

## MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **DEVELOPMENT CONTROL COMMITTEE B** held in the King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Wednesday, 1 September 2021 – 09:30

### **PRESENT:**

Councillor:

Councillors:	David Burn	Peter Gould
	Andrew Mellen	Richard Meyer
	David Muller BA (Open) MCMI	Mike Norris
	RAFA (Councillor)	
	Andrew Stringer	Rowland Warboys

### **Ward Member(s):**

Councillors: Matthew Hicks

### **In attendance:**

Officers: Area Planning Manager (JPG)  
Planning Lawyer(IDP)  
Planning Officer (AS)  
Governance Officer (RC)

## **37 ELECTION OF CHAIR**

The Governance Officer opened the meeting and noted the absence of Chair and Vice Chair and asked for nominations for Chair of the Committee.

Councillor Andrew Stringer proposed that Councillor Dave Muller be elected as Chair of the meeting.

Councillor Rowland Warboys seconded the motion.

By a unanimous vote.

**It was Resolved that Councillor Dave Muller was elected as Chair of the meeting.**

## **38 APOLOGIES FOR ABSENCE/SUBSTITUTIONS**

Apologies of Absence were received from Councillors Kathie Guthrie and James

Caston.

Councillor David Burn substituted for Councillor Kathie Guthrie.

Councillor Rick Meyer substituted for Councillor James Caston.

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

Councillor Andrew Stringer declared a Local Non-Pecuniary interest in applications DC/21/00782 and DC/21/02116 as he was a director of another arts venue.

Councillor Richard Meyer declared a Local Non-Pecuniary interest in application DC/20/04921 as a board Member of Suffolk Holdings. Councillor Meyer also declared a Local Non-Pecuniary interest in applications DC/21/00782 and DC/21/02116 as he used the venue on a very regular basis.

Councillor Peter Gould declared a Local Non-Pecuniary interest in application DC/21/00782 and DC/21/02116 as the County Councillor for the area.

**40 DECLARATIONS OF LOBBYING**

Councillors Peter Gould and Dave Muller declared that he had been lobbied on application DC/21/02359.

Councillor Andrew Mellen declared that he had been lobbied on applications DC/20/05894 , DC/20/04921, and DC/21/02359.

**41 DECLARATIONS OF PERSONAL SITE VISITS**

None declared.

**42 SA/21/7 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 4 AUGUST 2021**

It was resolved that the minutes of the meeting held on the 4 August 2021 were confirmed and signed as a true record.

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

None received.

**44 SA/21/8 SCHEDULE OF PLANNING APPLICATIONS - AM SESSIONS 09:30**

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

Application Number	Representations From:
DC/20/05894	Item Deferred
DC/20/04921	Elizabeth Cain (Parish Council) Mike Pease (Objector) Sarah Hucklesby (Agent) Tony Alston (Applicant) Cllr Andrew Stringer (Ward Member)
DC/21/00782	Cllr Lavinia Hadingham (Ward Member (via email))
DC/21/02116	Cllr Lavinia Hadingham (Ward Member (via email))

**45 DC/20/05894 LAND SOUTH WEST OF, BEYTON ROAD, THURSTON**

45.1 Item 7A

Application Proposal	DC/20/05894 Submission of details (reserved matters) for outline planning permission DC/19/03486. Layout, Scale, Appearance and Landscaping to be considered for the construction of 210 dwellings, public open space, play area, sustainable drainage features and associated infrastructure including foul sewerage pumping station.
Site Location	<b>THURSTON-</b> Land south west of Beyton Road, Thurston, Suffolk
Applicant	Bloor Homes and Sir George Agnew

45.2 The Chief Planning Officer addressed Members outlining that a request had been received from the Applicant on the day prior to the Committee to withdraw the application from committee determination to amend the proposals. This decision was taken with consideration of the ongoing High Court case that the Council was currently ongoing.

45.3 The Chief Planning Officer requested that in the absence of the Chair that the application be deferred for determination at a later date.

45.4 Councillor Meyer proposed that the application be deferred for the reasons as laid out by the Chief Planning Officer. Councillor Norris seconded the motion.

45.5 By a Unanimous vote

**45.6 RESOLVED**

**That application DC/20/05894 be deferred on the request of the applicant to seek changes to the application and that the application be returned to committee at a later date.**

**46 DC/20/04921 LAND EAST OF, HOCKEY HILL, WETHERINGSETT CUM BROCKFORD, SUFFOLK**

#### 46.1 Item 7B

Application Proposal	DC/20/04921 Outline Planning Application (access, layout and scale to be considered) – Residential Development of 14no dwellings (including 4no affordable dwellings) garaging, construction of access and associated parking.
Site Location	<b>WETHERINGSETT CUM BROCKFORD</b> – Land East of, Hockey Hill, Wetheringsett Cum Brockford, Suffolk
Applicant	D I Alston Will Trust Ltd

- 46.2 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.
- 46.3 The Case Officer responded to Members' questions on issues including: the response from the Heritage Officer, the current status of the agricultural track and whether there was any Public Right of Way, the current status of the Draft Joint Local plan and the current development plan and that this site did not feature in it, that there was no emergency vehicle access to the site, and that the garages were currently managed by MSDC.
- 46.4 The Case Officer responded to further questions from Members on issues including: what details would be included in any reserved matters application, the ownership of the site, and the provision of parking for existing residents.
- 46.5 Members considered the representation from Elizabeth Cain of Wetheringsett Cum Brockford Parish Council.
- 46.6 The Parish Council representative responded to Members questions on issues including: identified development in Brockford Street and the preferred location for future development in the Parish, the proposed associated parking on site and that the garages were currently being used by existing residents.
- 46.7 Members considered the representation from Mike Pease who spoke as an Objector.
- 46.8 The Objector responded to Members' questions on issues including: that there was no public transport in the area and the only busses were school transport and the Dial a ride service.
- 46.9 Members considered the representation from Sarah Hucklesby and Tony Alston who spoke as the Agent and Applicant respectively.
- 46.10 The Area Planning Manager clarified through the Agent that pylons did not cross the site but there was a drain that went through the site.
- 46.11 Members considered the representation from the Ward Member, Councillor Andrew Stringer.

46.12 Members debated the application on the issues including: the current development plan and Draft Joint Local Plan, the proposed location of the houses in the area, the comments and consultation response from the Parish Council, and the sustainability of the proposal.

46.13 The Area Planning Manager advised Members that the development plan consisted of policies from the 2008 core strategy review and that if members were minded to refuse the application on those grounds then it would be recommended that the application be dealt with by the Planning Referrals Committee. It was noted that the Area Planning Manager withdrew his comments regarding the Planning Referrals Committee later on in the meeting.

46.14 Members continued to debate the application on the issues including: the sustainability of the proposal, the provision of bungalows and Affordable Housing, the parking on site, paragraph 80 of the NPPF and the Councils current policies, and the emerging Draft Joint Local Plan.

46.15 Councillor Richard Meyer proposed that the application be refused for the reasons as follows:

- That Authority is delegated the Chief Planning Officer to refuse DC/20/04921 as:
  1. The development would be located in a part of the Parish where it would not enhance or maintain the vitality of this rural community and would generate unsustainable traffic movements from future residents which will not support local services. On that basis the development would be contrary to para 79 of the NPPF 2021.
  2. And for any further reasons that the Chief Planning Officer decides are appropriate.

46.16 Councillor Andrew Mellen seconded the motion.

46.17 By a unanimous vote.

46.18 **RESOLVED**

- **That Authority is delegated the Chief Planning Officer to refuse DC/20/04921 as:**
  1. **The development would be located in a part of the Parish where it would not enhance or maintain the vitality of this rural community and would generate unsustainable traffic movements from future residents which will not support local services. On that basis the development would be contrary to para 79 of the NPPF 2021.**
  2. **And for any further reasons that the Chief Planning Officer decides**

are appropriate.

**47 DC/21/00782 WINGFIELD BARNES, CHURCH ROAD, WINGFIELD, SUFFOLK, IP21 5RA**

Item 7C

Application	DC/21/00782
Proposal	Planning Application – Change of Use of Performance Studio to Office (Use Class E)
Site Location	<b>WINGFIELD</b> – Wingfield Barns, Church Road, Wingfield, Suffolk IP21 5RA
Applicant	Mr Andrew Robinson

47.1 A break was taken from 11:15am until 11:25am, after application DC/20/04921 and before the commencement of application DC/21/00782.

47.2 The Area Planning Manager presented the application to the Committee outlining the proposal before Members including: the layout and location of the site, the proposed change of use of the buildings on site, the officer recommendation of approval, and the contents of the tabled papers.

47.3 The Area Planning Manager responded to questions from Members on issues including: whether the redesignation of parts of the building as office space would diminish the value of the arts venue.

47.4 Members considered the representation from the Ward Member Councillor Lavinia Hadingham which was read out by the Governance Officer.

47.5 Members debated the application on issues including: the diversification of the site and the need to generate income.

47.6 Councillor Stringer proposed that the application be approved as detailed in the officer recommendation.

47.7 Councillor Gould seconded the motion.

47.8 By a vote of 7 votes for and 1 against

**It was RESOLVED:-**

**That the Chief Planning Officer be authorised to GRANT planning permission subject to [a] the prior completion of a Section 106 to amend the above mentioned planning obligation in relation to this use of this building on terms to the satisfaction of the Chief Planning Officer and [b] that such planning**

permission be subject to the conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- **Standard time limit**
- **Approved Plans (Plans submitted that form this application)**
- **Hours of operation**
- **Specific restriction on use (only to allow building as an office, as defined within Class E(g)(i) Offices to carry out any operational or administrative functions).**

**48 DC/21/02116 WINGFIELD BARNs, CHURCH ROAD, WINGFIELD, SUFFOLK IP21 5RA**

Item 7D

Application	DC/21/02116
Proposal	Planning Application – Change of Use of the Granary, Wingfield Barns, from occasional residential use to Use Class E
Site Location	<b>WINGFIELD</b> – Wingfield Barns, Church Road, Wingfield, Suffolk IP21 5RA
Applicant	Mr Andrew Robinson

- 48.1 The Area Planning Manager presented the application to the committee outlining the proposal before Members including: the location and layout of the site, the proposed change of use of the buildings on site, the officer recommendation of approval, and the contents of the tabled papers.
- 48.2 The Area Planning Manager responded to questions from Members on issues including: any alternative residential provision on site to accommodate artists in residence, the existing permission for use as a day nursery and whether this had been implemented.
- 48.3 Members considered the representation from the Ward Member, Councillor Lavinia Hadingham, which was read out by the Governance Officer.
- 48.4 Members debated the application on issues including: the wider range of uses of the site.
- 48.5 Councillor Stringer proposed that the application be approved as detailed in the officer recommendation.
- 48.6 Councillor Gould seconded the motion.
- 48.7 Members continued to debate the application on issues including: the diminishment of a public asset and the loss of a potential site for development.
- 48.7 By a vote of 6 votes for and 2 against

It was RESOLVED:

That the Chief Planning Officer be authorised to GRANT planning permission subject to [a] the prior completion of a Section 106 to amend the above mentioned planning obligation in relation to this use of this building on terms to the satisfaction of the Chief Planning Officer and [b] that such planning permission be subject to the conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- Standard time limit
- Approved Plans (Plans submitted that form this application)
- Hours of operation
- Those required by MSDC Environmental Protection Officer (including restricted use).

**49 SA/21/9 SCHEDULE OF PLANNING APPLICATIONS - PLEASE NOTE THIS SESSION WILL NOT START BEFORE 14:00**

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

Application Number	Representations From
DC/21/02359	Councillor Elizabeth Gibson-Harries (Horham and Athelington Parish Council) Giles McGarry (Applicant) Andrew Hughes (Applicant) Councillor Matthew Hicks (Ward Member)
DC/21/03600	Lee Carvell (Applicant)

**50 DC/21/02359 LAND EAST OF, HORHAM ROAD, ATHELINGTON, SUFFOLK**

50.1 Item 8A

Application	DC/21/02359
Proposal	Planning Application. Demolition of existing agricultural barn and erection of 1no one and a half storey dwellinghouse. Change of use from agricultural land to C3 dwellinghouse.
Site Location	<b>ATHELINGTON</b> – Land East of Horham Road, Athelington, Suffolk.
Applicant	Giles and Kirsty McGarry

50.2 Before determination of the application the Governance Officer outlined that Councillor Hicks had been given dispensation by the Deputy Monitoring Officer to remain in the meeting despite a pecuniary interest in the application. Cllr Hicks was granted a dispensation under the Localism Act 2011(Part 1, Chapter 7, Section 33) Paragraph C: whereby the relevant authority considers that granting the dispensation is in the interests of persons living in the authority's area.

50.3 The Area Planning Manager 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 with the additional condition that Permitted development rights be removed.

50.4 The Case Officer responded to Members' questions on issues including the prior approval of a Class Q application on the site and the associated implication that sustainability of the location was not something that members could take into consideration due to the principal of development being established.

50.5 The Case Officer responded to further questions from Members on issues including: the height of proposed dwelling, the floorspace of the new dwelling compared to the Class Q approval, that the application was considered controversial due to ownership of the adjacent land.

50.6 Members considered the representation from Elizabeth Gibson-Harries of Horham and Athelington Parish Council who spoke in support of the application.

50.7 Members considered the representation from Giles McGarry and Andrew Hughes who spoke as the Applicant and Agent respectively.

50.8 The Applicant and Agent responded to Members' questions on issues including: the proposed design, the height of the proposed dwelling, the sustainability features of the building as detailed in the tabled papers, and possible light pollution from the windows.

50.9 Members considered the representation from the Ward Member, Councillor Matthew Hicks who left the meeting after the completion of his statement.

50.10 Members debated the application on the issues including: the sustainability of the location and the sustainability measures proposed, the height of the building, the size of the windows, that the structure would become a dominant feature in the countryside, the biodiversity enhancement measures, including the conditions from place services regarding lighting, the environmental cost of creating new foundations, the representation from the Parish Council and the possibility of birds flying into the windows and possible prevention measures.

50.11 Councillor Andrew Mellen proposed that the application be approved as detailed in the updated officer recommendation with the additional condition as detailed below:

- Scheme to be agreed for the prevention of bird impacts.

50.12 Councillor Rowland Warboys seconded the motion.

50.13 By 6 votes to 2.

50.14 **RESOLVED**

1) That the Chief Planning Officer be authorised to GRANT permission, subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- Standard time limit
- Approved Plans (Plans submitted that form this application)
- All highway conditions recommended by SCC
- Biodiversity mitigation and enhancement measures conditions as recommended by our Ecologist
- Swift Nest Bricks installation to be agreed
- Hedgehog fencing scheme to be agreed
- Energy and renewable integration scheme to be agreed prior to commencement.
- Rainwater harvesting to be agreed .

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

- Proactive working statement
- SCC Highways notes
- Support for sustainable development principles

**Additional Conditions:**

- Removal of Permitted Development Rights
- Scheme to be agreed for the prevention of bird impacts.

**51 DC/21/03600 GAINSBOROUGH ROAD CAR PARK, GAINSBOROUGH ROAD, STOWMARKET, SUFFOLK IP14 1LH**

51.1 Item 8B

Application Proposal	DC/21/03600 Planning Application – Installation of 8 no. separate section solar PV carport arrays on Mid Suffolk District Council owned public use car park. Battery Storage Cabinet. 5no. connected electric vehicle charging points.
Site Location	<b>STOWMARKET</b> – Gainsborough Road Car Park, Gainsborough Road, Stowmarket, Suffolk IP14 1LH
Applicant	BMSDC

51.2 A break was taken from 15:10pm until 15:20pm, after application number DC/21/02359 and before the commencement of application number DC/21/03600.

51.3 Councillor Gould left the meeting at 15:10pm.

51.4 The Case Officer presented the application to the committee outlining the proposal before Members including: the location and layout of the site, and

the officer recommendation of approval.

- 51.5 The Case Officer responded to questions from Members on issues including: any loss of existing parking spaces, and the dimensions of the battery storage equipment.
- 51.6 Members considered the representation from Lee Carvell who spoke on behalf of the applicant.
- 51.7 The applicant responded to questions from Members on issues including: the size of the battery storage equipment, and potential noise issues.
- 51.8 Members debated the application on issues including: the location of the proposal, the environment benefits, and potential noise issues.
- 51.9 Councillor Stringer proposed that the application be approved as detailed in the recommendation.
- 51.10 Councillor Norris seconded the motion.
- 51.11 By a unanimous vote

**It was RESOLVED:**

**That the Chief Planning Officer be authorised to GRANT Planning Permission subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:**

- **Standard Time Limit**
- **Approved Plans and Documents**
- **Those required by MSDC Environmental Protection Officers**
- **Those required by SCC-Highways**
- **Microgeneration equipment to be removed as soon as practicable when no longer required for energy generating purposes.**

## **52 SITE INSPECTION**

- 52.1 None requested.

The business of the meeting was concluded at 3.37 pm.

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Chair