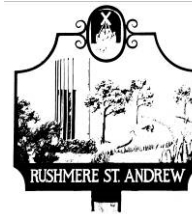




Rushmere St. Andrew Parish Council

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"Seek The Common Good"



Minutes of the Planning & Development Committee meeting held on Thursday, 12th November 2020 via a virtual meeting at 6.30pm

CHAIRMAN: Mr P Richings

COMMITTEE MEMBERS PRESENT: Mr D Francis, Mr M Newton, Mr R Nunn, Mr P Richings, Mr B Ward, Ms Evans, Mr Whiting, Miss Cracknell, Mr J Westrup, Mrs B Richardson-Todd

OTHER ATTENDEES: Members of the public = 0

APOLOGIES: None

CLERK: Mrs S Stannard

1. APOLOGIES, APPROVAL OF ABSENCE, PROTOCOL & CONDUCT REMINDERS

The Chairman reminded Councillors of the Code of Conduct, protocol for debate and statutory rights to film, record, photograph or otherwise report on the proceedings of the meeting.

All members present.

2. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 4th November 2020

Mr Whiting proposed acceptance of the minutes with the following amendment:

Item 3 – Miss Cracknell declared a non-pecuniary interest in application DC/20/3928/FUL.

This was seconded by Mr Nunn. Resolved with ALL in favour. The minutes was duly signed by the Chairman.

3. DECLARATIONS OF COUNCILLOR INTEREST

Mr Newton declared a non-pecuniary interest as a member of East Suffolk Council and also stated that he may be asked to reconsider any matter from this meeting at District Council and at any relevant Committee/Sub Committee and in so doing, shall take into account all relevant evidence and representations made at the District level before coming to a decision.

Mr Whiting declared a non-pecuniary interest as a member of Suffolk County Council he may be asked to reconsider any matter from this meeting at County Council and at any relevant Committee/Sub Committee and in so doing, shall take into account all relevant evidence and representations made at the County level before coming to a decision.

Miss Cracknell declared a non-pecuniary interest in application DC/20/4274/FUL. She knows the applicant.

4. PUBLIC PARTICIPATION

a. To identify public participation with respect to items on this agenda

None

b. Public forum – Members of Public/Parish Councillors may speak on any matter

None

5. TO MAKE RECOMMENDATIONS ON THE FOLLOWING PLANNING APPLICATIONS

| | | | |
|----------------|--|---------|---|
| DC/20/4274/FUL | Graine Cottage, 131 The Street, Rushmere St Andrew | IP5 1DG | Erection of detached garden building to provide ancillary use to principal dwellinghouse. |
|----------------|--|---------|---|

Mr Richings gave a situation report following his examination of the proposal documentation.

History –

1 - DC/20/0942/CLP (Certificate Of Lawful Use (Proposed) - Stationing a mobile home at this property)

Rushmere St Andrew Parish Council would like to make the following comments: Whilst not proposing any specific recommendation for granting this legality request or not, we feel it would be prudent to draw East Suffolk Council's attention (a reminder) to the physical limits boundary in this area and to ensure the following policies are adhered to: -DM6 Residential Annexes (especially point (ii) reference to Countryside) -DM18 Static Holiday Caravans, Cabins & Chalets

ESC decision letter 29/05/2020 - I refer to your application for a Certificate of Lawfulness of Proposed Use or Development validated by the Council on 9th March 2020. The area of land to which your application ("the Application Site") relates is shown edged red on the attached plan. The application seeks confirmation of the lawfulness of the stationing of a mobile home ("Timber Lodge") within the curtilage of the Application Site for living accommodation incidental to 131 The Street Rushmere St Andrew Ipswich Suffolk IP5 1DG ("the Property"). The application is made on the basis that the Timber Lodge would be used by members of the household or guests, only as an integral part of the use of the Property as single dwelling house and for purposes incidental to the enjoyment of the Property. In order to consider this application, it is necessary for you to describe the proposed use sufficiently clearly and precisely so that the Council can understand exactly what your application is for. I note that Part 8 "Description of Proposal" of the application form appears to have been completed incorrectly and therefore the proposed use has been taken from your Statutory Declaration. It is your responsibility, as the applicant, to provide sufficient evidence to support your application and if the Council is provided with information satisfying them that the use or operations would be lawful if instituted or begun at the time of the application, they shall issue a Certificate to that effect. The application is supported by your Statutory Declaration which states that the Timber Lodge would, "share services, facilities, and access with the Property and that it would not be used as a separate dwelling". Upon receipt the Council considered that there was insufficient information supporting your application for a decision to be made. Therefore, the Planning Officer wrote to you confirming our position and asked for further information to be provided within a stipulated deadline so that a decision could be made, otherwise the application would be determined on the information originally provided with the application. As a result of this request you submitted further information consisting of a floor plan of the Timber Lodge (without any annotation) and so in response to an enquiry made by the Planning Officer you confirmed that the rooms were living/kitchen area, bedrooms and bathroom facilities. A plan showing the repositioning of the Timber Lodge and two 3D drawings of the Timber Lodge were also provided. Class E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 ("the Order") grants permitted development rights for any building or enclosure, swimming or other pool within the curtilage of a dwellinghouse for a purpose incidental to the enjoyment of the dwellinghouse (subject to certain conditions and limitations). It is well established law that in considering proposals under Class E of the Order, the critical test to be applied is firstly whether the proposed Timber Lodge is intended to be and would remain incidental to the enjoyment of the Property for the domestic needs or personal enjoyment of the occupants of the Property. A purpose incidental to a house would not cover normal residential uses, such as separate self-contained accommodation, nor the use of an outbuilding for primary living accommodation such as a bedroom, bathroom, or kitchen. For an outbuilding to be considered Permitted Development under Class E of the

Order it must be used and reasonably required for a purpose that is incidental to the enjoyment of the Property and not as a separate primary residential use. Your covering letter states that the Timber Lodge would not be used as a separate dwelling, you also state that, "the use would be an integral part of the main use of the planning unit as a single dwelling-house in single family occupation and, therefore, would not involve a material change of use of the land". The Council considers that for an outbuilding of the size, appearance and position of the Timber Lodge, and in addition to the description of the proposed use, the evidence does not clearly show that the Timber Lodge would be used in a particular way for incidental activities. It is apparent that the stated intention is for the Timber Lodge to provide additional residential accommodation for family members and guests, and as such it would not be incidental to the Property. The application is therefore refused.

2 - DC/20/2596/FUL – Annex to existing property, situated in enclosed rear garden of existing property. Proposed building will be sectional, above ground level and transportable, built of timber throughout with a low pitched roof. All utilities will be connected to the existing dwelling and the sole access (pedestrians only) will be through the existing house

Rushmere St Andrew Parish Council recommends REFUSAL. The reason for this is that the annexe will be located outside the settlement boundary and in the countryside where development is controlled. Development at this location will set a precedent and will have a detrimental impact on neighbouring properties and on the character of the area. The building is not well related to the existing dwelling and this is contrary to policy DM6 of the Suffolk Coastal Local Plan.

ESC decision letter 14/09/2020 –

East Suffolk Council as local planning authority hereby refuse to permit the development proposed in your application and plan(s) attached thereto. The reason for the decision to refuse permission is: -
Policy DM6 allows for the construction of self-contained annexes to existing dwellings within the residential curtilage in order to accommodate an elderly or disabled dependant, where it is well-related to the existing dwelling. There must not be any significant adverse effect on residential or visual amenity and a condition will apply to limit occupation to prevent future use as a separate dwelling. In this instance, the siting of the ancillary outbuilding is not considered to be well-related to the host dwelling and has been designed to appear visibly and functionally separate. Although a condition of consent could limit the use, this forms a separate and supplementary criteria to the primary policy requirement regarding the relationship with the host dwelling. As such, the application is not in accordance with Policy DM6 (Residential Annexes) of the Suffolk Coastal District Local Plan Core Strategy & Development Management Policies Development Plan Document (2013) and Policy SCLP5.13 (Residential Annexes) of the Suffolk Coastal Local Plan - Final Draft Plan (2019).

Application form – No pre-application advice sought. Proposed materials quoted (all grey - walls timber frame with Cement board cladding (to mimic timber cladding material); roof Sheet roofing material, UPVC double glazed windows & doors).

Plans – Series of 7 photographs are provided showing the proposed site area. CIL additional information form included. A supporting planning statement is provided. Room layout and elevation diagrams are also provided. This shows proposed gable roof building with dimensions of 19.81m long * 6.74m wide * 4.38m high & located 2.5m from boundary with no 129 & 3.9m from boundary with Ipswich School playing fields. Internally, 7 areas (entertaining room, home office, home office/store, gym changing/shower, cloakroom. Hallway & games/gym) are proposed. Externally, window / door configurations are shown on the east, west & north elevations.

Latest Consultation Expiry Date – 27/11/20 (Expiry)

Councillors considered the application carefully.

Mr Francis proposed refusal of the application. The proposal was seconded by Mrs Richardson-Todd. Resolved with MAJORITY in favour. The reason for this is that the building will be located outside the settlement boundary and in the countryside where development is controlled. Development at this location will set a precedent and will have a detrimental impact on neighbouring properties and on the character of the area. The size and mass of the building is not well related to the existing dwelling.

Response: Rushmere St Andrew Parish Council recommends REFUSAL.

6. DETERMINATION OF ITEMS FOR FUTURE AGENDA

None

7. CLOSE OF MEETING

The Chairman closed the meeting at 18.52pm.