

BRANDESTON PARISH COUNCIL

The Minute of the meeting held on Monday 3rd August 2020 via Zoom video call due to Covid 19 restrictions.

Present: Councillors Baker, Fletcher, Locke, M Mitson-Woods (in the Chair), R Mitson-Woods, Summers, Williams and Clerk Catherine Bacon.

4/20-21/1 The chairman welcomed Councillors to the meeting. and asked Cllrs Fletcher and Summers to lead the planning matter

4/20-21/2 There were no apologies of absence

4/20-21/3 There were no declarations of interest

4/20-21/4 It was resolved that the Chairman should sign the Minute of the Meeting held on 13th July 2020 as a true and accurate record.

4/20-21/5 The chairman asked Cllrs Fletcher and Summers to lead the Planning items.

- a) **DC/20/2712/FUL** including letter reference DC/3535/QDT4LOQXL120I The Gables Mill Lane Brandeston Suffolk IP13 7AP; To build a shed / workshop /car port in the front garden, next to driveway.

Prior to the meeting Cllr Summers consulted four neighbours about the application; one objection has been noted and one neighbour in support of the application. In addition to this we had one anonymous communication and one from a parishioner further down Mill Lane questioning whether planning permission should be sought.

Referring to our duty as a Parish Council to work with the parishioners, to act in their best interests and as custodians for the future of the village and its parishioners. Public interest is about what matters to everyone in society, it is about the common good, the general welfare and the security and well-being of everyone in the community we serve. We agreed that to preserve the village we needed to address this planning issue to ensure we did not set a precedent for ad-hoc development in the future.

East Suffolk Council have not given the Parish Council access to scaled profile drawings of the building which means we cannot be sure how high it is. Cllr Summers visited the property and chatted with the owner's mother. Cllr Summers was invited onto the property to have a look at the building and to take measurements.

Assuming the tarmac road is the boundary, the nearest point of the building to the boundary is more than 2 meters distance, the rear elevation aligned with Mill Lane is approximately 2.3 meters high, the maximum elevation (the front, nearest the house) to allow for rainwater run-off is 2.58 meters high. I believe that these heights comply with permitted development.

However, the fact that the building is forward of a wall forming the principal elevation of the original house means that it requires planning permission together with the overall floor area of the building.

The owners mother informed me that it was the builder who told them they did not need planning permission. A parishioner informed them/the builder that he was going to report the building to ESC, I don't think that the builder has been on site since and a family member is completing the building.

In order to consider the merits of this application, the Parish Council rolled-back time and envisaged a situation prior to the building having commenced, we made our decision based at that point in time. We voted to object to the application on the following grounds:



The outbuilding is on land forward of a wall forming the principal elevation of the original house. The scale, size and position interrupts the street scene and disturbs the environment of the lane. As The Gables is situated just outside of the conservation area, there is a need to preserve the entrance to this area.

The provisions of the European Convention on Human Rights such as Article 1 of the First Protocol, Article 8 and Article 14 are relevant when considering enforcement action. There is a clear public interest in enforcing planning law and planning regulation in a proportionate way. In deciding whether enforcement action is taken, local planning authorities should, where relevant, have regard to the potential impact on the health, housing needs and welfare of those affected by the proposed action, and those who are affected by a breach of planning control.

It was resolved that the Parish Council recommend DC/20/2712/FUL including letter reference DC/3535/QDT4LOQXL120I The Gables Mill Lane Brandeston Suffolk IP13 7AP be reused.

- b) **DC/20/2552/LBC** including letter reference DC/3535/QD7IV0QXKRZOL Bridge Farm Friday Street Brandeston IP13 7BP; Listed Building Consent - The proposal relates to emergency works for removal, structural stability and reinstatement of building elements previously agreed with East Suffolk Design & Conservation officer Ms Eloise Limmer. Due to an historic oil leak that has contaminated the ground and weakened the gable end external wall structure causing the structure to 'bow' at low level, leading to fears of structural instability and collapse. Emergency works have now been carried out to remove the chimney to ridge level and to take down the lean-to and break out the ground bearing slab. The removed brickwork and pantiles have been set aside for reuse. The extent of the low-level gable 'bowing' brickwork needs to be assessed to ascertain how much needs to be removed and made good, however it is estimated that this should be no more than 3 metres square. Permission is now sought to fully remove all contaminated soil and building material and to carryout structural remedial works as indicated on the attached structural engineers report and specification and following this to rebuild the chimney and lean-to using the salvaged materials to the same design, size and configuration as the previous existing elements prior to the emergency works.

It was resolved that there was no adverse comment to make and the Parish Council recommend consent be granted.

- c) **DC/20/2543/DRC** Red House Barn, The Street, Brandeston, Woodbridge, Suffolk IP13 7AB Discharge of Condition 5 of DC/20/0295/FUL (Part retention of former agricultural building, involving alterations, - to provide for storage, stables and swimming pool facilities, - with inclusion of building and land as residential curtilage)

Condition 5 DC/20/0295/DRC states that:

The outbuilding shall provide a barn owl nest box; details to be submitted within 3 months of the approval and once approved implemented in accordance with the approved plans.

Reason: A barn owl nest box was originally to be approved within the converted barn and its relocation to this outbuilding will meet the requirements of the originally approved scheme in respect of biodiversity and to protect protected species.

2004-2012 there used to be a Barn Owl based here and had been seen by families walking to the school. There have been recent photographs of Barn owls flying next to the village hall. Trevor Wright's (tennis coach) son Jack knew all about these owls, he now has a job in ecology.

This has been a condition repeatedly made throughout the various planning permissions; <https://www.barnowltrust.org.uk/hazards-solutions/barn-owls-planning/>

C/12/0736 Planning Permission Condition 6:

Before the replica barn is occupied, the former agricultural building to the south-west of the replica barn, shall be fully demolished and removed from the site. The work of demolition

shall not take place between April and September unless otherwise agreed in writing by the local planning authority. Prior to removal a barn owl nesting box shall be installed in/on the new dwelling (replica barn) in accordance with details that shall have been submitted to and agreed in writing by the local planning authority; thereafter the nest box shall be retained and maintained in the approved form.

Reason: In the interest of visual amenity and the character of the locality; and to ensure protection of wildlife (nesting birds) and the provision of replacement of a barn owl nesting site.

C/07/1987 Planning Permission Condition 17:

The existing buildings to the south of the main barn, as shown on Drawing No 7486-03b shall be removed from the site prior to first occupation of the new dwelling. The larger of these buildings (western most) shall not be removed during the months of April to September in any year unless otherwise agreed in writing with the local planning authority. Prior to its removal a Barn Owl hole and nesting box and/or loft shall be installed in the new dwelling or on the site in accordance with details to be submitted to and agreed in writing by the local planning authority and shall thereafter be retained as such.

Reason: In the interests of visual amenity and to provide a nesting habitat in the interests of the conservation of owls.

Clarification found the 'Discharge of Condition' is an application to formalise a condition to confirm that it is in place. The Barn Owl Box has been approved and will be installed.

The application lacked information regarding location of the box installation. If the box is to be in pool area, would it go near chlorine?

It was resolved that the Clerk would raise the following points with the Planning Department and DC/20/2543/DRC would be discussed further on receipt of response before application deadline:

Where is the Barn Owl Box to be located and is it suitable?

Would the Enforcement Officer confirm the installation of the Barn Owl Box?

4/20-21/6 Date of next Meeting 14th September 2020