

MID SUFFOLK DISTRICT COUNCIL

Minutes of the **DEVELOPMENT CONTROL COMMITTEE 'A'** held at the Council Offices, Needham Market on Wednesday 8 February 2017 at 9:30am

PRESENT: Councillor: Matthew Hicks (Chairman)
Roy Barker*
David Burn
John Field
Lavinia Hadingham
Diana Kearsley
Sarah Mansel
John Matthissen*
Lesley Mayes
David Whybrow

Denotes substitute *

Ward Members Councillor: Glen Horn

In Attendance: Senior Development Management Planning Officer (JPG)
Senior Planning Officer (SAS)
Senior Planning Officer (GW)
Planning Officer (SLB)
Arboricultural Officer (DP)
Heritage Enabling Officer (PH)
Business Partner (Planning) (JH)
Governance Support Officers (VL/HH)

NA139 APOLOGIES/SUBSTITUTIONS

Councillors Roy Barker and John Matthissen were substituting for Councillors Gerard Brewster and Anne Killett respectively.

NA140 DECLARATIONS OF INTEREST

There were no declarations of interest.

NA141 DECLARATIONS OF LOBBYING

It was noted that Members had been lobbied on Application 4402/16.

NA142 DECLARATIONS OF PERSONAL SITE VISITS

Councillor David Burn declared a personal visit to the site of Application 4656/16 and Councillor Diana Kearsley to the site of Application 4402/16.

Councillor John Matthissen advised that he had attended meetings at the Conference Centre adjacent to the site for Application 4714/16.

NA143 MINUTES OF THE MEETING HELD ON 11 JANUARY 2017

Report NA/04/17 Pages A to H

The Minutes of the meeting held on the 11 January 2017 were confirmed as a correct record subject to an amendment to Minute NA122 to read:

Note: Councillor Matthissen attended but for administrative reasons was unable to participate.

NA144 MINUTES OF THE MEETING HELD ON 18 JANUARY 2017

Report NA/05/17 Pages I to L

The Minutes of the meeting held on the 18 January 2017 were confirmed as a correct record.

NA145 PETITIONS

None received.

NA146 QUESTIONS BY THE PUBLIC

None received.

NA147 QUESTIONS BY COUNCILLORS

None received.

NA148 SCHEDULE OF PLANNING APPLICATIONS

Report NA/06/17

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

<u>Planning Application Number</u>	<u>Representations from</u>
4656/16	Phil Cobbold (Agent)
4402/16	Phil Cobbold (Agent)

Item 1

Application Number: **4656/16**
Proposal: Use of land for stationing of 31 holidays homes and relocation of site office.
Site Location: **BROME & OAKLEY** – Four Oaks Caravan Park.
Applicant: Mr B Gregory

Members were advised that an amended recommendation was contained in the supplementary papers.

Phill Cobbold, Agent, advised that the additional holiday homes would be sited on the existing touring pitches and site office area. Touring caravans/tents would no longer be able to use the site. The existing '28 day rule' for occupancy had been considered unreasonable at appeal and the proposed occupancy condition reflected the wording commonly used for holiday units across the country. It was also much easier to enforce.

Councillor David Burn, Ward Member, advised that he had received no comments from local residents. The site was tidy and well managed and he supported the application.

Members considered the proposal satisfactory and Councillor David Whybrow proposed the motion which was seconded by Councillor Sarah Mansel.

By an unanimous vote

Decision – That Planning Permission be granted subject to conditions including:

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.
2. Approved Drawings Condition
3. The holiday units (up to 31 no. hereby approved) shall meet the definition of a caravan as set out within the Caravan Sites and Control of Development Act 1990 and the Caravan Sites Act 1968 (as amended), or any such legislation that may amend or replace them.
4. The holiday units (up to 31 no. hereby approved) shall be occupied for holiday purposes only and shall not be occupied as a person's sole, or main place of residence. The holiday units shall not be occupied during the month of February each year. The owners/operators shall maintain an up-to-date register of all owners/occupiers of individual holiday units on the site and of their main home addresses and shall make this information available at all reasonable times to the local planning authority.
5. The mobile home sited at the roadside entrance into the site described on the approved drawings as "Site Manager's Accommodation" shall be occupied solely by a person employed in the management of the Four Oaks Caravan Park to which this permission relates.
6. Other than lighting already approved prior to the permission hereby granted, Prior to the erection/installation of any floodlighting or other means of external lighting at the site, details to include position, height, aiming points, lighting levels and a polar luminance diagram shall be submitted to and approved, in writing, by the Local Planning Authority. The lighting shall be carried out and retained as may be approved.

7. Those previously approved and installed 'Schwegler Bat Roosting Boxes', as identified on Drawing no. 16/1268/002A, shall be maintained throughout the lifetime of the development.
8. No vehicle exceeding 3.5 tonnes gross laden weight shall be parked within the site to which this approval relates.
9. Access to the approved development shall only be provided by the existing main access in the south east corner of the overall site as identified on Drawing no. 16/1268/002A and furthermore the access identified on this drawing as 'Driveway for emergency access only' shall only be used for this purpose and in this connection, the existing associated secure gates also indicated on Drawing no. 16/1268/002A shall remain locked (except in the event of an emergency).

Item 2

Application Number: **4714/16**
Proposal: Variation of Condition 2 and 14
Site Location: **THORNDON** – Kerrison Conference and Training Centre.
Applicant: Witnessham Ventures Ltd.

Councillor Glen Horn, Ward Member, advised that the parish, who had supported the application from the start, was keen for the site to be brought forward. The parish was also very supportive of the work done by Officers to ensure the agreed Section 106 monies aligned with the CIL payment now agreed.

The Officers were thanked for securing this funding by Councillor David Whybrow, who proposed the motion which was seconded by Councillor John Matthissen.

By an unanimous vote

Decision - Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Corporate Manager – Development Management to secure

- Affordable housing contribution
- Estate management

That the Professional Lead - Growth and Sustainable Planning be authorised to grant the variation of conditions 2 and 14, subject to conditions including

- Standard time limit;
- Approved plans;
- Tree protection plan and method statement;
- Assessment and mitigation of activities around retained trees;
- Engineering and construction methods for any works; required within Root Protection Areas;
- Auditable system of arboriculture site monitoring;
- Hard and soft landscaping;

- Demolition carried out in full prior to first occupation;
- Land contamination;
- Biodiversity enhancement measures;
- Carrying capacity of pumping/high reach appliances;
- Vehicular access surfaced prior to first occupation;
- Means to prevent the discharge of surface water; from the development onto the highway;
- Construction of carriageways and footways;
- Provision of parking and manoeuvring areas;
- Cycle parking and storage;
- Removal of permitted development rights Schedule 2 Part 1 Class A, B, C, D, E and G;
- Construction management to include demolition; management and construction working hours;
- Provision of walls and fences prior to first occupation and subsequently retained;
- Materials to include road surfaces;
- Details lighting column and bollards;
- Foul and surface water drainage.

That, in the event of the Planning Obligation referred to above not being secured the Corporate Manager - Development Management be authorised to refuse planning permission, for reason(s) including:-

- Inadequate provision/contribution towards infrastructure and management contrary to policy CS6 of the Core Strategy 2008 without the requisite S106 obligation being in place.

Item 3

Application Number: **4402/16**
 Proposal: Erection of detached single storey dwelling with detached garage utilising existing vehicular access
 Site Location: **GISLINGHAM** – The Little House, High Street, IP23 8JG
 Applicant: Burgess Homes Ltd.

The planning officer advised Members of the following changes:

- Page 45, under the heading *Conclusion*, reference to policy HB8 to be deleted as this was not relevant
- Page 46, Section 2, reference to policy HB8 to be deleted as this was not relevant

Phil Cobbold, the Agent, said that the protected trees would not be lost and any future pruning would have to be by application to the Council. The proposed dwelling was sensitively designed to give the appearance of an outbuilding and was situated to the rear of and subservient to the cottage. The Old Rectory was approximately 70 metres from the proposed dwelling, and there was no adverse impact on its setting. He also pointed to other dwellings built in the village within the curtilage of listed buildings and also backland development.

Councillor Diana Kearsley, Ward Member, repeated the concerns for the protected trees and the impact on the listed buildings from the proposed development. She also had concerns with regards to the shared drive and the limited visibility on the bend.

The Arboricultural Officer responded to Member's questions regarding the impact of the proposed dwelling on the protected trees.

During the debate Members raised question regarding the footprint of the proposed dwelling and generally agreed that this would be overdevelopment of the site. It was felt that the proposed site of the dwelling would restrict the growth of the protected trees leading to repeated requests to lop and shape them preventing them from growing to their full potential. There would also be an adverse impact on the adjacent listed buildings.

It was generally felt that the proposal was unacceptable in its current format.

Councillor David Whybrow proposed the motion which was seconded by Councillor Roy Barker.

By 7 votes to 2

Decision – That Full Planning Permission be refused for the following reasons:

1. The proposed dwelling would be positioned in close proximity to an Oak tree (T9) and an Ash tree (TB) at the rear of the plot which are protected by a Tree Preservation Order (No. MS 283). Whilst the accompanying arboricultural report identifies measures to help lessen direct impact upon the trees the Local Planning Authority is not satisfied that it adequately addresses their above ground attributes which will have an adverse impact on living conditions and usability of the garden. Furthermore, the Oak tree (T9) has a low broad spreading crown and will not have adequate space for future growth without significant pruning. Accordingly, it is considered that the layout design of this proposal does not provide suitable integration of new development with the natural environment and is likely to result in pressure to fell or ongoing pruning. Such requests will be difficult for the Council to resist and would threaten the value of the trees and consequently the character and appearance of the local area. Consequently it is considered that the proposal does not relate well or secure the protection of these important natural features. The proposal is contrary to policies GP1 and H13 of the Mid Suffolk Local Plan 1998, policy CS5 of the Core Strategy and paragraphs 56-66 of the National Planning Policy framework
2. The proposal would result in harm to the character, setting and significance of the Grade II listed properties Little House and Suryodaya by eroding the existing openness currently afforded to their setting, without providing any significant public benefit. This identified harm is not outweighed by any public benefit that would be achieved should the proposed development be granted.

The proposal is therefore contrary to Chapter 12 of the National Planning Policy Framework (2012), and Policies HB1 and HB8 of the Mid Suffolk Local Plan (September 1998), and Policy CSS of the Mid Suffolk Core Strategy (September 2008).

The business of the meeting was concluded at 11.10 a.m.

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Chairman