

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON WEDNESDAY, 13 JULY 2016 AT 9.30 A.M.

PRESENT: Peter Beer – Chairman

Sue Ayres	Adrian Osborne
Melanie Barrett	Lee Parker
Sue Burgoyne	Stephen Plumb
Derek Davis	Nick Ridley
John Hinton	David Rose
Michael Holt	Ray Smith
Bryn Hurren	

David Busby was unable to be present.

Clive Arthey, Ward Member for North Cosford, was present at the meeting and spoke on Item 1 of Paper S38 (Application No. B/16/00202/FUL) with the consent of the Chairman.

35 SUBSTITUTES

It was noted that in accordance with Council Procedure Rule No 5, a substitute was in attendance as follows:-

Bryn Hurren (substituting for David Busby).

36 DECLARATION OF INTERESTS

None received.

37 MINUTES

RESOLVED

That the Minutes of the meeting held on [15 June 2016](#) be confirmed and signed as a correct record.

38 PETITIONS

Linda Sheppard, Senior Governance Support Officer reported, in accordance with Council Procedure Rule No 13, the receipt of the following petition:

Application No B/16/00750/FUL – disused barn site, Gents Lane, Shimpling

Petition signed by 56 residents of the Babergh District asking the Council to determine the outcome of the above application at an open session of the Planning Committee. The petition includes a reference to the proposed development being 'highly controversial' as the reason given for this request.

The Ward Member has called for the decision on the application to be referred to Planning Committee and it is currently expected that this will be on 24 August 2016.

In accordance with Council Procedure Rule No 14, the Chief Executive will report the receipt of the petition to the meeting of the Council on 26 July, together with the updated position as set out above.

39 QUESTIONS FROM MEMBERS

None received.

40 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Members had before them an Addendum to Paper S38 (circulated to Members prior to the commencement of the meeting) summarising additional correspondence received since the publication of the Agenda, but before noon on the working day before the meeting, together with errata. Appendices 1, 2, 3 and 4 to Item 1 of Paper S38 were circulated with the Addendum.

Details of further representations received in respect of Items 1 and 2 contained in Paper S38 were reported to the meeting and considered and taken into account before decisions were made on these items.

In accordance with the Council's Charter on Public Speaking at Planning Committee, representations were made as detailed below relating to items contained in Papers S38, and speakers responded to questions put to them as provided for in the Charter:-

<u>Application No.</u>	<u>Representations from</u>
B/16/00202/FUL	Christine Julian (Objector) John Ramsay (Supporter) Mrs Sugden (Applicant)
B/16/00523/FUL	David Wordly (Objector)
B/16/00254/FUL	John Forward (Objector) Frank Lawrenson (Applicant)
B/16/00255/LBC	Frank Lawrenson (Applicant)

RESOLVED

That subject to the imposition of conditions or reasons for refusal (whether additional or otherwise) in accordance with delegated powers under Council Minute No. 48(a) (dated 19 October 2004) decisions on the items referred to in Paper S38 be made as follows:

(a) CHELSWORTH

Application No. B/16/00202/FUL <u>Paper S38 – Item 1</u>	Full application - erection of single storey detached dwelling, land to the North of The Old Forge, The Street.
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The Case Officer advised Members that Chelsworth has a Parish Meeting and Chairman, not a Parish Council as referred to in Paper S38 and the Addendum.

Notwithstanding the Officer recommendation to refuse planning permission for reasons relating to the proposal being contrary to Policies CR01, CR06, HS28, CS15 and paragraph 134 of the NPPF, approval of the application was moved on the grounds that although it was recognised that the proposed development would have an impact on the Conservation Area, no harm would be caused to its significance and therefore the public benefit test was not required. In addition, the proposal was considered to represent sustainable development in this hinterland village and in relation to the Bildeston Cluster.

RESOLVED

That planning permission be granted subject to appropriate conditions.

Note: At this point, the meeting adjourned for a short comfort break.

(b) HADLEIGH

Application No. B/16/00523/FUL
[Paper S38 – Item 2](#)

Full application – construction of two-storey ‘split level’ private residential dwelling, including integral garage and parking and turning area (resubmission of application reference B/16/00152), Cross Farm House, Station Road.

In his presentation on the application the Case Officer referred to the shadow/sunlight analysis as described in the Addendum.

Notwithstanding the Officer recommendation to grant planning permission subject to appropriate conditions, a motion to refuse planning permission was carried on being put to the vote, on the grounds that the proposed development would cause harm to the Conservation Area, by reason of its prominent location, proposed height, scale, form and contemporary design, resulting in visual intrusion, which was not outweighed by public benefits. Further, Members were of the view that the proposed dwelling represented an overdevelopment of the site by virtue of its siting, scale, form and detailed design, presenting an overly dominant and oppressive impact upon the adjacent property/occupiers to the north, and also by virtue of the lack of amenity space provided to the detriment of future occupiers of the proposed dwelling.

RESOLVED

That planning permission be refused for the following reasons:-

- (1) The National Planning Policy Framework (2012) sets out the Government's national planning policy for the conservation of the historic environment. Paragraphs 132-134 state *inter alia* that when considering the impact of works on the significance of a designated heritage asset, great weight should be given to the asset's conservation; any harm requires clear and convincing justification. Where works will lead to harm to significance, Local Planning Authorities should refuse permission unless it can be demonstrated that the harm is necessary to achieve public benefits that outweigh that harm. Policy CN08 of the Local Plan seeks to "*preserve or enhance*" the character of conservation areas, which also accords with the aims of Core Strategy Policy CS15 and in broad terms Local Plan Policy CN01.**

In this instance, it is considered that the development would cause harm to the Conservation Area by reason of its prominent location, and proposed height, scale, form and contemporary design, resulting in visual intrusion to the Conservation Area.

Such harm is considered to be 'less than substantial' within the meaning provided by the NPPF. Where it is considered that the proposal would pose less than substantial harm to a designated heritage asset, the NPPF requires that such harm be balanced against the public benefits of the proposal. With regard to the proposal as submitted it is not considered that the works proposed would provide any public benefits that would outweigh the harm that has been identified.

Accordingly, the proposal is considered to be contrary to the aforementioned local and national planning policies.

- (2) The National Planning Policy Framework (NPPF) contains the Government's planning policies for England and sets out how these are expected to be applied. Delivering quality urban design is also a core aim of the NPPF which states (at paragraph 56) that good design is a key aspect of sustainable development and is indivisible from good planning. At paragraph 64 the NPPF further states that permission should be refused for poor design that fails to take opportunities to improve the character and quality of an area and the way it functions.**

Policy CS15 of the Core Strategy requires (*inter alia*) that new development should be well designed and of an appropriate size/scale, layout and character in relation to its setting. Within the Babergh Local Plan Alteration No.2 (2006) saved Policy CN01 requires all new development to be of an appropriate scale, form and design and use facing materials appropriate for

the location, with particular regard to the scale, form and nature of surrounding development and the local environment. Saved Policy HS28, which specifically deals with the ‘infilling’ of dwellings, states that planning permission *will be refused* where (inter alia): the site should remain undeveloped as an important feature in visual or environmental terms; if the proposal represents an overdevelopment of the site to the detriment of the environment or residential amenity; or if the proposal is of a scale, density or form which would be out of keeping with adjacent and nearby dwellings or other buildings.

In this instance it is considered that the proposal represents an overdevelopment of the site by virtue of the siting, scale, form and detailed design of the proposed dwelling, presenting an overly dominant and oppressive impact upon the adjacent property/occupiers to the north, and also by virtue of the lack of amenity space provided to the detriment of future occupiers of the proposed dwelling.

The proposal therefore represents development contrary to the aforementioned national and local planning policy.

(c) **GREAT WALDINGFIELD**

Application No. B/16/00254/FUL Full application – erection of a three-storey extension with basement. Change of use from C3 (dwellinghouse) to mixed use C3 and C1 (sui generis) The Old Rectory, Rectory Road.
[Paper S38 – Item 3](#)

Application No. B/16/00255/LBC Application for Listed Building Consent – erection of a three-storey extension with basement, The Old Rectory, Rectory Road.
Paper S38 – Item 3

Members considered various matters in relation to Application No. B/16/00258/FUL, including the potential economic benefits of the proposal for tourism in the area, potential number of guests the site would be able to accommodate and its effect on local amenity. During their discussion of this application, Members were aware that the use of the premises in relation to matters covered by the Licensing Act 2003 was not relevant to their consideration.

The Chairman, Peter Beer, confirmed that in accordance with his normal practice, the letter he had received from the objector, Mr Forward, had been passed to the relevant officers to deal with the points raised.

Members then considered various matters related to Application No. B/16/00255/LBC including building materials that would be used and the potential effect of the works on the heritage asset.

RESOLVED

- (1) That in relation to Application No. B/16/00254/FUL planning permission be granted, subject to conditions including:-
- Standard time limit;
 - Development in accordance with approved plans;
 - Materials samples/details;
 - As required by Corporate Manager – Community Planning, Heritage and Design;
 - As required by Corporate Manager – Sustainable Environment.
- (2) That in relation to Application No. B/16/00255/LBC Listed Building Consent be granted subject to conditions including:-
- Standard time limit;
 - Works in accordance with approved plans;
 - Materials samples/details;
 - As recommended by the Corporate Manager – Community Planning, Heritage and Design.

Notes:

1. Councillor Frank Lawrenson, Applicant for Item 3 above, spoke for up to three minutes, in a personal capacity, on each of Applications B/16/00254/FUL and B/16/00255/LBC, following which he left the meeting on each occasion and was not present while his applications were considered.
2. The meeting adjourned between 11:40 and 11:50 am for refreshments.

The business of the meeting was concluded at 12:40 pm.

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Chairman