

## 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, 27 October 2021 -09:30

### PRESENT:

Councillor: Kathie Guthrie (Chair)  
David Muller BA (Open) MCMi RAFA (Councillor) (Vice-Chair)

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

### Ward Member(s):

Councillors: Penny Otton  
Julie Flatman

### In attendance:

Officers: Area Planning Manager (JPG)  
Principal Planning Officer (VP)  
Planning Officer (AB)

### 63 APOLOGIES FOR ABSENCE/SUBSTITUTIONS

None received.

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

Councillor Peter Gould declared a Local Non-Pecuniary Interest in application DC/21/02617 as the application was in his County Council Division.

Councillor Dave Muller declared a Local Non-Pecuniary Interest in application DC/21/04773 as he was the Vice Chair of the Planning Committee on Stowmarket Town Council.

### 65 DECLARATIONS OF LOBBYING

It was noted that all Members of the Committee had been lobbied on applications DC/21/02924 and DC/21/02617.

**66 DECLARATIONS OF PERSONAL SITE VISITS**

Councillor Andrew Mellen declared a personal site visit for application DC/21/02924.

**67 SA/21/12 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 29 SEPTEMBER 2021**

It was Resolved that the Minutes of the meeting held on the 29 September 2021 were confirmed and signed as a true record.

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

None received.

**69 SA/21/13 SCHEDULE OF PLANNING APPLICATIONS**

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

Application Number:	Representations From:
DC/21/02924	Hayley Nunn – Felsham Parish Council Nicolas Panayi – Objector Jeremy Heppel – Agent Cllr Penny Otton – Ward Member
DC/21/02617	Chris Smith – Agent Cllr Julie Flatman – Ward Member
DC/21/04773	None

**70 DC/21/02924 LAND REAR OF THE SIX BELLS, CHURCH ROAD, FELSHAM, SUFFOLK**

70.1 Item 7A

Application Proposal	DC/21/02924 Planning Application – Erection of 2 No detached dwellings, associated parking and landscaping.
Site Location	<b>FELSHAM</b> – Land Rear of The Six Bells, Church Road, Felsham, Suffolk.
Applicant	Cordage 13 Limited

70.2 The Case Officer presented the application to the Committee outlining the proposal before Members, the layout of the site, the access to the site, the previous applications on the site including an application at appeal, and the officer recommendation of approval as detailed in the Committee Report.

70.3 The Case Officer responded to Members' questions on issues including the responses from Suffolk County Council's Highways Department on pages 55 and 65 of the report regarding where the edge of the carriageway was, that in

previous iterations of the applications white lines had been proposed in the highway but had been removed due to local opposition, and that the previous Heritage issues on the site had been resolved.

- 70.4 The Case Officer responded to further questions from Members on issues including: the Ecology Report that had been received but that the delegation within the recommendation was still included so that conditions could be added as necessary, and that the details of external lighting had been conditioned.
- 70.5 Members considered the representation from Hayley Nunn, of Felsham Parish Council who spoke against the proposal.
- 70.6 The Parish Council representative responded to Members' questions on issues including: that the pictures included in the Parish consultation response were from 2013/2014.
- 70.7 Members considered the representation from Nicolas Panayi who spoke as an Objector.
- 70.8 The Area Planning Manager advised Members and the Objector that if there were any issues with regards to the handling of the application then a formal complaint could be made to the Council or if there were any comments regarding previous decisions then these should be addressed to the Planning Inspectorate.
- 70.9 Members considered the representation from the Jeremy Heppel who spoke as the Agent.
- 70.10 The Agent responded to Members' questions on issues including: the location of the plot and its relationship to Maple Cottage, that the dwellings would be heated by air source heat pumps, that the stable doors did open outwards but this had been taken into account as the pavement was not raised, and the proposed access to the site.
- 70.11 The Planning Lawyer confirmed to Members that Air Source Heat Pumps were classed as Permitted Development Rights.
- 70.12 Members considered the representation from the Ward Member, Councillor Penny Otton who spoke against the proposal.
- 70.13 The Ward Member responded to Members' questions on issues including: that the land behind the Six Bells Pub was not Public Open Space, that deliveries were made to the Community Shop as and when required, and that they did not have a record of crashes in the immediate area.
- 70.14 The Area Planning Manager advised that the committee where the refuse and recycling bins would be collected from the site.
- 70.15 Members debated the application on the issues including: that there had been no reported road traffic or pedestrian accidents in the immediate area, that the

access was already in place and being used by the Six Bells Pub, paragraph 79 and 126 of the NPPF promoting sustainable development, the boundary of where the Highway started, and the loss of residential amenity for Plot 1 from overlooking at Maple Cottage.

70.16 Members continued to debate the application on the issues including: the placement of the bin storage area and collection point, the vibration of more vehicles travelling causing harm to the heritage asset, the scale and mass of the proposal compared to the existing dwellings in the village, the visibility splays and at which point they had been measured, the safety of residents, and the setting of the listed building.

70.17 The Chair reminded Members that there was currently an Appeal lodged with the Planning Inspectorate for a previous application on the site, that there was an existing access on the site, that the land was private and not for public use and that there were no windows from Maple Cottage overlooking plot 1.

70.18 Councillor Dave Muller proposed that the application be approved as detailed in the officer recommendation. Councillor Kathie Guthrie seconded the motion.

70.19 Members debated the motion on the issues including: the distances from the bin collection to the dwellings, the highways proposals, the design of plot 1 and the proposed dwellings were not in keeping with the surroundings.

70.20 By 2 Votes to 6.

The motion was lost.

70.21 Councillor Andrew Stringer proposed that the application be refused for the following reasons:

1) The proposed development would use an existing access that is not in accord with current standards for highway access and would lead to further intensification of the access increasing the risk of accidents occurring. Sufficient improvement of the access is not possible to adequately outweigh this risk given the restrictions of a Listed Wall to the west of the access and so can not be conditioned. Contrary to T10, H3 and NPPF para 111.

2) The proposed development for two houses would, if approved, result in development out of keeping and contrary to the character of the surrounding existing properties and Conservation Area by reason of mass, scale and appearance and further distracts from the setting of the Listed Public House. The proposal is not considered to enhance, preserve, and/or add to the significance of the area. On this basis the proposal is considered contrary to GP1, HB8, H3, CS5 and NPPF include section 12 on design and section 16 on conserving and enhancing the historic environment.

3) The proposed development by reason of orientation and siting of Plot 1 would, if

approved, result in poor amenity being enjoyed by the occupiers of the plot due to overlooking from existing dwelling, Maple Cottage. This is poor design and fails to meet the NPPF, including section 12 on design and para 130f.

70.22 Councillor Rowland Warboys seconded the motion.

70.23 By 6 votes to 2

70.24 **RESOLVED**

**That Application DC/21/02924 be refused for the following reasons:**

**1) The proposed development would use an existing access that is not in accord with current standards for highway access and would lead to further intensification of the access increasing the risk of accidents occurring. Sufficient improvement of the access is not possible to adequately outweigh this risk given the restrictions of a Listed Wall to the west of the access and so can not be conditioned. Contrary to T10, H3 and NPPF para 111.**

**2) The proposed development for two houses would, if approved, result in development out of keeping and contrary to the character of the surrounding existing properties and Conservation Area by reason of mass, scale and appearance and further distracts from the setting of the Listed Public House. The proposal is not considered to enhance, preserve, and/or add to the significance of the area. On this basis the proposal is considered contrary to GP1, HB8, H3, CS5 and NPPF include section 12 on design and section 16 on conserving and enhancing the historic environment.**

**3) The proposed development by reason of orientation and siting of Plot 1 would, if approved, result in poor amenity being enjoyed by the occupiers of the plot due to overlooking from existing dwelling, Maple Cottage. This is poor design and fails to meet the NPPF, including section 12 on design and para 130f.**

**71 DC/21/02617 LAND ON THE SOUTH SIDE OF, FRAMLINGHAM ROAD, LAXFIELD, SUFFOLK**

71.1 A short break was taken between 11:18-11:28 after the completion of DC/21/02924 but before the commencement of DC/21/02617.

71.2 Item 7B

Application Proposal	DC/21/02617 Submission of Details (Reserved Matters) under Outline Planning Permission DC/19/02312 dated 03/11/2020 – Appearance, Landscaping, Layout and Scale for Erection of 49 dwellings and associated operations, vehicular and pedestrian access, provision of school car park, open space, infrastructure and landscaping.
Site Location	<b>LAXFIELD</b> – Land on the South Side of, Framlingham Road, Laxfield, Suffolk
Applicant	Hopkins & Moore (Developments) Limited

71.3 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 updated officer recommendation of approval as detailed in the papers and the slideshow presentation.

71.4 The Case Officer responded to Members' questions on issues including: the chimneys on the houses, the landscaping and types of trees being planted, the provision for visitor parking on site, and the speed limits on Framlingham Road.

71.5 Councillor Julie Flatman read out a statement from the Laxfield Parish Council who had to leave the meeting prior to the item being heard.

71.6 Members considered the representation from the Applicant Chris Smith.

71.7 The Applicant responded to Members' questions on issues including: that the Chimneys on the ends of the dwellings were functional but ones in the middle of roof sections were for aesthetic purposes only, and that the non-native species of plants could be changed if requested.

71.8 Members considered the representation from the Ward Member, Councillor Julie Flatman.

71.9 The Area Planning Manager Advised Members that the car park in the scheme was secured via a Section 106 Agreement, that there were proposed to be 2 electric car charging points, and that no drop off arrangement or crossing had been secured in the outline planning permission.

71.10 Members debated the application on the issues including: that the scheme was well designed, that the fake chimneys included on the dwellings were unnecessary, the layout of the site, and the proposed planting on the west portion of the site and how this could affect visibility crossing the road.

71.11 Councillor Dave Muller proposed that the application be approved as detailed in the updated officer recommendation with the additional conditions as detailed below:

- Notwithstanding plans submitted, all non-working chimneys to be removed.

71.12 Councillor Andrew Stringer seconded the motion.

71.13 Members raised concerns regarding the planting down the left hand side of the site and how this could impede visibility of pedestrians crossing Framlingham Road.

71.14 The Proposer and Secunder agreed that the following informative notes be added to the recommendation:

- Change to Local Fruit Trees when fruit trees as being used for landscaping scheme.
- Landscaping needs to take into account the corner of Framlingham Road visibility splays.

71.15 By a unanimous vote

71.16 **RESOLVED**

**That authority be delegated to the Chief Planning Officer to APPROVE RESERVED MATTERS subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:**

- **Approved Plans (Plans submitted that form this application)**
- **Implementation of agreed landscaping scheme**
- **SuDS details to be agreed**
- **No 1st floor windows as follows: N facing plot 1 and plot 6, E facing plots 6, 7, 8, 9 and 11.**
- **Details of street and external lighting. No other external lighting unless otherwise agreed.**

**Additional Conditions updated by Case Officer at the meeting:**

**Further details of materials required**

- **Amendment to specific boundary details**
- **Deletion of reference to 1st floor windows in report recommendation replace with in the roof or plots 6, 7, 8, 9, 10, 11.**
- **No additional 1st floor windows plot 1 north**
- **Requirement for ecological net gain**
- **Restate need for hydrants**
- **Implementation of landscape and ecology management plan with additional**

info where required

- Full EV
- Piling statement and Construction Management Plan
- As required by SCC highways
- As required by SCC archaeology

And as appropriate by Chief Planning Officer

**Additional Conditions and Notes added by committee:**

**Condition: Notwithstanding plans submitted, all non working chimneys to be removed**

- **Note: Change to Local Fruit Trees when fruit trees as being used for landscaping scheme.**
- **Note: Landscaping needs to take into account the corner of Framlingham Road visibility splays.**

**72 DC/21/04773 MID-SUFFOLK LEISURE CENTRE, GAINSBOROUGH ROAD, STOWMARKET, SUFFOLK, IP14 1LH**

72.1 Item 7C

Application Proposal	DC/21/04773 Planning Application. Remove the existing roof mounted gas -fired Air Handling Unit (AHU) heating system and install and ground-mounted electric-powered Air Source Heat Pump and AHU on a concrete base to the rear of the building.
Site Location	<b>STOWMARKET</b> – Mid Suffolk Leisure Centre, Gainsborough Road, Stowmarket, Suffolk, IP14 1LH
Applicant	Mr Simon Davison

72.2 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 as detailed in the Committee report.

72.3 Members debated the importance of the noise impact assessment and sought clarity from the Area Planning Manager.

72.4 Councillor Dave Muller proposed that the application be approved as detailed in the officer recommendation. Councillor Peter Gould Seconded the motion.

72.5 By a unanimous vote



**72.6 RESOLVED**

**That authority be delegated to the Chief Planning Officer to GRANT FULL PLANNING PERMISSION.**

**(1) 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 (3yrs for implementation of scheme).**
- Approved plans (Plans submitted that form this application).**
- Submission of a full noise impact assessment.**
- Noise levels shall be maintained as approved.**
- Construction hours.**

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

- Proactive working statement**

**73 SITE INSPECTION**

73.1 None requested.

The business of the meeting was concluded at 12.38 pm.

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Chair