

MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **MID SUFFOLK DEVELOPMENT CONTROL COMMITTEE B** held in the Elisabeth Room - Endeavour House, 8 Russell Road, Ipswich on Wednesday, 25 April 2018 -09:30

PRESENT:

Councillor: Kathie Guthrie (Chair)
Roy Barker (Vice-Chair)

Councillors: Michael Burke Julie Flatman
Derrick Haley Barry Humphreys MBE
Wendy Marchant Derek Osborne
Jane Storey Keith Welham

Ward Members:

Councillors: David Burn
Diana Kearsley

In attendance:

Area Planning Manager (JPG)
Planning Lawyer (IDP)
Development Management Planning Officer (SB/AS)
Principal Planning Officer (EF)
Governance Support Officer (RC)

47 APOLOGIES FOR ABSENCE/SUBSTITUTIONS

An apology of absence was received from Councillor Jessica Fleming.

Councillor Derrick Haley substituted for Councillor Jessica Fleming.

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

Councillor Jane Storey and Councillor Roy Barker declared a non-pecuniary interest in application DC/17/03582 as they knew the applicant.

49 DECLARATIONS OF LOBBYING

Councillor Kathie Guthrie and Councillor Michael Burke declared that they had been lobbied on applications DC/17/04036, DC17/04037, DC/17/05702 and DC/17/05703.

50 DECLARATIONS OF PERSONAL SITE VISITS

None declared.

51 SA/17/17 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 28 MARCH 2018

It was resolved that the Minutes of the meeting held on 28 March were confirmed and signed as a true record subject to a correction of the attendance to show that the Planning Lawyer present was Jo Hooley not Ian De-Prez.

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

None received.

53 SA/17/18 SCHEDULE OF PLANNING APPLICATIONS

In accordance with the Council's procedure for public speaking on planning applications a representation was made as detailed below:

Schedule of Applications

Application Number	Representations From
DC/17/06092	Julie Bell (Gislingham Parish Council) Michael Grant (Objector)
DC/17/03582	John Pearce (Objector) Agent (Leslie Short)
DC/17/04036	Dina Bedwell (Debenham Parish Council) Ben Gummer (Objector) Rob Marsh-Filey (Agent)
DC/17/04037	Dina Bedwell (Debenham Parish Council) Rob Marsh-Filey (Agent)
DC/17/05702	Dina Bedwell (Debenham Parish Council) Henry Chevalier-Guild (Objector) Charity Quin (Supporter) Jade Martin (Applicant)
DC/17/05703	Dina Bedwell (Debenham Parish Council)
DC/17/05507	Stephen Daw (Objector) Sarah Yaxley (Supporter) Paul Yaxley (Applicant)
DC/17/05508	Sarah Yaxley (Supporter) Paul Yaxley (Applicant)

53.1 The items of business were taken in the order as follows as set out by the Chair at the beginning of the meeting:

1. DC/17/04036
2. DC/17/04037
3. DC/17/05702
4. DC/17/05703
5. DC/17/06092
6. DC/17/03582
7. DC/17/05507
8. DC/17/05508

53.2 For applications DC/17/04036, DC/17/04037, DC/17/05702 and DC/17/05703, Vice-Chair Councillor Roy Barker took the Chair.

53.3 The Chair explained for the Cherry Tree Inn, Debenham (DC/17/04036, DC/17/04037, DC/17/05702 and, DC/17/05703) would be heard and decided upon separately and as such would have separate public speaking, debate and votes.

53.4 Item 3

Application	DC/17/04036
Proposal	Full Planning Application- Change of use from class A3/A4 public house to 3 no. dwellinghouses (one of which to include ancillary annexe wing) and associated alterations.
Site Location	DEBENHAM- Cherry Tree Inn, 1 Cherry Tree Lane, Debenham, IP14 6QT
Applicant	Hollins Architects and Surveyors

53.5 The Case Officer presented the application to the Committee elaborating on the late papers that had been placed before Members and concluded by outlining the Officer recommendation.

53.6 The Case Officer responded to Members' questions on issues including: previous applications on the site.

53.7 Members considered the representations from the Parish Council, Objector, Applicant and Ward Member.

53.8 The Case Officer clarified, after comments from the Public Speakers, that the Cherry Tree Inn was not listed as an Asset of Community Value.

53.9 Public speakers responded to Members questions on issues including: the marketing of the Inn, the information contained within the late papers, and the current refurbishments to the Inn.

53.10 Members debated the application on issues including: the planning history of the Inn and previous decisions on the site, and the viability report.

53.11 The Planning Lawyer and Area Planning Manager clarified the basis for any decision the Committee would make and the policy context surrounding the application specifically regarding Public Houses.

53.12 Councillor Barry Humphreys MBE proposed that the application be refused on the following grounds:

Notwithstanding the period of marketing and information submitted it is considered that the use as a public house has the potential to be a valued local facility which would be able to meet the day to day and future needs of the community including future housing growth in the locality. The local planning authority do not consider that reasonable efforts have been taken to continue a viable business as a public house. On that basis the proposed change of use would be contrary to the principles of paragraph 28 and 70 of the National Planning Policy Framework and contrary to the principles of paragraph 5.4 of the adopted Supplementary Planning Guidance for the Retention of Shops, Post Offices and Public Houses in Villages having regard to the continued strong evidence of community support for the retention of the use. Both loss of the public house and holiday lets would furthermore result in loss of employment site without significant benefit and would accordingly be contrary to policy E6 of the adopted 1998 Mid Suffolk Local Plan.

53.13 Councillor Derrick Haley seconded the motion.

53.14 By a unanimous vote

53.15 RESOLVED

For planning DC/17/04036, refused as follows:-

Notwithstanding the period of marketing and information submitted it is considered that the use as a public house has the potential to be a valued local facility which would be able to meet the day to day and future needs of the community including future housing growth in the locality. The local planning authority do not consider that reasonable efforts have been taken to continue a viable business as a public house. On that basis the proposed change of use would be contrary to the principles of paragraph 28 and 70 of the National Planning Policy Framework and contrary to the principles of paragraph 5.4 of the adopted Supplementary Planning Guidance for the Retention of Shops, Post Offices and Public Houses in Villages having regard to the continued strong evidence of community support for the retention of the use. Both loss of the public house and holiday lets would furthermore result in loss of employment site without significant benefit and would accordingly be contrary to policy E6 of the adopted 1998 Mid Suffolk Local Plan.

Application Proposal	DC/17/04037 Application for Listed Building Consent- Internal and external alterations to facilitate change of use from public house into 3 no. dwellinghouses.
Site Location	DEBENHAM- Cherry Tree Inn, 1 Cherry Tree Lane, Debenham, IP14 6QT
Applicant	Hollins Architects and Surveyors

53.16 The Case Officer presented the application to the Committee outlining the Officer Recommendation and updated Members on the late papers before them.

53.17 Members considered the representations from the Parish Council, Applicant and Ward Member.

53.18 The Area Planning Manager clarified to Members that although the current Listed Building alteration application had been linked with the previous proposal before the committee, this was a separate application and as such would have to be decided on its merits in respect of the character of the Listed Building and works proposed regardless of the decision on DC/17/04036.

53.19 Members debated the application on the issues including: the changes to the listed building and debated aspects of harm to the listed building.

53.20 Councillor Derrick Haley proposed that the application be refused on the grounds as follows:

The works proposed for additions and internal alterations are considered to result in harm without justification to the building character and without sufficient wider public benefit to outweigh the harm. On this basis the works are contrary to HB1 Local Plan.

53.21 Councillor Barry Humphreys MBE seconded the motion.

53.22 By a unanimous vote

53.23 RESOLVED

For Listed Building Consent DC/17/04037, refused as follows:-

The works proposed for additions and internal alterations are considered to result in harm without justification to the building character and without sufficient wider public benefit to outweigh the harm. On this basis the works are contrary to HB1 Local Plan

53.24 A short break was taken between 10:55-11:02 for refreshments.

53.25 Item 4

Application Proposal	DC/17/05702 Full Planning Application – Change of use of existing public house to veterinary practice and change of use of existing ancillary building to A1 commercial and 2 no. dwellings.
Site Location	DEBENHAM- Cherry Tree Inn, 1 Cherry Tree Lane, Debenham, IP14 6QT
Applicant	Ms J Martin

53.26 The Case Officer presented the application to the Committee outlining the proposal, the Officer Recommendation, and the late papers.

53.27 Members considered the representations from the Parish Council, Objector, Supporter and Applicant.

53.28 Members debated the application on issues including: the retention of the Public House use, the proposal of a function room on site, the relationship of the application with the NPPF, and the loss of a community service/facility.

53.29 Councillor Derrick Haley proposed that the application be refused on the grounds that:

Notwithstanding the period of marketing and information submitted it is considered that the use as a public house has the potential to be a valued local facility which would be able to meet the day to day and future needs of the community including future housing growth in the locality. The local planning authority do not consider that reasonable efforts have been taken to continue a viable business as a public house. Furthermore, the commercial uses proposed are not considered to outweigh public house function and service to the community as a local facility. On that basis the proposed change of use would be contrary to the principles of paragraph 28 and 70 of the National Planning Policy Framework and contrary to the principles of paragraph 5.4 of the adopted Supplementary Planning Guidance for the Retention of Shops, Post Offices and Public Houses in Villages having regard to the continued strong evidence of community support for the retention of the use. Both loss of the public house and holiday lets would furthermore result in loss of employment site without significant benefit and would accordingly be contrary to policy E6 of the adopted 1998 Mid Suffolk Local Plan.

53.30 Councillor Barry Humphreys MBE seconded the motion.

53.31 By 8 votes to 0 with 1 abstention.

53.32 **RESOLVED**

For planning DC/17/05702 refused as follows:-

Notwithstanding the period of marketing and information submitted it is

considered that the use as a public house has the potential to be a valued local facility which would be able to meet the day to day and future needs of the community including future housing growth in the locality. The local planning authority do not consider that reasonable efforts have been taken to continue a viable business as a public house. Furthermore, the commercial uses proposed are not considered to outweigh public house function and service to the community as a local facility. On that basis the proposed change of use would be contrary to the principles of paragraph 28 and 70 of the National Planning Policy Framework and contrary to the principles of paragraph 5.4 of the adopted Supplementary Planning Guidance for the Retention of Shops, Post Offices and Public Houses in Villages having regard to the continued strong evidence of community support for the retention of the use. Both loss of the public house and holiday lets would furthermore result in loss of employment site without significant benefit and would accordingly be contrary to policy E6 of the adopted 1998 Mid Suffolk Local Plan.

Application Proposal	DC/17/05703 Application for listed building – internal alterations to buildings to facilitate change of use of existing public house to veterinary practice and change of use of existing ancillary building to A1 commercial and 2 no. dwellings.
Site Location	DEBENHAM- Cherry Tree Inn, 1 Cherry Tree Lane, Debenham, IP14 6QT
Applicant	Ms J Martin

53.33 The Case Officer presented the application to the Committee outlining the Officer report and associated late papers.

53.34 Members considered the representations from the Parish Council, the Ward Member chose not to add any further information for the committee's deliberations.

53.35 Members debated the application outlining aspects of the harm that would be caused to the listed building.

53.36 Councillor Barry Humphreys MBE proposed that the application be refused on the grounds that:

The works proposed for additions and internal alterations are considered to result in harm without justification to the functional character and without sufficient wider public benefit to outweigh the harm. On this basis the works are contrary to HB1 Local Plan

53.37 Councillor Michael Burke seconded the motion.

53.38 by a unanimous vote

53.39 RESOLVED

For Listed Building Consent DC/17/05703, refused as follows:-

The works proposed for additions and internal alterations are considered to result in harm without justification to the functional character and without sufficient wider public benefit to outweigh the harm. On this basis the works are contrary to HB1 Local Plan.

53.40 A short break was taken between 11:50-11:57 for refreshments.

53.41 Item 1

Application	DC/17/06092
Proposal	Submission of details under outline Planning Permission 0294/15 for the erection of 40 dwellings with new vehicular access off Thornham Road, new road ways, garages and parking
Site Location	GISLINGHAM- Land on the south side of Thornham Road, Gislingham, IP23 8HP
Applicant	Lovell Partnerships Ltd

53.42 The Case Officer presented the application to the Committee outlining the updated recommendation that removed the condition of surface water disposal, and presented the late papers to Members.

53.43 The Case Officer responded to Members questions on issues including: the speed limit proposed within the site.

53.44 Members considered the representations from the Parish Council, Objector and Ward Member.

53.45 Members debated the application on issues including: the housing mix on the site, the ancient Oak tree situated on the site, the tiling on the roofs of the houses and the conditions within the Officer Recommendation.

53.46 Councillor Derrick Haley proposed that the application be approved as detailed in the updated recommendation, of the removal of the surface water condition, but with a delegation to seek an updated Arboricultural report and minor amendments to layout as a result, and that Owl, Bat, and swift boxes to be agreed as a condition.

53.47 Councillor Roy Barker seconded the motion.

53.48 by a unanimous vote

53.49 RESOLVED

That subject to updated Arboricultural report and minor amendments to layout as a result to Corporate Manager satisfaction, that the Corporate Manager- Planning for Growth be authorised to grant Planning

Permission subject to conditions including:

- 1. To be in accordance with approved plans and documents**
- 2. Materials details**
- 3. Hard and soft landscaping scheme**
- 4. Accordance with Arboricultural Impact Assessment**
- 5. Fire hydrant provision**
- 6. Details of provision, future management, and maintenance of public open space provision details**
- 7. Owl, Bat and Swift boxes to be agreed.**

Note -To be notified of unexpected ground contamination conditions

53.50 Item 2

Application Proposal	DC/17/03582 Outline Planning Application (Access to be considered) – erection of two detached dwellings and garages.
Site Location	WOOLPIT - Land Opposite the Grange, Green Road, Woolpit, IP30 9RG
Applicant	Mr & Mrs Parker

53.51 Councillor Barry Humphreys MBE left the meeting at 12:44 after the conclusion of application DC/17/06092 and before commencement of application DC/17/03582.

53.52 The Area Planning Manager presented the application to the Committee outlining the proposal and the Officer recommendation to Members.

53.53 Members considered the representations from the Objector, Agent and Ward Member.

53.54 The Public Speakers responded to Members questions on issues including: the pedestrian access to the site, the character of the properties in the surrounding area, that the current trail across the site was not a public right of way and previous applications that had been approved in the area.

53.55 Members debated the application on issues including: the possible detrimental impact on the landscape, the quality of design of the scheme and, whether the proposal conserved or enhanced the area.

53.56 Councillor Michael Burke proposed that the application be approved against the Officer recommendation on the grounds that Members considered that no harm would result to the setting of any Listed Building and would be outweighed by wider public benefit of new housing and the development could be designed to avoid harm to character of the area. In addition to this the application be subject to conditions of: Time Limit, Approved Plans, As SCC recommended for highways and Reserved matters.

53.57 Councillor Derrick Haley seconded the motion.

53.58 By a unanimous vote

53.59 **RESOLVED**

Approved subject to conditions:-

- **Time Limit**
- **Approved Plans**
- **As SCC recommended for highways**
- **Reserved matters**

Members considered that no harm would result to the setting of any Listed Building and would be outweighed by wider public benefit of new housing and the development could be designed to avoid harm to character of the area.

53.60 A short break was taken between 13:18-13:22 for refreshments.

53.61 Item 5

Application Proposal	DC/17/05507 Change of use of land and farm buildings as a wedding venue, erection of kitchen and storage building, following removal of outbuildings and provision of car parking and access.
Site Location	THRANDESTON - Marsh Farm, The Marsh, Thrandeston, Diss, Suffolk, IP21 4BZ
Applicant	Mr & Mrs P Yaxley

53.61 Councillor Wendy Marchant left the meeting after the conclusion of application DC/17/03582 but before the commencement of DC/17/05507.

53.62 The Case Officer presented the application to the Committee outlining the proposal and the officer recommendation.

53.63 The Case Officer responded to Members questions on issues including: passing places along the access road, and the recommendations from Mid Suffolk District Council's Environmental Health Department.

53.64 Members considered the representations from the Objector, Supporter, Applicant and Ward Member.

53.65 The Public speakers responded to Members questions including: the possible employment on the site and the noise that could be produced by the venue.

53.66 Members debated the application on issues including: the noise that could be created from the site, the operational hours of the site and whether this could be completed by the Licensing agreement and a possibility of mitigation

measures for bats and birds.

53.67 Councillor Derrick Haley proposed that the application be approved as detailed in the Officer recommendation.

53.68 Councillor Roy Barker seconded the motion.

53.69 By a unanimous vote

53.70 **RESOLVED**

That the Corporate Manager - Growth & Sustainable Planning be authorised to grant permission and that such permission be subject to the conditions as set out below:

- * **Standard time limit**
- * **To be in accordance with approved plans and documents**
- * **Personal permission use – tie to Farmhouse**
- * **Implement ecological mitigation measures**
- * **Implement landscaping scheme**
- * **Unexpected land contamination condition**
- * **Details of floodlighting**
- * **Bat outline mitigation strategy**
- * **Noise – LaeqT Music based entertainment noise**
- * **Noise - L10 Music based entertainment noise**
- * **Noise - Sound limiting device**
- * **Noise - No fireworks or Chinese style lanterns**
- * **Noise - Ventilation and filtration equipment**
- * **Noise- Details of ventilation and filtration equipment**

53.71 Item 6

Application	DC/17/05508
Proposal	Listed Building Consent – Works to facilitate change of use of land and farm buildings as a wedding venue, erection of kitchen and storage building, following removal of outbuildings and provision of car parking and access
Site Location	THRANDESTON- Marsh Farm, The Marsh, Thrandeston, Diss, Suffolk, IP21 4BZ
Applicant	Mr & Mrs P Yaxley

53.72 The Case Officer presented the application to the Committee, outlining the proposal and the Officer Recommendation.

53.73 Members considered the representations from the Supporter, Applicant and Ward Member.

53.74 Members debated the application on the proposed alterations to the listed buildings.

53.75 Councillor Jane Storey proposed that the application be approved as detailed in the Officer Recommendation. Councillor Derrick Haley seconded the motion.

53.76 By a unanimous vote

53.77 RESOLVED

That the Corporate Manager - Growth & Sustainable Planning be authorised to grant listed building consent and that such consent be subject to the conditions as set out below:

- * Standard listed building time limit**
- * To be in accordance with approved plans and documents**
- *Schedule and specification of works to clay lump.**
- *Further archaeological recording following exposure of historic frame.**
- *Schedule of timber repairs.**
- *Fenestration details.**
- *Details, including typical section drawings, of any insulation to be installed.**
- *Details of hard and soft landscaping, including any boundary treatments.**

The business of the meeting was concluded at 2.21 pm.

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Chairman