
Development Control Committee



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Development Control Committee** held on **Thursday 3 September 2015** at **10.00 am** at the **Conference Chamber, West Suffolk House, Western Way, Bury St Edmunds**

Present: **Councillors**

Chairman Jim Thorndyke

Vice-Chairmen Tim Marks and Angela Rushen

John Burns

Carol Bull

Tony Brown

Robert Everitt

Paula Fox

Susan Glossop

Ian Houlder

Alaric Pugh

David Roach

Peter Stevens

Julia Wakelam

Patricia Warby

By Invitation:

John Griffiths (for item 109)

104. **Apologies for Absence**

An apology for absence was received from Councillor Ivor Mclatchy.

105. **Substitutes**

No substitutions were announced.

106. **Minutes**

The minutes of the meeting held 6 August 2015 were confirmed as a correct record and signed by the Chairman. On Minute 98, Planning Application DC/13/0906/FUL-Land at Station Hill, Bury St Edmunds, Councillor Susan Glossop referred to the assurance given at the last meeting that an element of affordable housing would be sought as part of the development and that this had not been minuted. Officers advised that this provision would be secured within the overall Section 106 Agreement referred to in this minute.

107. **Planning Applications**

The Committee considered Reports DEV/SE/15/50 to DEV/SE/15/52 (previously circulated)

RESOLVED – That:

- (1) subject to the full consultation procedure, including notification to Parish Councils/Meetings and reference to Suffolk County Council, decisions regarding applications for planning permission, listed building consent, conservation area consent and approval to carry out works to trees covered by a preservation order be made as listed below;
- (2) approved applications be subject to the conditions outlined in the written reports (DEV/SE/15/50 to DEV/SE/15/52) and any additional conditions imposed by the Committee and specified in the relevant decisions; and
- (3) refusal reasons be based on the grounds outlined in the written reports and any reasons specified by the Committee and indicated in the relevant decisions.

108. **Hybrid Application DC/14/1881/HYB**

- (a) Planning Application – 100 dwellings and garages (including 30 affordable), access roads, parking, open space and drainage infrastructure; and**
- (b) Outline Planning Application (All Matters Reserved) – (i) up to 400no. dwellings, associated landscaping, and roads; (ii) strategic open space and children’s play area; (iii) local centre with associated retail units; and (iv) foul and surface water drainage, as amended by plans and supporting information which alters the proposed layout of Phase 1, replaces House Type AA11 with House Type AA21, details of highway works on Mount Road and other off-site highway works and altered parking arrangements and submission of supplementary information to support the Transport Assessment at Land East of Moreton Hall, Mount Road, Bury St Edmunds (the majority of the application site is within the parish of Rushbrooke with Rougham and other parts are within Bury St Edmunds and Great Barton) for Taylor Wimpey East Anglia**

Officers tabled an amended list of proposed conditions which contained an indication of those to be applied to any grant of permission for the Outline element of the application and those which would relate to the Full part. Some proposed conditions were common to both.

Further oral reports were given by officers as follows:

- (a) a representation had been received from Dalton Warner Davies on behalf of the Rougham Industrial Traders' Association (RITA) the previous day which suggested that the applicants, Taylor Wimpey, should be required to make a financial contribution towards the cost of a footbridge over the railway line which would link the application site with the North-East Bury St Edmunds Strategic Site. Officers explained that the provision of improved links across the railway line had been embodied in Policy CS11 of the Core Strategy and was a requirement of the BSE NE strategic Site and not the Moreton Hall site. It was anticipated that the bridge would cater mainly for a north to south flow i.e. persons cycling and walking from the NE Bury St. Edmunds Strategic Site to the new school and new business park and existing retail provision in the Moreton Hall area and therefore negotiations about its provision would be centred with the developers of the NE Strategic Site. There was currently no requirement for Taylor Wimpey to make a financial contribution towards the bridge although they had accepted that part of it would have to be constructed on land in their ownership. They were therefore prepared to enter into a Section 106 Agreement to facilitate construction and had given an indication of where the bridge might be sited. The provision of the bridge was currently aspirational because as yet there were no detailed development proposals in respect of the NE Strategic Site. The Committee acknowledged the advice of Officers that it would be unreasonable to require Taylor Wimpey to make a financial contribution towards the cost of the proposed footbridge;
- (b) the written representations received from the agents acting on behalf of Rougham Industrial Traders' Association also contended that the Transport Assessment submitted in support of the application was out of date. It was suggested that there were uncertainties about the delivery of the Eastern Relief Road. The representations also referred to Policy CS11 which it was suggested prohibited any further development until the relief road had been completed. In addition a concern was expressed that certain written material relating to the proposal was not available on the Council's website and thus there had been no opportunity to comment on it. Officers responded to these objections by advising as follows:
 - (i) funding for the Eastern Relief Road had been secured and following the tendering process it was anticipated that phased construction would commence in November 2015;
 - (ii) subsequent to the adoption of Policy CS11 the Government had issued the National Planning Policy Guidance which placed greater emphasis on permitting growth and the Inspector following the Public Inquiry into Bury St Edmunds Vision 2031 had indicated in clear terms that it would be wrong in principle to refuse permission to future development in view of its acceptability in highway terms. It had been demonstrated that a development of 50 dwellings could be accommodated ahead of the total completion of the relief road and neither Highways

England (the successor to the Highways Agency) and Suffolk County Council had objections to this proposal; and

- (iii) in relation to the material referred to, this was not part of the formal submission and was correspondence between consultants. For the sake of completeness and transparency Officers suggested that this material be made available publicly and the subject of a further consultation period of 21 days and as a consequence, if the Committee was mindful of granting permission, the final decision be delegated;
- (c) the views of Rushbrooke and Rougham Parish Council were also reported. These sought assurances that:
- (i) an additional play area would be provided south of Mount Road;
 - (ii) a meeting can be arranged with the highway authorities as to the acceptability of the scheme;
 - (iii) there would be a Construction Management Plan; and
 - (iv) the Parish Council would be kept up to date on the proposal.

The Parish Council was of the view that whilst it was acceptable for 100 houses to be built only 50 of these should be allowed to be occupied ahead of the construction of the relief road.

- (d) County Councillor Trevor Beckwith had e-mailed all Members of the Committee expressing his concern about the lack of traffic mitigation measures in place in respect of this development. Officers responded by advising that the development met the requirements of the Suffolk Design Guide and that a Transport Plan for Bury St Edmunds had recently been drafted by Suffolk CC which contained various traffic management measures and highway improvements for the town;
- (e) a letter from the occupiers of Cherry Trees had also been received. This expressed a concern that the vehicular access to this property, via Cattishall Lane, would be shared with pedestrians and cyclists. Officers advised that a new access route would be formed and that the occupiers of Cherry Trees would still have their own access.

The following person spoke on this application:

- (1) Applicants - Mark Edmonds

In response to Members' questions Officers undertook to investigate further:

- (i) the early implementation of landscaping schemes in advance of development of later phases so that these are matured by the time building work is commenced;
- (ii) the concept of 'shared space' between cyclists and pedestrians to avoid a plethora of signage;
- (iii) the creation of a cycleway/pedestrian footpath link from the north of the site; and

- (iv) the need for flexibility regarding the siting of the pedestrian/cyclist bridge over the railway line.

Samantha Bye, Suffolk County Council, Highways, present at the meeting, advised that current practice was not to segregate walkers and cyclists on paths and also, in response to a concern expressed by a member, that the road width for the primary route through the development would be 4 metres which was adequate for buses/refuse collection vehicles to pass through.

Decision

Subject to the completion of a Section 106 Agreement as detailed in Report DEV/SE/15/50, and to the amended list of conditions tabled at the meeting (referred to as a supplementary document to the agenda on the Council's website), the Head of Planning and Growth, in consultation with the Chairman of the Committee and the Portfolio Holder for Planning and Growth, be authorised to grant permission.

109. **Planning Application DC/15/0873/FUL**

Introduction of a right turn ghost island junction on the A1088 to provide vehicular access at Land for new access road, A1088, Ixworth for Persimmon Homes (Anglia)

The following persons spoke on this application:

- (a) Objector - Ben Lord
- (b) Parish Council - County Councillor Joanna Spicer (in the absence of a Parish Council representative speaker)
- (c) Ward Member - Councillor John Griffiths
- (d) Applicants - Gerry Bullard

The Committee in discussing this application acknowledged the concerns about road safety expressed by County Councillor Joanna Spicer and the objector. Suggestions made by the applicant's agent that a speed restriction could be applied to a section of the A1088 approaching the proposed ghost island and that additional street lighting could be provided were also noted. Members questioned why this form of junction provision to gain access to the site allocated for residential development was preferred to a five arm roundabout such as that which served existing development off the A143 at the western end of the village. Members also asked whether there were other options available e.g. an additional access via Crown Lane. It was also felt that a traffic modelling assessment, taking account of traffic which would be generated by up to 400 dwellings in the proposed residential development and the proposed primary school, was justifiable. Samantha Bye, Suffolk County Council, Highways, advised that accident statistics relating to Ixworth over a 10 year period had been examined closely and comparisons made with the accident records of similar ghost island junction arrangements elsewhere in the county and this research had borne out the County Council's view that a ghost island solution to gaining access to the residential development site was the safest form of provision. Members further acknowledged that application DC/14/0196/FUL which had proposed improvements to the

A143/A1088 roundabout by the provision of a fifth arm to serve the proposed development had been refused permission on highway grounds under officer delegated authority. However, notwithstanding this, some Members were of the view that further information was required to enable a decision on the application to be reached. An amendment to a motion of refusal that further consideration be deferred was carried as the substantive motion.

Decision

That consideration be deferred for a further report giving further information as a consequence of a traffic modelling assessment and the proposed 40mph speed limit buffer zone and street lighting scheme referred to at the meeting.

110. **Tree Preservation Order Application DC/15/1240/TPO**

Tree Preservation Order 211 (1994) 17 – (i) 1 no. Sycamore (1465 on plan and T12 on order) Crown lift to 4 metres; (ii) 1 no. Beech (1464 on plan) and 1 no. Elm (1462 on plan) Crown lift to 3 metres (within Group G16 of order); (iii) 3 no. Lime (1459,1460 and 1461 on plan) Crown lift to 5.4 metres over road and 3 metres all round, and 1 no. Lime (1460 on plan) remove hanging branch (within G15 of order); (iv) 1 no. Lime (1460 on plan) remove hanging branch; (v) 2 no. Beech (1453 and 1454 on plan and within G14 of order) Crown lift to 3 metres; (vi) 2 no. Lime (1455 and 1456 on plan and within G13 of order) Crown lift to 3 metres; and (vii) 1 no Elm (1457 on plan and within G15 of order) Crown lift to 3 metres – works to include removal of climbing plants and dead wood at Ickworth Drive, Bury St Edmunds for St Edmundsbury Borough Council

This application was before the Committee because the application had been made by the Borough Council.

Decision

Approval be granted

The meeting concluded at 11.55am

Signed by:

Chairman
