

MID SUFFOLK DISTRICT COUNCIL

Minutes of the Virtual Meeting of the **DEVELOPMENT CONTROL COMMITTEE B** held on Wednesday, 8 July 2020 at 09:30am

PRESENT:

Councillor: Kathie Guthrie (Chair)
Barry Humphreys MBE (Vice-Chair)

Councillors: James Caston Peter Gould
Andrew Mellen Mike Norris
Andrew Stringer Rowland Warboys

In attendance:

Guest(s): Michael Exley
Terry Moore
David Barker
Stephen Hubner
Sebastian Blemings
Officers: Area Planning Manager (JPG)
Development Management Planning Officer (AS)
Planning Lawyer (IDP)
Governance Officer (RC)

Apologies:

None.

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

135.1 None declared.

136 DECLARATIONS OF LOBBYING

136.1 Councillor Mellen declared that he had a discussion with the Ward Member in respect of Item 7A - Application DC/19/05915.

137 DECLARATIONS OF PERSONAL SITE VISITS

137.1 Councillor Guthrie declared that she had recently driven past the site for Item 7C - Application DC/20/00263.

138 SA/19/23 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 28 APRIL 2020

138.1 It was **RESOLVED** that the Minutes of the meeting held on 28 April 2020, be confirmed as a true record.

138.2 It was noted that the Minutes would be signed at the next practicable opportunity.

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

139.1 None received.

140 SA/19/24 SCHEDULE OF PLANNING APPLICATIONS

140.1 Prior to the commencement of the meeting, the Chair welcomed everyone to the virtual meeting, outlined the procedure and etiquette to be followed and introduced the officers present.

140.2 It was noted that Item 7B – DC/19/05949 had been withdrawn by officers with the agreement of the Chair and would not be considered at this meeting.

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

| Application No. | Representations from |
|------------------------|---|
| DC/19/05915 | Michael Exley (Parish Council Representative) Terry Moore (Objector) David Barker (Applicant) Cllr Andrew Stringer (Ward Member) |
| DC/20/00263 | Stephen Hubner (Parish Council Representative) Sebastian Blemings (Agent) Cllr Peter Gould (Ward Member) |

141 DC/19/05915 LAND NORTH EAST OF, CHAPEL ROAD, MENDLESHAM, SUFFOLK

141.1 Item 7A

| | |
|----------------|---|
| Application: | DC/19/05915 |
| Proposal: | Outline Application – Erection of 20 dwellings and creation of vehicular access |
| Site Location: | MENDLESHAM – Land north east of Chapel Road |
| Applicant: | Mr & Mrs Bauly |

141.2 The Case Officer presented the application to the Committee, outlining the proposal before Members, the layout of the site, and the officer recommendation of approval.

141.3 The Case Officer and the Area Planning Manager responded to Members' questions on issues including: changes made to the application since the

previous refusal, footpath link to the village, location of the floodplain, and the status of the emerging and adopted Mendlesham Neighbourhood Plans.

- 141.4 Members considered the representation from Michael Exley who spoke on behalf of the Parish Council.
- 141.5 Members considered the representation from Terry Moore who spoke as an Objector.
- 141.6 The Objector responded to Members' questions on issues including: the footpath link and flooding.
- 141.7 Members considered the representation from David Barker who spoke as the Applicant.
- 141.8 The Applicant and his consultant responded to Members' questions on issues including: the footpath link and confirmation that the site is outside the floodplain.
- 141.9 Members considered the representation from the Ward Member, Councillor Andrew Stringer.
- 141.10 The Ward Member responded to Members' questions on issues including: the progress of the emerging Mendlesham Neighbourhood Plan.
- 141.11 Members debated the application on issues including: the footpath link, the floodplain, and the status of the adopted and the emerging Mendlesham Neighbourhood Plans.
- 141.12 Councillor Barry Humphreys proposed that the application be approved as detailed in the officer recommendation. Councillor James Caston seconded the Motion.
- 141.13 The vote was taken by roll call, and by 4 votes to 3 the Motion was carried.
- 141.14 **It was RESOLVED:**

- (1) That subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Chief Planning Officer to secure:**
- Provision, management and maintenance of Public Open Space; - 35% onsite delivery of Affordable housing provision; - Financial contribution towards secondary School Pupils' transport.**
- (2) The Chief Planning Officer be authorised to Grant Outline Planning Permission upon completion of the legal agreement in Resolution (1) above, subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:**

- Standard - Outline Time Limit Condition and Time Limit for Submission of Reserved Matters
- Standard - Reserved Matters Condition
- Standard - Approved Plans and Documents Condition
- Those required by SCC – Archaeology as recommended
- Those required by the Local Lead Flood Authority as recommended
- Those required by the Local Highways Authority as recommended
- Sustainability measures to be implemented as proposed and agreed
- Reserved matters to detail Bin Presentation Points
- Reserved matters to propose road layout suitable for Refuse and Recycling collection Vehicles
- Those required by Environmental Protection Officers during construction
- Fire Hydrant provision details
- Ecology Mitigation and Enhancement Measures (Including Hedgehog Fencing)
- Lighting Scheme
- Biodiversity
- Withdrawal of PD Rights
- Phasing Plan Concurrently with Reserved Matters

(3) And the following informative notes as summarised and those as may be deemed necessary:

- Pro active working statement
- SCC Highways notes
- Support for sustainable development principles
- Contaminated Land Note
- Ecology / Biodiversity Note
- Public Rights of Way Responsibilities Note

(4) That in the event of the Planning obligations or requirements referred to in Resolution (1) above not being secured and/or not secured within 6 months that the Chief Planning Officer be authorised to refuse the application on appropriate grounds.

142 DC/19/05949 LAND TO THE NORTH WEST OF, MASON COURT (KNOWN AS OLD ENGINE MEADOW), MENDLESHAM - ITEM WITHDRAWN BY OFFICERS PRIOR TO THE COMMENCEMENT OF THE MEETING

142.1 The Area Planning Manager advised Members that the application had been withdrawn by Officers prior to the Committee to consider alternative plans received for this application.

143 DC/20/00263 LAND AT REAR OF CEDAR COTTAGE, THE STREET, OCCOLD, SUFFOLK

143.1 The Committee adjourned for a short comfort break between 11:45am and 12:00pm prior to consideration of Application DC/20/00263.

143.2 Item 7C

Application: DC/20/00263
Proposal: Full Application – Erection of 1 No. dwelling with attached garage
Site Location: OCCOLD – Land at rear of Cedar Cottage, The Street
Applicant: Hartbuild Ltd

143.3 The Area Planning Manager presented the application to the Committee, outlining the proposal before Members, the layout of the site, and the officer recommendation of approval.

143.4 The Area Planning Manager responded to Members' questions on issues including: the height of the proposed dwelling and confirmation that the application site is outside the draft local plan boundary.

143.5 Members considered the representation from Stephen Hubner who spoke on behalf of the Parish Council.

143.6 Members considered the representation from Sebastian Blemings who spoke as the Agent.

143.7 The Agent responded to Members' questions on issues including: landscaping and the size of the proposed dwelling.

143.8 Members considered the representation from the Ward Member, Councillor Peter Gould.

143.9 Members debated the application on issues including: the size, height and dominance of the proposed dwelling in relation to the existing property, development outside the draft local plan boundary.

143.10 Councillor Andrew Stringer proposed that the application be refused for the reasons as detailed below:

- The proposed dwelling, if approved, would represent an overly dominate development out of scale with the character of the prevailing existing dwellings, with particular harmful impact on the rural setting and enjoyment of occupiers (including impact on their privacy) of Cedar Cottage a non designated heritage asset. Furthermore, the detrimental, intrusive impact and harm on amenity is made worst by the position and scale of the development on higher land compared to existing development. On this basis the development is considered contrary to policy H16, H13, H15, Gp1, HB1 of the local plan, FC1 and 1.1 of the focus review as well as contrary to chapter 12 of the NPPF, with particular reference to P127 and 130. The limited public benefit of one dwelling is not considered to outweigh the harm identified.

143.11 Councillor Barry Humphreys seconded the Motion.

143.13 The vote was taken by roll call and was unanimous.

143.14 **It was RESOLVED:**

That the application be REFUSED for the following reasons:

The proposed dwelling, if approved, would represent an overly dominate development out of scale with the character of the prevailing existing dwellings, with particular harmful impact on the rural setting and enjoyment of occupiers (including impact on their privacy) of Cedar Cottage a non designated heritage asset. Furthermore, the detrimental, intrusive impact and harm on amenity is made worst by the position and scale of the development on higher land compared to existing development. On this basis the development is considered contrary to policy H16, H13, H15, Gp1, HB1 of the local plan, FC1 and 1.1 of the focus review as well as contrary to chapter 12 of the NPPF, with particular reference to P127 and 130. The limited public benefit of one dwelling is not considered to outweigh the harm identified.

144 SITE INSPECTION

144.1 None requested.

The business of the meeting was concluded at 1.10 pm.

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Chair