

## MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **MID SUFFOLK DEVELOPMENT CONTROL COMMITTEE B** held in the Rose Room - Endeavour House, 8 Russell Road, Ipswich on Wednesday, 18 July 2018 - 09:30

### PRESENT:

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

Councillors: Michael Burke  
Mike Norris  
Keith Welham  
Julie Flatman  
Jane Storey

### In attendance:

Area Planning Manager (JPG)  
Planning Lawyer (IDP)  
Senior Planning Officer (JW)  
Planning Officer (ET)  
Governance Support Officer (RC)

### 16 APOLOGIES FOR ABSENCE/SUBSTITUTIONS

Apologies of absence were received from Councillors Wendy Marchant, Derek Osborne, John Matthissen and Jessica Fleming.

Councillor Mike Norris substituted for Councillor Wendy Marchant.

Councillor Keith Welham substituted for Councillor John Matthissen.

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

None declared.

### 18 DECLARATIONS OF LOBBYING

Members declared that they had been lobbied on application 0214/17.

### 19 DECLARATIONS OF PERSONAL SITE VISITS

None declared.

### 20 SA/18/3 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 20 JUNE 2018

It was resolved that the Minutes of the meeting from 20 June 2018 were confirmed and signed as a true record.

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

None received.

**22 SA/18/4 SCHEDULE OF PLANNING APPLICATIONS**

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

<b>Application Number</b>	<b>Representations From</b>
DC/18/01123	Peter Gould (Parish Council) Geoffrey Hazelwood
0214/17	Fiona Bradley (Objector speaking on behalf of a local resident) Gill Davidson (Agent)

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

1. 0214/17
2. DC/18/01123

22.2 Councillor Kathie Guthrie relinquished the Chair for application 0214/17 only as she was the Ward Member for the application. Councillor Roy Barker took the Chair for application 0214/17 only.

22.3 Item 2

Application	0214/17
Proposal	Continued use of premises as mixed use retail shop with furniture restoration and repair workshop and associated packaging of furniture for delivery of instore and internet sales (sui generis)
Site Location	<b>DEBENHAM-</b> 73, High Street, Debenham
Applicant	Mr Collins

22.4 The Area Planning manager addressed the Committee updating Members of the late papers which contained an updated recommendation from Officers, and that the proposal before Members was for a sui generis use (which had been advertised), in paragraph 19 the reference to the neighbour was withdrawn, and that an additional informative note be added to the Officer Recommendation to confirm that the decision would be with respect of the use only and not operational works.

22.5 The area Planning manager clarified to Members that the side door was not

part of the application.

- 22.6 The Case Officer presented the application to the Committee outlining the proposal, the Officer recommendation and the late papers that were before Members.
- 22.7 The Area Planning Manager and the Case Officer responded to questions from the Planning Lawyer present including: the meaning of the term negligible in the heritage officer's reported comments, bearing in mind the relevant statutory test. Members were advised that it was arguable that there was in fact no harm, alternatively that such harm as existed was outweighed by the wider benefit from the economic and employment use, and also the fact that the conditions would come into immediate effect as soon as the Decision Notice was published.
- 22.8 The Case Officer and the Area Planning Manager also confirmed that the time limit included within the conditions in the original report was not in fact appropriate as the business was already active and that this was a full application for a change of use.
- 22.9 The Case Officer responded to Members questions on issues including: that there was an open enforcement investigation and that employees did not currently park on site.
- 22.10 Members considered the representation from the Objector in which she referred to the correspondence sent to the Council following the publication of the report.
- 22.11 Councillor Keith Welham declared a non-pecuniary interest in application 0214/17 as it he had become aware that he knew the Objector's client.
- 22.12 The Objector responded to Members' questions on issues including: the date that the Objectors client had moved to the property, and that a report by a highways consultant engaged by the Objector had been sent to the Council after the publication of the Committee report.
- 22.13 Members considered the representation from the Agent.
- 22.14 The Agent responded to Members' questions on issues including: the relationship between the application site and the industrial storage unit off site and the refurbishment work undertaken on the application site, the economic benefit to the area and the point raised by the Parish Council consultation response regarding chemicals on site and that they would be securely stored.
- 22.15 Members considered the representation from the Ward Member.
- 22.16 The Area Planning Manager addressed the Committee before the start of the debate clarifying that the aforementioned updated Highways report had been received and that in his opinion it did not appear to raise any new issues not covered by the existing advice from the Highways Authority. He

acknowledged that the access was not standard, but added that if Members were minded to, a delegation could be added into the recommendation “to delegate authority to seek final comment from Highways Authority on the most recent submission from 3<sup>rd</sup> parties and subject to the highway authority raising no new issues and the matter being to the satisfaction of the Corporate Manager for Growth and Sustainable Planning to grant permission as per the recommendation in the late papers.”

22.17 Members debated the application on the issues including: the current use of the site, the materials and chemicals within the shop, the extent to which the recommended conditions would deal with concerns about the use, and that the applicant had agreed to restrict HGV deliveries.

22.18 Councillor Jane Storey proposed that the application be approved as detailed in the updated Officer Recommendation in the late papers, with the added delegation as outlined by the Area Planning Manager and the Informative note regarding the use.

22.19 Councillor Mike Norris seconded the motion.

22.20 By 5 votes to 1

22.21 **RESOLVED**

**To delegate authority to seek final comment from Highways Authority on the most recent submission from 3<sup>rd</sup> parties and subject to the highway authority raising no new issues and the matter being to the satisfaction of the Corporate Manager for Growth and Sustainable Planning to grant permission as per the recommendation in the late papers.**

1. **Approved plans**
2. **No loading/unloading of deliveries or items for dispatch shall be made outside the hours of 0800 - 1800 Monday - Saturday. None on Sundays/Bank Holidays.**
3. **The premises shall not be open to the public outside the hours of 0800 - 1800 Monday - Saturday and 1000 - 1600 Sundays/Bank Holidays.**
4. **No furniture restoration or other related work shall take place outside the building, except for loading/unloading of deliveries.**
5. **The use of power tools for the construction of packing crates and furniture restoration shall only take place inside the building, and doors and windows shall be kept closed for the duration of the use of power tools inside the building.**
6. **Any construction of packing material and the packaging of items shall take place wholly within the premises.**
7. **No HGV movements larger than 7.5 tonnes (with the exception heating oil deliveries and refuse collection) shall take place to or from the site at any time.**
8. **Only items owned and for sale by the proprietor shall be repaired, refurbished, photographed and packaged within the site.**

### **Informative Note:**

- **To confirm the decision is with respect of use only and no operational works.**

22.22 A short break was taken between 10:48-10:57 for refreshments.

22.23 After the completion of Application 0214/17 Councillor Kathie Guthrie returned to the Chair for the remainder of the meeting. Councillor Roy Barker returned to the Committee.

22.24 Item 1

Application	DC/18/01123
Proposal	Outline Planning Application (All matters reserved) Erection of up to 20 No dwellings with garages.
Site Location	<b>EYE-</b> Land to the North of, Langton Green, Eye, Suffolk, IP23 7HL
Applicant	B and M Pension Scheme

22.25 The Case Officer presented the application to the Committee, outlining the proposal and the Officer recommendation and updating Members that Mid Suffolk District Council could now demonstrate a 5 year Housing land supply and that this change in circumstances since the writing of the report had been taken into consideration by the Officer in presenting the matter to Committee.

22.26 The Case Officer responded to Members' questions on issues including: that the access onto the site was not submitted and that all matters for the application were reserved including access and egress from the site.

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

22.28 The Public Speakers responded to Members' questions on issues including: that the land was not identified in the Neighbourhood Plan.

22.29 Members debated the application and the Chair proposed that the Application be refused as detailed in the Officer Recommendation. Councillor Jane Storey seconded the Motion.

22.30 By a unanimous vote

22.31 **RESOLVED**

### **REASONS FOR REFUSAL**

1. **Impact on the landscape, character, relationship and connectivity with existing built form**

**The site is of an awkward shape and formation, which does not allow for**

quality conventional design or layout. In particular, the indicative layout shows two large long roads that fork from a single access point from a private drive and leads into the development to a dead end, which creates a contrived and incongruous layout and design with poor relationship and connectivity. The proposal struggles to complement existing pattern and form of development to the south. The site essentially constitutes poor suburban development to the outskirts of a Town with a disjointed approach and no sustainable provisions to contribute to the sense of place or quality of place. The proposal would create a very insular development significantly lacking social inclusion or cohesion with the main Town of Eye, this would create a poor relationship with the existing settlement that would be disjointed and distanced, contrary to Local Plan Policies H7, GP1, H15, CL2, CS5 and Sections 7, 8, 11 of the NPPF.

2. Highways impacts

The proposal cannot adequately show how the scheme would directly access the public highway without impacting on a private drive. The site lacks significant sustainable transport links, the site is approx. 375m from the nearest bus stop and there are no adequate footway for pedestrians to the bus stops or to the village of Eye, therefore, not a sustainable location. No drawings show visibility splays therefore it is unknown whether adequate visibility splay dimensions can be provided or whether the access can safely facilitate the intensification of use the development would create. The proposal fails to comply with Local Plan Policies T9, T10 and Section 4 of the NPPF.

3. Insufficient ecological information

No ecological assessment is provided. The site contains an overgrown nature within a rural area and there are ponds/waterbodies with mature trees and hedging within the area and parameters of the site. There is a strong possibility for protected species to be present on and in relation to the site due to its rural and distanced location from built form. An ecological assessment is required to determine the likely impacts of development on protected and priority habitats and species. An assessment must determine whether the removal of the hedgerow (priority habitat) would require proportionate on site compensation. The assessment must also determine whether any protected and priority species would be present and affected by the proposal. Officers are not satisfied there is sufficient ecological information available to determine this application and consequently not satisfied the proposal complies with Local Plan Policies CL8 and Section 11 of the NPPF.

4. Insufficient information and viability implications

The proposal fails to provide for affordable housing provision and a viable method for the disposal of surface water or any method for the foul sewerage network, which are crucial for knowing whether a scheme would be acceptable and viable in principle. This information is required at outline stage for the size of the scheme proposed. The proposal constitutes a very speculative approach with no plan-led considerations in accordance with paragraph 17 of the NPPF. The proposal fails to comply

with Local Plan Policies H4 (Altered), CS4, CS5 and Section 10 of the NPPF.

**5. Unsustainable development**

The site is located within rural countryside distanced and detached from the main Eye town settlement. There are no sustainable provisions (footways, street lights or bus stops) for future occupiers linking to the main Eye settlement. Due to the detached and distanced location of the site from the main settlement and no sustainable provisions, on the balance of probability any future occupier would rely on the private vehicle to access day-to-day needs, which is not a sustainable way to plan future new development. The proposal fails to comply with Local Plan Policies FC1, FC1.1 and FC2 and the ethos embedded within the NPPF. Furthermore, the proposal fails to create any social cohesion or meaningful integration with the community due to the distant and detached location, the indicative proposal represents a very insular proposal.

**23 SITE INSPECTION**

23.1 None requested.

The business of the meeting was concluded at 11.25 am.

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Chair