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# Development Control Committee



*St Edmundsbury*  
BOROUGH COUNCIL

**Minutes** of a meeting of the **Development Control Committee** held on  
**Thursday 4 February 2016** at **10.00 am** at the **Conference Chamber,**  
**West Suffolk House,** Western Way, Bury St Edmunds

Present: **Councillors**

**Chairman** Jim Thorndyke  
**Vice-Chairman** Angela Rushen

Tony Brown  
Carol Bull  
John Burns  
Terry Clements  
Robert Everitt  
Paula Fox  
Susan Glossop

Ian Houlder  
Ivor Mclatchy  
Alaric Pugh  
David Roach  
Peter Stevens  
Julia Wakelam  
Patricia Warby

**By Invitation:**

David Nettleton (for item 169)

162. **Committee Membership**

It was announced that Councillor Terry Clements had been appointed to fill the vacancy on the Committee.

163. **Apologies for Absence**

No apologies for absence had been received.

164. **Substitutes**

No substitutions were announced.

165. **Appointment of a Vice-Chairman**

RESOLVED – That consideration of the appointment of a second Vice-Chairman be deferred.

166. **Minutes**

The minutes of the meeting held on 7 January 2016 were confirmed as a correct record and signed by the Chairman.

167. **Planning Applications**

The Committee considered Reports DEV/SE/16/12 to DEV/SE/16/16 (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/16/12 to DEV/SE/16/16) 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.

168. **Planning Application DC/15/1629/FUL**

**(i) Extension to front and rear of existing apartment block to create additional 4 no. apartments; and (ii) alteration to 3 no. existing apartments (Re-submission of DC/15/0881/FUL) at Kevor House, 62 Out Westgate, Bury St. Edmunds for Thingoe Ltd.**

The Committee had visited the site on 28 January 2016.

A Committee Update Report had been previously circulated after the agenda and papers for this meeting had been distributed. This advised that the applicant's agent had submitted an amended landscaping plan which indicated the Root Protection Area for the Walnut tree located in the neighbouring garden which was the subject of a Tree Preservation Order. It also put forward an amendment to the proposed Reason 3 for refusing planning permission.

In response to a query which had arisen at the site visit Officers confirmed that it was proposed that the rear windows of Kevor House would be bricked up.

The following persons spoke on the application:

- (a) Objector - Keith Day

(b) Applicant - Leslie Short, agent.

In discussing the proposal the Committee acknowledged that the site was a 'brown field' one and that in extent it was sufficiently large enough for some form of development to take place. Objections from local residents that the design of the extended building would not be in keeping with the street scene were noted. However, Members made the observation that whilst the application site was in an area containing mainly Victorian terraced properties there was a mixture of newer architectural styles interspersed amongst these. It was also noted that the Officers' were not recommending that the proposed development be refused on design grounds but for the reason that its overall scale and massing it would have an overbearing effect on the amenity of neighbouring properties. In response to a Member's question Officers advised that any complaint about the height of the Leylandii hedge along the eastern boundary of the site would be dealt with under Anti-Social Behaviour legislation whereby if, following investigation, this was upheld the Council could require works to be undertaken to reduce the size of the hedge. Officers reiterated concerns about the effect the proposed hardstanding car parking area would have on the Walnut tree protected by the Tree Preservation Order, in particular post-development resentment.

#### Decision

Permission be refused subject to Reason 3 being amended as follows:

'The proposals include hardstanding beneath the existing Walnut tree in the neighbouring garden of 5 Hospital Road. This tree is protected by a Tree Preservation Order. The proposals include car parking beneath the tree canopy which will contribute to future pressure to continually reduce, crown lift and prune it back, The development is therefore contrary to Policy DM2 which seeks to ensure that development proposals do not adversely effect landscape features.'

#### 169. **Planning Application DC/15/1975/FUL**

##### **1 no. two storey dwelling following demolition of existing garage and fence at Land west of 63 Victoria Street, Bury St. Edmunds for Mr Barney Walker**

*(Councillor Patsy Warby declared a Local Non-Pecuniary Interest as a member of Bury St. Edmunds Town Council. Whilst she had previously participated in the discussion of this application at a meeting of that body she had abstained from voting on that occasion. Councillor Mrs Warby remained within the meeting)*

The Committee had visited the site on 28 January 2016.

A Committee Update Report had been previously circulated after the agenda and papers for this meeting had been distributed. This contained representations made by Councillor David Nettleton as part of the application site was within his ward (the Committee noted that the boundary of the Abbeygate and Risbygate Wards traversed the site). Appended to his paper

were the results of two parking surveys he had personally carried out and a Map of Zone H of the Neighbourhood Parking Permit Scheme.

The following persons spoke on this application:

- |                                       |   |                            |
|---------------------------------------|---|----------------------------|
| (a) Objector                          | - | Chris Williams             |
| (b) Town Council                      | - | Councillor Kevin Hind      |
| (c) One of the Risbygate Ward Members | - | Councillor David Nettleton |
| (d) Applicant                         | - | Tom Stebbing, agent        |

The Committee was appreciative of the surveys carried out by Councillor David Nettleton and noted the situation these had indicated that there was no shortage of bays available for parking during the hours of operation of the Parking Permit Scheme as was being suggested by some objectors to the proposal. There were divergent views expressed by members about the design of the proposed dwelling. It was acknowledged by the majority of Members that elsewhere along Albert Street there were other properties with more modern styles of architecture and that therefore it was acceptable to have an eclectic mixture of designs in this location.

#### Decision

Permission be granted.

*(At this point the meeting was adjourned to allow Members a comfort break)*

#### 170. **Planning Application DC/15/1899/FUL**

**Provision of 100 pitch touring caravan and camping site including reception building, utility block, access off highway, inner roads and hard standings, ancillary services and landscaping (Re-submission of DC/15/0556/FUL) at West Stow Anglo-Saxon Village and Country Park for St Edmundsbury Borough Council**

*(The following Members declared Local Non-Pecuniary Interests :  
Councillors Susan Glossop and Ian Houlder as Trustees of the Anglo-Saxon Village and Country Park and Councillor Terry Clements as a holder of a Season Angling Permit in respect of the site.  
After speaking as the Ward Member to represent the views of local residents who had contacted her, Councillor Susan Glossop withdrew from the meeting.  
Councillors Ian Houlder and Terry Clements remained within the meeting.)*

This application was before the Committee because the Borough Council was the applicant. The Chairman reminded the Committee that the proposal required consideration by Members in pursuance of the Council's function as local planning authority and land ownership/management issues had to be set aside.

The Committee had visited the site on 28 January 2016.

The following documents had been circulated by e-mail and included on the Council's website after the agenda and papers for this meeting had been distributed:

- (i) written representations from James Robinson, Helen Levack, Peter Newlands and Michael Schultz, joint objectors to the proposal; and
- (ii) an e-mail containing representations from Andrew Hinchley, Chairman of the Bury Water Meadows Group.

Officers reported verbally on an e-mail from Councillor James Waters as Leader and Portfolio Holder for Planning and Economic Growth, Forest Heath District Council which referred to the joint West Suffolk Six Point Plan for Jobs and Growth document and offered his support for the scheme in relation to tourism and related benefits to Forest Heath District.

An apology was offered by Officers for the incorrect location plan included within the written report. The correct version was displayed for the Officers' power point presentation at the meeting. Also in relation to the written report and the conditions recommended to be attached to any grant of permission, Officers proposed an additional condition to secure a Car Park Management Strategy which would ensure that overflow parking could be achieved when events were being held at the Country Park. In relation to a question which had arisen as to why the proposed buildings had flat rather than pitched roofs Officers advised that this was because of visual considerations. The consequence would be that the buildings would be of less bulk and screening to be provided under the proposed Condition 20 would therefore be more effective.

The following persons spoke on the application :

- (a) Objectors - James Robinson, spokesperson for the following objectors : Helen Levack, Michael Schultz, Peter Newlands and Robert Halliday and representing the Suffolk Wildlife Trust and Perennial ( the owners of Fuller's Mill Garden).
- (b) Culford, West Stow & Wordwell Parish Council - Councillor Ann Self
- (c) Ward Member - Councillor Susan Glossop

*(During the discussion of the application by the Committee which followed the meeting was adjourned because of the sounding of the fire alarm. The meeting room was cleared and all persons present were evacuated from the building. Following the all clear being given the meeting was re-convened.)*

Members discussed the proposal in the context of the Council's relevant planning policies listed in paragraphs 17 to 19 of the written report. A motion that planning permission be refused on the basis that the proposal was contrary to Policy DM34 (b) and (d) in that it would have an adverse impact on the landscape, designated sites of special scientific interest and protected species was lost. The majority of Members were cognisant that the proposal would only utilise a very small part (3.21 hectares) of the country park (which extended to 52 hectares) and that there was a need to safeguard the natural habitat which would remain and protect the several species of

wildlife which were present. With this objective in mind there would be a need to promote 'responsible tourism' and it was felt that the extensive list of conditions proposed, which included, amongst other measures, a requirement that landscape proposals, an Ecological Management Plan and a detailed Biodiversity Monitoring Strategy be submitted for approval and implementation, would provide sufficient mitigation of any potential harm to the wildlife habitats. Some members expressed concern about the proposed loss of 35 trees which was required to provide visibility splays for the proposed main access to the site. Officers advised that the loss of these trees would be compensated by the planting of trees as part of the landscaping scheme that would be required by the proposed Condition 20. In response to a concern expressed by a Member that there should be a requirement for dogs to be kept on a lead Officers advised that would be a matter addressed by the Ecological Management Plan although currently there was already signage at various places within the site giving notice to this effect. Officers advised in response to a Member's question that if, in the fullness of time, this development gave rise to proposals for further expansion of the facilities these would require planning permission, applications in respect of which would be dealt with on their own merits taking into account the prevailing local and national planning policies at the time.

#### Decision

Permission subject to the addition of a further condition :

'31 A Car Parking Management Plan Strategy to ensure that overflow parking can still be achieved when events were being held at the Country Park to be submitted in writing for prior approval and implementation'.

#### 171. **Planning Application DC/15/1915/FUL**

**(i) Change of use of land to horse stud; (ii) proposed stables, barn, office, horse walker and lunge ring; and (iii) associated landscaping and access road, as amended by plans and details received 16 December 2015 at Pattles Grove, Chedburgh Road, Whepstead**

The following persons spoke on the application :

- (a) Objector - Adrian Wilson
- (b) Ward Member - Councillor Angela Rushen

Following the public speaking session the Committee noted that there was conflicting information as to whether the existing dwelling and land forming Pattles Grove and the application site were in the same or separate ownership. Additionally there had been a view expressed that the application site had not been used previously as a paddock for the keeping of horses.

#### Decision

Further consideration be deferred for the above-mentioned matters to be clarified.

**172. Listed building Application DC/15/2142/LB**

**Retention of replacement thatched covering to existing dormer window at rear of property at The Rabbit Hutch, Bull Lane, Pinford Lane, Hawstead for Mr & Mrs Barneveld.**

The following persons spoke on the application:

- (a) Supporter - Clive Robinson
- (b) Ward Member - Councillor Angela Rushen
- (c) Applicant - Mrs Barneveld

The Committee noted the applicant's submission which was that the dormer window insertion had been carried out by a previous owner and that because of the position selected it had proved difficult to provide a thatch covering to it. To compound the situation the thatching material used had been straw which was less durable than reed and as a consequence leaks had resulted in a short space of time. An alternative thatcher had been engaged to re-thatch the roof but had replaced the 'eyebrow' dormer with a gabled one. Officers considered the resulting thatch covering to be bulky and disproportionate to the size of the dormer window. Members acknowledged that the dormer window was to the rear of the property and therefore was not in general public view.

Decision

Listed Building Consent be granted.

**173. Quarterly Monitoring Report of Development Management Services**

The Committee received and noted report DEV/SE/16/17 (previously circulated) which gave information on the performance in relation to Development Management, Planning Enforcement and Appeals. The Service Manager (Development Management) further advised the Committee that the Planning Advisory Service had been impressed by the way the West Suffolk Councils had integrated Planning Services and as a consequence wished to use the Councils' experience and methodology as an exemplar for other local authorities who were less advanced in establishing shared planning services.

On paragraph 2.2.1 of the report she advised that currently the number of outstanding enforcement cases had been further reduced from 180 to 152.

In relation to the analysis of Development Management Performance referred to in Appendix A there was an objective as part of the Improvement Plan to increase the number of 'clean' applications being processed, i.e. those that in their submitted form were capable of being validated straightaway. The means for achieving this would be the introduction of an Accreditation Scheme whereby information about those agents who met a required standard would be made available to prospective applicants. The situation at

present was often that staff had to spend time in referring back applications to agents because of deficiencies in information submitted.

With reference to Appendix B Officers highlighted some of the significant appeal decisions and gave updates on progress with those cases which were still pending.

The Committee expressed its thanks to Rachel Almond and Officers in her team for the good progress that had been made in improving performance. Councillor Alaric Pugh as Portfolio Holder for Planning & Growth commented on the usefulness of the Monitoring Report and expressed a hope that a separate, more extensive, session could be arranged to enable the Committee to take a detailed overview of the matters within in its remit

The meeting concluded at 1.45pm

**Signed by:**

**Chairman**

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