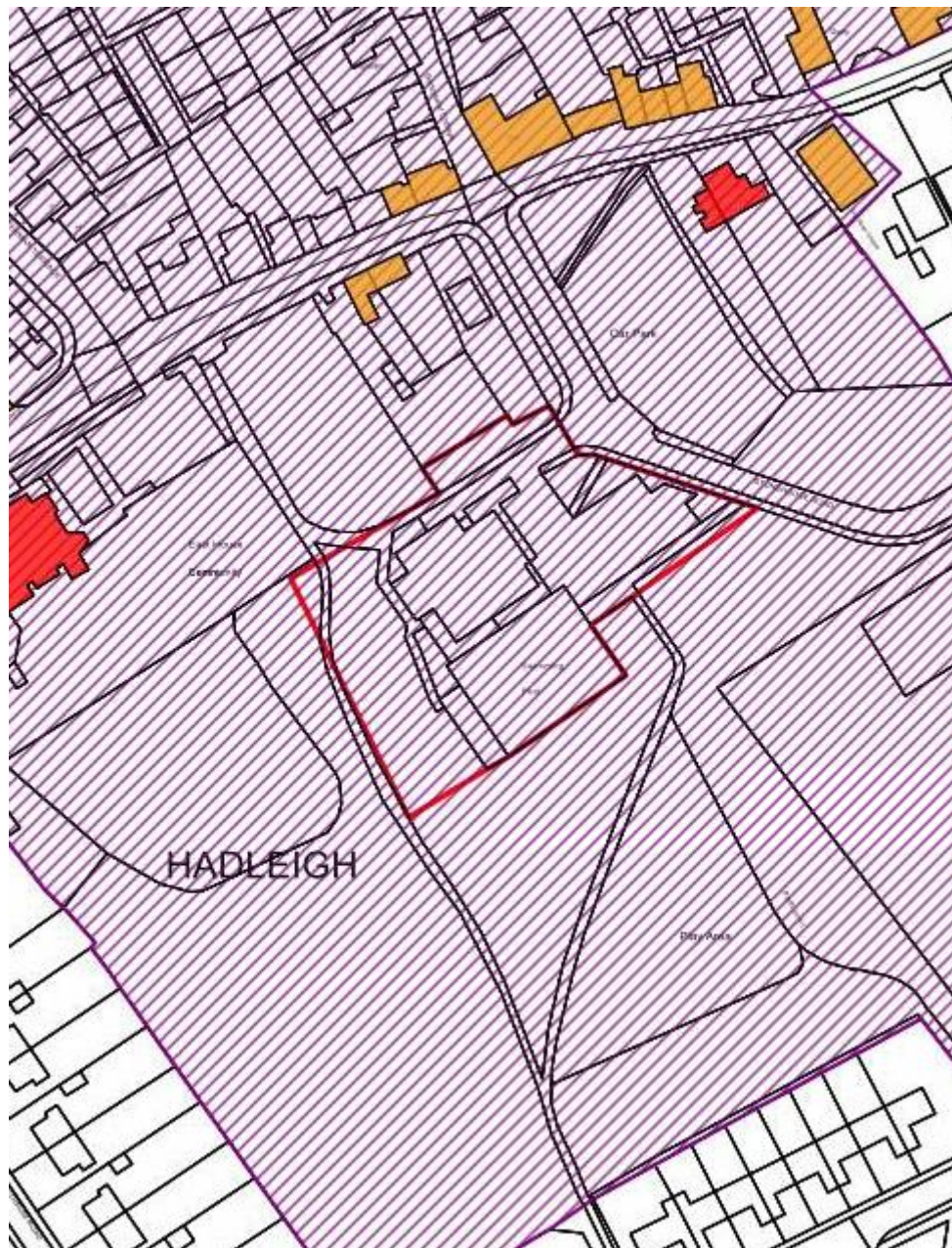
Legend

-  Area of Outstanding Natural Beauty
-  Special Landscape Area
-  Conservation Area

Listed Buildings

-  Grade 1
-  Grade 2
-  Grade 2 *

-  The Site
-  Built up Area Boundary



This page is intentionally left blank

Agenda Item 6b

Committee Report

Item No: 2

Reference: DC/18/02573
Case Officer: Mark Brands

Ward: Leavenheath.

Ward Member/s: Cllr Jennie Jenkins.

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Householder Planning Application - Erection of outbuilding following removal of existing aviary and shed.

Location

94 High Road, Leavenheath, Colchester, Suffolk CO6 4PE

Parish: Leavenheath

Expiry Date: 02/08/2018

Application Type: HSE - Householder Planning Application

Development Type: Householder

Applicant: Ms S Viner

Agent: Mr Brian Letham

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason/s:

The Corporate Manager for Sustainable Growth and Planning considers the application to be of a controversial nature having regard to the extent and planning substance of comments received from third parties and Parish Council.

Details of Previous Committee / Resolutions and any member site visit

A panel of committee members visited the site on Wednesday 29th August 2018.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

Babergh Local Plan Alteration No. 1 – Policy CN01 (Maintaining Local Distinctiveness)

“All new development proposals will be required to be of appropriate scale, form, detailed design, and construction materials for the location.”

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

A: Summary of Consultations

Suffolk County Council Highways

“The current proposal would not have any severe impact on the highway network in terms of vehicle volume or highway safety. Therefore, Suffolk County Council does not wish to restrict the grant of permission.”

Leavenheath Parish Council

“With respect to the above planning permission, Leavenheath Parish Council object.

We objected when it was 2.5m high, and do so again at the proposed 4m high application.

The design and materials will have a considerable impact on the amenity of the neighbouring properties. The alterations and scale from the previous application are an overdevelopment of the site.”

B: Representations

Objections have been raised by three neighbouring properties, 75, 90 & 92 High Road. Key issues raised from neighbour responses are as below;

Negative impact to the streetscene
Scale/height inappropriate and overbearing
Out of kilter with the neighbourhood
What will the outbuilding be used for
Lack of detailed design with the plans
Crowding of the site
Loss of views and reduction of daylight

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

The application site is a brick two storey dwelling located on a corner plot fronting High Road, with Heathlands Road running to the side and rear of the property. There is a hedgerow border on the front and side boundaries forming the junction, with a brick wall enclosing the rear garden. The amenity space afforded to the property is significantly larger than the two neighbouring properties.

The site is within the built up area boundary, adjacent to Heathlands Road and on the opposite side of this road is open countryside with a mixture of trees and shrubs adjacent to the road. The existing development is comprised of staggered diagonal development with a mixture of materials, including brick, render and cladding. The properties on both roads have linked garage extensions with the adjoining properties.

94 High Road benefits from being a corner plot, as such has amenity space to the front, side and rear with a site area of 0.09 ha. The cumulative amenity space is subsequently notably larger than the neighbouring two properties which have smaller amenity areas.

2. The Proposal

The proposal as presented to Committee is for the erection of a detached outbuilding. The maximum height will be 3.5m (2.5m to the eaves), with a depth of 3.5m, and width of 9.7m (with an overhanging roof), and will be positioned 1m from the rear boundary wall.

Following representations and as a result of officers own assessment of the original proposal amendments to the appearance and form of the initially submitted building were required. The scheme now before members is the product of that negotiation.

In essence the proposed building now has a lower ridge height [own from 4m to 3.5m], a roof that has been turned through 90 degrees to reduce its visual impact and to avoid the disruptive proportions of the earlier asymmetrical roof as seen from the adjacent road and a footprint that has been pulled away from both adjoining boundaries. The Committee presentation will illustrate these changes and the amenity and aesthetic improvements that have flowed as a result.

The materials will be red facing brickwork on the exterior walls and white UPVC fenestration (same as host dwelling) with a slate roof

3. The Principle Of Development

There has been a previous approval for an outbuilding to the rear of 94 Heathlands under DC/18/00483.

The previous dimensions of the outbuilding had a front width of 11.940m, with a reduced width of 10.150 from the rear, and a depth of 3.5m (with 0.5m overhang roof) the maximum height was 2.55m.

A non-material amendment was subsequently applied for under DC/18/02336 which was refused as the amendments went beyond what could reasonably be classed as non-material. The amended plans submitted under the NMA was subsequently applied for under the current planning application.

The principle of an outbuilding for purposes incidental to the enjoyment of the main dwellinghouse in a location within a settlement boundary is acceptable.

In many instances the erection of an outbuilding would constitute “permitted development”.

4. Site Access, Parking And Highway Safety Considerations

No objections raised by the County Highways department, the outbuilding will be ancillary to the host dwelling and will not result in an intensification of use.

5. Design And Layout [Impact On Street Scene]

The proposed outbuilding will be visible from Heathlands Road, from the rear of the property. The streetscene is characterised by gable ends facing towards the street. The amended design received for the proposed outbuilding will maintain this vernacular, and architectural design as viewed in the context of the wider streetscene.

The height is not considered to be disproportionate in the context of the streetscene, with the neighbouring garages at a higher scale than the proposed outbuilding, the footprint is not considered to constitute in overdevelopment of the site, with sufficient amenity space around the host dwelling to accommodate the proposed outbuilding. The siting will be set back from the rear boundary by 1m, to avoid surface water run-off into neighbouring properties.

The building now has acceptable proportions with a ridge that runs parallel with the longest dimension. This means the span of the roof has been narrowed and as a consequence the ridge height has been reduced. Previously the ridge ran across the width of the building rather than the length and this combined with an asymmetrical pitch resulted in a visually disturbing over-spanned gable to the street.

While concerns have been raised over the quality of the plans provided, they are now an acceptable standard, and at a scale of 1:50 with annotated dimensions.

6. Impact On Residential Amenity

Concerns have been raised regarding impact to neighbouring amenity. This report looks at the relevant amenity consideration in turn.

Disturbance/Noise:

The building is intended for use as a fitness-room for the use of the occupiers of the host dwelling. There is no intrinsic reason why such equipment would generate undue disturbance to adjacent occupiers. In reality many people have such equipment set-up in spare rooms within their homes. [whether detached, semi detached or terraced]. Keeping fit is increasingly becoming part of people's lives. This is not a commercial proposal and as such there will be no to and fro of clients. The domestic nature of the use can be conditioned. Therefore the resultant activity will be as expected from any garden

Lighting:

There is no reason why ordinary domestic lighting within the building should pose any greater threat to amenity than similar lighting within houses on the wider estate. External lighting can be controlled by condition.

Overlooking/ Loss of privacy:

The outbuilding is single storey in form and as such there is no risk of significant overlooking into adjacent properties. In many ways such a risk is reduced within the building compared to people standing in the garden in an equivalent position and looking over the boundary wall/fence. Any suggestion that permitting this building will create a problem of loss of privacy to first floor bedrooms in adjacent houses is not credible. The distances and angles are such that anyone already standing in the garden would have a similar opportunity to look upwards towards upper floors windows in adjacent properties. From one's own day to day experience it is clear that this does not result in a realistic opportunity to 'view in' . If that were the any occupier of a house with a neighbour would feel uncomfortable in their own homes on upper floors. People generally close curtains in the evening when they have bedroom lights on when living close to other properties.

Outlook:

The amended building is sufficiently distanced from adjoining windows and its form is of a sufficiently low profile to avoid any significant harm to outlook from within adjacent habitable rooms.

Overshadowing/ daylight:

Members will be aware that outbuildings can often be built close to common boundaries and fences up to a height of 2m can be erected as permitted development. This building will not create significant overshadowing impacts to either immediate neighbours rooms or private amenity area immediately to the rear of adjacent houses. Daylighting to adjacent habitable rooms will not be adversely impacted for similar reasons.

Sunlight:

The height position form and orientation are such as to mean that the proposed outbuilding will not significantly and adversely impact sunlight levels to adjacent habitable rooms.

PART FOUR – CONCLUSION

7. Planning Balance and Conclusion

Following the amended plans received the design, form and architectural design is in keeping with the local vernacular as viewed from Heathlands. The gable ends will be located on the sides rather than the front and rear elevations, which has enabled the roof to be reduced in scale, with the dormer addition not considered to cause detriment to neighbouring amenity. The single storey outbuilding will not cause overlooking or reduction of private rear amenity space of neighbouring properties. As noted by virtue of this property being located on a corner plot the amenity space of the dwelling is notably larger than the neighbouring properties, subsequently the plot as a whole is not considered to be overdeveloped by the proposed development. The height will be lower than the garage outbuildings located on Heathlands Road, as such the height is not considered to cause detriment to the streetscene. The proposed outbuilding is considered to be compliant with the aforementioned policy CN01

RECOMMENDATION

That authority be delegated to the Corporate Manager – Growth and Sustainable Planning to grant planning permission subject to conditions including the following:-

- Time limit of 3 years
- As per the approved plans
- Occupation restriction; permission shall only authorise the use and occupation of the accommodation for purposes incidental and ancillary to the principal dwelling [i.e. no commercial use]
- Controls over external lighting




This page is intentionally left blank

Application No: DC/18/02573




Parish: Leavenheath



Location: 94 High Road

Legend

-  Area of Outstanding Natural Beauty
-  Special Landscape Area
-  Conservation Area

Listed Buildings

-  Grade 1
-  Grade 2
-  Grade 2 *

-  The Site
-  Built up Area Boundary



BABERGH DISTRICT COUNCIL
Corks Lane, Hadleigh, Ipswich, IP7 6SJ
Telephone: 01473 822801
minicom: 01473 825878
www.babergh.gov.uk

Reproduced by permission of
Ordnance Survey on behalf of HMISO.
© Crown copyright and database right 2016
Ordnance Survey Licence number 100023274

This page is intentionally left blank