

# Development Control Committee



*St Edmundsbury*  
BOROUGH COUNCIL

<b>Title:</b>	<b>Agenda</b>																							
<b>Date:</b>	<b>Thursday 3 November 2016</b>																							
<b>Time:</b>	<b>10.00 am</b>																							
<b>Venue:</b>	<b>Conference Chamber</b> <b>West Suffolk House</b> Western Way Bury St Edmunds IP33 3YU																							
<b>Full Members:</b>	<p style="text-align: center;"><b>Chairman</b> Jim Thorndyke</p> <p style="text-align: center;"><b>Vice-Chairmen</b> Carol Bull and Angela Rushen</p> <p><u>Conservative Members (13)</u></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Terry Clements</td> <td style="width: 33%;">Ivor Mclatchy</td> <td style="width: 33%;"></td> </tr> <tr> <td>Robert Everitt</td> <td>Alaric Pugh</td> <td></td> </tr> <tr> <td>Paula Fox</td> <td>David Roach</td> <td></td> </tr> <tr> <td>Susan Glossop</td> <td>Peter Stevens</td> <td></td> </tr> <tr> <td>Ian Houlder</td> <td>Patricia Warby</td> <td></td> </tr> </table> <p><u>UKIP Group Members (2)</u></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">John Burns</td> <td style="width: 33%;"></td> <td style="width: 33%;">Jason Crooks</td> </tr> </table> <p><u>Charter Group Member (1)</u></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Julia Wakelam</td> <td style="width: 33%;"></td> <td style="width: 33%;"></td> </tr> </table>			Terry Clements	Ivor Mclatchy		Robert Everitt	Alaric Pugh		Paula Fox	David Roach		Susan Glossop	Peter Stevens		Ian Houlder	Patricia Warby		John Burns		Jason Crooks	Julia Wakelam		
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<b>NO SITE VISITS ARE PROPOSED AND THEREFORE THE TOUR OF SITES SCHEDULED FOR THURSDAY 27 OCTOBER 2016 WILL NOT BE TAKING PLACE.</b>																								

<b>Interests – Declaration and Restriction on Participation:</b>	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a
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	disclosable pecuniary interest.
<b>Quorum:</b>	Six Members
<b>Committee administrator:</b>	<b>David Long</b> <b>Tel:</b> 01284 757120 <b>Email:</b> <a href="mailto:david.long@westsuffolk.gov.uk">david.long@westsuffolk.gov.uk</a>

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# Agenda

## Procedural Matters

*Page No*

**1. Apologies for Absence**

**2. Substitutes**

Any Member who is substituting for another Member should so indicate together with the name of the relevant absent Member.

**3. Minutes**

**1 - 8**

To confirm the minutes of the meeting held on 6 October 2016 (copy attached).

## Part 1 – Public

**4. Planning Applications DC/16/1589/VAR, DC/16/1590/VAR and DC/1591/VAR :**

**9 - 40**

(i) DC/16/1589/VAR – Variation of Condition 2 of DC/15/1753/FUL, retention of modification and change of use of former agricultural building to storage (Class B8), to enable amendment to opening hours, as amended by revised wording in planning statement 21 July 2016, at Building C ;

(ii) DC/16/1590/VAR – Variation of Condition 2 of DC/15/1754/FUL, retention of modification and change of use of former agricultural building to storage (Class B8), to enable amendment to opening hours, as amended by revised wording of planning statement 21 July 2016, at Building D; and

(iii) DC/16/1591/VAR – Variation of Condition 2 of DC/15/1759/FUL, retention of change of use of former agricultural storage to use for open storage (Class B8) for caravans and motor homes (10 maximum), horse boxes (5 maximum) and containers (20 maximum) to enable amendment to opening hours at Area H

at Lark's Pool Farm, Mill Road, Fornham St. Genevieve for C J Volkert Ltd.

Report **DEV/SE/16/75**

- 5. Planning Application DC/16/1618/FUL** **41 - 54**  
1 no. two storey dwelling following demolition of existing garage and boundary fence (Revised scheme of DC/15/1975) at Rowan House, Albert Street, Bury St. Edmunds for Mr Barney Walker.
- Report **DEV/SE/16/76**
- 6. Householder Planning Application DC/16/1578/HH** **55 - 62**  
(i) Single storey front and rear extensions; and (ii) garage conversion at 14 Hepworth Avenue, Bury St. Edmunds for Mr & Mrs Henthorn.
- Report **DEV/SE/16/77**

## **Part 2 – Exempt**

**NONE**



**Agenda Notes - Version for Publication**

**DEVELOPMENT CONTROL COMMITTEE:  
AGENDA NOTES**

Subject to the provisions of the Local Government (Access to Information) Act 1985, all the files itemised in this Schedule, together with the consultation replies, documents and letters referred to (which form the background papers) are available for public inspection.

All applications and other matters have been considered having regard to the Human Rights Act 1998 and the rights which it guarantees.

**Material Planning Considerations**

1. **It must be noted that when considering planning applications (and related matters) only relevant planning considerations can be taken into account. Councillors and their Officers must adhere to this important principle which is set out in legislation and Central Government Guidance.**
  
2. **Material Planning Considerations include:**
  - Statutory provisions contained in Planning Acts and Statutory regulations and Planning Case Law
  - Central Government planning policy and advice as contained in Circulars and the National Planning Policy Framework (NPPF)
  - The following Planning Local Plan Documents

<b>Forest Heath District Council</b>	<b>St Edmundsbury Borough Council</b>
Forest Heath Local Plan 1995	St Edmundsbury Borough Local Plan 1998 and the Replacement St Edmundsbury Borough Local Plan 2016
The Forest Heath Core Strategy 2010, as amended by the High Court Order (2011)	St Edmundsbury Borough Council Core Strategy 2010
Joint Development Management Policies 2015	Joint Development Management Policies 2015
	Vision 2031 (2014)
<b>Emerging Policy documents</b>	
Core Strategy – Single Issue review	
Site Specific Allocations	

- Supplementary Planning Guidance/Documents e.g. Affordable Housing SPD

- Master Plans, Development Briefs
  - Site specific issues such as availability of infrastructure, density, car parking
  - Environmental; effects such as effect on light, noise overlooking, effect on street scene
  - The need to preserve or enhance the special character or appearance of designated Conservation Areas and protect Listed Buildings
  - Previous planning decisions, including appeal decisions
  - Desire to retain and promote certain uses e.g. stables in Newmarket.
3. The following are **not** Material Planning Considerations and such matters must not be taken into account when determining planning applications and related matters:
- Moral and religious issues
  - Competition (unless in relation to adverse effects on a town centre as a whole)
  - Breach of private covenants or other private property / access rights
  - Devaluation of property
  - Protection of a private view
  - Council interests such as land ownership or contractual issues
  - Identity or motives of an applicant or occupier
4. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission must be determined in accordance with the Development Plan (see table above) unless material planning considerations indicate otherwise.
5. A key role of the planning system is to enable the provision of homes, buildings and jobs in a way that is consistent with the principles of sustainable development. It needs to be positive in promoting competition while being protective towards the environment and amenity. The policies that underpin the planning system both nationally and locally seek to balance these aims.

### **Documentation Received after the Distribution of Committee Papers**

Any papers, including plans and photographs, received relating to items on this Development Control Committee agenda, but which are received after the agenda has been circulated will be subject to the following arrangements:

- (a) Officers will prepare a single Committee Update Report summarising all representations that have been received up to 5pm on the **Thursday** before each Committee meeting. This report will identify each application and what representations, if any, have been received in the same way as representations are reported within the Committee report;
- (b) the Update Report will be sent out to Members by first class post and electronically by noon on the **Friday** before the Committee meeting and will be placed on the website next to the Committee report.

Any late representations received after 5pm on the **Thursday** before the Committee meeting will not be distributed but will be reported orally by officers at the meeting.

## **Public Speaking**

Members of the public have the right to speak at the Development Control Committee, subject to certain restrictions. Further information is available on the Councils' websites.

**Decision Making Protocol - Version for Publication**

**DEVELOPMENT CONTROL COMMITTEE  
DECISION MAKING PROTOCOL**

The Development Control Committee usually sits once a month. The meeting is open to the general public and there are opportunities for members of the public to speak to the Committee prior to the debate.

**Decision Making Protocol**

This protocol sets out our normal practice for decision making on development control applications at Development Control Committee. It covers those circumstances where the officer recommendation for approval or refusal is to be deferred, altered or overturned. The protocol is based on the desirability of clarity and consistency in decision making and of minimising financial and reputational risk, and requires decisions to be based on material planning considerations and that conditions meet the tests of Circular 11/95: "The Use of Conditions in Planning Permissions." This protocol recognises and accepts that, on occasions, it may be advisable or necessary to defer determination of an application or for a recommendation to be amended and consequently for conditions or refusal reasons to be added, deleted or altered in any one of the circumstances below.

- Where an application is to be deferred, to facilitate further information or negotiation or at an applicant's request.
- Where a recommendation is to be altered as the result of consultation or negotiation:
  - The presenting Officer will clearly state the condition and its reason or the refusal reason to be added/deleted/changed, together with the material planning basis for that change.
  - In making any proposal to accept the Officer recommendation, a Member will clearly state whether the amended recommendation is proposed as stated, or whether the original recommendation in the agenda papers is proposed.
- Where a Member wishes to alter a recommendation:
  - In making a proposal, the Member will clearly state the condition and its reason or the refusal reason to be added/deleted/changed, together with the material planning basis for that change.
  - In the interest of clarity and accuracy and for the minutes, the presenting officer will restate the amendment before the final vote is taken.

- Members can choose to
  - delegate the detailed wording and reason to the Head of Planning and Growth;
  - delegate the detailed wording and reason to the Head of Planning and Growth following consultation with the Chairman and Vice-Chairmen of Development Control Committee.
- Where Development Control Committee wishes to overturn a recommendation and the decision is considered to be significant in terms of overall impact; harm to the planning policy framework, having sought advice from the Head of Planning and Growth and the Head of HR, Legal and Democratic Services (or Officers attending Committee on their behalf)
  - A final decision on the application will be deferred to allow associated risks to be clarified and conditions/refusal reasons to be properly drafted.
  - An additional officer report will be prepared and presented to the next Development Control Committee detailing the likely policy, financial and reputational etc. risks resultant from overturning a recommendation, and also setting out the likely conditions (with reasons) or refusal reasons. This report should follow the Council's standard risk assessment practice and content.
  - In making a decision to overturn a recommendation, Members will clearly state the material planning reason(s) why an alternative decision is being made, and which will be minuted for clarity.
- In all other cases, where Development Control Committee wishes to overturn a recommendation:
  - Members will clearly state the material planning reason(s) why an alternative decision is being made, and which will be minuted for clarity.
  - In making a proposal, the Member will clearly state the condition and its reason or the refusal reason to be added/deleted/alterred, together with the material planning basis for that change.
  - Members can choose to
    - delegate the detailed wording and reason to the Head of Planning and Growth
    - delegate the detailed wording and reason to the Head of Planning and Growth following consultation with the Chairman and Vice-Chairmen of Development Control Committee

- Member Training
  - In order to ensure robust decision-making all members of Development Control Committee are required to attend annual Development Control training.

## **Notes**

Planning Services (Development Control) maintains a catalogue of 'standard conditions' for use in determining applications and seeks to comply with Circular 11/95 "The Use of Conditions in Planning Permissions."

Members/Officers should have proper regard to probity considerations and relevant codes of conduct and best practice when considering and determining applications.

# Development Control Committee



*St Edmundsbury*  
BOROUGH COUNCIL

**Minutes** of a meeting of the **Development Control Committee** held on **Thursday 6 October 2016** at **10.00 am** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds

Present: **Councillors**

**Chairman** Jim Thorndyke

**Vice-Chairmen** Carol Bull and Angela Rushen

John Burns

Terry Clements

Jason Crooks

Robert Everitt

Paula Fox

Susan Glossop

Ian Houlder

Ivor Mclatchy

Alaric Pugh

Peter Stevens

Julia Wakelam

Patricia Warby

**Substitute attending:**

Betty Mclatchy

**By Invitation:**

David Nettleton and Barry Robbins

256. **Apologies for Absence**

An apology for absence was received from Councillor David Roach.

257. **Substitutes**

The following substitution was announced :

Councillor Betty Mclatchy for Councillor David Roach.

258. **Minutes**

The minutes of the meeting held 1 September 2016 were confirmed as a correct record and signed by the Chairman.

259. **Planning Applications**

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/16/68 to DEV/SE/16/74) 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.

(The item relating to Report DEV/SE/16/67 was withdrawn from the agenda)

260. **Planning Applications DC/16/1589/VAR, DC/16/1590/VAR and DC/16/1591/VAR**

**Variation of Condition 2 to enable amendment to opening hours at Buildings C & D and Area H at Larks Pool Farm, Mill Road, Fornham St. Genevieve for C J Volkert Ltd.**

At the request of Officers these items were withdrawn from the agenda. The Chairman advised that following clarification being obtained on various points the applications would be submitted to the meeting of the Committee on 3 November 2016.

261. **Planning Application DC/16/1618/FUL**

**1 no. two storey dwelling following demolition of existing garage and boundary fence (Revised scheme of DC/15/1975) at Rowan House, Albert Street, Bury St. Edmunds for Mr Barney Walker.**

Officers referred to paragraph 15 of the written report and advised that a further letter of representation had been received making a total of 7 letters of objection submitted by the occupiers of nearby properties.

The following persons spoke on this application :

- (a) Objector - Mr Tom Soper
- (b) Supporter - Councillor David Nettleton
- (c) Applicant - Mr Tom Stebbing, Agent.

In discussing this proposal the Committee noted that the extant planning permission (reference DC/15/1975/FUL) was for a dwelling of modern design with a single on-site car parking space whereas the current application was for a more traditional style dwelling but with no off-street parking facility. The lack of parking provision within the site was being referred to by Suffolk



County Council, as the highway authority, as a reason for recommending that the application be refused. During the public speaking session the applicant's agent had referred to a survey carried out by Transport Planning Associates on the applicant's behalf which had identified that there was spare on-street parking capacity in the vicinity of the application site which made on-site parking provision unnecessary. It had also been suggested by Councillor Nettleton that the applicant would have the opportunity to purchase car parking permits for the Zone H on-street parking area which had recently been extended. Members acknowledged that illegal on-street parking was a problem in parts of the town and that enforcement action appeared to be ineffective in dealing with this. Samantha Bye, Suffolk County Council Highways, present at the meeting informed Members that whilst the County Council's document *Suffolk Advisory Parking Standards* was advisory it laid down principles which the highway authority endeavoured to adhere to. She advised that everyone had the right of passage along the highway and illustrated by way of photographs taken the previous evening various obstructions and road safety hazards being caused by illegally parked vehicles in the locality of the application site. Officers reaffirmed that the issue of parking provision in respect of the proposal was a material planning consideration and that the effect of a potential increase in illegal parking upon matters of highway safety was also material. A motion that the application be refused was lost.

As it was then apparent that the Committee was mindful of granting permission the Decision-making Protocol was invoked. It was requested that the Risk Assessment Report which would be produced for the further consideration of the application at the next meeting include information about responsibilities for enforcement action in respect of illegal on-street parking.

#### Decision

Further consideration be deferred for a Risk Assessment Report to be submitted in accordance with the Decision-making Protocol.

### 262. **Planning Application DC/16/1261/FUL**

#### **New access road for farm and domestic use at Green Farm, Brandon Road, Culford for Green Farm Nursery.**

The following person spoke on this application :

- (a) Applicant - Samantha Reynolds (daughter of the applicant, Christina Warren, and co-owner)

Officers in presenting the report on this application explained that the proposal was part of an intention to rationalise the means of access to the nursery site and to the domestic premises at Green Farm. It was intended to retain two existing accesses one of which was shared with the neighbouring property and to stop up a link which branched from the southernmost existing access and as an alternative to create a new access to serve the domestic premises, the subject of this application, at a point midway between the two existing accesses. The Parish Council had objected to the proposal because it involved the creation of another access onto the B1106 which in its view would have potential for causing accidents. Councillor Susan Glossop,

as Ward Member, endorsed the Parish Council comments and referred to the fast speed of traffic along the stretch of road fronting the site. Samantha Bye, Suffolk County Council Highways, advised that the proposal was a much safer arrangement and only involved transferring vehicular movements from one point to another which were satisfactory distances apart. The creation of the new access would, furthermore, involve it being constructed to meet higher visibility standards.

Decision

Permission be granted.

**263. Tree Preservation Order Application DC/16/1276/TPO**

**Tree Preservation Order 218 (1972) 45 – 1 no. sycamore (1 on plan within Area G5 on order) fell at 71 Raynham Road, Bury St. Edmunds for Mr Palmer.**

The Committee had visited the application site on 29 September 2016.

The following person spoke on this application :

- (a) One of the Ward Members - Councillor David Nettleton ( also speaking on behalf of the applicant)

Members discussed the suggestion made by Officers to the applicant that works be carried out to reduce the size of the tree. A motion that the application be refused with a preference for such tree surgery to be carried out as an alternative was lost. The majority of Members accepted that the tree, a self-seeded and semi-mature specimen which would eventually grow even larger, was having a detrimental effect on the residential amenity of the applicant. A motion that the application be granted consent subject to a condition that a replacement tree of a suitable species and appropriate for the size of the applicant's garden be planted was carried.

Decision

Consent be granted, subject to the following conditions :

1. Two year time limit for the works to be carried out ; and
2. A replacement tree of suitable size and species be planted.

**264. House Holder Application DC/16/0920/HH**

**(i) 3 no. bay cart lodge with attached garage and store; and (ii) first floor play room over cart lodge, as amended by drawing no. 666 005 Rev. D received on 8 August 2016 reducing scale and revising design and location, at Flempton House, Bury Road, Flempton for Mr Andrew Speed.**

*(Councillor Susan Glossop declared a non-pecuniary interest as she knew the applicant and the persons who lived in neighbouring properties and who had submitted written representations in respect of the proposal. After speaking*

*as Ward Member to represent the views of the objectors she withdrew from the meeting for the remainder of the consideration of this item)*

The application was before the Committee as the applicant was an Elected Member of the Borough Council. The proposal had been considered previously by the Committee at its meeting on 4 August 2016 when a decision to grant permission had been delegated to the Head of Planning and Growth subject to the receipt of an amended plan, a seven day period for neighbours to be consulted and to no objections being received. Officers reported that the amended plan had been received on 8 August but the receipt of two letters of objection had resulted from the further neighbour consultation on the amended plans. The Committee had visited the application site on 29 September 2016.

The Chairman at his discretion allowed Councillor Susan Glossop to speak as Ward Member during the public speaking session. In doing so he reminded Councillors that they needed to register if they wished to address the Committee during the public speaking session and that the register closed at noon on the Wednesday preceding the Committee's meeting.

Members in discussing the proposal acknowledged the concern expressed by the objectors that there would be overlooking of their properties. However, it was noted that the rear of the proposed building faced a brick and flint wall and that fenestration was by way of three roof lights. It was also ascertained that this view would be over the rear garden of Flempton House and not the adjoining properties.

#### Decision

Permission be granted.

#### 265. **Revocation of Hazardous Substances Consent No. SE/01/2826/H**

##### **Continued storage of natural gas at Bury St. Edmunds Holder Station, Tayfen Road, Bury St. Edmunds.**

In presenting this item Officers explained that the gas holder to which the Hazardous Substances Consent related had been dismantled and removed from the site by National Grid and replaced by a gas pressure reduction system. The consent had therefore become operationally redundant but it technically remained 'live' and unless revoked it had the consequence of blighting the re-development of the gas holder site and because of their proximity other areas of brown field land allocated for development by the Vision 2031 Development Plan document. Although the matter was not the subject of an application from an external party it was before the Committee because the Head of Planning and Growth had no delegated power to revoke Hazardous Substance Consents and revocation was necessary to facilitate the unfettered implementation of the development referred to in Vision 2031.

#### Decision

Hazardous Substances Consent SE/01/2826/H be revoked and the Revocation Order be submitted to the Secretary of State for confirmation.

266. **Planning Application DC/16/1180/FUL**

**Construction of agricultural storage barn, as clarified by information received 13 September 2016, at East Town Park, Coupal's Road Haverhill for St. Edmundsbury Borough Council.**

*(Councillor John Burns advised that the late Tim Marks whilst serving as a County Councillor for the Haverhill Cangle Electoral Division had allocated monies from his Locality Budget towards this project. Councillor Burns had been elected to fill the vacancy caused by the death of Councillor Tim Marks but he had only become aware of this allocation within recent weeks. He did not believe that he was placed in any situation of pre-determination or bias regarding the planning application since he had not been party to the decision on funding and in any event as a member of this Committee he would be only considering the proposal from the viewpoint of its planning merits.)*

A revised Block Plan has been previously circulated after the agenda and papers for this meeting had been distributed.

The Committee in considering this proposal noted that there had been no objections to it and that the proposed barn would not be visible from the highway and it was a necessity for the storage of timber and coppiced material generated from the adjoining woodland area.

Decision

Permission be granted.

267. **Trees in a Conservation Area Notification DC/16/1756/TCA**

**(i) 1 no. willow (T1 on plan) fell ; (ii) 1 no. cherry (T2 on plan) overall crown reduction of 25% ; (iii) 1 no. cherry (T3 on plan) overall crown reduction of 30% ; and (iv) 1 no. cherry (T4 on plan) overall crown reduction of 25% at Sea Pictures Gallery, Well House, Well Lane, Clare for Mr & Mrs Pugh.**

*(Councillor Alaric Pugh declared a pecuniary interest in this item and remained present in the meeting but took no part in the discussion or voting thereon)*

The Committee was required to consider this matter as one of the applicants was an Elected Member of the Borough Council.

Decision

No objections be raised in respect of the proposal and as a consequence no Tree Preservation Order be served.

The meeting concluded at 11.35am.

**Signed by:**

**Chairman**

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*St Edmundsbury*  
BOROUGH COUNCIL

# **Development Control Committee Report 3 November 2016**

## **Planning Applications:**

**DC/16/1589/VAR**

**DC/16/1590/VAR and DC/16/ 1591/VAR**

**Lark's Pool Farm, Mill Road, Fornham St Genevieve**

**Date:** 22 July 2016      **Expiry Date:** 16 September 2016  
**Registered:**

**Case Officer:** Ed Fosker      **Recommendations:** Grant permissions

**Parish:** Fornham      **Ward:** Fornham  
St.Martin-cum  
St.-Genevieve

**Proposal:**

DC/16/1589/VAR - Planning Application - Variation of Condition 2 of DC/15/1753/FUL - Retention of modification and change of use of former agricultural building to storage (Class B8) to enable amendment to opening hours, as amended by revised wording in planning statement 21 July 2016, at Building C;

DC/16/1590/VAR – Planning Application - Variation of Condition 2 of DC/15/1754/FUL - Retention of modification and change of use of former agricultural building to storage (Class B8) to enable amendment to opening hours, as amended by revised wording in planning statement 21 July 2016, at Building D; and

DC/16/1591/VAR - Planning Application - Variation of Condition 2 of DC/15/1759/FUL Retention of change of use of former agricultural land to use for open storage (Class B8) for caravans

and motorhomes, (10 max), horseboxes (5 max) and containers (20 max) to enable amendment to opening hours at Area H

**Site:** Lark's Pool Farm, Mill Road, Fornham St Genevieve, Suffolk, IP28 6LP

**Applicant:** C J Volkert Ltd

**Synopsis:**

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

**Recommendation:**

It is recommended that planning permission be approved for the above applications, subject to conditions.

CONTACT CASE OFFICER: Ed Fosker  
Email: [Edward.fosker@westsuffolk.gov.uk](mailto:Edward.fosker@westsuffolk.gov.uk)  
Telephone: 01638 719431



## **Background:**

**These applications are presented to the Development Control Committee as they relate to locally contentious applications that were originally considered by the Development Control Committee in March and May 2016. Therefore because this scenario, and also noting the Parish Council objection to all three applications, the proposals have not been presented to the Delegation Panel and they are presented directly to the Committee for consideration.**

**The applications are all recommended for APPROVAL.**

## **Proposal:**

1. Planning permission is sought to vary the hours of opening/operation associated with each of the three proposals. DC/16/1589/VAR relates to Building C, DC/16/1590/VAR to Building D, and DC/16/1591/VAR relates to the open storage at Area H. Buildings C and D are the small scale 'lock up' type storage within the former piggery buildings in the centre of the site.
2. In relation to DC/16/1589/VAR, DC/16/1590/VAR and DC/16/1591/VAR this seeks to vary Conditions 2 of DC/15/1753/FUL, DC/15/1754/FUL and DC/15/1759/FUL respectively. Condition 2 of these applications is identical and presently reads as follows -

*'There shall be no vehicle or pedestrian movements to or from the site in relation to the use hereby approved, nor any employees, visitors, customers or other personnel on the site in relation to the use hereby approved, outside of the following times -*

*07.00 - 18.00; Monday - Friday  
08.00 - 13.00; Saturdays*

*The premises shall not be open, accessed or otherwise used (except for in situ storage) outside of these times nor at any time on Sundays, Bank or Public Holidays.'*

3. The proposals seek to vary these conditions to the following wording -

*'There shall be no vehicle or pedestrian movements to or from the site in relation to the use hereby approved, nor any employees, visitors, customers or other personnel on the site in relation to the use hereby approved, outside of the following times :*

*07.00 - 21.00; Monday - Friday  
08.00 - 18.00; Saturdays, Sundays and Bank and Public Holidays*

*The premises shall not be open, accessed or otherwise used (except for in situ storage) outside of these times.'*

### **Site Details:**

4. The site known as Lark's Pool Farm is located in Fornham St. Genevieve (Countryside) on the northern side of Mill Road and comprises a series of commercial buildings and open storage uses located on a former pig farm. The applicant operates a haulage firm from the site, with a number of lock-up garages, offices and workshops within converted former livestock sheds. An area of woodland protected by Tree Preservation Order exists to the east along Mill Road, with a large pond within the woodland.
5. Lark's Pool Farm house is located to the western side of the site and is occupied by the applicant family. Beyond this, and the second closest dwelling to the application site is Oak Lodge, which is approximately 100 metres as the crow flies to the nearest on-site building. The dwelling known as 'Kingsbury Hill Wood' is located on the southern side of Mill Road approximately 100m. away to the east. 'The Lighthouse' is located approximately 140m. to the north of the site and located on West Stow Road.

### **Planning History:**

6. The site has some formal planning application history including the seven planning applications approved by the Development Control Committee on 4 May 2016.
7. The site also has an extensive enforcement history including investigations into the haulage business which concluded in 2001 when it was considered that the said business was lawful then due to the length of time that it had existed. There are also ongoing enforcement investigations into a number of present unauthorised uses.

### **Consultations:**

8. Highway Authority: All three applications - Do not wish to restrict the granting of planning permission.
9. Public Health and Housing: All three applications – there are no noise sensitive receptors close by which may be affected by this application. Therefore Public Health and Housing have no objection.
10. Ramblers' Association: Object to all three applications. Concern is raised with regard to the safety and accident risk to walkers, cyclists and horse riders on Mill Road and at the junction to West Stow/Culford Road with regard to increased heavy vehicle traffic on this narrow road. The use of this road as a local amenity, and which forms part of the public rights of way - the Lark Valley Path and St Edmunds Way, is particularly significant at weekends and weekday evenings. The proposed extension of use therefore, which would increase the traffic at these very times, is unacceptable. Suggest therefore that the Planning Committee's decision to include Condition 2 restrictions should remain unaltered.

11. Rights of Way(13/10/2014): All three applications – no objection.

12. Rights of Way (14/10/2016): The two routes combined accommodate the Lark Valley Path, a promoted long distance trail from Bury St Edmunds to Mildenhall. This is a very popular route and well used at weekends and evenings during the summer months. The proposed increase in operating hours will cause increased traffic along this quiet stretch of road conflicting with pedestrians accessing the route. Also to cyclists and horse riders gaining access through to Hengrave.

### **Representations:**

13. Fornham St. Martin cum St. Genevieve Parish Council: All three applications – *'The Parish Council has made its feelings and opinions very clear over a long period regarding the Larkspool development and we were encouraged by the Development Committee's original decision to apply sensible conditions regarding operational hours.*

*The Parish Council would therefore be disappointed if the decision of the Development Committee regarding operational hours was revoked to the detriment of local residential amenity at this time.*

*The Parish Council therefore Objects to applications DC/161589, DC/161590 and DC/16/1591 for variance to operational hours.'*

14. Representations: Two letters of objection to all three applications, have been received and are both from the same author. These raise the following summarised comments :

- Two of the applications are contradictory in relation to weekend/public holiday access.
- Whilst I have no problem with applying the "reason" to the original conditions I do have concerns about overturning the DCC decisions and relaxing operating hours.
- Some "private" users could be considered infrequent and low key but surely they could arrange their affairs to access over weekdays/Saturdays during conditional hours.
- Historical evidence shows that several commercial users of the garage units and shipping containers storage and parking will make full use of any access outside of normal hours.
- Rentals will inevitably yo-yo between private/commercial use in the future - impossible to control without a firm stance on hours.
- Difficult to devise a variation which gives leeway for considerate occasional private access but prevents inconsiderate commercial high impact evening/night/weekend/holiday nuisance.
- Impossible for operating hours to be controlled or monitored by officers.
- The convenience of the users of the storage units appears to be given undue priority and weight to the detriment of public and residential amenity.

- Concern over outstanding lawful development certificates for other buildings on the site.
- Also concern that conditions are being breached by way of the external storage of materials.

**Policy:** The following policies of the Forest Heath and St Edmundsbury Joint Development Management Document ,February 2015, the St Edmundsbury Core Strategy ,December 2010 and the National Planning Policy Framework 2012 have been taken into account in the consideration of this application:

15.St Edmundsbury Core Strategy December 2010

- Policy CS3 – Sustainable development

16.Forest Heath and St Edmundsbury Joint Development Management Document February 2015

- DM1 Presumption in favour of sustainable development
- DM2 Creating Places – Development Principles and Local Distinctiveness

**Other Planning Policy:**

17. National Planning Policy Framework (2012)

**Officer Comment:**

18.The issues to be considered in the determination of the application are:

- The conditions for which these amendments are sought were imposed in the interests of amenity so this is the principal matter for consideration.

**Amenity Impacts**

19.The relevant conditions on all three applications were imposed in the interests of amenity so this is the principal matter for consideration. It is noted that Public Health and Housing have no objection to the additional three hours a day that are sought on Monday to Friday, or in relation to the additional five hours until 18.00 on Saturday, or to the additional ten hours that are sought from 08.00 until 18:00 on Sunday and Bank Holidays. Public Health and Housing also conclude that there are no noise sensitive receptors close by which may be affected by this application.

20.The applicant suggests that the storage units now consented are low-key and their use infrequent. What is significant, in the opinion of the applicant, is that those who use the storage are able to do so at a time which gives them greater flexibility but which is not unreasonable in terms of any impacts, either upon amenity, highway safety or upon the amenity enjoyment of nearby rights of way. The applicant argues that storage users typically work conventional hours elsewhere and will often have a need to access their stored items outside the hours specified in the

condition. Consequently, the applicant considers that Condition 2 as approved is unduly prohibitive and unnecessarily restrictive.

21. The proposals seek to allow access to the storage units until 21:00 during the week, instead of the 18:00 cut off hour in the consented scheme. No change is sought to the AM hours. There is currently only provision for access between 08.00 and 13.00 on Saturdays and no provision for Sunday or Bank Holiday access within the current consent. These proposals seek access on weekends and Bank Holidays between 08.00 and 18.00.
22. Buildings C and D are small scale single storey 'lock-up' style units. They are of a size typical for domestic use that might typically be served by a domestic vehicle and trailer or a van, although the prospect of some commercial use could not be controlled and should not therefore be discounted. They are located within the centre of the site approximately 120 metres from Oak Lodge, which is the nearest off site dwelling, albeit closer to the applicant owned property at Lark's Pool Farm house. Area H is located to the north of the site, screened by fencing to the north, and accessed through the site from the south. The nearest dwelling to the north is Little Farm which is approximately 150 metres away. Area H is used to the storage / parking of larger vehicles which might generate more noise than perhaps a domestic vehicle would, but the hours sought are considered to be within the bounds of reasonableness.
23. Within the context of this site therefore, noting the wider extent of uses, noting the separation distances to off site dwellings, and noting the generally low key nature of these storages uses, it is not considered that the extension of the hours would give rise to amenity impacts that would otherwise be prejudicial to residential amenity. Whilst there may be impacts arising throughout a greater period of the day, for example vehicular movements to and of the site during these extended hours, these impacts are considered modest, and in accord with the provisions of DM2 that seek to protect residential amenity.
24. Third party comments made in relation to this proposal are summarised above. These comments are noted and respected. In assessing this point the modest scale of the units and open storage, and the fact that the hours sought remain wholly within the bounds of reasonableness, leads to a conclusion that any amenity impacts are not sufficient to justify the withholding of planning consent. The Parish Council express disappointment if the hours of use were relaxed to the detriment of the amenities of nearby dwellings. Given the distances of separation with third party owned property Officers do not consider that there would be any material adverse impact on residential amenity currently enjoyed, and certainly not to an extent that would withstand the scrutiny of an appeal. None of the proposed hours sought would have impacts judged likely to materially and adversely affect amenity at hours that were so anti-social so as to justify a refusal, not least given the low key nature of the storage sought and the fact that it is not considered that the proposal will lead to any material increase in vehicular numbers, rather that it will spread these movements out over a greater period of time.

- 25.No further objections or concerns have been raised with regard to loss of residential amenity. Furthermore, no adverse comments have been received from Environmental Services in relation to the consideration of these applications.
- 26.The Rights of Way Officer initially raised no objection to the three applications. The following day this position was revised and concerns were raised with regard to an increase in traffic conflicting with users of the Lark Valley path on evenings and weekends. The Ramblers' Association raised the same concern.
- 27.The view of the Rights of Way Officer and the Ramblers is respected, and must be given due consideration. The presence of vehicles serving these uses at times when pedestrians might otherwise expect to be enjoying the tranquillity of the nearby footpath route has the potential to adversely affect the enjoyment of users of the recreational route. This must be taken as weighing against the scheme, particularly noting the extended hours in evenings and weekends when leisure use of the footpaths is likely to be at its highest, and also noting that the existing consent does not allow such access at these times.
- 28.However, the view of Officers, on balance, is that any such impact is not considered sufficient to justify a refusal of the scheme. The extended hours are not considered to lead to any material increase in vehicular movements, and the storage uses in question are located within the site, rather than around the periphery, where any adverse effects upon amenity of users of the footpath will consequentially be limited as a result.
- 29.It is considered that there is no indication that these extended hours would lead to an increase in vehicular movements, rather that they would be more sporadic as a result of the flexibility allowed by longer hours. The effect upon the safety of the highway network can therefore reasonably be judged acceptable.

### **Other Issues**

- 30.There are no other changes to the applications proposed. Accordingly, whether the lettings and storage are private or commercial, or a mixture of both, is not a consideration, as it was not previously. It is not considered that the revised hours give rise to the need to reconsider drainage or biodiversity or any other matters.
31. These applications seek to vary conditions and, in planning law, are therefore separate approvals in themselves. As well as amending Condition 2 as so requested it will be necessary to include the original conditions as before, amended as necessary to reflect updated timescales. Officers are satisfied that the enforcement of any revised hours conditions will be no more or less difficult that it would be under the existing consent.
32. Conditions 5, 6, 8, 11 & 12 of DC/15/1753/FUL, DC/15/1754/FUL &

DC/15/1759/FUL are still currently outstanding (submissions within three months were required when approving the previous applications, which expired in September and which is being pursued from an Enforcement perspective). It is not considered to be unreasonable to change these therefore to 'within one month' as most of the work should already have been done and should be submitted soon thereafter following any revised approvals, noting in any event that this matter is being pursued by the Enforcement Team and that formal notice can be served if necessary to secure a submission.

## Conditions

33. For ease of reference the conditions for DC/16/1589/VAR DC/16/1590/VAR and DC/16/ 1591/VAR are laid out below in full:

### DC/16/1589/VAR

- 1 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:

Reason: To define the scope and extent of this permission.

- 2 There shall be no vehicle or pedestrian movements to or from the site in relation to the use hereby approved, nor any employees, visitors, customers or other personnel on the site in relation to the use hereby approved, outside of the following times -

07.00 - 21.00; Monday - Friday

08.00 - 18.00; Saturdays, Sunday and bank holidays

The premises shall not be open, accessed or otherwise used (except for in situ storage) outside of these times.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 2015 as amended (or any Order revoking and re-enacting that Order) the site and buildings thereon shall be used for storage only; and for no other purpose (including any other use in Class B8; of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason: To safeguard the amenities of the locality.

- 4 Details of any existing and proposed external lights at or to be installed at the site shall be submitted to and approved in writing by the Local Planning Authority prior to their provision on site. ( See Note 1). No fixed external lighting other than any approved through his condition shall be used on site.

Reason: To prevent light pollution in the interests of residential and

visual amenity, and in the interests of biodiversity.

- 5 Details of otter fencing and wildlife reflectors to be provided on site as per the submitted ecological report shall be submitted in writing to the Local Planning Authority within one month of the date of this decision. Any such details as may be approved in writing by the Local Planning Authority shall be implemented in accordance with the agreed details within a period of three months from the date that written approval is given, or in accordance with any other timescales as may be agreed in writing by the Local Planning Authority. The otter fencing and wildlife reflectors shall thereafter be retained as installed.

Reason: To ensure that mitigation measures are provided to ensure that wildlife habitats are maintained and are not adversely affected by the development.

- 6 Details of bat and bird boxes to be provided on site shall be submitted in writing to the Local Planning Authority within three months of the date of this decision. Any such details as may be approved in writing by the Local Planning Authority shall be implemented in accordance with the agreed details within a period of one month from the date that written approval is given, or in accordance with any other timescales agreed in writing by the Local Planning Authority. The bat and bird boxes shall thereafter be retained as installed. (please see Note Two below).

Reason: To ensure that mitigation measures are provided to ensure that wildlife habitats are maintained and are not adversely affected by the development.

- 7 Notwithstanding the details shown on the submitted landscaping plan (Drawing Number LSDP 11214.01 which is not hereby approved) a soft landscaping scheme for the areas within the red and blue lines shall be submitted to the Local Planning Authority in writing within three months of the date of this decision. This scheme, drawn to a scale of not less than 1:200, shall include accurate indications of the position, species, girth, canopy spread and height of all existing and proposed trees and hedgerows on and adjacent to the site and details of any to be retained, together with measures for their protection. Any scheme as may be submitted shall have regard to the provisions set out within Note Three below.

The approved scheme shall be implemented in its entirety within the first full planting season (October - March inclusive) following the date on which written approval to any scheme is given by the Local Planning Authority.

Any retained or new trees removed, dying or becoming seriously damaged or diseased within five years of either approval of the landscaping scheme or the date of planting (as may be relevant, and whichever is the later) shall be replaced within the first



available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

Reason: To enhance the appearance of the development.

- 8 Details of boundary treatments to the protected woodland area to the east of the site shall be submitted in writing to the Local Planning Authority within one month of the date of this decision. Any such details as may be approved in writing by the Local Planning Authority shall be implemented in accordance with the agreed details within a period of one month from the date that written approval is given, or in accordance with any other timescales agreed in writing by the Local Planning Authority. The boundary treatments to the protected woodland area shall thereafter be retained as installed. (please see Note Four below).

Reason: To enhance the appearance of the development.

- 9 The development hereby permitted shall be accessed from Mill Road through the access on the red line plan submitted with the application. There shall be no access from Mill Road through any other access.

Reason: To ensure that vehicles can enter and leave the public highway in a safe manner in the interests of road safety.

- 10 A scheme for the storage of refuse and the provision of recycling facilities shall be submitted in writing to the Local Planning Authority within three months of the date of this decision. Any such details as may be approved in writing by the Local Planning Authority shall be implemented in accordance with the agreed details within a period of one month from the date that written approval is given, or in accordance with any other timescales agreed in writing by the Local Planning Authority. The refuse and recycling facilities shall thereafter be retained as installed.

Reason: To ensure the incorporation of waste storage and recycling arrangements.

- 11 A scheme for the provision and implementation of surface water drainage for the site shall be submitted in writing to the Local Planning Authority within one month of the date of this decision. Any such details as may be approved in writing by the Local Planning Authority shall be implemented in accordance with the agreed details within a period of one month from the date that written approval is given, or in accordance with any other timescales agreed in writing by the Local Planning Authority. The scheme for the provision and implementation of surface water drainage shall thereafter be retained as installed.

Reason: To ensure a satisfactory method of surface water

drainage.

- 12 A scheme for the provision and implementation of foul water drainage for the site shall be submitted in writing to the Local Planning Authority within one month of the date of this decision. Any such details as may be approved in writing by the Local Planning Authority shall be implemented in accordance with the agreed details within a period of one month from the date that written approval is given, or in accordance with any other timescales agreed in writing by the Local Planning Authority. The scheme for the provision and implementation of foul water drainage shall thereafter be retained as installed.

Reason: To ensure a satisfactory method of foul water drainage.

- 13 No vehicle over 3.5 tonnes (gross vehicle weight) shall be stationed, parked or stored on this site.

Reason: In the interests of residential and visual amenity.

- 14 No goods, plant, material (including waste material) or other items shall be deposited, displayed or stored outside the building without the prior written consent of the Local Planning Authority.

Reason: To safeguard the amenities of the locality.

#### DC/16/1590/VAR

- 1 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:

Reason: To define the scope and extent of this permission

- 2 There shall be no vehicle or pedestrian movements to or from the site in relation to the use hereby approved, nor any employees, visitors, customers or other personnel on the site in relation to the use hereby approved, outside of the following times -

07.00 - 21.00; Monday - Friday

08.00 - 18.00; Saturdays, Sunday and bank holidays

The premises shall not be open, accessed or otherwise used (except for in situ storage) outside of these times.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 2015 as amended (or any Order revoking and re-enacting that Order) the site and buildings thereon shall be used for storage only; and for no other purpose (including any other use in Class B8; of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended or in

any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason: To safeguard the amenities of the locality.

- 4 Details of any existing and proposed external lights at or to be installed at the site shall be submitted to and approved in writing by the Local Planning Authority prior to their provision on site. ( See Note 1). No fixed external lighting other than any approved through his condition shall be used on site.

Reason: To prevent light pollution in the interests of residential and visual amenity, and in the interests of biodiversity.

- 5 Details of otter fencing and wildlife reflectors to be provided on site as per the submitted ecological report shall be submitted in writing to the Local Planning Authority within three months of the date of this decision. Any such details as may be approved in writing by the Local Planning Authority shall be implemented in accordance with the agreed details within a period of one month from the date that written approval is given, or in accordance with any other timescales as may be agreed in writing by the Local Planning Authority. The otter fencing and wildlife reflectors shall thereafter be retained as installed.

Reason: To ensure that mitigation measures are provided to ensure that wildlife habitats are maintained and are not adversely affected by the development.

- 6 Details of bat and bird boxes to be provided on site shall be submitted in writing to the Local Planning Authority within one month of the date of this decision. Any such details as may be approved in writing by the Local Planning Authority shall be implemented in accordance with the agreed details within a period of one month from the date that written approval is given, or in accordance with any other timescales agreed in writing by the Local Planning Authority. The bat and bird boxes shall thereafter be retained as installed. (please see Note Two below).

Reason: To ensure that mitigation measures are provided to ensure that wildlife habitats are maintained and are not adversely affected by the development.

- 7 Notwithstanding the details shown on the submitted landscaping plan (Drawing Number LSDP 11214.01 which is not hereby approved) a soft landscaping scheme for the areas within the red and blue lines shall be submitted to the Local Planning Authority in writing within one month of the date of this decision. This scheme, drawn to a scale of not less than 1:200, shall include accurate indications of the position, species, girth, canopy spread and height of all existing and proposed trees and hedgerows on and adjacent to the site and details of any to be retained, together with

measures for their protection. Any scheme as may be submitted shall have regard to the provisions set out within Note Three below.

The approved scheme shall be implemented in its entirety within the first full planting season (October - March inclusive) following the date on which written approval to any scheme is given by the Local Planning Authority.

Any retained or new trees removed, dying or becoming seriously damaged or diseased within five years of either approval of the landscaping scheme or the date of planting (as may be relevant, and whichever is the later) shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

- 8 Details of boundary treatments to the protected woodland area to the east of the site shall be submitted in writing to the Local Planning Authority within three months of the date of this decision. Any such details as may be approved in writing by the Local Planning Authority shall be implemented in accordance with the agreed details within a period of one month from the date that written approval is given, or in accordance with any other timescales agreed in writing by the Local Planning Authority. The boundary treatments to the protected woodland area shall thereafter be retained as installed. (please see Note Four below).

Reason: To enhance the appearance of the development.

- 9 The development hereby permitted shall be accessed from Mill Road through the access on the red line plan submitted with the application. There shall be no access from Mill Road through any other access.

Reason: To ensure that vehicles can enter and leave the public highway in a safe manner in the interests of road safety.

- 10 A scheme for the storage of refuse and the provision of recycling facilities shall be submitted in writing to the Local Planning Authority within one month of the date of this decision. Any such details as may be approved in writing by the Local Planning Authority shall be implemented in accordance with the agreed details within a period of one month from the date that written approval is given, or in accordance with any other timescales agreed in writing by the Local Planning Authority. The refuse and recycling facilities shall thereafter be retained as installed.

Reason: To ensure the incorporation of waste storage and recycling arrangements.

- 11 A scheme for the provision and implementation of surface water drainage for the site shall be submitted in writing to the Local

Planning Authority within one month of the date of this decision. Any such details as may be approved in writing by the Local Planning Authority shall be implemented in accordance with the agreed details within a period of one month from the date that written approval is given, or in accordance with any other timescales agreed in writing by the Local Planning Authority. The scheme for the provision and implementation of surface water drainage shall thereafter be retained as installed.

Reason: To ensure a satisfactory method of surface water drainage.

- 12 A scheme for the provision and implementation of foul water drainage for the site shall be submitted in writing to the Local Planning Authority within one month of the date of this decision. Any such details as may be approved in writing by the Local Planning Authority shall be implemented in accordance with the agreed details within a period of one month from the date that written approval is given, or in accordance with any other timescales agreed in writing by the Local Planning Authority. The scheme for the provision and implementation of foul water drainage shall thereafter be retained as installed.

Reason: To ensure a satisfactory method of foul water drainage.

- 13 No vehicle over 3.5 tonnes (gross vehicle weight) shall be stationed, parked or stored on this site.

Reason: In the interests of residential and visual amenity.

- 14 No goods, plant, material (including waste material) or other items shall be deposited, displayed or stored outside the building without the prior written consent of the Local Planning Authority.

Reason: To safeguard the amenities of the locality.

DC/16/ 1591/VAR

- 1 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:

Reason: To define the scope and extent of this permission.

- 2 There shall be no vehicle or pedestrian movements to or from the site in relation to the use hereby approved, nor any employees, visitors, customers or other personnel on the site in relation to the use hereby approved, outside of the following times -

07.00 - 21.00; Monday - Friday

08.00 - 18.00; Saturdays, Sunday and bank holidays

The premises shall not be open, accessed or otherwise used (except for in situ storage) outside of these times.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 2015 as amended (or any Order revoking and re-enacting that Order) the site shall be used for open storage only in accordance with Condition 10; and for no other purpose (including any other use in Class B8; of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason: To safeguard the amenities of the locality.

- 4 Details of any existing and proposed external lights at or to be installed at the site shall be submitted to and approved in writing by the Local Planning Authority prior to their provision on site. ( See Note 1). No fixed external lighting other than any approved through his condition shall be used on site.

Reason: To prevent light pollution in the interests of residential and visual amenity, and in the interests of biodiversity.

- 5 Details of otter fencing and wildlife reflectors to be provided on site as per the submitted ecological report shall be submitted in writing to the Local Planning Authority within one month of the date of this decision. Any such details as may be approved in writing by the Local Planning Authority shall be implemented in accordance with the agreed details within a period of one month from the date that written approval is given, or in accordance with any other timescales as may be agreed in writing by the Local Planning Authority. The otter fencing and wildlife reflectors shall thereafter be retained as installed.

Reason: To ensure that mitigation measures are provided to ensure that wildlife habitats are maintained and are not adversely affected by the development.

- 6 Details of bat and bird boxes to be provided on site shall be submitted in writing to the Local Planning Authority within one month of the date of this decision. Any such details as may be approved in writing by the Local Planning Authority shall be implemented in accordance with the agreed details within a period of one month from the date that written approval is given, or in accordance with any other timescales agreed in writing by the Local Planning Authority. The bat and bird boxes shall thereafter be retained as installed. (please see Note Two below).

Reason: To ensure that mitigation measures are provided to ensure that wildlife habitats are maintained and are not adversely affected by the development.

- 7 Notwithstanding the details shown on the submitted landscaping plan (Drawing Number LSDP 11214.01 which is not hereby approved) a soft landscaping scheme for the areas within the red and blue lines shall be submitted to the Local Planning Authority in writing within one month of the date of this decision. This scheme, drawn to a scale of not less than 1:200, shall include accurate indications of the position, species, girth, canopy spread and height of all existing and proposed trees and hedgerows on and adjacent to the site and details of any to be retained, together with measures for their protection. Any scheme as may be submitted shall have regard to the provisions set out within Note Three below.

The approved scheme shall be implemented in its entirety within the first full planting season (October - March inclusive) following the date on which written approval to any scheme is given by the Local Planning Authority.

Any retained or new trees removed, dying or becoming seriously damaged or diseased within five years of either approval of the landscaping scheme or the date of planting (as may be relevant, and whichever is the later) shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

Reason: To enhance the appearance of the development.

- 8 Details of boundary treatments to the protected woodland area to the east of the site shall be submitted in writing to the Local Planning Authority within one month of the date of this decision. Any such details as may be approved in writing by the Local Planning Authority shall be implemented in accordance with the agreed details within a period of one month from the date that written approval is given, or in accordance with any other timescales agreed in writing by the Local Planning Authority. The boundary treatments to the protected woodland area shall thereafter be retained as installed. (please see Note Four below).

Reason: In the interests of protecting the off site protected woodland area.

- 9 The development hereby permitted shall be accessed from Mill Road through the access on the red line plan submitted with the application. There shall be no access from Mill Road through any other access.

Reason: To ensure that vehicles can enter and leave the public highway in a safe manner in the interests of road safety.

- 10 The permission hereby granted shall be for a maximum of 20 containers (each container to be a maximum size as follows - length 6100mm, width 2400mm height 2600mm), 10 caravans and

/ or motorhomes and 5 horseboxes. The containers stored within the site shall only be stored to a single height with no stacking permitted. No other goods, plant or material (including waste material) shall be deposited or displayed within the site without the prior written consent of the Local Planning Authority.

Reason: To safeguard the amenities of the locality.

- 11 A scheme for the storage of refuse and the provision of recycling facilities shall be submitted in writing to the Local Planning Authority within one month of the date of this decision. Any such details as may be approved in writing by the Local Planning Authority shall be implemented in accordance with the agreed details within a period of one month from the date that written approval is given, or in accordance with any other timescales agreed in writing by the Local Planning Authority. The refuse and recycling facilities shall thereafter be retained as installed.

Reason: To ensure the incorporation of waste storage and recycling arrangements.

- 12 A scheme for the provision and implementation of surface water drainage for the site shall be submitted in writing to the Local Planning Authority within one month of the date of this decision. Any such details as may be approved in writing by the Local Planning Authority shall be implemented in accordance with the agreed details within a period of one month from the date that written approval is given, or in accordance with any other timescales agreed in writing by the Local Planning Authority. The scheme for the provision and implementation of surface water drainage shall thereafter be retained as installed.

Reason: To ensure a satisfactory method of surface water drainage.

- 13 No vehicle over 3.5 tonnes (gross vehicle weight) shall be stationed, parked or stored on this site, with the exception of the stored motorhomes and horse boxes.

Reason: In the interests of residential and visual amenity.

## **Conclusion**

34. The applications are therefore considered to comply with policies contained within the Forest Heath and St Edmundsbury Joint Development Management Document February 2015, the St Edmundsbury Core Strategy December 2010 and the National Planning Policy Framework 2012.



**Recommendations:**

In respect of applications DC/16/1589/VAR, DC/16/1590/VAR and DC/16/1591/VAR it is **RECOMMENDED** that planning permissions be **granted** to vary Condition 2 as set out above.

**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OAO7YPPDII100>

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OAO7YWPDII300>

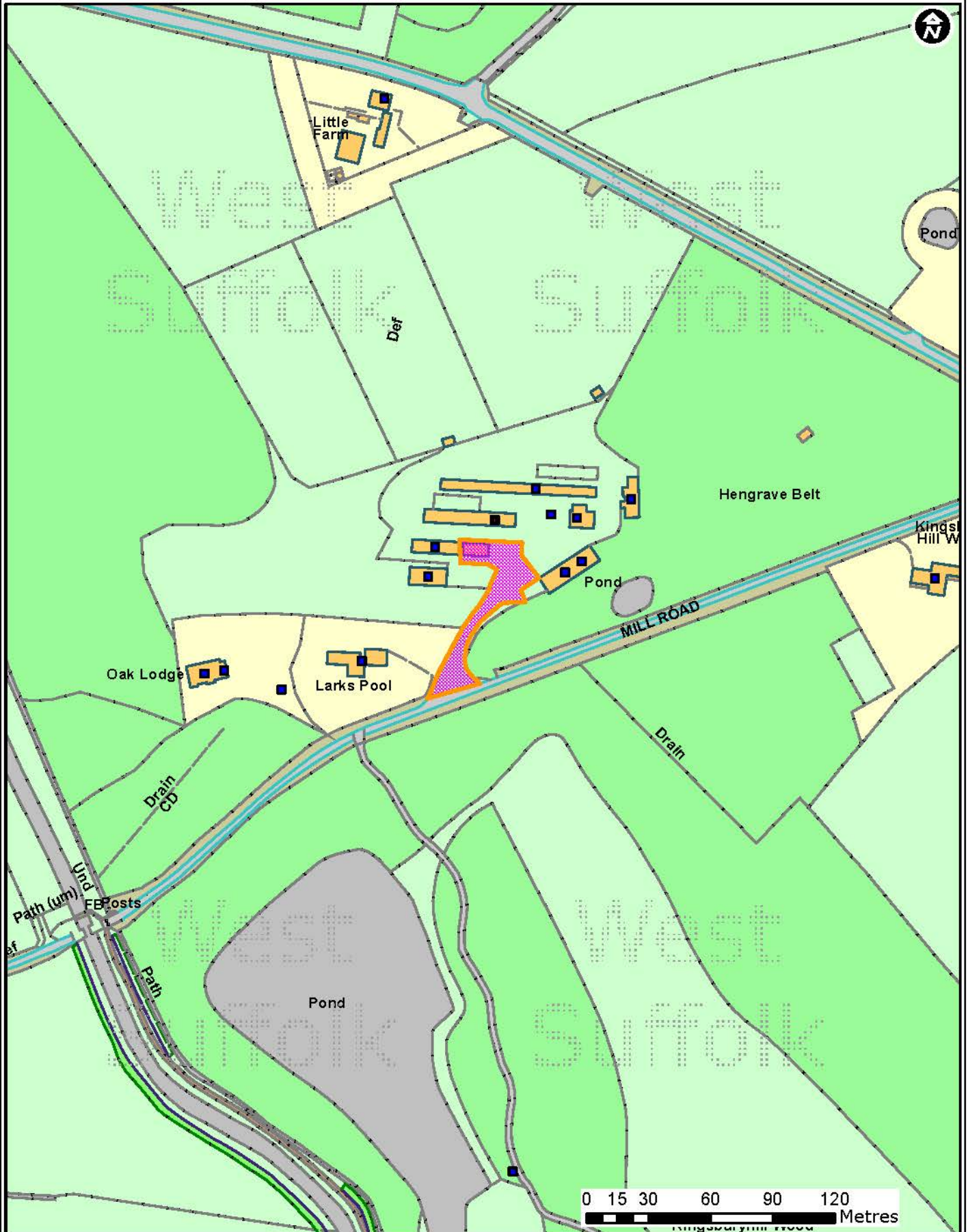
<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OAO7YYPDII500>

Alternatively, hard copies are also available to view at Planning, Planning and Regulatory Services, West Suffolk House, Western Way, Bury St Edmunds, IP33 3YU

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**DC/15/1753/FUL**

Larkspool Farm, Mill Road, Fornham St. Genevieve

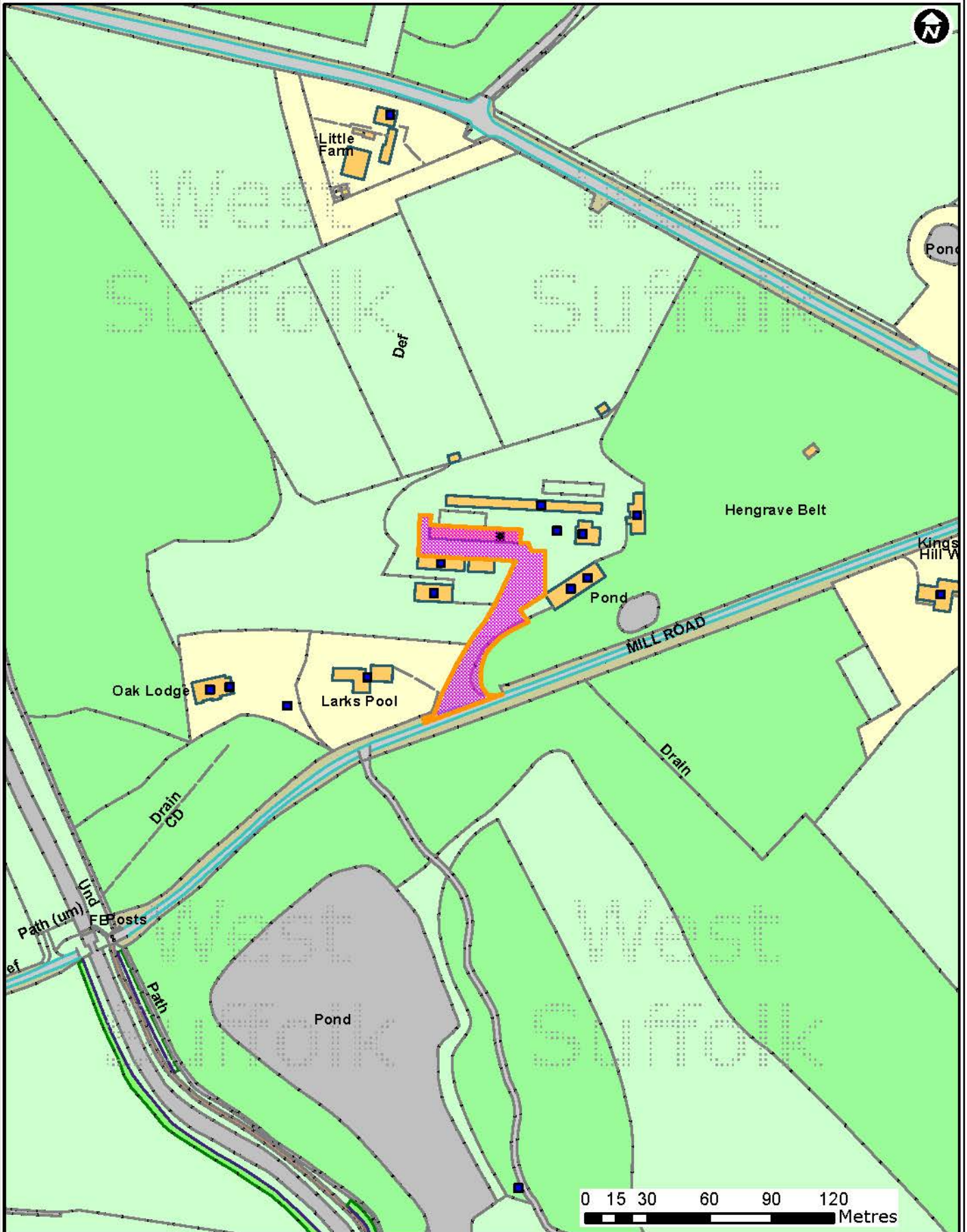


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**DC/15/1754/FUL**

Larkspool Farm, Mill Road, Fornham St. Genevieve

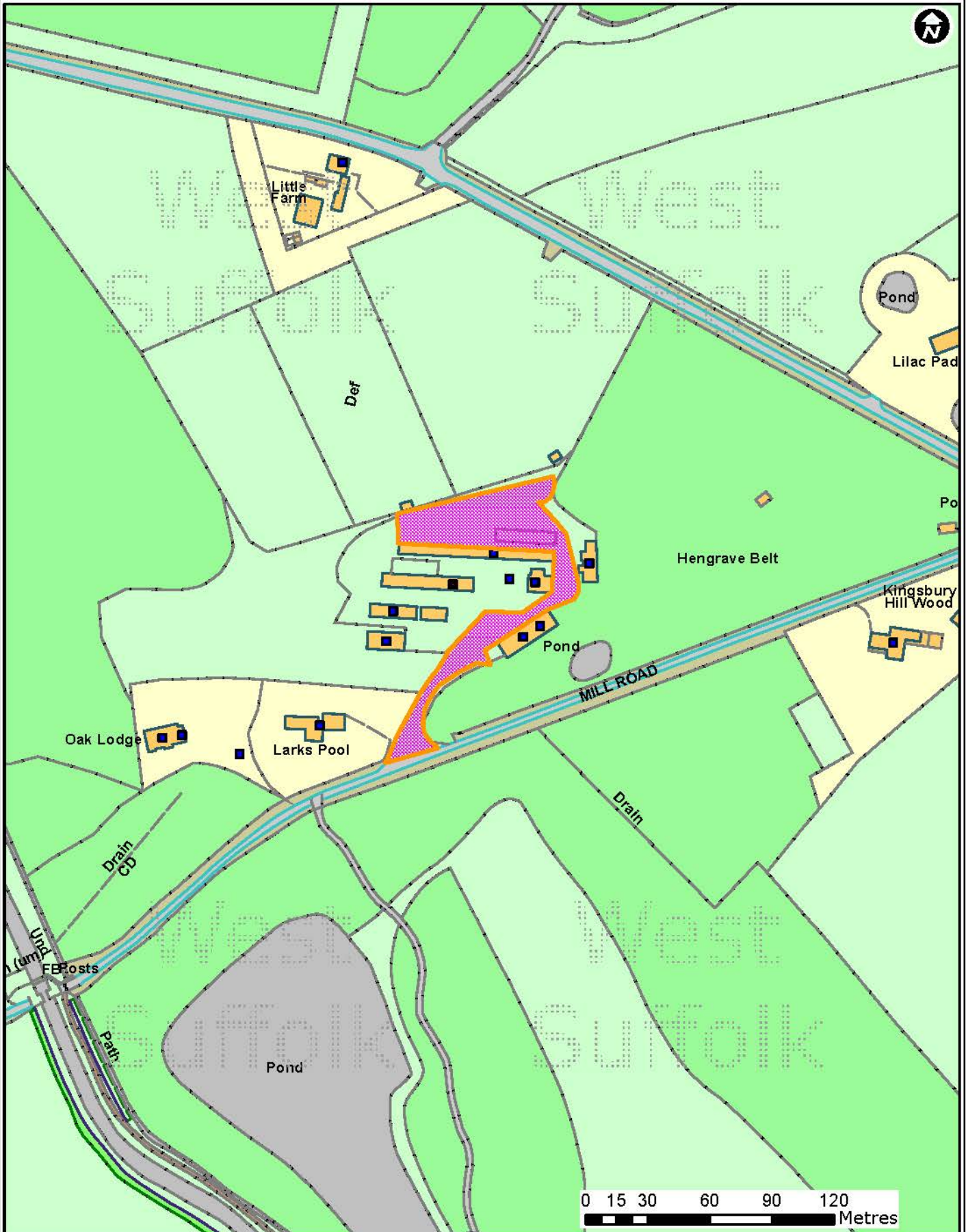


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**DC/15/1759/FUL**

Larkspool Farm, Mill Road, Fornham St. Genevieve





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Red line area: 1,365.33m<sup>2</sup>

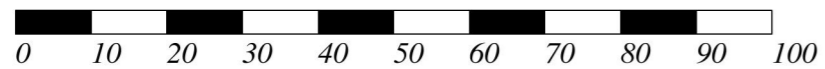
	Site boundary
	Other land owned

Artisan Ref A 3581 (c)  
 Building 'C'  
 Retention of building and associated  
 access for B8 general storage  
 Larkspool Farm, Hengrave  
 January 2015

### SITE PLAN



Scale Bar - Metres



**LARKSPOOL FARM, MILL ROAD, HENGRAVE, IP28 6LP**  
**C J Volkert Haulage Ltd.**  
 Scale 1:1000, A3  
**3495-12**

Revisions:

Patrick Allen Ltd.  
 2 Grange Business Centre  
 Tommy Flowers Drive  
 Grange Farm, Kesgrave  
 Ipswich, Suffolk, IP5 2BY

Tel: 01473 620660  
 Fax: 01473 620627  
 Email: [architects@patrickallen.org.uk](mailto:architects@patrickallen.org.uk)  
[www.patrickallen.org.uk](http://www.patrickallen.org.uk)





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Do not scale from this drawing . Use only figured dimensions. Any discrepancies should be referred to the Architect immediately.



Red line area: 2,002.38m<sup>2</sup>

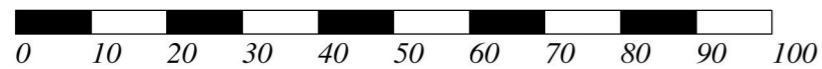
	Site boundary
	Other land owned

Artisan Ref A 3581 (d)  
 Building 'D'  
 Retention of building and associated  
 access for B8 general storage  
 Larkspool Farm, Hengrave  
 January 2015

### SITE PLAN



Scale Bar - Metres



**LARKSPOOL FARM, MILL ROAD, HENGRAVE, IP28 6LP**  
**C J Volkert Haulage Ltd.**  
 Scale 1:1000, A3  
**3495-13**

Revisions:

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Red line area: 3,753.55m<sup>2</sup>

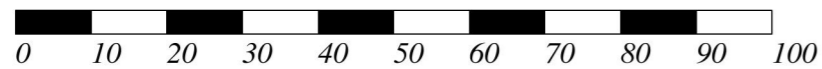
	Site boundary
	Other land owned

Artisan Ref A 3581 (h)  
 Use of land for B8 storage  
 of containers (20), caravans (10)  
 and horse boxes (5)  
 Larkspool Farm, Hengrave  
 January 2015

### SITE PLAN



Scale Bar - Metres



**LARKSPOOL FARM, MILL ROAD, HENGRAVE, IP28 6LP**  
**C J Volkert Haulage Ltd.**  
 Scale 1:1000, A3  
**3495-17**

Revisions:

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*St Edmundsbury*  
BOROUGH COUNCIL

**DEV/SE/16/76**

## **Development Control Committee 3 November 2016**

### **Planning Application DC/16/1618/FUL Rowan House, Albert Street, Bury St Edmunds**

<b>Date</b>	9 August 2016	<b>Expiry Date:</b>	4 October 2016
<b>Registered:</b>			(extension of time agreed until 1 December 2016)
<b>Case Officer:</b>	Jonny Rankin	<b>Recommendation:</b>	Grant permission
<b>Parish:</b>	Bury St. Edmunds Town	<b>Ward:</b>	Abbeygate

**Proposal:** Planning Application - 1 no. two storey dwelling following demolition of existing garage and boundary fence revised scheme of DC/15/1975/FUL

**Site:** Rowan House, Albert Street, Bury St Edmunds

**Applicant:** Mr Barney Walker

**Synopsis:**

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

**Recommendation:**

It is recommended that the Committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

Email: jonny.rankin@westsuffolk.gov.uk

Telephone: 01284 757621

**Background:**

**This application was referred to the Development Control Committee on 6 October 2016 because the Officer recommendation at that time of refusal conflicted with the no objection received from the Town Council. In other circumstances this matter would have gone before the Delegation Panel but given the history of this site Officers decided to present this directly to the Development Control Committee for consideration.**

**At the meeting on 6 October Committee members resolved they were 'minded to approve' which resulted in the Decision Making Protocol being invoked which would require a Risk Assessment Report to be brought back to members at a future meeting. In correspondence following the October meeting Officers have negotiated an alternative solution that will ensure the provision of additional on-street parking spaces in the vicinity of this development. This can be secured through the imposition of conditions, as agreed with the applicant and the County Highway Authority.**

**Members will note therefore that the recommendation now before the Committee is one of approval and that on this basis no Risk Assessment Report is presented.**

**Proposal:**

1. Planning permission is sought for 1 no. two storey dwelling following demolition of an existing garage and boundary fence. The proposal is a revised scheme of DC/15/1975/FUL which also sought permission for a single dwelling. That permission provided for a dwelling of more modern appearance with a single off road car parking space. This present proposal does not provide for any off road car parking, but by way of Grampian Condition has secured on-street car parking space(s).
2. The detached dwelling is proposed within the rear garden area of No. 63 Victoria Street following the demolition of an existing single garage. The proposed dwelling would be two-storey in scale, with a further two-storey element extending to the rear. The dwelling is of a traditional design and would be finished in buff brick, buff coloured stone and with a slate roof.

**Application Supporting Material:**

3. Information submitted with the application as follows:
  - Application Form
  - Location Plan
  - Proposed Elevations
  - Existing and Proposed Block Plan
  - Biodiversity Checklist



- Land Contamination Questionnaire.
- Parking Survey

**Site Details:**

4. The site is situated to the rear of 63 Victoria Street, within the Housing Settlement Boundary and Victoria Street Conservation Area; there is currently garage in situ. An extant consent exists for the location allowing for 1 no. two storey dwelling following demolition of existing garage and boundary fence (DC/15/1975/FUL). This consent has not been implemented.

**Planning History:**

Reference	Proposal	Status	Decision Date
DC/13/0855/FUL	Planning Application - Erection of two storey dwelling following demolition of existing garage and boundary fence. As amended by drawings received on 5th February 2014 and 28th February 2014.	Application Refused and dismissed at appeal	28.04.2014
DC/15/1975/FUL	Planning Application - 1 no. two storey dwelling following demolition of existing garage and boundary fence.	Application Granted	04.02.2016
DCON(A)/15/1975	Application to Discharge Condition 7 of DC/15/1975/FUL	Application Granted	25.08.2016

**Consultations:**

5. Public Health and Housing: no objection subject to conditions.
6. Environmental Agency: we have no comments to make on the revised scheme.
7. Environmental Health: Based on the submitted information for the above site, this Service is satisfied that the risk from contaminated land is low.
8. Conservation Officer: The amended proposal details a traditional approach to mirror that adopted along Albert Street in recent years and involves the removal of off street parking enabling the provision of a traditional

boundary wall and railings enforcing a strong sense of enclosure characterised elsewhere within the conservation area. I therefore have no objections to the revised proposal subject to conditions.

9. Highway Authority: as per the background preamble to this report in correspondence with the applicant Officers have negotiated and agreed two conditions to be applied to any consent which stop-up the existing access from the street and which secure up to 2no additional off street car parking spaces on Alert Street. This has allowed the Highway Authority to withdraw their objection, which had formed the basis of the previous Officer recommendation for refusal at the October Development Control Committee.

### **Representations:**

10. Town Council: No objection based on information received subject to Conservation Area issues and Article 4 issues.
11. One of the Ward Members: Cllr David Nettleton - Supports the application and contests the Highways Authority reasons for refusal. Has provided a Zone H parking space survey dated 4 September 2016 (plus previous surveys of 3 January and 24 January, 2016).
12. Neighbours: letters of representation were received from 6 no. neighbouring properties objecting upon the following grounds:
  - Lack of parking provision.
  - Removal of trees.
  - Highway safety.
  - Hours of construction works.

**Policy:** The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy December 2010 have been taken into account in the consideration of this application:

13. Joint Development Management Policies Document:

- DM1 - Presumption in favour of sustainable development
- DM2 – Creating Places
- DM17 – Conservation Areas
- DM22 – Residential Design
- DM46 – Parking Standards

14. St Edmundsbury Core Strategy December 2010

- Policy CS2 - Sustainable Development
- Policy CS3 - Design and Local Distinctiveness
- Policy CS4 - Settlement Hierarchy and Identity
- Policy CS7 - Sustainable Transport

15. Bury Vision 2031

- BV1 – Presumption in favour of sustainable development
- BV2 – Housing development within Bury St Edmunds

**Other Planning Policy:**

16. National Planning Policy Framework (2012)

- Core Principles
- Section 6 – Delivering a Wide Choice of high quality homes
- Section 7 – Requiring Good Design
- Section 12 – Conserving and Enhancing the Historic environment

**Officer Comment:**

17. The issues to be considered in the determination of the application are:

- Principle of Development
- Design & Impact on the Conservation Area
- Highways Safety
- Neighbour amenity
- Biodiversity

Principle of development

18. Local Plan Policy BV2 states that within the Housing Settlement Boundaries for Bury St Edmunds, planning permission for new residential development will be permitted where it is not contrary to other policies in the plan. Core Strategy Policy CS1 states that opportunities to use previously developed land and buildings for new development will be maximised through a sequential approach to the identification of development locations in settlements, and that the towns of Bury St Edmunds and Haverhill will be the main focus for the location of new development. The application site in this case is located within the defined Housing Settlement Boundary of Bury St Edmunds and also comprises brownfield land (currently supporting a domestic garage). Permission has also previously, and recently, been granted on this site for a single dwelling. As such the principle of residential development is considered acceptable in this case.

19. Further detailed matters relating to design, impact on the conservation area, highway safety, neighbour amenity and biodiversity will be assessed in more detail below.

Design and impact on the Conservation Area

20. Policy CS3 of the Core Strategy states that proposals for new development must create and contribute to a high quality, safe and sustainable environment. The NPPF similarly attaches significant importance to the design of the built environment, stating that decisions should ensure that developments will add to the overall quality of the area, respond to local character and be visually attractive as a result of

good architecture and appropriate landscaping (para.58). Local Plan Policy DM17 seeks to ensure that new development within conservation areas has regard to the special character or appearance of their setting and the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (para.132).

21. As per the Conservation Officer comments the proposal is considered to; *'mirror that adopted along Albert Street in recent years and involves the removal of off street parking enabling the provision of a traditional boundary wall and railings enforcing a strong sense of enclosure characterised elsewhere within the conservation area'*. Therefore the scheme is considered acceptable in Conservation terms. This acceptable impact is considered to be a factor which weighs in favour of the proposal therefore.

## 22. Highway safety

23. A two storey dwelling on the site was previously refused and thereafter dismissed at appeal on the basis of car parking concerns. The important point to highlight is that this was also for a 3 bed dwelling and as with the current proposal made no on site provision for parking. The principal reason for refusal was on highway safety grounds due to the lack of on site parking provision. This was upheld by the Planning Inspector at appeal.

24. As per the Inspector's decision Appeal Ref APP/E3525/A/14/2220489:

*'In conclusion, I have found that the development would generate a requirement for a maximum of 1 off-street car parking space, in accordance with the Suffolk Advisory Parking Standards (2002). However, the main parties agree that the proposed 3 bedroom dwelling would generate a demand for two cars. While holders of parking permits for Zone H could park anywhere within the zone, due to the existing deficit of on-street parking spaces in Albert Street, for the above reasons I conclude that a family dwelling would be likely to result in an increased demand for on-street parking which in these circumstances is likely to lead to illegal parking, which in turn would be hazardous to other road users and pedestrians'.*

25. Whilst the County Parking Standards referenced have been superseded (by The Suffolk Guidance for Parking – 2015 (SGP)), this recent appeal decision still stands and forms an essential material consideration. In any event, the present parking standards are more stringent than they were at the time of the previous appeal decision so the conclusions of the Inspector remain valid.

26. A further proposal DC/15/1975/FUL addressed this point and accordingly gained planning permission by including for off-street parking. This permission, for a single dwelling, remains extant and could be built.

27. In considering the current proposal, now updated to include for the

provision of on street car parking space(s), whilst not explicitly in line with the SGP, up to two additional on street car parking spaces can be secured within parking Zone H on Albert Street. The specific detail of these is not known, and will be agreed through the conditions proposed below. However, the Highway Authority have confirmed that they are satisfied from a highway safety and engineering perspective that up to two spaces, and at least one, can be provided, at the developer's expense, along Albert Street without adverse consequences on visibility or highway safety.

28. As such, the Highway Authority has removed the previous holding objection and the increased demand for on-street parking which (likely to lead to illegal parking) can be considered to have been addressed or at least alleviated by this additional provision. A condition is proposed which is worded to the effect that development cannot proceed until details have been determined, and cannot be occupied until the spaces have been provided. This is a wholly reasonable style of condition. Accordingly, subject to Conditions, Suffolk County Council as Highway Authority have no objections to the proposal.

#### Neighbour amenity

29. Having regard to this relationship and the orientation of the dwellings, the proposal is not considered to significantly reduce sunlight to this neighbouring property or to have an overbearing impact. There are no side facing windows which would overlook the rear gardens of neighbouring properties. The proposal is not therefore considered to cause harm in this respect on amenity grounds.

#### Biodiversity

30. There are no records of protected or priority species or their habitats on the application site. Whilst there are records of bats in the wider locality, there appears to be minimal opportunity for bats to access the garage building to be demolished and that a survey is not therefore required in this case.

#### **Conclusion:**

31. The scheme would preserve and enhance the character and appearance of the Conservation Area by replacing an existing garage of no architectural or historic merit with a dwelling of a traditional design considered appropriate to the locality, and by the use of appropriate boundary treatments and suitable enclosure. The development would also deliver residential development within a sustainable location close to local facilities and amenities, and these factors both clearly weigh in favour of the development.
32. However, in omitting the off-street parking the scheme fails to provide for onsite parking in accordance with the Council's adopted parking standards. This is a significant matter, which is considered to outweigh and benefit arising from this scheme.

33. The detail of the development is therefore considered to be unacceptable and fails to comply with relevant development plan policies and the National Planning Policy Framework.

### **Conclusion**

34. The scheme would preserve and enhance the character and appearance of the Conservation Area by replacing an existing garage of no architectural or historic merit with a dwelling of a modern design considered appropriate to the locality. The development would also deliver residential development within a sustainable location close to local facilities and amenities, and these factors both clearly weigh in favour of the development. The scheme also now provides for on street parking subject to condition and in agreement with County Highways. The principle and detail of the development is therefore considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

### **Recommendation:**

It is **RECOMMENDED** that planning permission be **Granted** subject to the following conditions:

1. 01A Time Limit Detailed
2. 14F Compliance with Plans
3. NS Demolition and construction timings
4. NS Access stopped up

All means of vehicular access within the frontage of the application site shall be permanently and effectively "stopped up" and footway reinstated, in a manner which previously shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety to ensure the approved layout is properly constructed and laid out and to avoid multiple accesses which would be detrimental to highway safety.

5. NS Additional parking bay(s)

A scheme for the provision of additional parking bay(s) and associated works on Albert Street (or in close proximity in the same parking zone) shall be implemented in its entirety prior to the first occupation of the development in a manner which shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to provide additional parking on street, without which the development would be detrimental to highway safety.

6. NS External materials and finishes
7. NS Boundary treatments
8. NS Bin and cycle storage provision

**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online.

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OAXBQPPDIL600>

Case Officer: Jonny Rankin

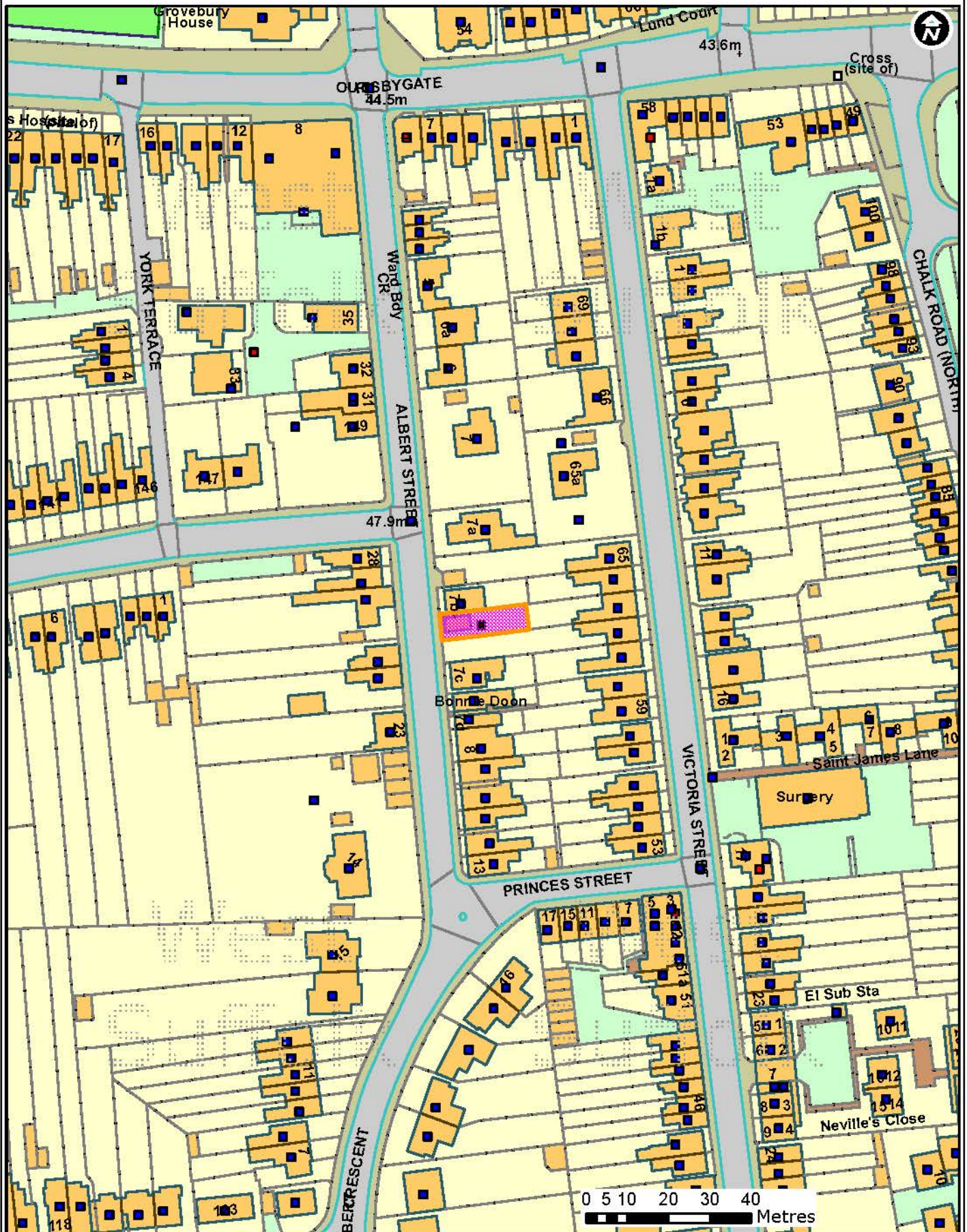
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# DC/16/1618/FUL - Rowan House, Albert Street, Bury St Edmunds

Not Set



Forest Heath • St Edmundsbury

**West Suffolk**  
working together

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Date: 21/09/2016

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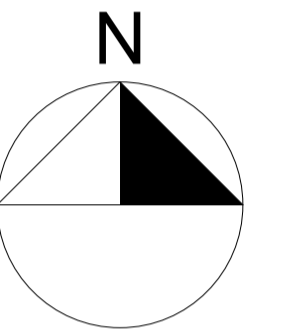
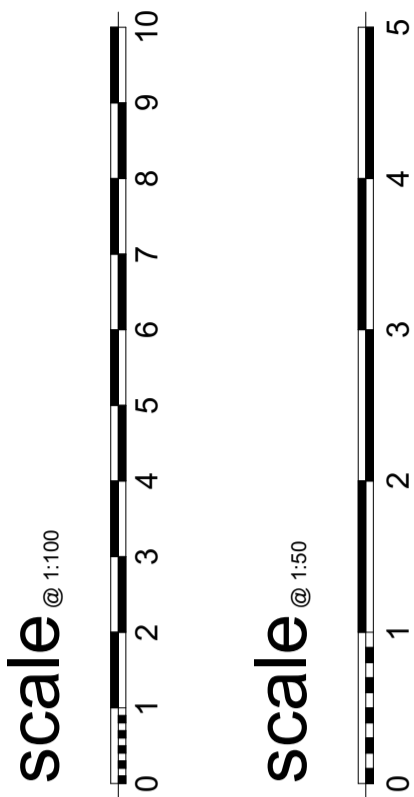
front (west) elevation @ 1:50



rear (east) elevation @ 1:50

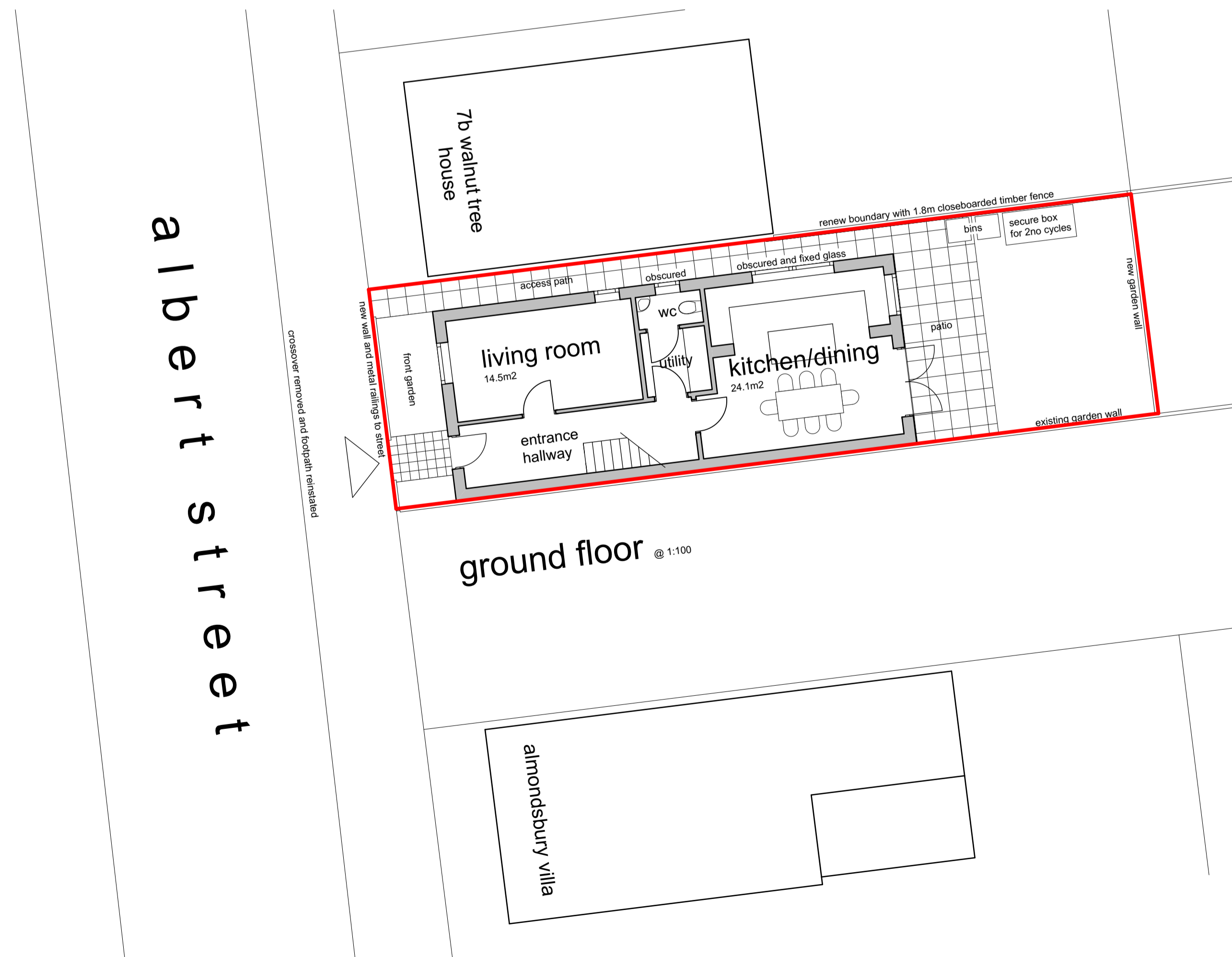
proposed materials palette:

- walls = buff coloured facing brick
- roof = slate tiles
- windows/doors = timber
- lintels and cills = buff coloured stone
- boundary to street = low brick wall and metal railings

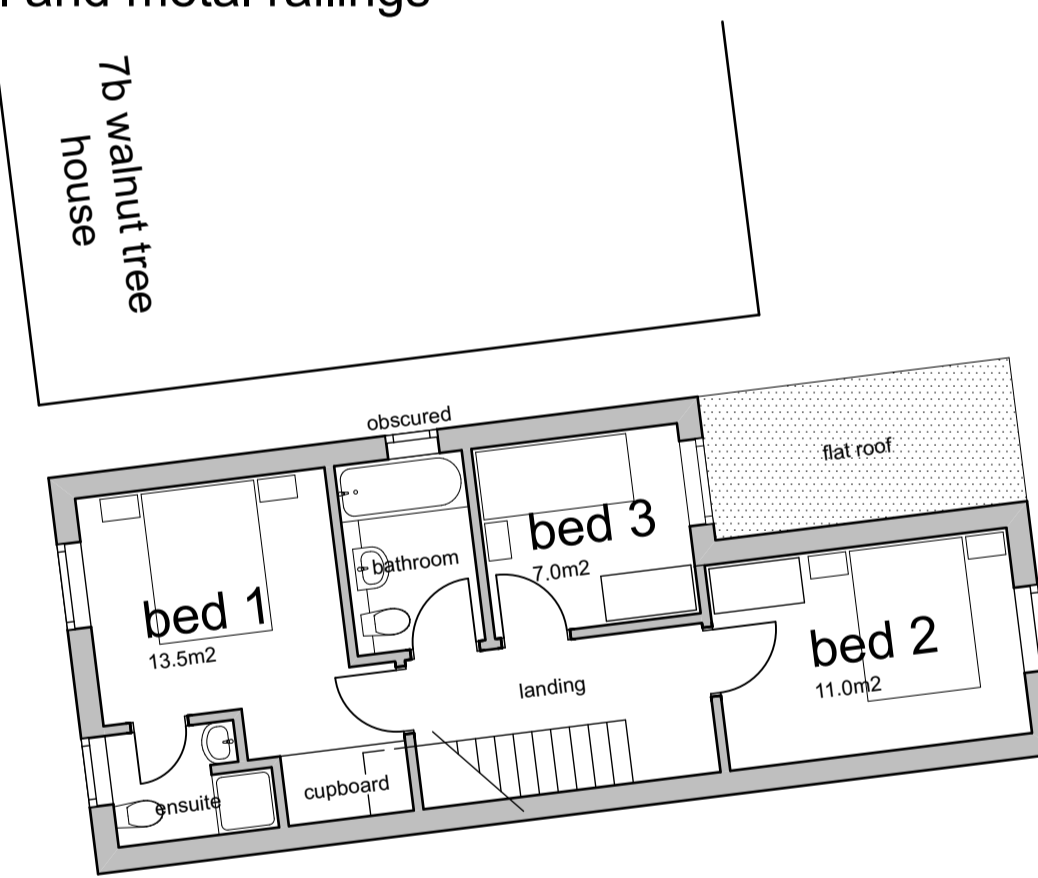


notes

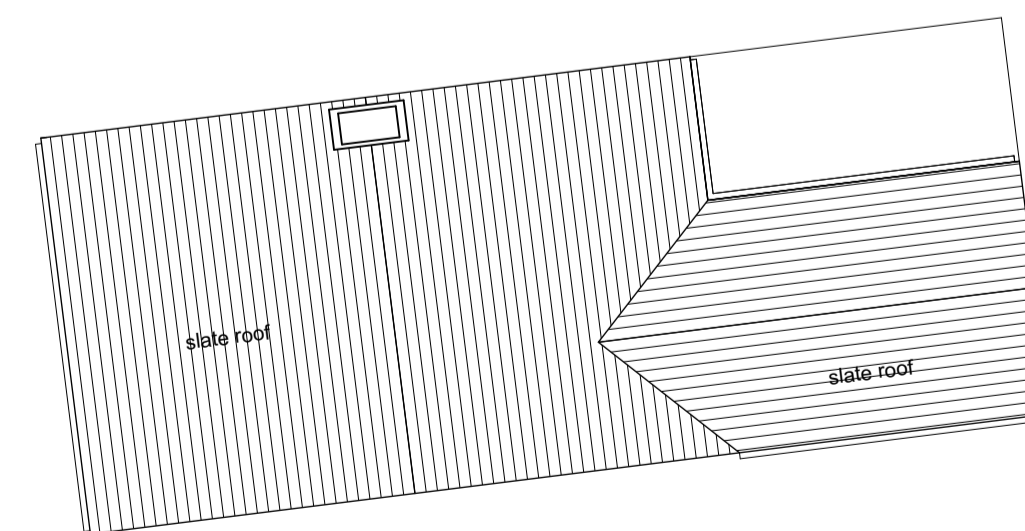
revisions



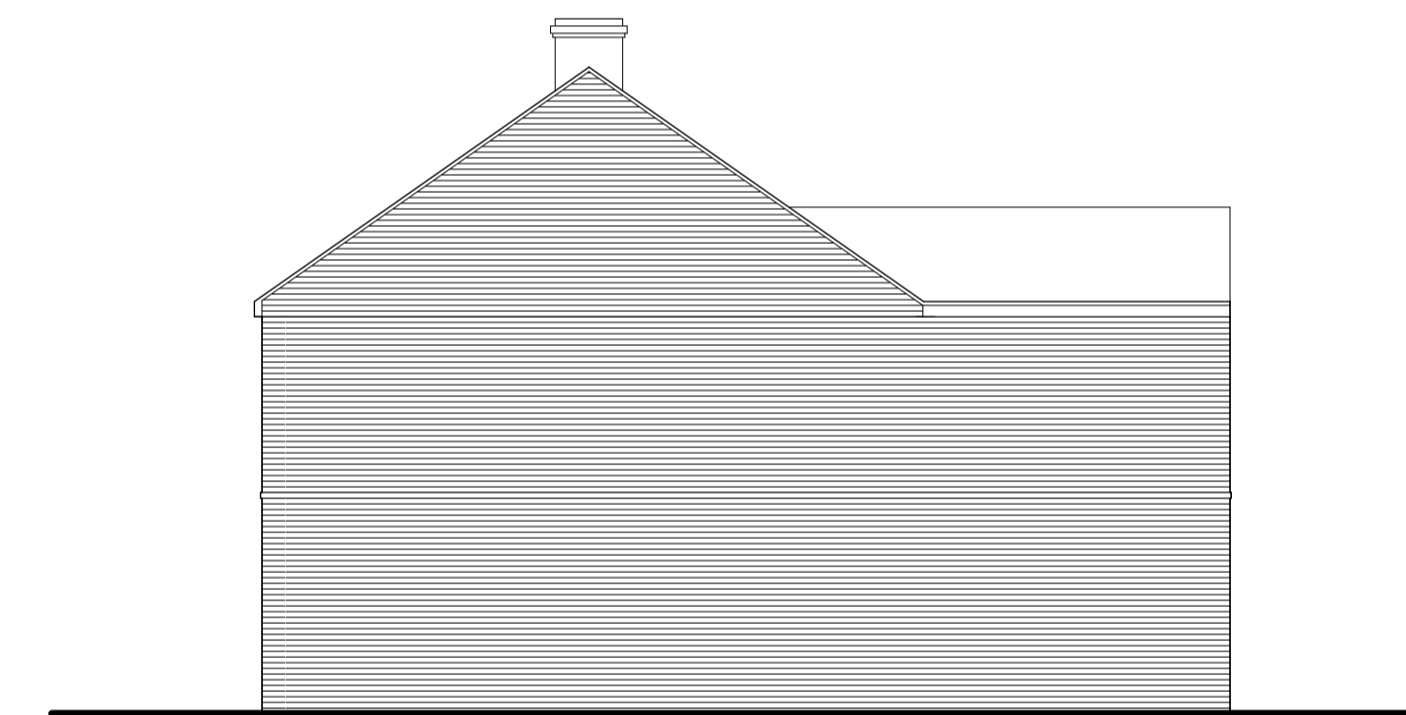
ground floor @ 1:100



first floor @ 1:100



roof @ 1:100



side (south) elevation @ 1:100



side (north) elevation @ 1:100

project  
Rowan House  
Albert Street IP33 3EA

drawing  
proposed dwelling

scale  
1:100 & 1:50 on A1

date  
11.12.13

number/revision  
1964.06  
drawn  
bw

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*St Edmundsbury*  
BOROUGH COUNCIL

## **Development Control Committee**

### **Householder Planning Application**

**DC/16/1578/HH**

**14 Hepworth Avenue**

**Bury St Edmunds**

<b>Date</b>		<b>Expiry Date:</b>	21 October 2016
<b>Registered:</b>	26 August 2016		(Extension of time requested)
<b>Case Officer:</b>	Britta Heidecke	<b>Recommendation:</b>	Grant Permission
<b>Parish:</b>	Bury St. Edmunds Town	<b>Ward:</b>	Minden
<b>Proposal:</b>	Householder Planning Application - (i) single storey front and rear extensions; and (ii) garage conversion		
<b>Site:</b>	14 Hepworth Avenue , Bury St Edmunds IP33 3XS		
<b>Applicant:</b>	Mr and Mrs Henthorn		

#### **Synopsis:**

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

#### **Recommendation:**

It is recommended that the Committee determine the attached application and associated matters.

#### CONTACT CASE OFFICER:

Email: [britta.heidecke@westsuffolk.gov.uk](mailto:britta.heidecke@westsuffolk.gov.uk)

Telephone: 01638719456

**Background:**

**This application is referred to the Committee because the applicant is a member of staff of the Borough Council.**

**Proposal:**

1. Planning permission is sought for a single storey front infill-extension (2.3 metres by 1.20metres) to provide a lobby and a single storey rear extension (3.3metres by 3.3 metres and approximately 2.1 metres to the eaves and 2.5metres to the ridge) to provide a garden room. The application further proposes the conversion of the integral garage into a cloak room and storage.

**Application Supporting Material:**

2. Information submitted with the application as follows:
  - Application Form
  - Location Plan
  - Block Plan
  - Existing and proposed floor plans

**Site Details:**

3. No. 14 Hepworth Avenue, Bury St. Edmunds is a detached two-storey dwelling off a minor residential cul-de-sac with two off-road parking spaces to the front of the property and private amenity space to the rear.

**Planning History:**

4. E/90/1528/P: Erection of 104 dwellings with associated access roads, car parking and landscaping, as amended by (i) letter and supporting plans received 20 April 1990 and (ii) by letter and supporting plans received 30 April 1990. Granted.

**Consultations:**

5. Highway Authority: no objection subject to conditions
6. Parish Council: No objection based on information received

**Representations:**

7. No letters of representation have been received.

**Policy:** The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy, December 2010 have been taken into account in the consideration of this application:

8. Joint Development Management Policies Document:

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM24 Alterations or Extensions to Dwellings, including Self Contained annexes and Development within the Curtilage
- Policy DM46 Parking Standards

9. St Edmundsbury Core Strategy December 2010

- Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy
- Core Strategy Policy CS3 - Design and Local Distinctiveness

**Other Planning Policy:**

10. National Planning Policy Framework (2012)

**Officer Comment:**

11. Policies DM2, DM24 and CS3 all seek to ensure that proposed extensions to dwellings respect the character, scale and design of the existing dwelling. The proposed extensions use materials similar to those used in the construction of the original dwelling and are of similar architectural design. Officers therefore considered that the proposal is respectful of the existing dwelling's character, scale and design.

12. Policies DM2, DM24 and CS3 also seek to ensure that proposed extensions respect the character and appearance of the surrounding area. The area is characterised by a mix of detached and semi-detached dwellings with a variety of architectural designs. It is therefore considered that the proposed extensions respect the surrounding area's character and appearance.

13. Policy DM24 seeks to ensure that proposed extensions do not result in the overdevelopment of the dwelling curtilage. The curtilage of the dwelling is considered sufficient to accommodate the proposed extensions without overdevelopment occurring and sufficient parking and amenity space will be retained, including two spaces on the frontage. Suffolk County Council as Highway Authority raise no objections to the proposal, including the widening of the frontage access, subject to the imposition of conditions.

14. By virtue of their location and scale the proposed extensions would have no adverse impact on neighbour amenity, nor be considered a prominent or overbearing addition and would therefore be in accordance with DM24

of the Joint Development Management Document and Policy CS3 of the Core Strategy.

**Conclusion:**

15. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant Development Plan policies and the National Planning Policy Framework.

**Recommendation:**

It is **RECOMMENDED** that planning permission be **Granted** subject to the following conditions:

1. 01A Time Limit Detailed
2. 14FP Approved Plans
3. Access improvements (AL5)
4. Access surface (AL8)
5. No discharge of surface water onto highway (D2)
6. Parking provision prior to commencement (P1)

**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online.

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OANSSVPD03F00>

Case Officer:

Britta Heidecke

Date: 18 October 2016



DC/16/1578/HH

14 Hepworth Avenue, Bury St Edmunds



Forest Heath • St Edmundsbury

**West Suffolk**  
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Date: 19/10/2016

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existing front elevation

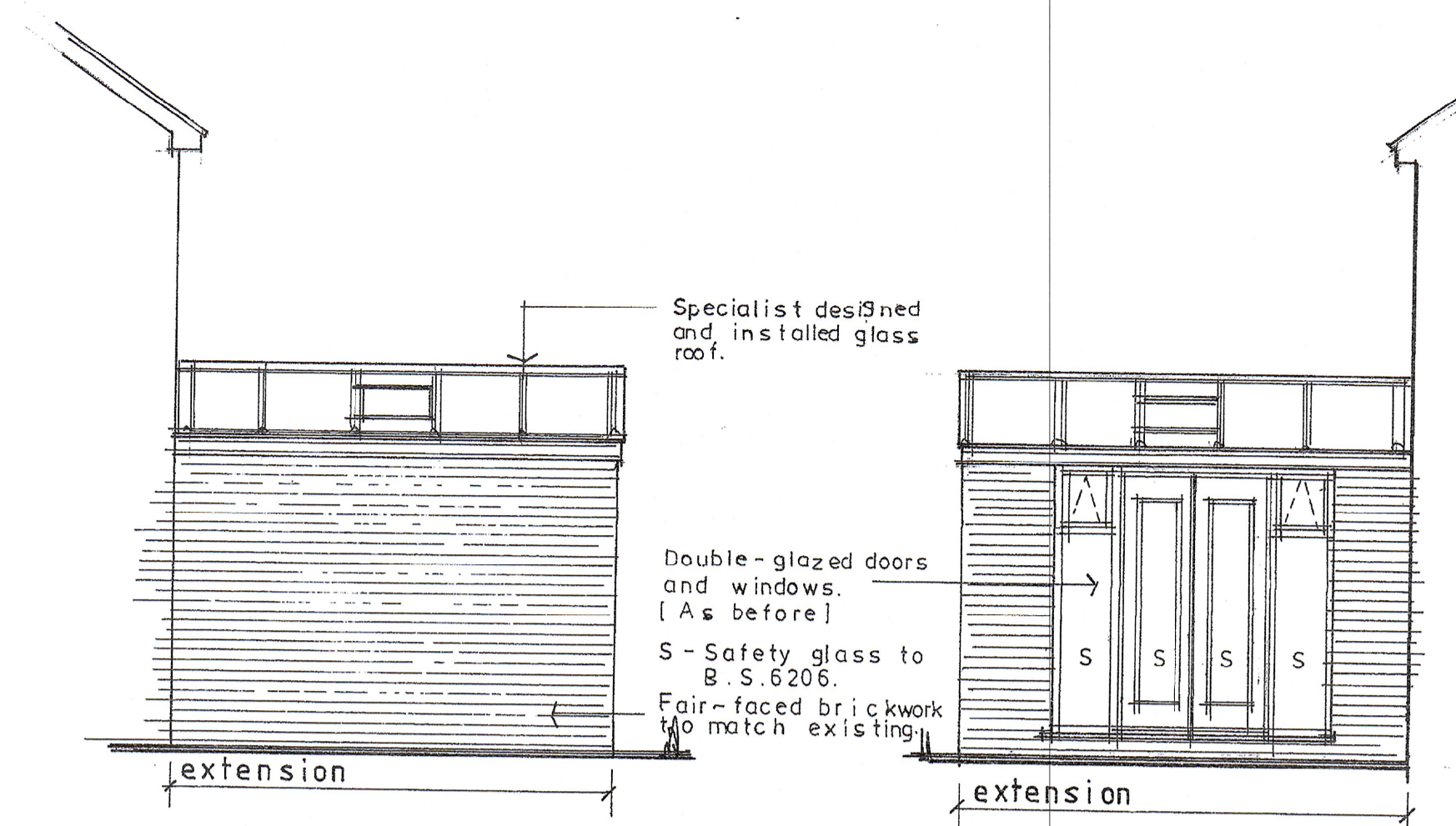


proposed front elevation

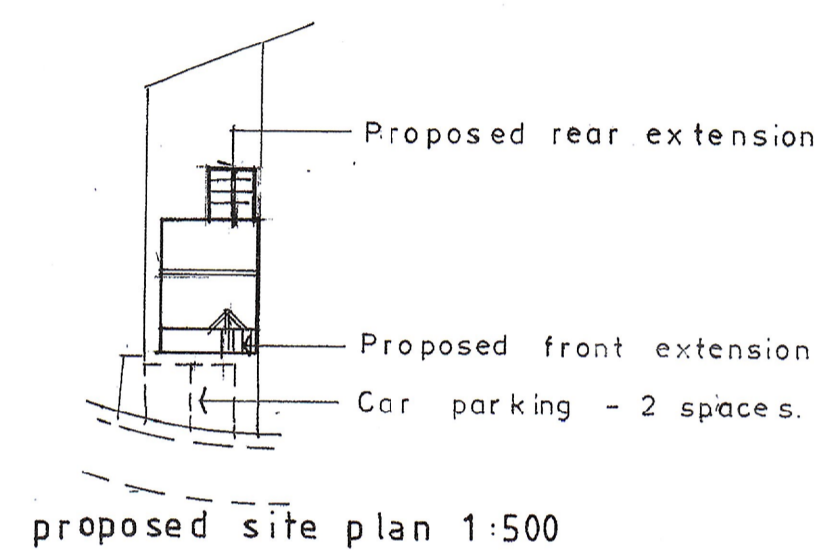
Lead flashing  
Velux rooflight  
Roof tiles to match existing.  
Fascia-soffit and rainwater goods all to match existing.  
Double-glazed window to match existing.  
High-level trickle vent Min. 16mm airgap.  
Soft low-E coating.  
U-value 1.6 W/m<sup>2</sup>K  
Fair-faced brickwork to match existing.



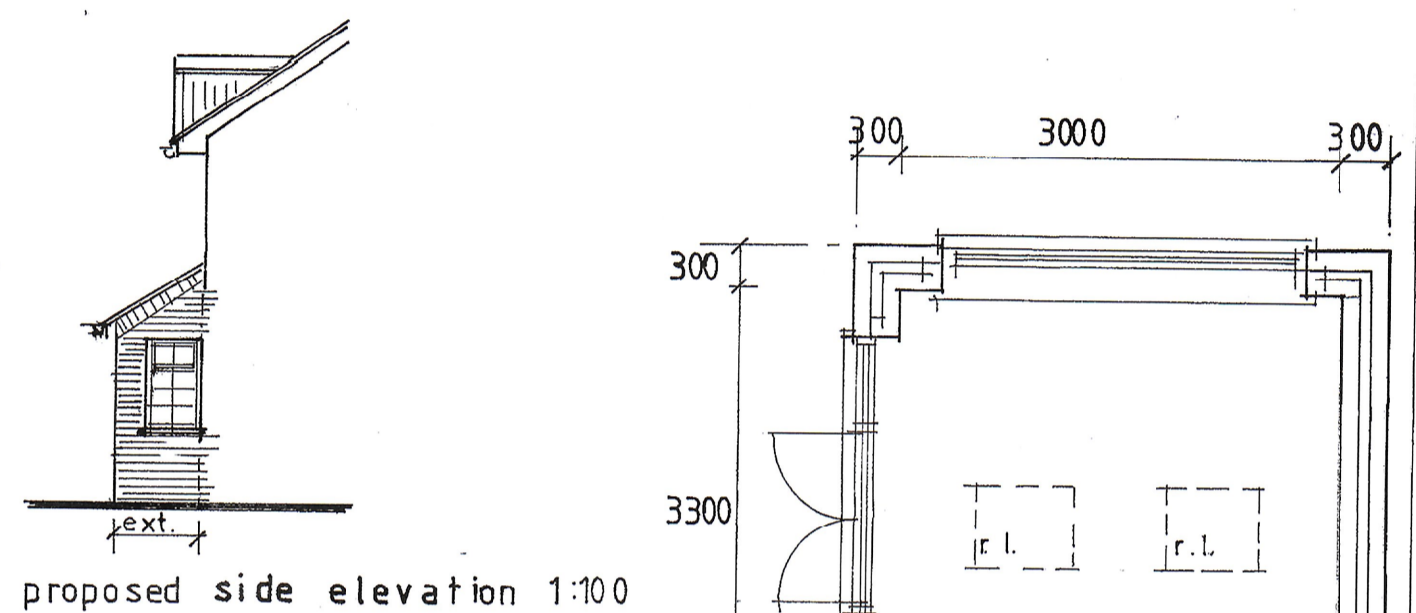
proposed rear elevation



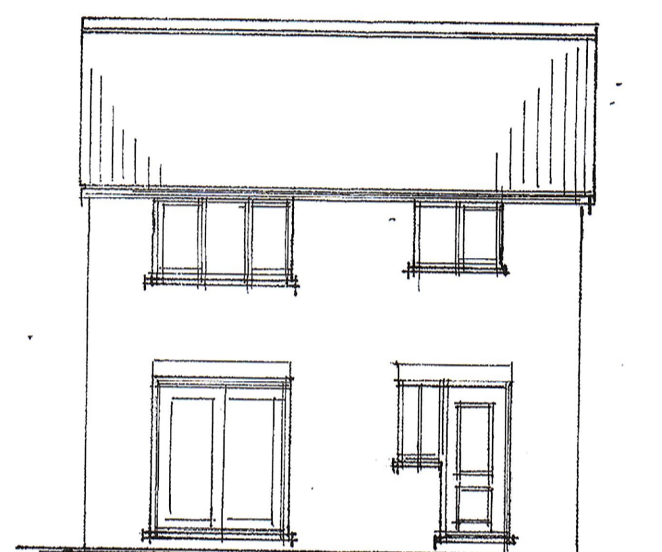
Specialist designed and installed glass roof.  
Double-glazed doors and windows. (As before)  
S - Safety glass to B.S.6206.  
Fair-faced brickwork to match existing.



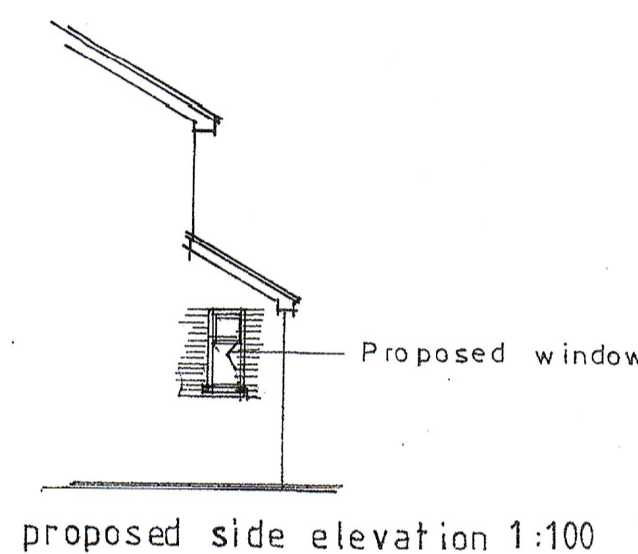
proposed site plan 1:500



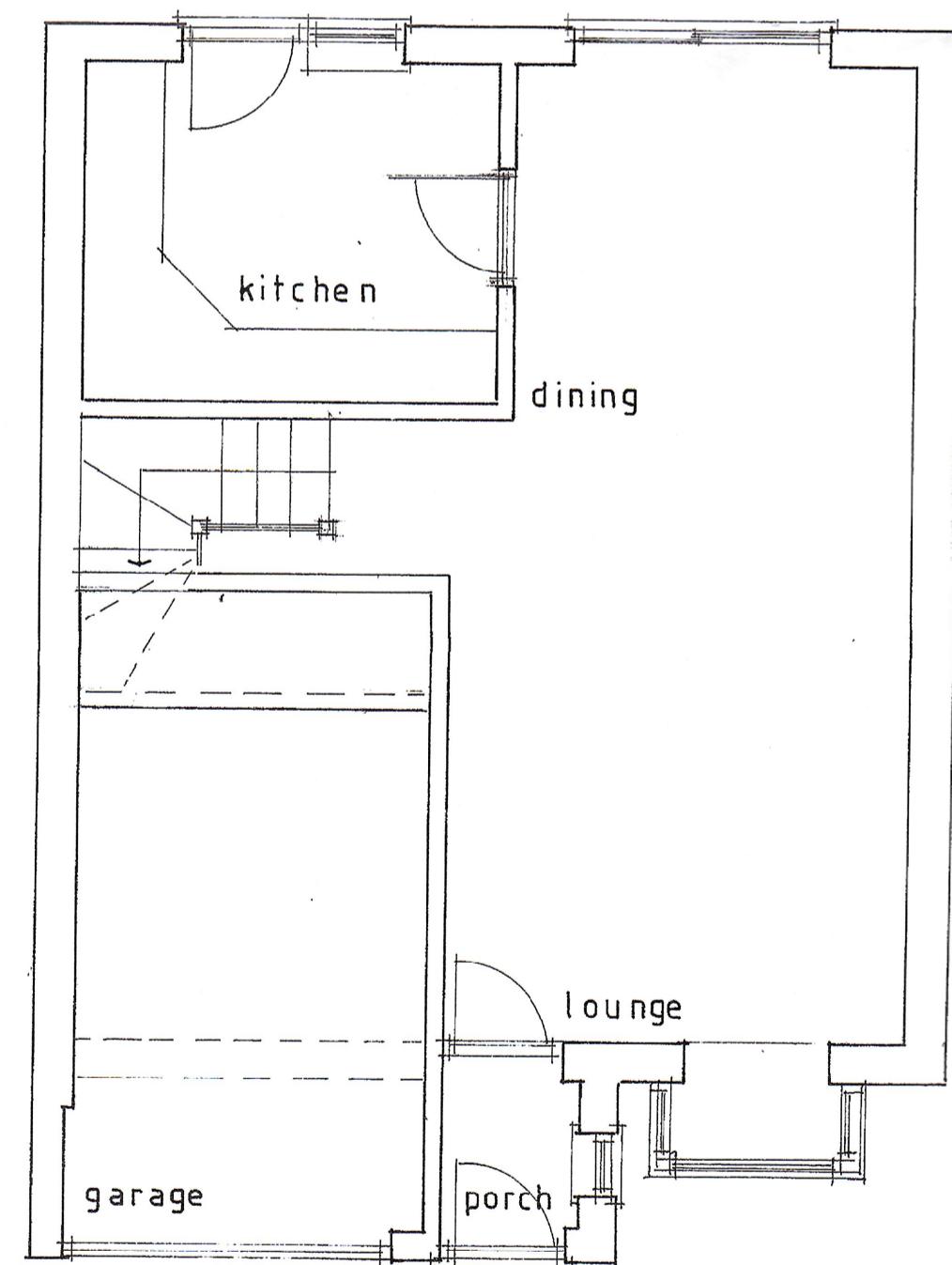
proposed side elevation 1:100



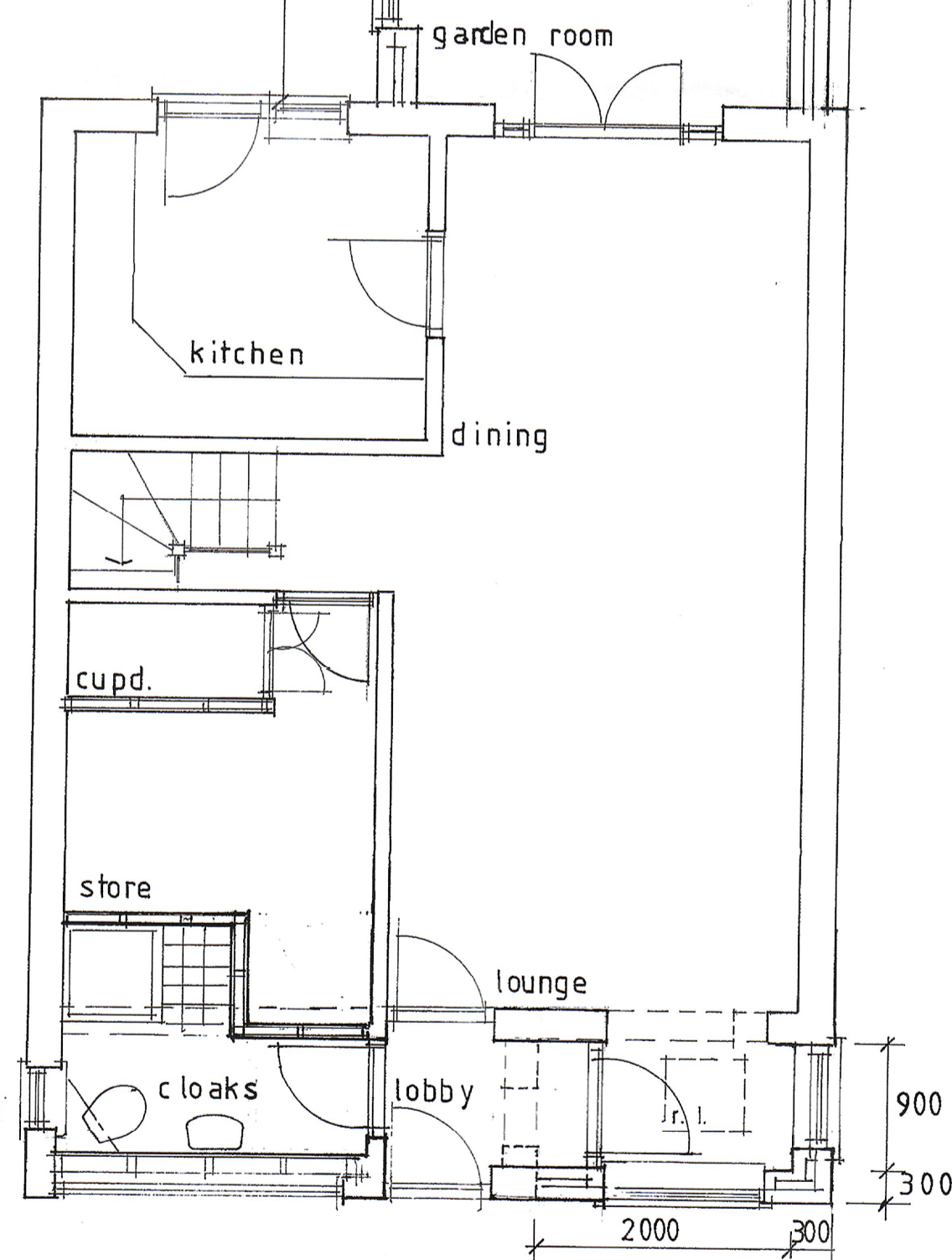
existing rear elevation 1:100



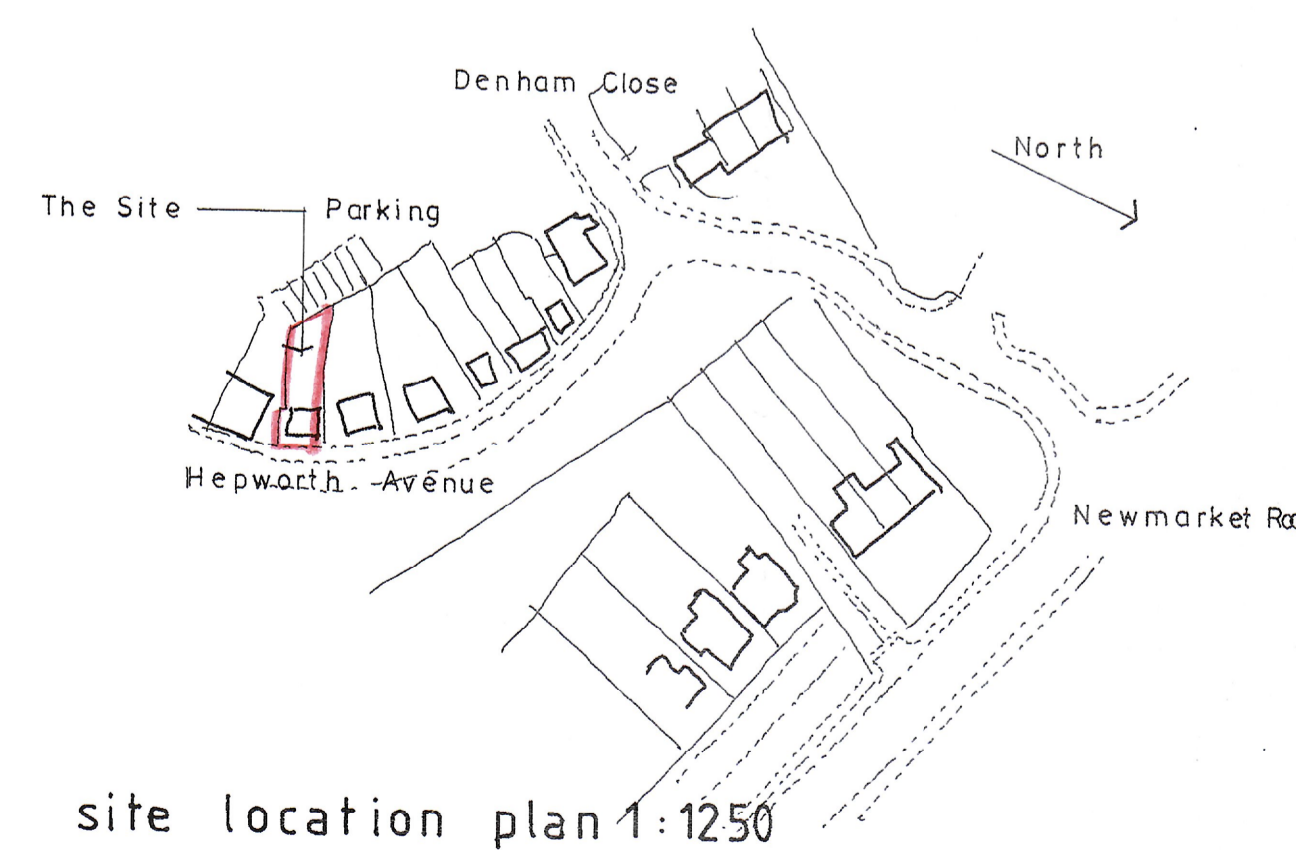
proposed side elevation 1:100



existing ground floor plan



proposed ground floor plan



site location plan 1:1250



ERIC TRICKER  
BUILDING DRAWING SERVICE  
TELEPHONE 01284 - 702649

CLIENT  
Mr. and Mrs. HENTHORN.

JOB TITLE  
PROPOSED FRONT AND REAR  
SINGLE - STOREY EXTENSIONS  
(inc. GARAGE CONVERSION.)  
14 HEPWORTH AVENUE  
BURY ST. EDMUNDS.

SCALE	DATE	DWG. NO.	REVISION
1:50	20-4-16	16-21	



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