

MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **MID SUFFOLK DEVELOPMENT CONTROL COMMITTEE B** held in the King Edmund Chamber - Endeavour House, 8 Russell Road, Ipswich on Wednesday, 31 January 2018 – 9:30 AM

PRESENT:

Councillor: Kathie Guthrie – Chair

Councillors:	Roy Barker	Michael Burke
	Julie Flatman	Jessica Fleming
	Derrick Haley	Barry Humphreys MBE
	Wendy Marchant	Derek Osborne
	Keith Welham	

Ward Members:

Councillors: Elizabeth Gibson-Harries
James Caston
John Whitehead
David Whybrow

In Attendance:

Area Planning Manager (GW)
Planning Lawyer (IDP)
Development Management Planning Officer (RB/JPG/JE)
Governance Support Officer (RC)

32 APOLOGIES FOR ABSENCE/SUBSTITUTIONS

32.1 Councillor Derrick Haley substituted for Councillor Jane Storey.

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

33.1 Councillor Roy Barker declared a Non-pecuniary interest in application DC/17/03568 as he knew the land owner and knew two of the speakers as former employees of the Council.

33.2 Councillor Wendy Marchant declared a Non-pecuniary interest in application DC/17/03568 as she knew one of the Members of Great Bricett Parish Council.

33.3 All Members declared a Non-Pecuniary interest in application DC/17/05561 as the applicant was a fellow Councillor.

34 DECLARATIONS OF LOBBYING

34.1 None Declared.

35 **DECLARATIONS OF PERSONAL SITE VISITS**

35.1 Councillor Kathie Guthrie declared that she had driven past Application DC/17/03074.

36 **SA/17/13 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 3 JANUARY 2018**

36.1 It was resolved that the Minutes of the meeting held on 3 January 2018 were confirmed and signed as a true record subject to an amendment to minute 31.38 to include the following:

“The motion was seconded by Councillor Barry Humphreys MBE.”

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

37.1 None received.

38 **SA/17/14 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DC/17/04483	Item Withdrawn
DC/17/04484	Item Withdrawn
DC/17/03074	Rod Caird (Henley Parish Council) Sue Cosford (Objector) Neil Ward (Agent) Roy Hammond (Applicant)
DC/17/03568	Sean Hedges-Quinn (Objector) Rich Cooke (Agent)
DC/17/03399	Richard Whiting (Parish Council) Jery Lagerberg (Objector) Chris Hobson (Agent)
DC/17/05561	David Whybrow (Applicant)

38.1 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/17/04483 & DC/17/04484
2. DC/17/03399
3. DC/17/03074
4. DC/17/03568
5. DC/17/05561

38.2 Item 1

Application Proposal	DC/17/04483 Planning Application – Part change of use to form A5 hot food takeaway with extraction equipment and flue.
Site Location	RICKINGHALL INFERIOR – The Newsagent Bell Hill Cottage, The Street, Rickinghall Inferior, IP22 1BN
Applicant	Mr Yusuf Karakus

Item 2

Application Proposal	DC/17/04484 Listed Building Application- Insertion of internal extraction equipment with external flue, internal sound proofing and fire proofing partitions and new internal door.
Site Location	RICKINGHALL INFERIOR – The Newsagent Bell Hill Cottage, The Street, Rickinghall Inferior, IP22 1BN
Applicant	Mr Yusuf Karakus

38.3 The Chair addressed the Committee reporting that the Applicant had withdrawn applications DC/17/04483 & DC/17/04484 on the 30 January 2018 after close of business.

38.4 **RESOLVED**

Applications withdrawn by applicant prior to Committee (after close of business 30/1/2018).

38.5 Item 5

Application Proposal	DC/17/03399 Outline Planning Application – (Access to be considered) – Erection of 1 no. dwelling
Site Location	HOXNE – Land East of Mulberry Cottage, Green Street, Hoxne, Suffolk.
Applicant	Free-Range Chicken Ltd.

38.6 The Case Officer presented the Application to the Committee.

38.7 The Case Officer responded to Members questions regarding the buildings in the surrounding area and the grading of the land.

38.8 Richard Whiting, Hoxne Parish Council, outlined the agricultural land classification, the impact on the heritage asset, the visual impact on the countryside, that if approved the development would set a precedent, that there were other sites available and that Hoxne Parish Council asked that the application be refused.

- 38.9 The Parish Council representative responded to Members' questions regarding the use of the surrounding buildings.
- 38.10 Jery Lagerberg, Objector, outlined the quality of the land, the impact on housing delivery, the sustainability of the proposal and urged the Committee to refuse the application.
- 38.11 The Objector responded to Members' questions regarding traffic calming measures.
- 38.12 Chris Hobson, Agent, outlined that the development would not be discordant with the existing dwellings, that there would be no significant impact on the setting or the landscape which would be addressed in due course, and that it would form sustainable development.
- 38.13 The Agent responded to Members' questions regarding the impact on the remainder of the field if the development was approved and what access there would be for said field for farming.
- 38.14 Councillor Elizabeth Gibson Harries, Ward Member, outlined that the development would be in the countryside, the current highways issues, that the greenfield site was not suitable for development, and that development would be preferred in the far end of the village.
- 38.15 Members' debated the application outlining the lack of information on the development, the harm to the listed building, and the impact on the existing agricultural land.
- 38.16 Councillor Barry Humphreys MBE proposed that the application be refused as detailed in the Officers recommendation. Councillor Derrick Haley seconded the motion.
- 38.17 Members' continued to debate the application on the issues including loss of agricultural land.

38.18 RESOLVED

That authority be delegated to Corporate Manager – Growth and Sustainable Planning to REFUSE PLANNING PERMISSION for the following reasons:

- 1. The application proposal affects the character, setting and significance of Heritage Assets, the Grade II listed Mulberry Cottage to the East. The proposed development would result in the erosion of the isolated character and setting of the listed building and its significance. The application proposal would, therefore, result in harm the character, setting and significance and the public benefit providing 1 additional dwelling in support of the districts housing supply is not considered to outweigh the harm identified to the heritage asset.**

The application is therefore considered contrary to the provisions of the NPPF and development plan policies CS5 and HB1 which seek to conserve, and where possible enhance the historic environment and protect the character, setting and significance of the heritage assets.

- 2. The locality of the site is characterised by open countryside to the east of Mulberry Cottage and by a semi-rural appearance having a relatively open, undeveloped form with little in the way of residential development in the immediate vicinity. It is considered that the proposal would erode the open nature of the locality by developing an area that positively contributes to its distinctive semi-rural nature by its existing undeveloped form. The proposal would therefore conflict with Policy CS5 of the Core Strategy (2008) , Policy FC1.1 of the Mid Suffolk Core Strategy Focused Review (2012) and Policy GP1 of the Mid Suffolk Local Plan 1998 requiring that development protects and enhances the natural environment, and to “conserve and enhance the local character of the different parts of the district”.**

38.19 Item 3

Application	DC/17/03074
Proposal	Planning Application – Change of use of existing public house to residential dwelling including removal of part of existing car park (revised application following refusal of Application 3349/15).
Site Location	HENLEY – The Cross Keys Inn, Main Road, Henley, Ipswich, Suffolk, IP6 0QP
Applicant	Fernwick Ltd

38.20 The Case Officer presented the Application to the Committee.

38.21 The Case Officer responded to Members’ questions regarding the recommendations, that the property had been marketed and bids had been rejected as they were not viable, and that the property was not designated as an Asset of Community Value.

38.22 Rod Caird, Henley Parish Council, opposed the change of use outlining that an offer was made in 2017 at the asking price which would maintain the license, that pubs needed to diversify to survive, that there was confusion over the viability figures provided, that there had been 69 objections, and that other areas had been identified for housing in the Local Plan.

38.23 The Parish Council representative responded to Members’ questions regarding the viability of proposals for the property and the history of the establishment.

- 38.24 Sue Cosford, Objector, outlined that the change of use should not be allowed, that the establishment did not survive due to the previous ownership, that there were concerns over the pricing of the Inn after it had closed, that it did not comply with SPD requirements, and that the CEO of Babergh and Mid Suffolk had been in contact with the Parish Council.
- 38.25 Neil Ward, Agent, outlined that the Cross Keys was located within the countryside and resided 700 metres away from the first house that was in the village, that the road to Henley was dangerous to walk being as it was national speed limit and there was no footpath, and that there was not sufficient passing trade.
- 38.26 The Agent and the Applicant, Roy Hammond, responded to Members questions regarding the number of regular patrons when the Inn was open, the occupancy of the building and the viability of the offer made for a vintage shop and tea room.
- 38.27 The Case Officer clarified that as the use is designated as a Public House it has community aspects and commercial factors, but that if it was changed to an A1 shop then the same policies would not apply and would be retail in the countryside
- 38.28 Councillor James Caston, Ward Member, outlined that he did not want the change of use to be approved, compared the pub to the Community run Public House in Somersham, and concluded that the Cross Keys could be an asset to the community but would be lost if approved.
- 38.29 Councillor John Whitehead, Ward Member, outlined an imagined use in Dickensian style of what the Cross Keys could look like if it was kept as a public house or converted into a shop, he concluded that if approved it would become just another residence.
- 38.30 The Ward Members responded to the Committees' questions regarding the communities interest in the public house and whether there was an offer currently being put forward.
- 38.31 Members debated the application outlining the community support for the public house but that the community had not come forward to purchase the pub.
- 38.32 Councillor Barry Humphreys MBE proposed that the application be approved as detailed in the Officer recommendation. The motion was seconded by Councillor Derrick Haley.
- 38.33 Members' continued to debate the application outlining the Planning Inspectors decision, the viability of public houses being dependant on the management of the establishment, the possibility of further housing on the site, that there was very little passing trade for the Cross Keys and that people were spending less money on entertainment.

38.34 The Motion was Lost

38.35 Councillor Roy Barker proposed that the application be refused on the grounds of policy E6 and the reasoning of the inspector as detailed in p116 of the report and that it was a valuable local asset to the community.

38.36 The Planning Lawyer advised the Chair that if a proposal to refuse was going to be put forward that the Chair could consider sending the application to the Planning Referrals Committee as a refusal would be contrary to the Mid Suffolk District Council Policy given the nature of the debate and policy context.

38.37 Upon receiving this advice from the Planning Lawyer, The Chair resolved to send the Application to the Planning Referrals Committee under their prerogative as the Chair.

38.38 **RESOLVED**

The Chair exercised their power that the application be determined at the Planning Referrals Committee.

38.39 Item 4

Application	DC/17/03568
Proposal	Outline Planning Application (all matters reserved) – Residential Development of up to 51 dwellings.
Site Location	GREAT BRICETT – Great Bricett Business Park.
Applicant	Mr John Cooper

38.40 The Case Officer presented the Application to the Committee and advised Members that the recommendation should be amended to read 35% Affordable Housing.

38.41 The Case Officer responded to Members' questions regarding the current businesses on the site and the number of employees on site.

38.42 Sean Hedges-Quinn, Objector outlined that there were no footpaths along the main road, that the traffic statement only provided generic data, that there would be a reliance on peoples own transport and not public transport links, and that there would be a loss of premises for employment.

38.43 The Objector responded to Members' questions regarding the number of people employed on the site and the provision of footpaths.

38.44 Rich Cooke, Agent, outlined that the current businesses were vacating the site, that the type of buildings were limited in their functionality, that they had engaged with the community, and that a full traffic survey had been completed.

- 38.45 The Agent responded to Members questions that the business park could currently operate at any hours and that measures were proposed to improve footpaths which would be provided by the Applicant.
- 38.46 Councillor David Whybrow, Ward Member, outlined that the Parish Councils comments had been well made in their representation, that there was a flood risk issue that was yet to be resolved, that these were the wrong homes in the wrong location, that there had been highways issues within the village, and that there is no safe means of access to the village hall. He added that the development does have an adverse impact on safety, highways, floods, and that the development was in the countryside,
- 38.47 The Case Officer advised Members that there was no policy requirement for finding an alternative use for business premises, only that there needs to be a benefit as outlined by Policy E6.
- 38.48 The Ward Member responded to the Committees questions regarding the current availability of properties in the area, the turnover of residents at the static caravan park, and the availability of leisure facilities and footpath links.
- 38.49 Members' debated the application outlining the leisure facilities in the village, that not all of the estates in the village were solely occupied by military personnel, and that the business park was being vacated.
- 38.50 Councillor Barry Humphreys MBE proposed that the Application be Approved as detailed in the Officer recommendation. Councillor Roy Barker seconded the motion.
- 38.51 Members' continued to debate the application around possible heritage issues, the age of the units and if any of said units could be donated to a museum if they were of historical value.

38.52 RESOLVED

That subject to an acceptable drainage scheme being provided to the satisfaction of the Local Planning Authority in consultation with the Local Lead Flood Authority, that authority be delegated to the Corporate Manager – Growth and Sustainable Planning to grant planning permission, subject to the prior completion of a Section 106 or Undertaking on terms to their satisfaction to secure the following heads of terms:

- **35% Affordable Housing (in accordance with a mix to be agreed with the Council's Strategic Housing Team)**
- **Open Space**

And that such permission be subject to the conditions including as set out below:

- 1. Time limit for reserved matters (standard)**
- 2. Definition of reserved matters**

3. **Approved Plans**
4. **Quantum of residential development fixed to a maximum of 51 no. dwellings**
5. **Details of external facing materials**
6. **Proposed levels and finished floor levels details**
7. **Hard Landscaping scheme (including boundary treatments and screen/ fencing details)**
8. **Soft landscaping scheme (including identification of existing trees and planting and tree protection measures)**
9. **Details of surface water drainage scheme**
10. **Details of implementation, maintenance, and management of surface water drainage scheme**
11. **Details of sustainable urban drainage system components and piped networks**
12. **Details of construction surface water management**
13. **Details of foul drainage**
14. **Programme of archaeological investigation and post investigation assessment**
15. **Sustainability and energy strategy**
16. **Fire hydrant provision details**
17. **External lighting details**
18. **As required by the LHA (including visibility splays)**
19. **Details of a construction management plan**
20. **Details of the areas to be provided for storage of refuse/ recycling**
21. **Contamination investigation**
22. **No burning of waste during construction**
23. **Habitat Management Plan**

38.53 Item 6

Application	DC/17/05561
Proposal	Householder Application – Erection single storey side and rear extensions and front canopied porch.
Site Location	RINGSHALL – Old Rectory, Stowmarket Road, Ringshall, Stowmarket, Suffolk, IP14 2HZ
Applicant	Mr & Mrs D Whybrow

38.54 For Application DC/17/05561 Councillor David Whybrow was present in the capacity as the Applicant and not as a Councillor or Ward Member.

38.55 The Case Officer presented the application to the Committee.

38.56 The Case Officer responded to Members' questions regarding the increase of floor space within the property.

38.57 David Whybrow, Applicant, outlined that there had been previous extensions to the property and that the proposed extensions were designed to improve accessibility to the property.

38.58 David Whybrow left the meeting after speaking as the applicant and before the debate began.

38.59 Members debated the application outlining that the property would be brought up to a modern standard and that the proposed extensions would allow wheelchair access.

38.60 Councillor Roy Barker proposed that the application be approved as detailed in the Officer recommendation. The proposal was seconded by Councillor Jessica Fleming.

38.61 **RESOLVED**

That authority be delegated to Corporate Manager – Growth and Sustainable Planning to grant permission and that such permission be subject to the conditions as set out below:

- **Standard Time Limit**
- **To be in accordance with submitted documents and drawings.**

The business of the meeting was concluded at 12.45 pm.

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Chairman