MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **DEVELOPMENT CONTROL COMMITTEE B** held in the Baden-Powell Room, Blackbourne Community Centre, Blackbourne Road, Elmswell, Bury St Edmunds, IP30 9GY on Wednesday, 24 April 2019 – 09:30AM

PRESENT:

Councillor: Kathie Guthrie (Chair)
Roy Barker (Vice-Chair)

Councillors: Julie Flatman, Derrick Haley, Barry Humphreys MBE, Wendy Marchant, John Matthissen, Jane Storey

Ward Member(s):

Councillors: Andrew Stringer
Jessica Fleming

In attendance:

Officers: Acting Chief Planning Officer (PI)
Planning Lawyer (IDP)
Area Planning Manager (GW)
Development Management Planning Officer (AS/SB)
Planning Officer (MK)
Senior Planning Officer (DC)
Governance Officer (RC)

109 APOLOGIES FOR ABSENCE/SUBSTITUTIONS

An apology of absence was received from Councillor Derek Osborne.

110 TO RECEIVE ANY DECLARATIONS OF PECUNIARY OR NON-PECUNIARY INTEREST BY MEMBERS

Councillor Wendy Marchant declared a pecuniary interest in DC/19/00859 as the applicant and that she would leave the meeting room whilst the application was being discussed.

Councillor Derrick Haley declared a non-pecuniary interest in application DC/18/03547 as he was a Member of the Parish Council.

Councillor Derrick Haley declared a non-pecuniary interest in applications DC/19/00733 & DC/19/00734 as he used to be the Chair of the Wingfield Barns CIC.

111 DECLARATIONS OF LOBBYING

All Members declared that they had been lobbied on applications DC/18/03547 and DC/19/00859.

112 DECLARATIONS OF PERSONAL SITE VISITS

None declared.

113 SA/18/21 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 27 MARCH 2019

It was resolved that the Minutes of the meeting from 27 March 2019 were confirmed and signed as a true record subject to an amendment in the declarations of interest to include the following:

"Councillor John Matthissen declared a non-pecuniary interest in DC/19/00259 as he lived nearby but did not consider it as pecuniary."

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

None received.

115 SA/18/22 SCHEDULE OF PLANNING APPLICATIONS

In accordance with the Council's procedure for public speaking on planning applications a representation was made as detailed below:

Schedule of Applications

Application Number	Representations From
DC/18/03547	Richard Fawcett (Thurston Parish Council) Vicky Waples (Objector) Stuart McAdam (Applicant) Matthew Wright (Applicant) Cllr Derrick Haley (Ward Member)
DC/19/00022	Claire Richards (Applicant) Cllr Julie Flatman (Ward Member)
DC/19/00338	Peter Gibbs (Cotton Parish Council) Cllr Andrew Stringer (Ward Member)
DC/19/00733	Andy Robinson (Supporter)
DC/19/00734	None

116 DC/18/03547 LAND TO THE WEST OF, IXWORTH ROAD, THURSTON

116.1 Item 1

Application DC/18/03547
Proposal Application for approval of Reserved Matters following

	Outline Planning Permission Town & Country Planning (Development Management Procedure) (England) Order 2015 – Layout, Scale, Appearance and Landscaping pursuant to condition 3 of Outline Planning Permission 4963/16, for up to 250 dwellings, open space and associated infrastructure.
Site Location	**THURSTON-** Land to the West of, Ixworth Road, Thurston
Applicant	Persimmon Homes (Suffolk)

116.2 The Case Officer presented the application to the Committee outlining the proposal before Members, the layout of the site, the changes that had been made to the proposal after the previous Committee meeting, the tabled papers that were before Members, and the Officer Recommendation of Approval.

116.3 The Case Officer responded to Members' questions on issues including: the number of 2.5 storey dwellings proposed on the site after the revisions, the sizes of the affordable housing, the responses within the tabled papers from Place Services and Suffolk County Councils floods team.

116.4 The Acting Chief Planning Officer advised Members that in the interregnum period between the application being heard at Committee, the Thurston Neighbourhood Plan had been examined by the Planning Inspectorate and was now a material consideration for the Committee and it was expected to go to referendum later in 2019. The Acting Chief Planning Officer advised Members that the Council currently did have a 5 year Housing Land Supply but that this was predicated on previously approved outline permissions such as the site that was before Members which had been approved at outline in 2017.

The Acting Chief Planning Officer also advised Members that on the southern portion of the site, the "Souter" house type detailed that on the top floor there would be velux windows and that this was not intended to be a viewing window.

116.5 The Case Officer responded to further questions from Members' on issues including the hoggin path across the site.

116.6 Members considered the representation from Richard Fawcett of Thurston Parish Council, who spoke against the application.

116.7 The Parish Council representative responded to Members' questions on issues including: the Neighbourhood Plan; and that it identified that a school would be preferred on a different site.

116.7 Members considered the representation from Vicky Waples who spoke as an Objector.

116.8 Members considered the representation from the Applicant, Stuart McAdam.

116.9 The Applicant responded to Members' questions on issues including: the Persimmon model of design including 2.5 storey development as a customer choice, the size of the affordable homes compared to National Space Standards, electric car charging points, and energy efficiency measures.

116.10 Members considered the representation from the Ward Member, Councillor Derrick Haley.

116.11 Members debated the application on the issues including: the proposed hoggin path on the site, the 2.5 storey houses on the site, the space sizes on the site.

116.12 The Acting Chief Planning Officer advised Members that Members could not condition that a housing planning application could not come forward on the south eastern edge of the site, but that an informative note could be added to the resolution if Members were minded to approve.

116.13 Members continued to debate the application on the issues including: the layout and design of the site, the ecological impact on the site, the possibility of a green corridor being introduced and that Members were concerned with the placement of 2.5 storey dwellings on the site.

116.14 Councillor John Matthissen proposed that the application be deferred to secure removal of all 2.5 storey dwellings and to resolve the concerns as raised by Place Services. A seconder was not found and as such the motion fell.

116.15 Councillor Roy Barker proposed that the application be approved as detailed in the Officer recommendation with the additional delegation and informative note of:

Delegate to the Acting Chief Planning Officer to

[a] negotiate the removal or reduction in the number of 2.5 storey dwelling plots and their relocation within the scheme and to negotiate the design and materials proposed having regard to Policy 4 of the Examined Thurston Neighbourhood Plan and the contours of the site and

[b] negotiate the amendment of the affordables dwelling content having regard to the comments of the Professional Lead – Strategic Housing

To his satisfaction and that subject to that delegate authority to grant Reserved Matters approval as recommended with additional conditions regarding

- Further ecological enhancements
- Landscaping conditions as per Late Papers (Place Services & SCC Floods Team)
- Resource and energy efficiency measures if not conditioned within the Outline

permission and

Add Informative Note: In the event that the education land does not come forward for that purpose the Committee would be minded to support a community based use for that land.

116.16 Councillor Julie Flatman seconded the motion.

116.17 By a unanimous vote

116.18 **RESOLVED:**

Delegate to the Acting Chief Planning Officer to

[a] negotiate the removal or reduction in the number of 2.5 storey dwelling plots and their relocation within the scheme and to negotiate the design and materials proposed having regard to Policy 4 of the Examined Thurston Neighbourhood Plan and the contours of the site and

[b] negotiate the amendment of the affordables dwelling content having regard to the comments of the Professional Lead – Strategic Housing

To his satisfaction and that subject to that delegate authority to grant Reserved Matters approval as recommended with additional conditions regarding

- **Further ecological enhancements**
- **Landscaping conditions as per Late Papers (Place Services & SCC Floods Team)**
- **Resource and energy efficiency measures if not conditioned within the Outline permission**

That authority be delegated to the Acting Chief Planning Officer - Growth & Sustainable Planning to Grant reserved matters approval subject to the following conditions:

- **Approved Plans and Documents**
- **Detailed scheme of Soft Landscape Planting (In addition to that already imposed as part of Outline Planning Permission Ref: 4963/16)**
- **Those required by SCC-Highways**
- **Those already imposed as part of Outline Planning Permission Ref: 4963/16**

Informative Note: In the event that the education land does not come forward for that purpose the Committee would be minded to support a community based use for that land.

117 DC/19/00022 LAND TO THE SOUTH OF, NEW STREET, STRADBROKE, SUFFOLK

117.1 A short comfort break was taken between 11:08-11:20 after the completion of DC/18/03547 but before the commencement of DC/19/00022.

117.2 Item 2

Application	DC/19/00022
Proposal	Outline Planning Application (Access to be considered) Erection of up to 60 no. dwellings and construction of access to New Street.
Site Location	**STRADBROKE-** Land to the South of, New Street, Stradbroke, Suffolk.
Applicant	AAH Planning Consultants

117.3 The Case Officer presented the application to the committee outlining the proposal before Members, the layout of the site and the tabled papers before Members, and the officer recommendation of approval with conditions.

117.4 The Case Officer responded to Members' questions on issues including: the current location of the 30MPH speed limit on the proposed access road.

117.5 Members considered the representation from Claire Richards, who spoke as the Applicant.

117.6 Members considered the representation from Councillor Julie Flatman, Ward Member.

117.7 Members debated the application on the issues including: how the applicant had worked with the community and the approved Neighbourhood Plan.

117.8 Councillor Barry Humphreys proposed that the application be approved as detailed in the officer recommendation.

117.9 Councillor Derrick Haley seconded the motion.

117.10 Councillor Roy Barker and Councillor John Mathissen asked that the recommendation include the following:

Limit to 2 storey properties – not 2.5, no rooms in the roof space

Garages to be provided on properties

Energy efficiency measures to be agreed

Notes:

National Space Standards for properties

Advance landscaping on site should be planted in advance of the commencement of development where possible.

The proposer and seconded agreed to the additions.

117.11 By a unanimous vote

117.12 **RESOLVED**

That authority be delegated to the Acting Chief Planning Officer - Growth & Sustainable Planning to grant Outline Planning Permission subject to the following:

(1) Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Acting Chief Planning Officer – Planning for Growth to secure:

- **On site delivery of 35% Affordable housing of a mix and tenure as advised by Council Strategic Housing Officers.**
- **On site provision of public open space and play equipment, including management of the space to be agreed and requirement for public access at all times.**
- **A financial contribution towards improvements to existing bus stops adjacent to the site on New Street. Including: Wheelchair accessible kerbs and pedestrian crossing point to bus stop on the north side of the road. As required by SCC-Highways.**

(2) That the Acting Chief Planning Officer – Planning for Growth be authorised to Grant Outline Planning Permission upon completion of the legal agreement subject to conditions as summarised below and those as may be deemed necessary by the Acting Chief Planning Officer:

- **Approved Plans and Documents (Plans and Documents submitted that form this application)**
- **Standard Commencement Time Limit and Reserved Matters Submission Time Limit Condition**
- **Approval of Reserved Matters Condition**
- **Those required by SCC – Archaeology**
- **Those required by SCC – Local Lead Flood Authority**
- **Those required by MSDC – Ecology Consultant • Those required by SCC – Highways**
- **Standard Landscaping Implementation and Aftercare Condition**
- **Those required by MSDC – Landscape Consultant**
- **Those required by MSDC – Environmental Management – Sustainability**
- **Hours of working during construction – As advised by MSDC – Environmental Management**
- **Number and location of Fire Hydrants – To be agreed and implemented prior to first use/occupation**
- **Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL)**

(3) And the following informative notes as summarised and those as may be deemed necessary by the Acting Chief Planning Officer:

- **NPPF – Positive and Proactive Working**
- **SCC – Highways notes**
- **Land Contamination notes**
- **Ecology and Biodiversity notes**
- **SCC – Local Lead Flood Authority notes**
- **S106 note**

(4) That in the event of the Planning obligations referred to in Resolution (1) above not being secured that the Acting Chief Planning Officer – Planning for Growth be authorised to refuse the application on appropriate grounds.

(5) That in the event of the Planning obligations referred to in Resolution (1) above not being secured within 6 months that the Acting Chief Planning Officer – Planning for Growth be authorised to refuse the application on appropriate grounds.

118 DC/19/00338 WILLOW HOUSE, MENDLESHAM ROAD, COTTON, STOWMARKET, SUFFOLK, IP14 4RE

118.1 Item 3

Application	DC/19/00338
Proposal	Full Planning Application- Erection of 2No dwellings and creation of new vehicular access (re-submission of planning permission DC/18/03558)
Site Location	**COTTON-** Willow House, Mendlesham Road, Cotton, Stowmarket, Suffolk, IP14 4RE
Applicant	Mr & Mrs Flynn

118.2 The Case Officer presented the application to the committee outlining the proposal, the layout of the site, the comparison to application DC/18/03558 which had previously been granted on the site, the contents of the tabled papers and the officer recommendation of approval.

118.3 The Case Officer responded to Members' questions on issues including: the removal of a telegraph pole on the site, and the compliance of the application with regards to the NPPF.

118.4 Members considered the representation from Peter Gibbs of Cotton Parish Council, who spoke against the application.

118.5 The Parish Council representative responded to Members' questions on issues including: the sustainability of the proposal compared to application DC/18/03588, the size of the house, and the proposed number of bedrooms.

118.6 Members considered the representation from Councillor Andrew Stringer, Ward Member.

118.7 The Ward Member responded to Members' questions on issues including: the sustainability of the proposal, and Cottons' response to the Local Plan.

118.8 The Case Officer advised Members that the proposal before Members had a footprint of 156 M^2 whereas application DC/18/03588 was 136M^2.

118.9 Members debated the application on the issues including: the possible removal of Permitted Development Rights, the material consideration of what was already approved on the site, the sustainability of the proposal, and the design of the proposal.

118.10 Councillor Derrick Haley proposed that the application be approved as detailed in the officer recommendation with the addition as follows:

- Removal of Permitted Development Rights to loft conversion/windows to the loft.
- Provision of electric car charging point.

118.11 Councillor Jane Storey seconded the motion.

118.12 By a unanimous vote

118.13 **RESOLVED**

Grant PLANNING PERMISSION for subject to following conditions:

- **Standard time limit (3yrs for implementation of scheme)**
- **Approved Plans (Plans submitted that form this application)**
- **Highways - access**
- **Highways - manoeuvring and parking**
- **Highways - bin storage**
- **PD Rights removal – All**
- **Materials details**

And the following informative notes
- **NPPF Pro-active working statement**
- **SCC Highways notes**
- **Support for sustainable development principles**
- **Land Contamination**
- **Building Control**

Additional Conditions:

- **Removal of Permitted Development Rights to loft conversion/windows to the loft.**
- **Provision of electric car charging point.**

119 DC/19/00733 WINGFIELD BARNS, CHURCH ROAD, WINGFIELD, EYE, SUFFOLK, IP21 5RA

119.1 Item 4

Application	DC/19/00733
Proposal	Full Planning Application – Minor alterations to the Granary and change of use to (D1) to create a Day Nursery.
Site Location	**WINGFIELD –** Wingfield Barns, Church Road, Wingfield, Eye, Suffolk, IP21 5RA
Applicant	Mr David Wardley

119.2 The Case Officer presented the application to the Committee outlining the proposal before Members, the layout of the site including access and the officer recommendation of approval with conditions.

119.3 The Case Officer responded to Members questions on issues including: the proposed amenity space, the parking provision and access arrangements, and that further licenses would have to be acquired by the applicant.

119.4 The Governance Officer read out short statement of Support from Andy Robinson (Director Wingfield Barns (CIC) who had registered to speak but due to the length of the meeting had to leave before the item was heard.

119.5 Members debated the application on the issues including: the positive use of a heritage asset.

119.6 Councillor Derrick Haley proposed that the application be approved as detailed in the Officer Recommendation with the additions as follows:

- Traffic and access statement to be agreed
- Details of outside play equipment to be agreed

Informative Notes:

- Stair safety to be considered given open access to stairwell at first floor
- Ofsted registered provider is expected.

119.7 Councillor Roy Barker seconded the proposal.

119.8 By a unanimous vote

119.9 **RESOLVED**

(1) That authority be delegated to the Acting Chief Planning Officer to grant planning permission subject to conditions as summarised below and those as may be deemed necessary by the Corporate Manager:
- **Standard time limit**
- **Approved Plans (Plans submitted that form this application)**
- **Hours of operation to 8am to 5pm Mon to Friday (No weekend working)**

Additional Conditions:

- **Traffic and access statement to be agreed**
- **Details of outside play equipment to be agreed**

Informative Notes:

- **Stair safety to be considered given open access to stairwell at first floor**
- **Ofsted registered provider is expected.**

120 DC/19/00734 WINGFIELD BARNS, CHURCH ROAD, WINGFIELD, EYE, SUFFOLK, IP21 5RA

120.1 Item 5

Application	DC/19/00734
Proposal	Listed Building Consent Application. Alterations to curtilage listed building including insertion of new internal staircase
Site Location	**WINGFIELD –** Wingfield Barns, Church Road, Wingfield, Eye, Suffolk, IP21 5RA
Applicant	Mr David Wardley

120.2 The Case Officer presented the application to Members outlining the proposal, the layout of the site, the response from the Heritage Consultation and the Officer Recommendation of Approval with conditions.

120.3 Members debated the application on the issues including the heritage impact.

120.4 Councillor Derrick Haley proposed that the application be approved as detailed in the officer recommendation.

120.5 Councillor John Matthissen seconded the motion.

120.6 By a unanimous vote.

120.7 **RESOLVED**

(1) That authority be delegated to the Acting Chief Planning Officer to grant planning permission subject to conditions as summarised below and those as may be deemed necessary by the Corporate Manager:

- **Standard time limit**
- **Approved Plans (Plans submitted that form this application)**
- **Plan of the ceiling / floor structure clearly identifying which timbers are to be removed and which retained shall be agreed.**
- **Confirmation on retention of existing external stair.**

121 SA/18/23 SCHEDULE OF PLANNING APPLICATIONS

A lunch break was taken between 12:42 -13:45, after the completion of application DC/19/00734 but before the commencement of application DC/19/00657.

During the lunch break Councillor Barry Humphreys MBE left the meeting.

In accordance with the Council's procedure for public speaking on planning applications a representation was made as detailed below:

Schedule of Applications

Application Number	Representations From
DC/19/00657	None
DC/19/00336	Geoff Short (Rickinghall Parish Council) William Sargeant (Botesdale Parish Council) Antek Lejk (Objector) Ben Elvin (Agent) Cllr Jessica Fleming (Ward Member)
DC/19/00337	Antek Lejk (Objector) Ben Elvin (Agent) Cllr Jessica Fleming (Ward Member)
DC/18/02014 & DC/18/02015	Item sent to Planning Referrals Committee prior to Committee meeting. (None)
DC/19/00859	None
DC/19/01072	Cllr Julie Flatman (Ward Member)

The items of business were taken in the order as follows as set out by the Chair at the beginning of the afternoon session:

1. DC/18/02014 & DC/18/02015
2. DC/19/00657
3. DC/19/00859

4. DC/19/00336
5. DC/19/00337
6. DC/19/01072

122 DC/18/02014 & DC/18/02015 WALSHAM HALL, METFIELD ROAD, MENDHAM, HARLESTON, SUFFOLK, IP20 0NR

122.1 Item 4

Application	DC/18/02014 & DC/18/02015
Proposal	Householder Planning Application – Erection of an extension to lobby. Application for Listed building consent- Erection of an extension to lobby.
Site Location	**MENDHAM-** Walsham Hall, Metfield Road, Mendham, Harleston, Suffolk, IP20 0NR
Applicant	Mr S Haddingham

122.2 The Governance Officer advised Members that after the publication of the agenda but before the beginning of the meeting, that the applications had been referred to the Planning Referrals Committee for final determination.

122.3 **RESOLVED**

That applications DC/18/02014 & DC/18/02015 be referred to the Planning Referrals Committee for final determination.

123 DC/19/00657 LAND ON EYE AIRFIELD, IPSWICH ROAD, EYE, SUFFOLK

123.1 Item 1

Application	DC/19/00657
Proposal	Full Planning Application- Erection of 2no. B8 storage buildings and link extension between buildings 6 and 7.
Site Location	**EYE –** Land on Eye Airfield, Ipswich Road, Eye, Suffolk
Applicant	RH Developments (East Anglia) Ltd

123.2 The Case Officer presented the application to the Committee outlining the proposal, the layout of the site, and the officer recommendation of approval with conditions.

123.3 The Case Officer responded to Members' questions on issues including: the renewable energy provision of the proposal, the location for Owl nesting boxes, ecology measures, and the history of the site and associated buildings.

123.4 Members debated the application on the issues including: the employment that would be created by the site, and the evolving nature of the business park.

123.5 Councillor Derrick Haley proposed that the application be approved as detailed in the officer recommendation with the amendment as follows:

- Location of nesting boxes to be agreed.

123.6 Councillor Roy Barker seconded the proposal.

123.7 By a unanimous vote

123.8 **RESOLVED**

That authority be delegated to Acting Chief Planning Officer to GRANT FULL PLANNING PERMISSION for the development subject to conditions as summarised below

• Standard time limit (3yrs for implementation of scheme)
• Approved Plans (Plans submitted that form this application)
• Control over hours of operation
• Control over noise emissions from plant, equipment and machinery
• External lighting to be kept to a minimum necessary and prevent upward and outward light radiation
• Limitation on hours of construction
• Control over materials arising from site clearance and construction phases
• Details of the strategy for the disposal or surface water and details for the implementation, maintenance and management of the strategy
• No occupation until details of SUDS are submitted and approved
• Agreement and implementation of a Construction Surface Water Management Plan
• Submission of a Written Scheme of Investigation (WSI) for archaeology • No occupation until the WSI requirements have been completed and agreed
• Submission of a Travel Statement and Travel Plan if the employees exceed 50no.
• Submission of a Construction Management Plan
• At least 10% of energy requirements from renewable sources
• Provision of two barn owl nesting boxes to be erected poles in the hedgerow along the southern boundary – Location of nesting boxes to be agreed

And the following informative notes as summarised:
• Proactive NPPF working statement
• SCC Highways notes
• Support for sustainable development principles
• Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
• Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales)

Regulations 2017

- **Any discharge of surface water to a watercourse that drains into an Internal Drainage Board catchment is subject to payment of a surface water developer contribution**
- **Any works to lay new surface water drainage pipes underneath the public highway will need a section 50 license under the New Roads and Street Works Act 1991**
- **Any works to a main river may require an environmental permit**
- **Trenches dug during the construction phase recommended to be covered at night or planks left in to enable animals to escape**
- **Reporting of unexpected contamination**

124 DC/19/00859 HALLGARTH HOUSE, 137 HIGH STREET, NEEDHAM MARKET, IPSWICH, SUFFOLK, IP6 8DH

124.1 Councillor Wendy Marchant left the meeting room after the completion of DC/19/00657 but before the commencement of DC/19/00859.

124.2 Item 5

Application	DC/19/00859
Proposal	Application for Listed Building Consent- Installation of panel of pargetted render in existing rendered north wall.
Site Location	**NEEDHAM MARKET-** Hallgarth House, 137 High Street, Needham Market, Ipswich, Suffolk, IP6 8DH
Applicant	Mrs Wendy Marchant

124.3 The Case Officer presented the application to the Committee outlining the proposal, the design for the pargetting, the response from the Heritage consultation, and the offer recommendation of refusal.

124.4 The Chair advised the Committee that under the rules of the Planning Charter, if Members were minded to approve the application against the officer recommendation then the application would be sent to the Planning Referrals Committee for final determination.

124.5 The Case Officer responded to Members' questions on issues including: the type of pargetting and other examples that had been applied within Needham Market.

124.6 Members debated the application on the issues including: the harm to the listed building, the response from the Town Council, the construction measures that would be used and the colour of the design.

124.7 Councillor Derrick Haley proposed that the application be approved against the officer recommendation and as such is reported to the Planning Referrals Committee with the following details:

- Request Officer to confirm details of works to the listed building, changes to the render and construction of pargetting
- Minded to Approve (thereby referring to referrals committee) subject to conditions for:

Time Limit
Approved Plans
Details of attachment and construction of panel
Details of colour to be agreed

124.8 Councillor Jane Storey seconded the motion.

124.9 By 5 votes to 1 with no abstentions.

124.10 **RESOLVED**

Request officer to confirm details of works to the listed building, changes to the render and construction of pargetting.

Minded to approve (thereby referring to referrals committee) subject to conditions for:

Time Limit

Approved Plans

Details of attachment and construction of panel

Details of colour to be agreed

125 DC/19/00336 BELL HILL COTTAGE AND THE NEWSAGENT, THE STREET, RICKINGHALL INFERIOR, IP22 1BN

125.1 Councillor Wendy Marchant re-joined the committee after the completion of application DC/19/00859 but before the commencement of DC/19/00336.

125.2 Councillor Jessica Fleming attended the meeting as Ward Member for applications DC/19/00336 & DC/19/00337 only.

125.3 Item 2

Application	DC/19/00336
Proposal	Planning Application. Change of Use of ground floor to A5 Hot Food Takeaway. Installation of extract equipment internally and flue through roof. Internal alterations to provide sound and fire-proofing to party walls and floors.

Site Location **RICKINGHALL INFERIOR-** Bell Hill Cottage and The Newsagent, The Street, Rickinghall Inferior, IP22 1BN

Applicant Mr Y Karakus

125.4 The Case Officer presented the application to the Committee outlining the proposal before Members, the layout of the site, the planning history of the property, the contents of the tabled papers. The Case Officer concluded the presentation with an amendment to the recommendation to add an additional condition as follows:

- That the occupancy of the living space be restricted to an employee of the business.

125.5 The Case Officer responded to Members' questions on issues including: the response from the Council's Environmental Health team, the response from Suffolk Fire and Rescue, the internal layout of the proposal, and the acoustic and fireproofing treatment proposed.

125.6 Members considered the representation from Geoff Short of Rickinghall Parish Council, who spoke against the application.

125.7 Members considered the representation from William Sargeant of Botesdale Parish Council, who spoke against the application.

125.8 The Parish Council representatives responded to Members' questions on issues including: the current provision of parking in proximity to existing takeaway establishments and the heritage value of the property.

125.9 Members considered the representation from Antek Lejk who spoke as an Objector.

125.10 The Objector responded to Members' questions on issues including: the impact that the property would have on the residential amenity.

125.11 Members considered the representation from Ben Elvin who spoke as the agent on behalf of the Applicant.

125.12 The Agent responded to Members' questions on issues including: the proposed separation of the electricity supplies, the responses from Environmental Health and Suffolk Fire and Rescue, and the freestanding fireproof acoustic boarding would be in line with the profile of the existing structure.

125.13 Members considered the representation from Councillor Jessica Fleming, Ward member, who spoke against the application.

125.14 Members debated the application on the issues including: the detrimental impact on residential amenity, the impact on the heritage asset, the preservation of the conservation area.

125.15 Councillor Derrick Haley proposed that the application be refused on the reasons as follows:

Paragraph 127 of the NPPF states that all developments should “create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users”

This approach flows into Local Plan Policy E12 (General Principles for location, design and layout of industrial and commercial development) of the Mid Suffolk Local Plan (1998), which states

“When considering proposals for new development or extensions to existing industrial or commercial premises the District Planning Authority will have regard to the following criteria:

….development should not adversely affect the neighbouring properties or land uses by reason of undue environmental disturbance such as noise, vibration, smell, noxious emissions or dust…”

Similarly, Policy H16 (Protecting Residential Amenity) states that the District Planning Authority will refuse development that materially reduces the amenity of adjacent dwellings and will also refuse “change to non-residential use, where such a change would materially and detrimentally affect the amenity of the area by means of … nuisance or safety”

In this instance it is proposed to convert an existing A1 unit to A5 hot food takeaway. The only access for users of the A5 use would be from the front entrance of the building which would lead to nuisance in terms of smell and noise to the rooms above, which form part of the flying freehold. There would also be general noise and disturbance resulting from such a proposed use, in respect of access to and from the site.

This is considered to materially reduce the amenity of adjacent dwellings, contrary to Local Plan Policies E12 and H16.

Therefore the proposal by reason of impacts on neighbouring properties in respect of noise, disturbance, smell, access to the site from cars, including as a result of insufficient parking provision, and comings and goings in close proximity to neighbouring residents would have an unacceptable material impact on the amenity of adjacent dwellings contrary to Local Plan Policies E12 and H16, and paragraphs 12, 47 and 127 of the NPPF.

125.16 Councillor Roy Barker seconded the motion.

125.17 By a unanimous vote

125.18 **RESOLVED**

Refusal on following grounds:

Paragraph 127 of the NPPF states that all developments should "create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users"

This approach flows into Local Plan Policy E12 (General Principles for location, design and layout of industrial and commercial development) of the Mid Suffolk Local Plan (1998), which states

"When considering proposals for new development or extensions to existing industrial or commercial premises the District Planning Authority will have regard to the following criteria:

….development should not adversely affect the neighbouring properties or land uses by reason of undue environmental disturbance such as noise, vibration, smell, noxious emissions or dust…"

Similarly, Policy H16 (Protecting Residential Amenity) states that the District Planning Authority will refuse development that materially reduces the amenity of adjacent dwellings and will also refuse "change to non-residential use, where such a change would materially and detrimentally affect the amenity of the area by means of … nuisance or safety"

In this instance it is proposed to convert an existing A1 unit to A5 hot food takeaway. The only access for users of the A5 use would be from the front entrance of the building which would lead to nuisance in terms of smell and noise to the rooms above, which form part of the flying freehold. There would also be general noise and disturbance resulting from such a proposed use, in respect of access to and from the site.

This is considered to materially reduce the amenity of adjacent dwellings, contrary to Local Plan Policies E12 and H16.

Therefore the proposal by reason of impacts on neighbouring properties in respect of noise, disturbance, smell, access to the site from cars, including as a result of insufficient parking provision, and comings and goings in close proximity to neighbouring residents would have an unacceptable material impact on the amenity of adjacent dwellings contrary to Local Plan Policies E12 and H16, and paragraphs 12, 47 and 127 of the NPPF.

126 DC/19/00337 BELL HILL COTTAGE AND THE NEWSAGENT, THE STREET, RICKINGHALL INFERIOR, IP22 1BN

126.1 Item 3

Application	DC/19/00337
Proposal	Listed Building Consent Application. Works to ground floor to create A5 Hot Food Takeaway. Installation of extract equipment internally and flue through roof. Internal alterations to provide fire and sound-proofing to floors and party walls.
Site Location	**RICKINGHALL INFERIOR-** Bell Hill Cottage and the Newsagent, The Street, Rickinghall Inferior, IP22 1BN
Applicant	Mr Yusuf Karakus

126.2 The Case Officer presented the application to the Committee outlining the proposal before members, the layout of the site, the consultation response from heritage, the contents of the tabled papers and the officer recommendation of approval.

126.3 Members considered the representation from Antek Lejk, who spoke as an Objector.

126.4 Members considered the representation from Ben Elvin, who spoke as the Agent on behalf of the Applicant.

126.5 Members considered the representation from Councillor Jessica Fleming, Ward Member.

126.6 Members debated the application on the issues including: the response from the Heritage consultation, and whether breathing bricks would be used in the design of the building.

126.7 Councillor Roy Barker proposed that the application be approved as detailed in the officer recommendation with the additional condition as follows:

Details of the impact of the airflow/dampness resulting from the proposed soundproofing shall be submitted to the Local Planning Authority including a scheme of mitigation measures to be submitted to and agreed in writing if necessary, including timetable for implementation.

126.8 Councillor John Matthissen seconded the motion.

126.9 By 6 votes to 1

126.10 **RESOLVED**

That authority be delegated to Acting Chief Planning Officer - Growth & Sustainable Planning to grant Listed Building Consent subject to the following

conditions :
- **Standard time limit**
- **To be in accordance with submitted plans, drawings and details**

(2) And the following informative notes as summarised and those as may be deemed necessary by the Corporate Manager:
- **Pro active working statement**
- **Support for sustainable development**

<u>Additional Condition:</u>

Details of the impact of the airflow/dampness resulting from the proposed soundproofing shall be submitted to the Local Planning Authority including a scheme of mitigation measures to be submitted to and agreed in writing if necessary, including timetable for implementation.

127 DC/19/01072 BARN AT LITTLE MEADOW FARM, BANYARDS GREEN, LAXFIELD, WOODBRIDGE, SUFFOLK, IP13 8EU

127.3 A short comfort break was taken between 16:00-16:08 after the completion of application DC/19/00337 but before the commencement of DC/19/01072.

127.2 Item 6

Application	DC/19/01072
Proposal	Notification for Prior Approval for a Proposed Change of Use of existing Barn to a Single Dwellinghouse (Class C3), and for associated Operation Development. Town and Country Planning (General Permitted Development) Order 2015, Schedule 2 , Part 3, Class Q.
Site Location	**LAXFIELD-** Barn at Little Meadow Farm, Banyards Green, Laxfield, Woodbridge, Suffolk, IP13 8EU
Applicant	Mr J Edwards and Miss A Martin

127.3 The Case Officer presented the application to the Committee outlining the proposal before Members, that the development was a General Permitted Development Application and that the officer recommendation was for approval with conditions.

127.4 The Case Officer responded to Members' questions on issues including: the lack of footpath provision to the site and that the goats situated in the site would be relocated.

127.5 Members considered the representation from Councillor Flatman, Ward Member.

127.6 Councillor Roy Barker proposed that the application be approved as detailed in the officer recommendation.

127.7 Councillor Wendy Marchant seconded the motion.

127.8 By a unanimous vote

127.9 **RESOLVED**

That authority be delegated to Acting Chief Planning Officer to approve the prior approval of details as required under Class Q of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, subject to the conditions and informatives listed below:

Conditions:

1. ACTION REQUIRED IN ACCORDANCE WITH SPECIFIC TIMETABLE: TIME LIMIT FOR COMPLETION The development hereby approved shall be completed within a period of three years starting with the date given on this notice. Reason - In order to comply with the provisions of Section Q.2 (3) of Class Q of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

2. APPROVED PLANS & DOCUMENTS The development hereby permitted shall be carried out in accordance with the drawings/documents listed under Section A above and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard.

Reason - For the avoidance of doubt and in the interests of proper planning of the development.

3. COMPLIANCE REQUIRED: ECOLOGICAL CONSTUCTION METHODS The ecological mitigation set out at Section 6.2 and at Appendix 1 of the Ecological Survey submitted in support of this application by JP Ecology dated February 2019 shall be undertaken at all times during the construction of the development hereby approved. Reason - In order for the Local Planning Authority to have certainty as to the ecological impacts of the development and to ensure these are minimised at all times.

4. ACTION REQUIRED PRIOR TO THE OCCUPATION OF THE DWELLING: ADDITIONAL DETAILS REQUIRED AS TO CYCLE STORAGE AND BIN STORAGE Prior to the first occupation of the development hereby approved, details relating to vehicle and cycle parking at the property, and bin storage and presentation areas, shall be submitted to and approved in writing with the Local Planning Authority. The approved details shall be implemented at the site and retained in their approved form at all times thereafter.

Reason - In order to provide clarity with regards to how the property will function once occupied and to ensure that this does not impede the safe use of the public highway.

Informatives:

Statement of positive and proactive working in line with the National Planning Policy Framework (NPPF)

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The NPPF encourages a positive and proactive approach to decision taking, delivery of sustainable development, achievement of high-quality development and working proactively to secure developments that improve the economic, social and environmental conditions of the area. While the applicant did not take advantage of the service, the Council provides a pre-application advice service prior to the submission of any application. The opportunity to discuss a proposal prior to making an application allows potential issues to be raised and addressed pro-actively at an early stage, potentially allowing the Council to make a favourable determination for a greater proportion of applications than if no such service was available.

2. Environmental Health at the District Councils should be contacted in the event of unexpected ground conditions / contamination being encountered during construction. The developer should be aware that the responsibility for the safe development of the site lies with them at all times.

128 SITE INSPECTION

None Requested.

After the Conclusion of the main business of the meeting, the Chair thanked all the Members and Officers for their service with special thanks to Councillors Roy Barker, Derrick Haley and Wendy Marchant who were not standing for Re-election.

Councillor Derrick Haley thanked all the Members for their support over the past 16 years and to all the Officers that he had worked with.

Councillor Roy Barker thanked Members and Officers during his 16 years of Office.

Councillor Wendy Marchant thanked all Members and Officers for their work.

The business of the meeting was concluded at 4.30 pm.

……..
Chair