

## MID SUFFOLK DISTRICT COUNCIL

Minutes of the **DEVELOPMENT CONTROL COMMITTEE 'A'** held at the Council Offices, Needham Market on Wednesday 3 February 2016 at 9:30am.

**PRESENT:** Councillors: Matthew Hicks (Chairman)  
Gerard Brewster  
David Burn  
John Field  
Lavinia Hadingham  
Diana Kearsley  
John Levantis  
Sarah Mansel  
Lesley Mayes  
Jill Wilshaw \*

Denotes substitute \*

**Ward Members:** Councillors: John Matthissen  
Mike Norris  
Wendy Marchant

**In Attendance:** Senior Development Management Planning Officer (JPG)  
Development Management Planning Officer (LE/SS/RB)  
Corporate Manager - Strategic Housing (JAT)  
Corporate Manager - Economic Development & Tourism (DB)  
Senior Environmental Protection Officer (DH)  
Senior Legal Executive (KB)  
Governance Support Officers (VL/GB)

### NA34 APOLOGIES/SUBSTITUTIONS

Councillor Jill Wilshaw was substituting for Councillor David Whybrow.

### NA35 DECLARATIONS OF INTEREST

Councillor Sarah Mansel declared a non-pecuniary interest in Application 4060/15 by reason of knowing the father of the Applicant. The Chairman commented that the application had been referred to Committee because the Applicant was a relative of a Council employee and of a former Councillor and known to several staff and Councillors.

### NA36 DECLARATIONS OF LOBBYING

Members declared they had received emails of a lobbying nature with regards to Application 4060/15.

## NA37 DECLARATIONS OF PERSONAL SITE VISITS

There were no declarations of personal site visits.

## NA38 MINUTES OF THE MEETING HELD 6 JANUARY 2016

### Report NA/04/16

The minutes of the meeting held 6 January 2016 were confirmed as a correct record.

## NA39 PETITIONS

None received.

## NA40 QUESTIONS FROM MEMBERS

None received.

## NA41 SCHEDULE OF PLANNING APPLICATIONS

### Report NA/05/16

In accordance with the Council's procedure for public speaking on planning applications representations were made as detailed below:

Planning Number	Application	Representations from
3886/15		Sally Gooch (Objector) James Sinclair (Applicant)
4060/15		Martin Price (Agent)
3779/15		Xy Stansfield (Town Council) Andrew France (Objector) Martin Last (Agent) Gregg Dodds (Applicant)

### Item 1

Application Number:	<b>3886/15</b>
Proposal:	Continued use of Sports Hall for school and local community purposes and additional use of first floor for wedding receptions, functions, conferences and other events. Internal alterations
Site Location:	<b>GREAT FINBOROUGH</b> – Finborough School, Finborough Hall IP14 3EF
Applicant:	Mr J Sinclair

At the outset of the presentation on the application, the Case Officer drew Members' attention to the tabled papers. Members were also asked to note a revised recommendation contained therein. Upon conclusion of the presentation, the Case Officer and the Senior Environmental Protection Officer answered Members' questions including in relation to:

- The number of dwellings served by the drive,
- The type of sound limiting device and noise management scheme that could be agreed,

- Current levels of ambient noise at the location and potential noise pollution,
- Details of external illumination and potential light pollution,
- The boundary of a designated Special Landscape Area and a potential effect the proposed use of the Sports Hall would have on the character and appearance of the area.

Sally Gooch, an objector, addressed the Committee and expressed her concerns on behalf of residents living near the School including in relation to:

- Noise and light pollution from events and parties, especially when using the grounds outside the Sports Hall,
- The risk of overlooking and the loss of residential amenity,
- The appearance and design of the Hall,
- Potential detrimental effect in terms of noise and related activities the proposed use would have on the children boarding at the School.

James Sinclair, the applicant, gave a brief overview of the School's plans for growth, based on recent success in attracting new students. Mr Sinclair commented that the proposed use of the Sports Hall would support sustainability of the School and its future growth, as well as provide a hall to use for local community purposes. He assured the Committee that relevant controls would be in place to reduce any potential impact on residents of the neighbouring dwellings.

John Matthissen, Ward Member, commented that the Sports Hall affected the character of the landscape and was more visible than had been expected, especially when illuminated, as it had not been dug into the ground as proposed in the original plan. He expressed his full support for the views of the Parish Council, who had objected to the Application in writing. Councillor Matthissen asked that if the Committee decided to approve the application, an extended landscaping scheme would mitigate some of the impact on the neighbouring residential properties.

The Senior Development Management Planning Officer informed the Committee that additional conditions with regards to a landscaping scheme might not be possible, as it had been conditioned as part of the original planning application and these should be looked at first. The implementation of the building is currently being investigated by the Enforcement team. Any further landscaping requirements if sought should be considered in conjunction with the listed building of the school itself, its Ha-Ha and in relation to the designated Special Landscape Area.

During the debate that followed, Members considered matters including:

- Hours of operation as conditioned by the amended recommendation in the tabled papers,
- Lack of proposed event management scheme,
- Potential impact on students who board at the school,
- Potential light and noise pollution to the detriment of local residents and students,
- Vehicular access and traffic management on site.

Having considered all representations, Members felt that in these circumstances it would be prudent to limit the permission to three years to allow the permission, impact of use upon rural and residential amenity and compliance with the conditions to be reviewed. It was noted that the conditions recommended by the Environmental Health Officer would be included in full in the Decision Notice. A motion to grant Planning Permission in accordance with the Officer recommendation as contained in the tabled papers, conditions

from Environmental Health and limited to three years from implementation was proposed and seconded.

**Note: Enforcement to investigate the original landscaping requirements and review the building height.**

By 8 to 2 votes

**Decision** – Delegate to the Corporate Manager (Development Management) to grant temporary Planning Permission limited to three years subject to the completion of a satisfactory Section 106 Planning Obligation to secure:

- Use of sports hall two evenings per week 6pm until 10:30pm (Monday to Friday) and 6pm until 00:00 (midnight) by the local community

And subject to the following conditions:

- Time limit for implementation
- Approved plans
- Restriction on use
- Restriction on hours of operation 08:00 am to 10:30 pm Monday to Friday
- Restriction on hours Saturday and Sunday 08:00 am to 00:00 (Midnight)
- Parking provision as agreed under 3410/10
- External illumination as agreed under 3410/10
- No amplified music after 10:30 and before 08:00 (Monday to Friday) and after 23:30 and before 08:00 (Saturday and Sunday)
- Music based entertainment noise shall not exceed 38dBA when measured 1 metre from the facade of any neighbouring noise sensitive dwelling or premises.
- Noise limit on music based entertainment
- Details of a sound limiting device to be agreed
- Submission of a noise management scheme/policy to be agreed
- The number of music based entertainment to be limited to 30 events per calendar year and no more than one event within any one week period.
- No fireworks or Chinese lanterns to be released.
- Submission of a parking management scheme to be agreed
- Conditions as set out by the Environmental Health Officer on pages 20/21 of the agenda papers.

**Note: The meeting was adjourned between 10:45 and 10:50 for a short comfort break.**

Item 4

Application Number: **3779/15**  
Proposal: Demolition of existing house and erection of 11 flats for affordable rent with associated vehicular access and external works  
Site Location: **NEEDHAM MARKET** – Lion Barn House, Maitland Road IP6 8NZ  
Applicant: Orwell Housing Association

The Case Officer referred to the tabled papers which included an objection from a local business and consultation comments received from Anglian Water and Suffolk County Council Highways. In conclusion Officers answered Members' questions in relation to the estimated ridge height of the existing building in relation to the proposed building and the types of businesses present on Lion Barn Industrial Estate.

Xy Stansfield addressed the Committee on behalf of the Town Council and expressed their objection to the proposed development for reasons including:

- The location of the proposed development was inappropriate for a residential dwelling due to its location on the established industrial site,
- The isolated position, not linked to the wider local community,
- The flood risk zone which would affect access to/from the site,
- Industrial noise pollution for new residents and the risk of complaints about established businesses on the Industrial Estate,
- The site identified for development could be better utilised for industrial development and to support economic growth.

Andrew France, an objector, addressed the Committee on behalf of the local residents and commented that the proposed development would not be in keeping with the character of other residential dwellings, as well as the industrial nature of the area. The proposed block of flats would present a risk of overlooking for the residents in Pinecroft Way. Mr France was also concerned with potential light and noise pollution for the new residents and a safety risk as a result of traffic movement due to the industrial nature of the site and its increased population density. Mr France commented that the proposed development would not serve the best interests of the community and the local businesses and that planning permission should not be granted due to close proximity of the site to the flood zone.

Martin Last, the agent, commented that the application before the Committee was a result of discussions with Planning Officers, and all Environmental Control and planning matters had been addressed. The proposed development would replace an existing unoccupied residential dwelling with a further residential development and deliver much-needed affordable accommodation with sufficient parking and within a short walking distance from local amenities in Needham Market.

Gregg Dodds, the Applicant, commented that the construction works would start in the spring with estimated delivery in early 2017. The funding contract was in place with the Homes and Communities Agency and might be the last opportunity to provide much-needed affordable accommodation of this size in Needham Market. There were over 90 people on the housing list with links to the town.

In response to Members' questions, Mr Last provided information with regards to the proposed building ridge height and ingress and egress from the proposed development site through potential flooding zone as indicated on the plans.

Wendy Marchant, Ward Member, addressed the Committee and voiced objections of the businesses based on Lion Barn Industrial Estate. Councillor Marchant also commented that there was a clear concern for existing local residents over potential overlooking and in relation to parking and traffic. Councillor Marchant supported the Town Council's view that the proposed development site was inappropriate for a residential dwelling due to the established industrial nature of the surrounding area and its close proximity to the flood zone which would leave the site without dry access.

Mike Norris, Ward Member, concurred with Councillor Marchant's representation and commented that the application was contrary to policies H16 and GP1.

During the debate that ensued the Committee considered the location and character of the site, potential impact the proposed development would have on the amenities of neighbouring dwellings and roads, the quality of design and matters in relation to potential flooding and pollution for new residents. Due to the industrial nature of the site location and as a result of the way the discussions had unfolded, Councillor Gerard Brewster considered it appropriate to declare a non-pecuniary interest by reason of being Portfolio Holder for Economy and Stowmarket Regeneration. Members acknowledged the need for affordable housing, but having listened to all representations and taken into account the facts before them they considered the proposal would be out of character with the industrial nature of the site and fail to deliver good quality living standards. Therefore notwithstanding Officer recommendation to grant Full Planning Permission subject to appropriate conditions, a motion to refuse the application was moved and seconded.

By a unanimous vote

**Decision** – That Full Planning Permission be refused for the reasons including:

- ***The proposed development, if approved, would be sited close to an existing unrestricted industrial/commercial area. On this basis the development was considered contrary to Policy H17 of the Mid Suffolk Local Plan 1998 that provides that residential development will be refused in areas subject to excessive road traffic noise, noise, smell or other form of pollution from industrial premises. Furthermore, in this case the proposed intensification of residential development would act as a unnecessary form of restriction on the industrial and commercial use and likely to affect the viability of these existing uses contrary to Policy E4 of the Mid Suffolk Local Plan 1998. Moreover the development was considered to be contrary to NPPF paragraphs 120 and 123 that seek new development should be appropriate for its location, that decisions should prevent risks from pollution and that new development should not place unreasonable restrictions on existing businesses.***
- The proposed development, if approved, by reason of the location of windows, size and scale would likely result in significant overlooking and detrimental impact on existing residential amenity. On this basis the development was considered to be contrary to policies H16, GP1 and SB2 of the Mid Suffolk Local Plan 1998 and paragraphs 56, 64 and 66.

### Item 3

Application Number: **4060/15**  
Proposal: Conversion of agricultural barn to dwelling. Erection of single storey side and rear extensions following demolition of existing outbuilding and lean-to structures

Site Location: **LITTLE BLAKENHAM** – Inghams Farm, Nettlestead Road IP8  
4LR

Applicant: Mr J Wright

Martin Price, the agent, addressed the Committee and answered Members' questions as provided for in the Charter for Public Speaking at Planning Committees. It was noted that no objections or comments had been received.

John Field, Ward Member, said the proposed conversion would not have a detrimental effect on the character of the surrounding area and other dwellings and expressed his support for Officer recommendation.

By a unanimous vote

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

1. Standard time limit
2. Accord with the approved plans
3. Samples of roof material
4. Details of boundary treatment
5. Highways condition regarding parking
6. Details of balustrade for balcony
7. Restrict use of the flat roof extension to west elevations as not to allow extension of balcony
8. Restricted permitted development rights for extensions, outbuildings, roof enlargements and additions to roof
9. Accord with recommendations of Ecology Assessment
10. Mitigation strategy for bats

**Note:** *The meeting was adjourned briefly for a short comfort break.*

Item 2

Application Number: **4333/15**  
Proposal: Erection of two storey side extension  
Site Location: **STOWMARKET** – 5 Woodfield Lane IP14 1BN  
Applicant: Mr Fuller

Lesley Mayes, Ward Member, addressed the Committee and expressed no objections to the application. It was noted that no objections or comments had been received.

By a unanimous vote

**Decision** – That Planning Permission be granted subject to conditions:

- Time limit
- Approved plans
- Materials
- Removal of PDR on new openings at first floor level or above in the east elevation

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Chairman