

MID SUFFOLK DISTRICT COUNCIL

Minutes of the virtual meeting of the **DEVELOPMENT CONTROL COMMITTEE B** held on Tuesday, 28 April 2020 at 09:30 a.m.

PRESENT:

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

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

Ward Member(s):

Councillors: Cllr Penny Otton
Cllr John Matthissen

In attendance:

Guest(s): Dr David Hickie
Craig Beech

Officers: Chief Planning Officer (PI)
Development Management Planning Officer (SB)
Development Management Planning Officer (KH)
Heritage Officer (TC)
Planning Lawyer (IDP)
Governance Officer (RC)

Apologies:

None.

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

126.1 Councillor Andrew Stringer declared a non-pecuniary interest in application DC/19/05761 as his brother-in-law lives in the same road.

DECLARATIONS OF LOBBYING

127.1 There were no declarations of lobbying.

DECLARATIONS OF PERSONAL SITE VISITS

128.1 None declared.

SA/19/21 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 4 MARCH 2020

129.1 It was **RESOLVED** that the Minutes of the meeting held on 4 March 2020, be confirmed as a true record.

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

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

130.1 None received.

SA/19/22 SCHEDULE OF PLANNING APPLICATIONS

131.1 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.

131.2 It was noted that the planning applications would be taken in the following order:

1. DC/19/05761 Land south of Mill Road, Buxhall
2. DC/18/04491 Land adjacent to Buxhall Lodge, Buxhall Road, Great Finborough

131.3 Councillor Mike Norris was not present for the entirety of application DC/19/05761 and therefore did not take part in the vote.

131.4 The meeting was adjourned at 11:00am for Members to observe the minutes silence to remember all the health, care and other key workers that have lost their lives to coronavirus.

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

Application No.	Representations from
DC/19/05761	Dr David Hickie (Supporter) Craig Beech (Agent) Cllr Penny Otton (Ward Member)
DC/18/04491	Cllr John Matthissen (Ward Member)

DC/19/05761 LAND SOUTH OF MILL ROAD, BUXHALL, SUFFOLK

132.1 Item 7B

Application:	DC/19/05761
Proposal:	Full Application – Erection of off-grid sustainable dwellinghouse with associated parking, landscaping, sewage treatment plant and improved access to highway. Detached garage and annexe.
Site Location:	BUXHALL – Land south of Mill Road
Applicant:	Mr & Mrs Miller

- 132.2 The Case Officer presented the application to the Committee, outlining the proposal before Members, the layout of the site, the contents of the tabled papers, and the officer recommendation of refusal.
- 132.3 The Case officer responded to Members' questions on issues including: Affordable housing contribution, size of dwelling, and off grid sustainability.
- 132.4 Members considered the representation from Dr David Hickie who spoke in support of the application.
- 132.5 The Supporter responded to Members' questions on issues including: confirmation that he is employed by the Applicant as a Heritage Consultant, and consideration of the settings of the listed buildings.
- 132.6 Members considered the representation from Craig Beech who spoke as the Agent.
- 132.7 The Agent responded to Members' questions on issues including: clarification of off-grid power, and construction of the foundations.
- 132.8 The Heritage Officer addressed the Committee at this point to clarify the representation from the Heritage Team.
- 132.9 Members considered the representation from Ward Member, Councillor Penny Otton.
- 132.10 The Ward Member responded to Members' questions on issues including: clarification that Dr Hickie was formerly employed by Historic England and the Parish Council's views on the site being outside the settlement boundary.
- 132.11 Members debated the application on issues including: design and size of dwelling, sustainability, development outside settlement boundary, and Heritage impact.
- 132.12 Councillor Barry Humphreys proposed that the application be refused as detailed in the officer recommendation. Councillor Rowland Warboys seconded the Motion.
- 132.13 The vote was taken by roll call, and by 6 votes to 1 the Motion was carried.
- 132.14 **It was RESOLVED:**

That the application be refused for the following reasons:

- 1. The site's character as an undeveloped field is fundamental to its contribution to the setting of many of the nearby listed buildings and the rural context in which they stand. The proposed dwelling would significantly detract from the open countryside character of the area, the rural setting of the village, and the rural setting of the nearby designated heritage assets, the latter being harmful to the significance of the designated heritage assets.**

These adverse impacts, constituting significant environmental harm, would significantly and demonstrably outweigh the scheme's modest economic, social and environmental benefits, and would not deliver sustainable development, contrary to Policy FC01 and FC01_1 of the Core Strategy Focused Review 2012, the National Planning Policy Framework 2019 and Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 as well as Policy HB1 of the Mid Suffolk Local Plan 1998 and Policy CS5 of the Core Strategy 2008.

- 2. The site area exceeds 0.5ha and as such affordable housing requirements are triggered. On this basis the proposed development fails to secure affordable housing provision on site or a contribution for provision elsewhere and is contrary to NPPF and Altered Local Plan 1998 Policy H4.**

DC/18/04491 LAND ADJACENT TO BUXHALL LODGE, BUXHALL ROAD, GREAT FINBOROUGH, SUFFOLK, IP14 3AQ

- 133.1 The Committee adjourned for a short comfort break between 11:48am and 12:00pm prior to consideration of application DC/18/04491.
- 133.2 The Committee adjourned between 13:35 and 13:53 to clarify the proposal.
- 133.3 Item 7A

Application:	DC/18/04491
Proposal:	Full Application – Amended application for 28 dwellings. [incl 9 affordable homes]
Site Location:	GREAT FINBOROUGH – Land adjacent to Buxhall Lodge, Buxhall Road
Applicant:	Laurence Homes
- 133.4 The Case Officer presented the application to the Committee, outlining the proposal before Members, the layout of the site, the contents of the tabled papers, and the officer recommendation of approval.
- 133.5 The Case Officer responded to Members' questions on issues including: access to open space from flats, transport and infrastructure, access, sustainability, and affordable housing provision.
- 133.6 Members considered the representation from Ward Member, Councillor John Matthissen.
- 133.7 Members debated the application on issues including: sustainability, design and size, Heritage impact, affordable housing provision, and highway issues.
- 133.8 Councillor Andrew Mellen proposed that the application be refused for the reasons as detailed below:

- The proposed development lies outside the settlement boundary of Great Finborough and the proposal would be within the countryside, contrary to Policies CS1 and CS2 of the Core Strategy (2008) and Local Plan Policy H7. Having regard to the absence of services and facilities within Great Finborough, it is foreseeable that future occupants would be reliant upon the private car with limited opportunity to maximise sustainable transport solutions and the development therefore fails to comply with the requirements of paragraphs 8, 11 and 103 of the NPPF (2018) and the presumption in favour of sustainable development having regard moreover to the harm identified to the historic environment. On this basis, the proposal is not considered to form sustainable development within the criteria set out by the NPPF. The proposal is therefore contrary to paragraphs 8, 11, 103, 193 and 196 of the NPPF (2018), Policies CS1, CS2 and CS5 of the Core Strategy (2008), Policy FC1 and FC1.1 of the Core Strategy Focused Review (2012) and Policies H7 and HB1 of the Mid Suffolk Local Plan (1998).
- The proposed development would be suburban in character and of inappropriate scale, design and mass relative to the adjacent streetscape, despite its location within a small and traditionally linear village. The inappropriate, overly varied and uninformed architecture of the dwellings, hard landscaping and boundary treatment contribute to this unsympathetic scheme which fails to reflect local character. The proposal would therefore fail to protect, preserve or enhance the character and appearance of the locality, and therefore the setting and significance of the surrounding heritage assets, which would result in less than substantial harm to the setting and significance of the Listed Buildings which are not outweighed by public benefits having regard to the overall application circumstances. On that basis, the proposal is contrary to the requirements of section 66 of the P(LBCA)A1990, the principles of the NPPF paragraphs 193 and 196, Policy CS5 of the Core Strategy (2008) and Policy HB1 of the Mid Suffolk Local Plan (1998).
- The application fails to demonstrate that the development would not risk harm by reason of surface water flooding, having regard to the insufficient information to demonstrate a viable surface water drainage strategy, contrary to paragraphs 8, 148, 163 and 165 of the NPPF and Policy CS3 of the Core Strategy.

133.9 Councillor Andrew Stringer seconded the Motion.

133.10 The vote was taken by roll call, and by 5 votes to 3 the Motion was carried.

133.11 **It was RESOLVED:**

That the application be refused for the following reasons:

1. **The proposed development lies outside the settlement boundary of Great Finborough and the proposal would be within the countryside, contrary to Policies CS1 and CS2 of the Core Strategy (2008) and Local Plan Policy H7. Having regard to the absence of services and facilities within Great Finborough, it is foreseeable that future occupants would**

be reliant upon the private car with limited opportunity to maximise sustainable transport solutions and the development therefore fails to comply with the requirements of paragraphs 8, 11 and 103 of the NPPF (2018) and the presumption in favour of sustainable development having regard moreover to the harm identified to the historic environment. On this basis, the proposal is not considered to form sustainable development within the criteria set out by the NPPF. The proposal is therefore contrary to paragraphs 8, 11, 103, 193 and 196 of the NPPF (2018), Policies CS1, CS2 and CS5 of the Core Strategy (2008), Policy FC1 and FC1.1 of the Core Strategy Focused Review (2012) and Policies H7 and HB1 of the Mid Suffolk Local Plan (1998).

2. The proposed development would be suburban in character and of inappropriate scale, design and mass relative to the adjacent streetscape, despite its location within a small and traditionally linear village. The inappropriate, overly varied and uninformed architecture of the dwellings, hard landscaping and boundary treatment contribute to this unsympathetic scheme which fails to reflect local character. The proposal would therefore fail to protect, preserve or enhance the character and appearance of the locality, and therefore the setting and significance of the surrounding heritage assets, which would result in less than substantial harm to the setting and significance of the Listed Buildings which are not outweighed by public benefits having regard to the overall application circumstances. On that basis, the proposal is contrary to the requirements of section 66 of the P(LBCA)A1990, the principles of the NPPF paragraphs 193 and 196, Policy CS5 of the Core Strategy (2008) and Policy HB1 of the Mid Suffolk Local Plan (1998).
3. The application fails to demonstrate that the development would not risk harm by reason of surface water flooding, having regard to the insufficient information to demonstrate a viable surface water drainage strategy, contrary to paragraphs 8, 148, 163 and 165 of the NPPF and Policy CS3 of the Core Strategy.

SITE INSPECTION

134.1 None requested.

The business of the meeting was concluded at 13:53pm

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Chair