

MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **MSDC PLANNING** held in the King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Wednesday, 27 March 2024 at 5:30pm.

PRESENT:

Councillor: Sarah Mansel (Chair)
Lavinia Hadingham (Vice-Chair)

Councillors: Lucy Elkin Nicholas Hardingham
Terry Lawrence Jen Overett
David Penny Rowland Warboys

In attendance:

Officers: Chief Planning Officer (PI)
Planning Lawyer (IDP)
Case Officer (VP)
Governance Officer (CP)

122 APOLOGIES FOR ABSENCE/SUBSTITUTIONS

122.1 Apologies were received from Councillor Austin Davies and Councillor John Matthissen. Councillor David Penny substituted for Councillor Davies and Councillor Jen Overett substituted for Councillor Matthissen.

123 TO RECEIVE ANY DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER REGISTRABLE OR NON REGISTRABLE INTERESTS BY MEMBERS

123.1 There were no declarations of interest declared.

124 DECLARATIONS OF LOBBYING

124.1 There were no declarations of lobbying.

125 DECLARATIONS OF PERSONAL SITE VISITS

125.1 Councillor Elkin declared a personal site visit in respect of application number DC/23/05641.

126 MPL/23/26 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 14 FEBRUARY 2024

By a vote of 7 votes For and 1 Abstention

It was RESOLVED:

That the minutes of the meeting held on 14 February 2024 be confirmed and signed as a true record.

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

127.1 None received.

128 MPL/23/27 SCHEDULE OF PLANNING APPLICATIONS

128.1 In accordance with the Councils procedures for public speaking on planning applications, representations were made as follows:

Application Number	Representations From
DC/23/05641	Nicol Perryman (Agent) Councillor Lucy Elkin (Ward Member)

129 DC/23/02535 GATEWAY 14 (2000), LAND BETWEEN THE A1120 AND A14, CREEETING ST PETER, STOWMARKET, SUFFOLK

129.1 Application number DC/23/02535 was deferred in accordance with pre-election rules following the notice of a by-election in the Chilton (Stowmarket) Ward.

130 DC/23/05641 FORMER PADDOCK HOUSE CARE HOME, WELLINGTON ROAD, EYE, IP23 7BE

130.1 Item 7B

Application Proposal	DC/23/05641 Application under S73a for Variation of a Condition following grant of DC/20/01537 dated 30/07/2020 Town and Country Planning Act 1990 (as amended) – “Erection of 16 no. affordable dwellings including vehicular accesses, footpaths, car parking, car port, bin and bike store buildings, open space and landscaping (following demolition of existing buildings)”
Site Location	Former Paddock House Care Home, Wellington Road, Eye, IP23 7BE
Applicant	Mid Suffolk District Council

130.2 The Case Officer introduced the application to the Committee outlining the proposal before Members including: the amendments which had been made to the proposal and agreed by the Applicant, the planning issues to be considered, the location of the site, the heritage assets in the area, the existing layout and housing mix at the site, the impact of the roof panels on

the street scene, the existing roof materials and proposals for how the solar panels would be integrated, the potential heritage harm and any public benefit from the proposal, and the officer recommendation as detailed in the tabled papers.

- 130.3 The Chief Planning Officer provided clarification to Members that weight should be given to the preservation and conservation of heritage assets.
- 130.4 The Case Officer responded to question from Members on issues including: the location of the panels across the plots, the efficiency of the solar tiles in comparison to solar panels, the view of the proposed materials from various points across the site, whether any pre application advice had been requested, the scope for amalgamating tiles to provide collective energy on other roofs as an alternative to panels on plots 1, 2, and 3, and the lifetime costs of the tiles in comparison to solar panels.
- 130.5 Members considered the representation from Nicol Perryman who spoke as the Agent.
- 130.6 The Agent and the Applicant, Holly Brett, responded to questions from Members on issues including: consideration given to installing panels on the garage roofs at the rear of the site, whether a community energy scheme had been considered, the viability of the scheme and the costs of the tiles, the expected energy output for each dwelling, and the funding of the properties from Mid Suffolk District Council.
- 130.7 The Chief Planning Officer, the Agent, and the Applicant commented on the feasibility of moving the panels to alternative plots on the site, and sharing the energy across the plots.
- 130.8 The Agent and the Applicant responded to further questions from Members regarding the costs of the various panel types.
- 130.9 Members considered the representation from Councillor Lucy Ekin who spoke as the Ward Member.
- 130.10 Members debated the application on issues including: the potential level and nature of heritage harm compared to potential public benefits, the environmental benefits of each property having access to solar energy, the potential loss of heritage assets and the impact on the character of the Eye Conservation Area, the heritage benefits of using roof tiles rather than solar panels, the impact of the panels on the view of the heritage properties, the Council's policy for new developments to have PV panels installed, and the lack of consideration given to all options by the applicant.
- 130.11 The Chief Planning Officer suggested an amendment to the recommendation to read as follows:

'That Members resolve to DELEGATE authority to the Chief Planning Officer to GRANT planning permission SUBJECT FIRST TO the following

amendment (a) (b) or (b2) being made to the application to the satisfaction of the Chief Planning Officer'

With the following being added

'or (b2) the amendment of the proposed PV panels to incorporate, as far as reasonably practicable, additional roof panels on the rear roof slopes to Plots 4, 5 and 6 and other plots in lieu of those on Plots 1, 2 and 3'.

130.12 Councillor Hadingham proposed the recommendation contained in the tabled papers with the amendment as read out by the Chief Planning Officer.

130.13 Councillor Lawrence seconded the proposal.

130.14 Members continued to debate the application on issues including: the future visual appearance of the solar tiles, the viability of the project including the costs involved in acquiring and installing the tiles, and the lack of objections from the Town Council.

By a vote of 4 votes For, 1 Against and 2 Abstentions

It was RESOLVED:

That Members resolve to DELEGATE authority to the Chief Planning Officer to GRANT planning permission SUBJECT FIRST TO the following amendment (a), (b), or (b2) being made to the application to the satisfaction of the Chief Planning Officer

(a) The removal of the PV panels from the dwellings facing Church Street from Plots 1, 2 and 3

Or

(b) the substitution of the proposed PV panels from Plots 1, 2 and 3 with solar tiles of a type, design and arrangement

Or

(b2) the amendment of the proposed PV panels to incorporate, as far as reasonably practicable, additional roof panels on the rear roof slopes to Plots 4, 5 and 6 and other plots in lieu of those on Plots 1, 2 and 3'

And subject to the receipt of amended plans providing the modified detail described below to the satisfaction of the Chief Planning Officer as agreed in principle by the applicant in their Clarification Note dated 21st March 2024. Namely:

(c) amended drawings showing the relocated bin store to Plot 7 as having a fully pitched roof

(d) amended drawings showing a recessed blank window to Plot 1 (west end elevation at first floor)

(e) amended drawings showing the relocation of PV panels on Plots 15 and 16 from the west roof slope (rear) to the east roof slope (front)

And that such permission as may be granted be subject to appropriate conditions at the discretion of the Chief Planning Officer

(f) In the event that the above amendments are not received within 2 months of the resolution or such detail as shall have been submitted is not considered satisfactory the Chief Planning Officer then he be authorised to REFUSE the application under delegated powers for the following reason and such other reasons as he thinks fit:

“The proposed pv panels on the dwellings occupying plots 1, 2, 3, 15 and 16 will result in ‘Less Than Substantial Harm’ to designated heritage assets, namely the Eye Conservation Area and the setting of numerous listed buildings adjoining the site. This harm will arise from the intrusive nature an alien non-traditional appearance of pv panels installed on the street facing (front) roof slope to the dwellings on plots 1, 2 and 3 within what is a key art of the historic core of Eye. The introduction of pv panels facing Church Street will result in significant harm to the character of the conservation area hereabouts such that the proposal cannot be said to neither preserve nor enhance that character. The existing buildings hereabouts have very distinctive vernacular roofscapes that retain a strong historic significance as they reflect the Towns long history in a largely unaltered form. This redevelopment was approved in the form it was in order to harmonise with that strong character. The approval of pv panels in such a prominent location is likely to encourage other property owners to seek approval for pv panels on front facing roof slopes on the basis of a consistent application of policy in the conservation area and within the setting of listed buildings. This would quickly erode the charm character and historic significance of heritage assets hereabouts. In refusing this application the Council as local planning authority suggested a variety of alternatives including the use of solar tiles rather than panels to mitigate the identified harm but the applicant decided not to pursue these. The proposal is contrary to ALP Policy LP - The Historic Environment and this policy is considered to be the most important within the basket of relevant policies for the determination of this application. The Proposal is contrary to Neighbourhood Plan policy Eye 16 in that the position of pv panels on the front facing roof slopes of the dwellings on plots 1, 2 and 3 will not contribute positively to the conservation area. They will therefore neither preserve and enhance its intrinsic character and its distinct historic significance. The proposal is also contrary to the NPPG at paragraphs 203, 205, 206 and most importantly 208 as the identified public benefits that arise from the proposal do not outweigh the identified ‘less than substantial’ heritage harm to the character of the designated Eye Conservation Area and the setting of adjacent statutorily listed buildings”.

131 SITE INSPECTION

131.1 There were no site inspection requests.

The business of the meeting was concluded at 7.20 pm.

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Chair