

Development Control Committee



St Edmundsbury
BOROUGH COUNCIL

Title:	Agenda																
Date:	Thursday 6 April 2017																
Time:	10.00 am																
Venue:	Conference Chamber West Suffolk House Western Way Bury St Edmunds IP33 3YU																
Full Members:	<p style="text-align: center;">Chairman Jim Thorndyke</p> <p style="text-align: center;">Vice Chairmen 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> </tr> <tr> <td>Robert Everitt</td> <td>Alaric Pugh</td> </tr> <tr> <td>Paula Fox</td> <td>David Roach</td> </tr> <tr> <td>Susan Glossop</td> <td>Andrew Smith</td> </tr> <tr> <td>Ian Houlder</td> <td>Peter Stevens</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%;">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> </tr> </table>			Terry Clements	Ivor Mclatchy	Robert Everitt	Alaric Pugh	Paula Fox	David Roach	Susan Glossop	Andrew Smith	Ian Houlder	Peter Stevens	John Burns	Jason Crooks	Julia Wakelam	
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SITE VISITS WILL BE HELD ON THURSDAY 30 MARCH 2017

The coach will depart West Suffolk House at 9.30am and will travel to the following sites:

1. **Outline Planning Application DC/16/2825/OUT - Western Part Of The Suffolk Business Park Extension, Bury St Edmunds (approx. 10.00am)**
 Outline Planning Application (Means of Access and Structural Landscaping to be considered) - Employment Uses Classes B1 and B8 (An element of the site (4.05 hectares) is proposed in outline form for a B1/B2 and B8 Use) with all matters reserved except for access (including vehicular, pedestrian, and cycle links) and framework landscaping, with provision for the installation of drainage and services infrastructure as amended by the plans and details

submitted on 31st January 2017 which altered the Footpath/Cycle link alignment to the south west corner of the site, provided additional planting details, additional landscaping assessment and landscaping details to explain the context of the proposal; provided amended Parameter Plans and application drawings and other minor updates to provide additional information and clarifications to explain the proposals in full - As amended by details received 7/3/2017 which propose additional mitigation; and

2. Planning Application DC/15/1050/FUL & Listed Building Consent Application 15/1051/LB - 6 Lower Baxter Street, Bury St Edmunds, IP33 1ET (approx. 10.30am)

Planning Application - (i) Conversion of existing offices on first and second floors to 3 no. apartments (ii) Three storey extension, with link building, to comprise of 2 no. apartments

Listed Building Consent - (i) Repairs and alterations to enable conversion of first and second floors to 3 no. apartments (ii) Three storey extension, with link building, to Northern elevation to form 2no. apartments

Interests – Declaration and Restriction on Participation:	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 disclosable pecuniary interest.
Quorum:	Six Members
Committee administrator:	<p>Helen Hardinge Democratic Services Officer Tel: 01638 719363 Email: helen.hardinge@westsuffolk.gov.uk</p>

**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

Forest Heath District Council	St Edmundsbury Borough Council
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)
Emerging Policy documents	
Core Strategy – Single Issue review	
Site Specific Allocations	

- Supplementary Planning Guidance/Documents eg. 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.

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/altered, 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/altered, 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 Assistant Director (Planning and Regulatory);
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory) following consultation with the Chair and Vice Chair(s) 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 Assistant Director (Planning and Regulatory) and the Assistant Director (Human Resources, Legal and Democratic) (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/altered, together with the material planning basis for that change.
 - Members can choose to;
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory)
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory) following consultation with the Chair and Vice Chair(s) 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.

Agenda

Procedural Matters

Page No

Part 1 – Public

- 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 2 March 2017 (copy attached).
- 4. Planning Application DC/16/2837/RM - Development Zones G and H, Marham Park, Tut Hill, Fornham All Saints** **9 - 24**

Report No: **DEV/SE/17/013**

Reserved Matters Application – Submission of details under Planning Permission DC/13/0932/HYB – the means of access, appearance, landscaping, layout, parking, and scale for Development Zones G and H
- 5. Outline Planning Application DC/16/2825/OUT - Western Part Of The Suffolk Business Park Extension, Bury St Edmunds** **25 - 42**

Report No: **DEV/SE/17/014**

Outline Planning Application (Means of Access and Structural Landscaping to be considered) - Employment Uses Classes B1 and B8 (An element of the site (4.05 hectares) is proposed in outline form for a B1/B2 and B8 Use) with all matters reserved except for access (including vehicular, pedestrian, and cycle links) and framework landscaping, with provision for the installation of drainage and services infrastructure as amended by the plans and details submitted on 31st January 2017 which altered the Footpath/Cycle link alignment to the south west corner of the site, provided additional planting details, additional landscaping assessment and landscaping details to explain the context of the proposal; provided amended Parameter Plans and application drawings and other minor updates to provide additional information and clarifications to explain the proposals in full - As amended by details received 7/3/2017 which propose additional mitigation

6. Planning Application DC/15/1050/FUL & Listed Building Consent Application 15/1051/LB - 6 Lower Baxter Street, Bury St Edmunds **43 - 68**

Report No: **DEV/SE/17/015**

Planning Application - (i) Conversion of existing offices on first and second floors to 3 no. apartments (ii) Three storey extension, with link building, to comprise of 2 no. apartments
Listed Building Consent - (i) Repairs and alterations to enable conversion of first and second floors to 3 no. apartments (ii) Three storey extension, with link building, to Northern elevation to form 2no. apartments

7. Planning Application DC/17/0166/TPO - Apartment 10, Regency Place, Maynewater Lane, Bury St Edmunds **69 - 76**

Report No: **DEV/SE/17/016**

TPO 235 (1973) Tree Preservation Order - (i) Lime - T51 - Reduce by 7 metres (ii) Copper Beech - T52 - 1-2 metre lateral reduction all round

8. Planning Application DC/17/0302/TPO - 7 Spring Lane, Bury St Edmunds **77 - 84**

Report No: **DEV/SE/17/017**

TPO 452 (2007) Tree Preservation Order - T2 - Lime - (i) Raise crown to give a 7 metre clearance from ground level to the first branch (ii) Reduce 1no. limb back from the road by 2 metres

Development Control Committee



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Development Control Committee** held on **Thursday 2 March 2017** at **10.00 am** at the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

Chairman Jim Thorndyke

Vice Chairman Carol Bull and Angela Rushen

John Burns

Ian Houlder

Terry Clements

Alaric Pugh

Jason Crooks

David Roach

Robert Everitt

Peter Stevens

Paula Fox

Julia Wakelam

Susan Glossop

Patricia Warby

Substitutes attending:

Betty Mclatchy

By Invitation:

Tony Brown

294. **Apologies for Absence**

Apologies for absence were received from Councillor Ivor Mclatchy.

295. **Substitutes**

Councillor Betty Mclatchy attended the meeting as substitute for Councillor Ivor Mclatchy.

296. **Minutes**

The minutes of the meeting held on 2 February 2017 were confirmed as a correct record and were signed by the Chairman.

297. **Outline Planning Application DC/15/2151/OUT - Great Wilsey Park, Little Wratting (Report No: DEV/SE/FH/011)**

Outline Planning Application (Means of Access to be considered) - Residential development of up to 2,500 units (within Use Classes C2/C3); two primary schools; two local centres including retail, community and employment uses (with Use Classes A1/A2/A3/A4/A5, B1 and D1/D2; open space; landscaping and associated infrastructure.

This application was referred to the Development Control Committee as it was considered to have Borough-wide significance. It was the second of two strategic growth sites for Haverhill as identified in the adopted Core Strategy.

The site had been the subject of significant public engagement through the preparation and adoption of a Concept Statement and a Masterplan; the Masterplan having addressed many issues including the distribution of land uses.

The development proposal was considered to comply with the relevant policies of the development plan and the National Planning Policy Framework and was considered to be acceptable in all other material respects.

Accordingly, Officers were recommending that the application be approved, subject to the completion of a Section 106 Agreement and relevant conditions as set out in Paragraph 135 of Report No: DEV/SE/17/011. A Member site visit was held prior to the meeting.

The Principal Planning Officer – Major Projects reminded Members that the principle of development was not up for debate as a robust process had already taken place in that respect as part of the Masterplan development. He also highlighted the fact that the development site spanned three Parishes, these being; Haverhill, Little Wratting and Kedington.

As part of his presentation the Officer drew attention to the following updates/corrections:

- Paragraph 93 of the report contained an error; the sentence: "At present, the area to the *west* of the moat..." should read '**east** of the moat';
- Paragraph 94 of the report contained an error; the sentence: "The impact of development to the north *east*..." should read 'north **west**';
- The map attached at Page 83 of the agenda had been included within the papers in error, and was to be disregarded, as it showed a third access onto the development site which was not part of the application before Members;
- Reference was made to an emailed representation from resident Ian Johnson, received since publication of the agenda and which had been circulated to all Members of the Committee;
- In reference to the comments made by Kedington Parish Council, as set out in Paragraph 29 of the report, the Officer clarified that three-storey housing would be restricted in sensitive areas of the site, not over the entire development;

As part of the Officer presentation the Committee were advised that access to the Country Park was included as part of the proposed scheme before them, in order to facilitate access to this facility prior to future development coming forward for the east of the site.

Members' attention was also drawn to the footpath that was to be upgraded to a cycle path in order to provide a sustainable, improved link between Haverhill and Kedington. The path would be laid with a sealed surface and adopted by the Highways Authority.

An addition was proposed to the report's recommendation to include Delegated Authority to the Acting Head of Planning, in consultation with the Chairman of the Committee and relevant Ward Members, in order to approve a more suitable southern access point opposite Millfields Way (instead of at Chalkstone Way, as outlined in the Officer's presentation), subject to the completion of a land dedication agreement between the Borough Council and the County Council. Members were advised that the applicant was in agreement with this proposal which could be dealt with via the S106 Agreement and relevant conditions.

Speakers: Nathan Loader (resident) spoke against the application
Barbara Surridge (resident) spoke against the application
Marion Farrant (Clerk to Kedington Parish Council) spoke against the application
Colin Poole (Clerk to Haverhill Town Council) spoke against the application
Councillor Tony Brown (Ward Member) spoke against the application
Marcia Whitehead (agent) spoke in support of the application

Following questions/concerns raised by Members, the Officer responded as follows:

- Health Contribution (S106 Agreement) – The Committee were advised that the Planning Authority was only able to request contributions in line with nationally prescribed guidelines for the development. However, Members were informed that the West Suffolk Clinical Commissioning Group was in the process of looking at health services in Haverhill as a whole;
- High Speed Broadband – Would be dealt with at the detailed stage of the application;
- Air Quality – Would continue to be monitored;
- Ecology (condition) – The Planning Officer advised that landscaping for much of the site would be in place prior to the development commencing. He also assured Members that the mitigation measures to be put in place for the Hazel Dormice would apply to the whole of the site. At the request of the Committee, it was agreed that the comprehensive wording of the condition would be brought back before Members for ratification at the detailed stage of the application;
- Scheduled Monument – The Officer clarified that Historic England had raised concerns with the setting of the Scheduled Monument, not the impact to the Monument itself. However, Officers were of the opinion that this could be adequately mitigated.
- Country Park – Information was requested on the Country Park facility and the Officer agreed to provide Members of the Committee with this directly.

A number of Members made reference to the North West Haverhill Relief Road, with some suggesting that it would be more appropriate to defer this application until the relief road was in place. The Planning Officer responded to these comments at length; setting out in detail the robust, guaranteed mechanism that had been put in place to deliver the relief road. He informed

the Committee that in view of the agreed legal process that was now in place the deferment of this application could not be defended by Officers.

The Suffolk County Council Highways Officer that was present also spoke on the relief road. He further advised of capacity improvements that were planned in respect of the A1307 which would link to the relief road. He confirmed that Highways had no reason to object to the application before Members subject to the agreed mitigating measures being put in place.

Councillor Alaric Pugh spoke in support of the application and its compliance with the agreed Masterplan and moved that it be granted, as per the Officer recommendation and inclusive of the delegation in respect of the Millfields Way access element. This was duly seconded by Councillor Peter Stevens.

Councillor John Burns queried as to any potential conflict with this motion in view of Councillor Pugh being Cabinet Member for Planning and Growth, but the Business Partner (Litigation/Licensing) advised the meeting that there was no issue.

Councillor Burns then requested a recorded vote in respect of this item but it failed to be supported by four other Members.

Upon the motion being put to the vote and with 9 voting for, 3 against and with 3 abstentions, it was resolved that

Decision

Outline planning permission be **GRANTED** subject to:

1. Delegated Authority being given to the Acting Head of Planning, in consultation with the Chairman of the Committee and relevant Ward Members, in order to approve the more suitable southern access point opposite Millfields Way (instead of at Chalkstone Way), subject to the completion of a land dedication agreement between the Borough Council and the County Council;
2. The completion of a Section 106 agreement to secure (unless the Assistant Director (Planning and Regulatory) concludes a particular clause to be unlawful or considers any individual measure would be better secured by planning condition):
 - a. Policy compliant affordable housing provision (30%).
 - b. Provision of sufficient land and full build costs for the construction of two new primary schools
 - c. Secondary school contribution
 - d. Pre-school contribution
 - e. Public Open Space (provision and future maintenance)
 - f. Highways related contributions as subsequently agreed with the Highway Authority, including developer contributions and/or 'in-kind' provision as may be appropriate.
 - g. Travel Plan – matters not appropriate for inclusion as planning conditions, including payment of any financial contributions toward travel planning initiatives reasonably required.
 - h. Health contribution

- i. Provision of two local centres
 - j. Contribution towards playing pitches
 - k. Any further clauses considered necessary by the Assistant Director (Planning and Regulatory); and
3. Conditions, including (unless the Assistant Director (Planning and Regulatory) considers any of these matters need to be secured as part of the Section 106 Agreement):
- Time limit (3 years for commencement)
 - Submission of reserved matters (trigger – up to 10 years)
First submission of reserved matters to include a strategic approach to the planning of the public realm of the scheme, including (but not necessarily limited to) open spaces, strategic landscaping, strategic ecological measures, treatment of the tributary to the Stour Brook, lighting strategy, drainage, phasing, noise etc.)
 - Reserved Matters submission to generally accord with the Design and Access Statement and the illustrative parameter plans submitted with the outline planning application.
 - Materials (details to be submitted with each Reserved Matters submission that includes the erection of new buildings)
 - Water efficiency measures (compliance with the option for more stringent requirements set out by the Building Regulations)
 - Bin and cycle storage strategy (to be submitted for approval with each Reserved Matters submission that includes the erection of new buildings)
 - Public open space (strategy for future management and maintenance of all open spaces, unless provided for by the S106 Agreement)
 - Landscaping details for each phase - (including precise details of new hard and soft landscaping and management/maintenance regimes)
 - Retention and protection during construction of existing trees and hedgerows to be retained.
 - Ecology (enhancements and protection measures at the site)
 - Noise mitigation measures
 - Construction and Environmental management plan (to address specific measures set out in the Environmental Statement and Water Framework Directive, as discussed in the report)
 - Highways conditions as recommended by the Local Highway Authority
 - Means of enclosure (details to be submitted with relevant Reserved Matters submissions)
 - Noise mitigation measures in relevant phases
 - Provision of fire Hydrants
 - Waste minimisation strategy
 - Details of the surface water drainage scheme.
 - Archaeology
 - Submission of local (non strategic) open space plans with subsequent Reserved Matters submissions.
 - Details of pedestrian and cyclist links to be provided with Reserved Matters submissions.

- Travel Plan measures (matters not addressed in the S106 Agreement)
- Flood risk assessment to accompany any reserved matters submission
- Foul water condition as requested by Anglian Water Services
- Tree survey and arb report for each Reserved Matters submission containing trees, and bat reports where trees are to be felled
- Provision of facilities for charging, plug in and other ultra-low emission vehicles
- Remediation of any contamination (phase 2 survey work)
- Reptile mitigation strategy (including identification of reptile receptor sites).

Should agreement not be reached with respect to matters relating to a S106 Agreement with the applicant within a reasonable time period, the planning application be returned to the Development Control Committee for further consideration.

Councillor Paula Fox left the meeting at 11.45am during the preliminary discussion of this item and prior to the voting thereon.

On conclusion of this item at 12.44pm the Chairman adjourned the meeting for a short comfort break, at which point Councillor Frank Warby also left the meeting.

298. **Outline Planning Application DC/16/1723/OUT - Land Adjacent to the road from A14 to C629, Risby (Report No: DEV/SE/17/012)**

Outline Planning Application (Means of Access to be considered) – Parking facility for approximately 100 no. HGV's with refuelling station, shop and facilities for drivers.

This application had been referred to the Development Control Committee because it was a major application and the Parish Council objected, contrary to the Officer recommendation of approval as set out in Paragraph 54 of Report No: DEV/SE/17/012.

Furthermore, when the agenda was published the recommendation was provisional in view of Highways England having issued a Holding Direction in respect of the application.

A Member site visit was held prior to the meeting.

As part of his presentation the Principal Planning Officer drew attention to the following updates:

- Highways England had now formally removed their Holding Notice and confirmed that they had no objection to the application subject to mitigating conditions; and
- Two further conditions were to be added to those listed in the report's recommendation in respect of: badger sets and silage details.

The Officer went through each of the issues considered in determining the application; in order to explain to the Committee how Officers came to their balanced recommendation of approval.

Speakers: Councillor Susan Glossop (Ward Member*) spoke on the application. She also stressed that she would keep an open mind and listen to the debate prior to voting on the item.
(*whilst the application fell within the Ward of Barrow it was considered to impact more on the Ward of Risby, accordingly Councillor Ian Houlder had sacrificed his speaking slot to Councillor Glossop as the Ward Member for Risby)
Edward Keymer (agent) spoke in support of the application

During Councillor Glossop's speech to the Committee she asked if it would be possible to include signage, as part of the development, to direct lorries on the A14 eastbound to continue to the Westley roundabout in order to turn around and re-join the A14, therefore enabling them to leave the dual carriageway on the westbound side and reducing the amount of HGVs travelling through Risby village.

The Committee as a whole supported this proposal. The agent for the application was invited to respond to this request by the Chairman and he indicated that his applicant would be happy to work with the Planning Authority on this.

The Acting Head of Planning explained that if Members granted her Delegated Authority, in consultation with the Committee Chairman and relevant Ward Members, she could pursue this Suffolk County Council Highways via formal re-consultation on the proposal.

A number of other comments were made in respect of mitigating light pollution and litter, the Acting Head of Planning explained that these elements could be managed by additional conditions.

It was proposed by Councillor Peter Stevens that the application be granted, as per the Officer recommendation, inclusive of the additional conditions and Delegated Authority in respect of signage. This was duly seconded by Councillor Robert Everitt.

Upon being put to the vote and with the vote being unanimous, it was resolved that

Decision

Outline planning permission be **GRANTED** subject to:

1. Confirmation from Highways England that an agreed signage improvement scheme for Junction 41 is in place;
2. Delegated Authority being given to the Acting Head of Planning, in consultation with the Chairman of the Committee and relevant Ward Members, to re-consult with Suffolk County Council Highways with regard to the proposed A14 eastbound signage to direct HGVs along the westbound carriageway to the development site; and

3. The following conditions:
 1. Outline permission time limit
 2. Reserved matters (appearance, landscaping, layout and scale)
 3. Contamination remediation strategy
 4. Surface water drainage (details to be submitted and agreed)
 5. Ecological mitigation (in accordance with Habitat Survey)
 6. Off-site highway works
 7. Visibility splays (provision in accordance with approved plans)
 8. Badger set mitigation
 9. Silage details
 10. Waste management
 11. Lighting details

The meeting concluded at 1.21 pm

Signed by:

Chairman

DEV/SE/17/013

St Edmundsbury
BOROUGH COUNCIL

Development Control Committee

6 April 2017

Planning Application DC/16/2837/RM

Development Zones G and H, Marham Park, Tut Hill, Fornham All Saints

Date: 17.01.2017 **Expiry Date:** 18.04.2017
Registered:

Case Officer: Charles Judson **Recommendation:** Approve

Parish: Fornham All Saints **Ward:** Fornham

Proposal: Reserved Matters Application – Submission of details under Planning Permission DC/13/0932/HYB – the means of access, appearance, landscaping, layout, parking, and scale for Development Zones G and H

Site: Development Zones G and H, Marham Park, Tut Hill, Fornham All Saints

Applicant: Jaimie Wragg, Bloor Homes Eastern

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:

Charles Judson

Email: Charles.judson@westsuffolk.gov.uk

Telephone: 01638 719267

Background: The application is referred to the Development Control Committee because the application is a major development and the Parish Council object, however the Officer recommendation is for APPROVAL.

Proposal:

1. Planning permission is sought for the approval of details submitted in pursuance of outline planning permission DC/13/0932/HYB. The details include a total of 151 dwellings (including 45 affordable dwellings) and associated access, landscaping and open space.
2. The application has been amended since submission to amend the layout, house types, accommodation schedule and materials.

Application Supporting Material:

3. Information submitted with the application as follows:
 - Application forms and drawings including location plan, site layout, house plans and elevations, materials schedule and parking plan.
 - Design and Access Statement
 - Planning Statement
 - Schedule of accommodation
 - Construction layout
 - Drainage strategy

Site Details:

4. The application site is comprised of two areas known as development Zones G and H. Zone G has an area of 1.48 hectares and Zone H has an area of 2.78 hectares. They are located within a larger strategic site to the north west of Bury St Edmunds and to the south of the village of Fornham All Saints where permission has been granted for residential development under DC/13/0932/HYB. This strategic site is being marketed as 'Marham Park'. A new relief road is under construction to serve the strategic site which will link Tut Hill (B1106) with Mildenhall Road (A1101). Zones G is located to the south of the relief road whilst Zone H is located centrally within the strategic site adjacent to the primary movement corridor and green corridors which act as public open space.

Planning History:

5. The site forms the first of five strategic sites identified by Policy CS11 of the adopted Core Strategy. The policy states that the amount of development will be determined by environmental and infrastructure capacity considerations and the preparation and adoption of detailed

masterplans in which the local community and other stakeholders have been fully engaged.

6. A concept statement was prepared and adopted by the council in 2013. This was incorporated as an appendix to the Bury St Edmunds Vision 2031 and adopted in 2014 following public consultation.
7. A masterplan, which followed the principles established by the concept statement, was prepared by Countryside properties. This was adopted by the council in December 2013 following public consultation. This document set out the key requirements of the development that subsequent planning applications need to deliver.
8. Planning permission was granted in 2014 for development of the site. The application was in hybrid form, providing full details of the relief road, change of use of land to informal countryside recreation and outline for residential development, local centre, employment uses, public open space, allotments and the reservation of land for educational purposes (application DC/13/0932/HYB).
9. Since the granting of application DC/13/0932/HYB applications to discharge a number of conditions have been submitted, the following being particularly relevant:
10. DC/15/0553/RM: Reserved Matters Application for 126 dwellings on Development Zone C. Approved.
11. DC/15/0703/RM: Reserved Matters Application for strategic infrastructure comprising details of roads, footpaths, cycleways, drainage and landscaping details for the first section of the Primary Movement Corridor and Green Corridors G, H, L, J, R and Y. Approved and amended by DC/416/0446/VAR.
12. DC/15/2440/RM: Reserved Matters Application for strategic infrastructure comprising details of roads, footpaths, cycleways, drainage and landscaping details for the second section of the Primary Movement Corridor and landscaping of Green Corridors M, N, O and P. Approved.
13. DC/16/2658/RM: Reserved Matters Application for 132 dwellings on Development Zone C. Undetermined.
14. NMA(A)/13/0932: Non Material Amendment Application to allow provision of 9 additional dwellings (Development zone parcel C). Undetermined.

Consultations:

15. Highways England: No objection

16. Suffolk Wildlife Trust: Whilst there is a landscape plan provided, no Landscape and Ecological Management Plan (LEMP) is included in the application. We would recommend that an LEMP is prepared for this part of development and that it accords with the documents already produced for the other development parcels. We also recommend that ecological enhancements are secured within the parcels subject to this application. In particular, we recommend that integrated nest boxes suitable for swifts are included within the dwellings and that the garden boundaries used are permeable to hedgehogs. This can be achieved by using concrete or timber fence bases which incorporate a pre-formed hole in the bottom or by including a 13cm by 13cm gap in the bases of fences and walls.
17. Highway Authority: The provision of links to the external cycleway as shown on plan EA-127-SL-900 should be constructed to connect to the cycleway. Those shown from the north of parcel H do not currently connect to the external cycleway and if this cannot be rectified alternative cycle provision should be made to ensure safe cycling routes through the development. The driveway for plot 137 is an incorrect length and should be redesigned accommodate the whole of one or two cars. A condition should be imposed to require details of manoeuvring and parking of vehicles which is to be retained and used for no other purpose.
18. Suffolk County Council (Development Contributions Manager): No comments other than the proviso that the terms of the existing S106A dated 8 October 2014 remain in force.
19. Police Architectural Liaison Officer: Having viewed the plans I have some concerns around the plans in regards to security. My concerns are around lack of natural surveillance, rear car parking, and use of carports, which can allow the opportunity to commit crime.
- Comments on amended plans: No comments received
20. SCC Flood and Water: Holding objection as the drainage strategy does not conform to the site wide strategy.
- Comments on amended plans: SCC Floods have reviewed the amended drainage information submitted by MLM Ltd in respect of the above planning application, the information submitted is acceptable and thus we can remove our holding objection.
21. Anglian Water: The foul drainage strategy is acceptable.
22. Public Health and Housing: No objection
23. Environment Team: This Service has no objection to this Reserved Matters application. We note that discharge of conditions applications for the land contamination conditions are progressing under separate cover.

- 24.Environment Agency: We have no objection the above reserved matters application but wish to make the following advisory comments with respect to surface water drainage. We recommend that the Lead Local Flood Authority should be consulted on any surface water management proposals. Should the applicant propose the use of deep infiltration systems including boreholes and other structures that bypass the soil layer we would wish to be reconsulted. This is because the site overlies a principal aquifer and is located in a Source Protection Zone. Accordingly the site is sensitive to pollution of the water environment.
- 25.Natural England: Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes. We have not assessed this application and associated documents for impacts on protected species and you should apply our Standing Advice. If the proposal site is on or adjacent to a local site the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application. Opportunities for biodiversity and land landscape enhancements should be considered.
- 26.Sport England: The proposed development is not considered to fall either within our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance Par. 003 Ref. ID: 37-003-20140306) upon which we would wish to comment, therefore Sport England has not provided a detailed response.
- 27.Strategy and Enabling Officer: The Strategic Housing Team supports the above Reserved Matters application in principle as it meets our CS5 policy to deliver 30% affordable housing on site. The affordable dwellings will need to be delivered in accordance with the S106 on affordable housing tenure and achieve 70% affordable rent and 30% shared ownership.

The affordable housing mix provided meets the current housing needs for Bury St Edmunds and are dispersed throughout the development to help create sustainable and cohesive communities.

I am however concerned over the proposed dwelling sizes for the affordable homes. It is my understanding that based on the proposed dwelling sizes these are below an acceptable minimum standard being requested by our local Registered Providers operating within West Suffolk and therefore may be difficult to transfer.

Comments on amended plans: Having reviewed the Reserved Matters Application I can confirm that the Strategic Housing supports the affordable housing scheme.

- 28.Public Rights of Way Officer: Public Footpath 4 does not appear to be affected by this proposal. We do not have any objection to this proposal.

Representations:

29. Bury Town Council: Objection on the grounds of overdevelopment.
30. Fornham All Saints Parish Council: Objects and wishes for the following comments to be considered:

Density of 35.88 dwellings per hectare does not compliment the area and is more in keeping with a site within a town rather than edge of town abutting a rural village.

Supports the 30% affordable housing provision but concerned that the mix of market houses which is 95% 3 or 4 bedroom dwellings does not meet local needs identified in the Sub Regional Strategic Housing Market Assessment. The Parish Council would have liked to see the need for smaller dwellings of 1 and 2 bedrooms with a smaller element of 3+ bedroom properties fulfilled for those wishing to downsize.

Concerned that Development Zones G and H will give rise to adverse transport impacts. Parking is inadequate and inappropriately designed which will give rise to parking on road, crime, accessibility issues for emergency vehicles. Access footways of 1.8m is below the Manual for Streets recommendation of 2m to ensure all users can pass unhindered.

Question the proposed street hierarchy and the establishment of restricted vehicular routes at the end of secondary routes due to fears over crime and disorder.

The local highway network will not be able to continue to operate and the Parish Council feels that this application fails to address any existing issues as well as mitigate the impact of the increased traffic resulting from the Bury North-West development.

The Drainage Strategy does not conform to the site wide strategy and the Flood and Water Engineer at SCC has recommended a holding objection. No details on maintenance and management have been submitted and that Parcel H has been tested as not acceptable according to site wide strategy. The Parish Council would wish to see this addressed either prior to permission being given or as a condition to be addressed should permission be granted

31. Ward Member (Councillor Beccy Hopfensperger) No comments received

32. Neighbours: No comments received

Policy: The following policies of the Joint Development Management Policies Document, the St Edmundsbury Core Strategy December 2010 and the Bury Vision 2031 have been taken into account in the consideration of this application:

33. Joint Development Management Policies Document:

- Policy DM1 Presumption in favour of Sustainable Development
- Policy DM2 Creating Places
- Policy DM3 Masterplans
- Policy DM22 Residential Design
- Policy DM46 Parking Standards

34. Bury St Edmunds Vision 2031 (September 2014):

- Policy CS3 Design and Local Distinctiveness
- Policy CS5 Affordable Housing

35. St Edmundsbury Strategy December 2010

- Policy CS2 – Sustainable development
- Policy CS3 Design and Local Distinctiveness
- Policy CS5 Affordable Housing

Other Planning Policy:

36. National Planning Policy Framework (2012) and Planning Practice Guidance

Officer Comment:

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

- Principle of development
- Character, context and design
- Other matters

Principle of development

38. The application is for the consideration of reserved matters following the granting of outline planning permission for residential development under planning permission reference DC/13/0932/HYB. That permission established the principle of residential development.

39. Approved as part of DC/13/0932/HYB was a density parameter plan which approved density ranges for each Development Zone providing a range of densities which could be accommodated within each Development Zone. The application proposes 151 dwellings which complies with the density parameter plan for G and H. The number of dwellings proposed is therefore considered acceptable in principle.

Character, context and design

40. Development Zones G and H are located centrally within the site adjacent to green corridors, the primary network corridor, a central public square, the local centre and a potential school site. The relief road which will connect Tut Hill with Mildenhall Road lies to the north of Development Zone G. This road benefits from full planning permission and work is ongoing with its construction. Furthermore, detailed permission has also been given for the primary movement corridor

which fixes the points of vehicular access to the Development Zones and provides a strategic cycle network and permission has also been given for the green infrastructure and network of footpaths, cycleways and landscaping located in the the green corridors which surround the Development Zones.

41. The site was last used for agricultural purposes and inevitably residential development will fundamentally alter the character and appearance of the area. The adopted Masterplan for the development however provides the principles to be carried forward at detailed design stage. The Masterplan defines character areas to guide the form of development and the application has been submitted in the context of this. Development Zones G and H include the following character areas as defined in the Masterplan: Community Heart; Transition Frontage and Semi-formal. To respond to these character areas, towards the north-east the Development Zones it is proposed to have higher density housing with 2.5 and 3 storey dwellings built close to the public highway where the site fronts the public square. A tighter urban grain would also be achieved around a new public green located within the centre of Development Zone H assisting in providing a focal point for development in the form of a traditional village green. Lower density dwellings would be provided towards the periphery of the Development Zones where dwellings front onto the network of green corridors and where dwellings are served by private drives.
42. The application is submitted by a national housebuilding company and the whilst the house types are reflective of this, they have been designed to provide features reflective of the local vernacular and will be detailed to reflect their location within the development and the use of materials, architectural treatment and boundary treatments to help define character areas.
43. Fornham All Saints Parish Council object to the application on the basis that the proposed density is not complimentary to the location of the development adjacent to a rural village and considers that the scheme is more in keeping with development within a town and Bury Town Council object on the grounds of overdevelopment. However, the scheme is in accordance with the density parameter plan and building heights plan approved with the masterplan and application DC/13/0257/HYB and therefore the number of dwellings, density and overall scale is considered acceptable by officers in principle.
44. Overall it is considered that the proposed scale, appearance, layout, treatment of space and road hierarchy is reflective of the adopted masterplan for the site and will result in an acceptable form of development with regard to the character and appearance of the area.

Other Matters:

45. The application proposed 30% affordable housing in accordance with the approved Affordable Housing Framework (which sets the amount of affordable housing across the development). The Councils Strategy

and Enabling Officer supports the mix and clustering of affordable dwellings and whilst they initially objected to the size of some of the affordable units, following amendments to increase the size of the 2 bedroom affordable dwellings this objection has been withdrawn and the application now benefits from the support of the Strategy and Enabling Officer.

46. The Suffolk County Council Flood and Water Engineer also raised an objection to the development as the proposed drainage strategy did not accord with the approved site wide strategy. However, the Flood and Water Engineer has confirmed, following discussions with the applicants surface water drainage consultants, that there was an incorrect reference on a submitted drawing and they have removed their holding objection. In any case, details of surface water drainage are controlled by a separate condition on the Hybrid Application and details of which will need to be approved under separate cover to this reserved matters application. It is not considered that approval of the scheme as submitted will fetter the Council in its ability to assess the surface water drainage scheme at a later date when it is formally submitted for consideration.
47. The Highway Authority is satisfied that sufficient parking is provided to serve the housing mix with the level of parking complying with the Suffolk Parking Standards. The parking strategy for the residents incorporates on-curtilage and in-garage parking and the use of small parking courts. Where the later is used it is considered that the spaces are related reasonably well to the dwellings that they would serve to ensure that they will be used by residents and to discourage parking in locations not designated for parking. Visitor parking is provided in dedicated parking bays provided in parallel to the road and the number of spaces complies with the Suffolk Parking Standards. An amended layout has been provided to address the Highway Authority comments regarding plot 137. Officers are therefore satisfied that the parking proposed is acceptable. Fornham All Saints Parish Council has objected to the application due to potential impacts on the functioning of the local highway network however the number of dwellings is in accordance with the Hybrid Application and the capacity of the highway network was assessed and appropriate mitigation, including off site highway improvements, were secured. Officers therefore do not consider it necessary to re-asses the capacity of the local highway network as part of this Reserved Matters application given that it complies in principle with the Hybrid Application.
48. The Highway Authority requested that an off carriageway foot/cycleway is incorporated into Development Zone H to provide a connection from the approved access to the north-east into the application site and to terminate at plot 75 to the north-west of the central green to ensure a safe cycle route into and out of the development. This request was put to the applicants but they have chosen not to amend their scheme to incorporate this request and instead submitted an amended plan showing two connections to the green corridor to the north of Development Zone H. These however do

not connect to the approved cycle and footpath network and the applicant is unable to amend this network as the green corridors are outside of their control. However, Development Zone H would be well served by other connections to the external footway and cycleway which is directly adjacent to this parcel and given the number of dwellings within this Development Zone and given that vehicle speeds are likely to be low it is considered that the scheme as submitted provides a safe environment for cyclists with adequate connections to the strategic cycle network.

49. Fornham All Saints Parish Council have raised objections to the mix of market housing and are concerned at the lack of 1 and 2 bedroom properties and the predominance of 3 and 4 bedroom dwellings. Officers have raised this concern with the applicants but the mix has not been amended. Instead the applicants have identified that the adopted Masterplan confirms that the site will focus on delivering family housing of a range of types and styles. When regard is had to the affordable housing mix which focusses on the delivery on 1, 2 and 3 bedroom dwellings it is considered that the overall housing mix provides a good range of dwellings of varied size and will be complimentary to mix of housing which has been approved elsewhere on the Marham Park site where there is a greater proportion of smaller properties for market sale.

50. The Police Architectural Liaison Officer raised some specific concerns regarding the scheme including the need to ensure parking areas have good levels of natural surveillance, raising concern at the use of car ports and the inclusion of long paths to rear gardens. Amended plans have been submitted by the applicants to address some of these concerns by, for example, introducing garages instead of car ports and improving surveillance of parking courts. The Police Architectural Liaison Officer has not commented on the amended plans but Officers consider that the revised proposal has resulted in a more acceptable proposal in terms of preventing crime and disorder.

51. Comments have been received from Suffolk Wildlife Trust concerning the need to secure a Landscape and Ecological Management Plan for this development. Members are advised that this is already required by condition on the Hybrid Application and this will need to be discharged prior to the commencement of development on these Development Zones.

Conclusion:

52. 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:

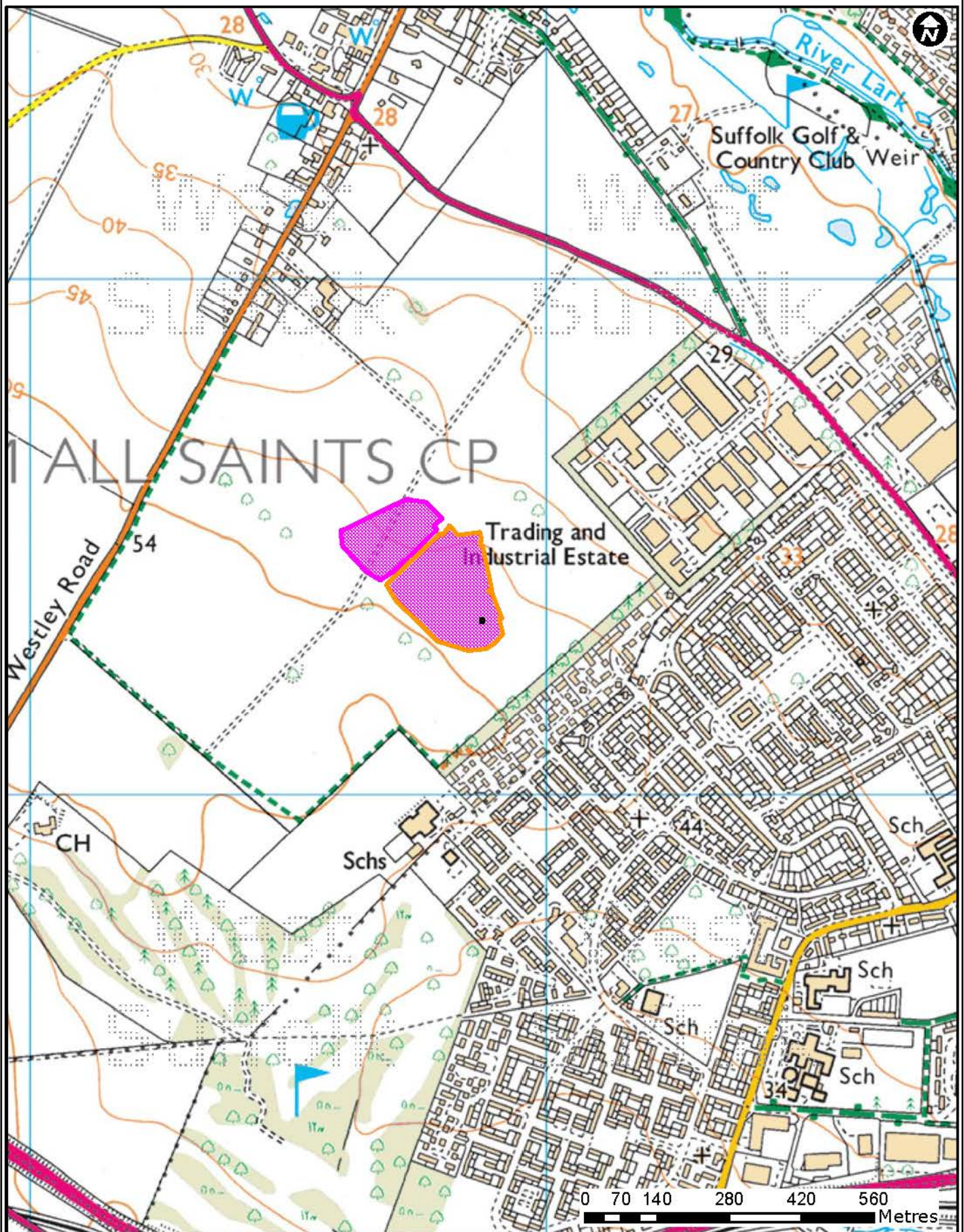
53. It is recommended that planning permission be **APPROVED** subject to the following conditions:

1. 14FP – Compliance with plans

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online here: <DC/16/2837/RM>.

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THIS DRAWING IS TO BE READ IN CONJUNCTION WITH SEPARATE GROUP/SITE SPECIFIC CONSTRUCTION NOTES AND MATERIALS SPECIFICATION.

SCHEDULE OF ACCOMMODATION (COMBINED G & H) - MARHAM PARK, BURY ST EDMUNDS 20.03.17			
PRIVATE HOUSING			
CODE	HOUSE TYPE	DESCRIPTION	No
200	PENHALLAM	2 BED HOUSE END TERRACE	1
200	PENHALLAM	2 BED HOUSE MID TERRACE	3
200	PENHALLAM	2 BED HOUSE SEMI-DETACHED	1
303	STUDLAND	3 BED HOUSE SEMI-DETACHED	15
303	STUDLAND	4 BED HOUSE END TERRACE	1
304	TRELISSICK	3 BED HOUSE DETACHED	3
305	STAUNTON	3 BED HOUSE DETACHED	3
305	STAUNTON	3 BED HOUSE SEMI-DETACHED	8
313	WHITFIELD	3 BED HOUSE DETACHED	10
350	CHASTLETON	3 BED TOWN HOUSE SEMI-DETACHED	1
350	CHASTLETON	4 BED TOWN HOUSE MID TERRACE	3
350	CHASTLETON	3 BED TOWN HOUSE END TERRACE	4
360	DUNSTER	3 BED TOWN HOUSE SEMI-DETACHED	1
405	ARLINGTON	4 BED HOUSE DETACHED	8
414	CAULKE	4 BED HOUSE DETACHED	7
427	BREDON	4 BED HOUSE DETACHED	4
434	WAKEHURST	4 BED HOUSE DETACHED	8
435	HOUGHTON	4 BED HOUSE DETACHED	12
436	TITCHFIELD	4 BED HOUSE DETACHED	9
454	LANDGUARD	4 BED TOWN HOUSE DETACHED	4
TOTAL			106
AFFORDABLE HOUSING			
CODE	HOUSE TYPE	DESCRIPTION	No
1BF - 04	AFFORDABLE	1 BED 2 PERSON FLAT	9
2B4P SV	AFFORDABLE	2 BED 4 PERSON HOUSE	20
2B4PLTH	AFFORDABLE	2 BED 4 PERSON HOUSE - MM (2)	2
3B5P	AFFORDABLE	3 BED 5 PERSON HOUSE	2
3B5P CT	AFFORDABLE	3 BED 5 PERSON HOUSE	3
3B5P SV	AFFORDABLE	3 BED 5 PERSON TOWN HOUSE	5
4B6P25	AFFORDABLE	4 BED 6 PERSON TOWN HOUSE	4
TOTAL			45
DEVELOPMENT TOTAL:			151



Revision	Description	Author	Date
A	General updates across site plan at the request of region.	RDE	06.12.16
B	Plot 123 garage moved forward to improve plot 122 garden. Plot numbered between 105-126 updated.	CDA	20.12.16
C	Plots: 88, 100, 102, 110 house type changed back to 434 type. Plots 60&61 updated to achieve Building Regulation Part M-Cat2	AMG	22.12.16
D	Footprint codes to plots: 11-15 amended to say 3B5P-25. Garage ridge directions altered to plot 41, 123 and parking plot numbers corrected to plots 89-93.	AMG	09.01.17
E	Engineering Footprints corrected within blocks	RDE	31.01.17
F	General Layout revisions made following meeting of the 13.02.17 with Planning Officer Charles Judson to review consultation responses. Parking revised around central square (plots 123 - 133). Plots 33 - 41 re-planned. Plots 29 & 30 - re-oriented. Feature line screen wall added around car court and turning head opposite plots 6-9 & 47-48. Footprint revised opposite plot 47 & 48. Visitor parking adjusted opposite plots 49-53. Cycle link added opposite plot 20. Plots 11-15 increased from 2.5 storey to 3 storey. Carports to plots: 1, 11-15 changed to garages. Plots 80&84 re-oriented. Plots 99 - 100 re-planned. Parking to plots 115-121 re-planned to allow for sewer easement. Plot 136 and garage and driveway repositioned away from access.	AMG	03.03.17
G	Garage footprint to plots 1 & 15 and adjacent drive though increased to accord with updated planning drawing. Plots 1-3 realigned accordingly.	AMG	07.03.17
H	House type sizes amended plots: 1-3, 8-10, 55-57, 59, 62, 64-66, 117-119. House type floor plans and elevations revised plots 11-15. Garages / drive-through omitted plots 1 & 15 and rear parking court revised accordingly. Garages and drive ways revised plots 137-139. Plot 120 repositioned.	AMG	20.03.17

Job: Marham Park
Bury St Edmunds
Suffolk

Title: SITE PLAN

Scale: 1:500 @ A1 Drawn: AG
Date: Nov'16 Cad Layout: RDE

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BLOOR HOMES

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Drawing No. EA-127-SL-001H

Marham Park

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St Edmundsbury
BOROUGH COUNCIL

Development Control Committee

6 April 2017

Planning Application DC/16/2825/OUT

Western Part of the Suffolk Business Park

Extension, Bury St Edmunds

Date	22.12.17	Expiry Date:	02.03.2017
Registered:			
Case Officer:	Peter White	Recommendation:	Approve
Parish:	Rushbrooke with Rougham	Ward:	Rougham
Proposal:	Outline Planning Application (Means of Access and Structural Landscaping to be considered) - Employment Uses Classes B1 and B8 (An element of the site (4.05 hectares) is proposed in outline form for a B1/B2 and B8 Use) with all matters reserved except for access (including vehicular, pedestrian, and cycle links) and framework landscaping, with provision for the installation of drainage and services infrastructure as amended by the plans and details submitted on 31st January 2017 which altered the Footpath/Cycle link alignment to the south west corner of the site, provided additional planting details, additional landscaping assessment and landscaping details to explain the context of the proposal; provided amended Parameter Plans and application drawings and other minor updates to provide additional information and clarifications to explain the proposals in full - As amended by details received 7/3/2017 which propose additional mitigation		
Site:	Western Part Of The Suffolk Business Park Extension Bury St Edmunds		
Applicant:	Jaynic Suffolk Park		

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 approve the submitted outline planning application.

CONTACT CASE OFFICER:

Peter White

Email: peter.white@westsuffolk.gov.uk

Telephone: 01284 757357

Background:

This application is referred to the Development Control Committee because the Council has a financial interest in the land.

Proposal:

1. Outline planning permission is sought for employment use classes B1 and B8. A 4.05 hectares parcel of land on the western boundary of the site is sought for use classes B1, B2 and B8. Outline consent is being sought on this plot for an existing business who currently operate within the town of Bury St Edmunds, called Treatt.
2. The application includes two reserved matters which are landscaping and access. For the access matter the application is seeking consent for a main internal road which will link a new roundabout that has been delivered as part of the Eastern Relief Road with a roundabout that is on Lady Miriam Way South. This road would have cycle and footways. Additionally two stub roads are proposed which will create vehicular access to various plots on the business park. One stub road would be served off Lady Miriam Way South and one would be served off the new internal road.
3. For the Landscaping element the application is only dealing with Structural Landscaping around the site. Additional landscaping will be required as each plot comes forward.
4. The scheme also seeks to widen and improve the existing cycle/footway link along Lady Miriam Way South which would link the cycle/footway A14 to the new Sybil Andrews Academy.
5. Lastly the application seeks to establish the heights of buildings in three distinct zones. The three zones would, if approved, allow buildings of up to 21 metres in height, 20 metres in height and 16 metres in height.

6. The application has been amended since submission to set out what mitigation measures will be used as the full details of buildings come forward at reserved matters. Additionally amendments were made to the cycle/footways and the proposed structural landscaping.

Application Supporting Material:

7. Information submitted with the application as follows:
 - Application form
 - Planning statement
 - Application Drawings
 - Illustrative Layout
 - Parameter Plans
 - Agricultural Land Report
 - Design and Access Statement
 - Transport Statement
 - Environmental Statement
 - Non technical summary of the Environmental Statement
 - Landscape Strategy Biodiversity Survey
 - Tree Survey
 - Treatt Statement

Site Details:

8. The site is situated north of the A14, east of the existing built Suffolk Business Park, and south of the newly opened Sybil Andrews Academy. The site is also south of the Eastern Relief Road (which will be called Rougham Tower Avenue when complete).
9. The site is currently an agricultural field which has parts of the old perimeter track that served the Rougham Airfield. In the southwest of the corner of the site is a pedestrian and cycle underpass which allows pedestrian and cycle traffic to travel under the A14. Currently this only leads to unclassified local roads in Rougham. However an agreement is nearing completion to create a new bridleway from this underpass to Rougham Hill.
10. A currently unadopted road which many refer to as Lady Miriam Way South is on the western side of the site. This road is currently used by businesses such as Sealy on the existing Suffolk Business Park. The road has some pedestrian infrastructure and lighting columns. Along this boundary of the site are some areas of bunding and scrub.
11. On the southern boundary of the site there is large bund with trees planted on it. This bund was created using top soil dug up to build housing in the Moreton Hall area in the mid 1990s
12. On the western side of the site is a tree belt and hedge which runs from the south to the north of the site. The hedge is made up of vegetation of differing thicknesses and heights. This site does not continue east until

the Rougham Industrial Estate (RIE). The allocation does continue to the REI but this part of the allocation is owned by a different land owner and is expected to come forward separately.

13. On the north of the site will be the Eastern Relief Road. The first part of this road is open and available to traffic now. The road will deliver its own landscaping to frame and soften the road.
14. The site will be served by two roundabouts. One on the western boundary (Lady Miriam Way South) and one on the northern boundary (Eastern Relief Road).
15. It is also worth noting that 14 hectares in the north west corner of the site is designated as an Enterprise Zone.

Planning History:

16. There are no relevant planning applications on the site. However the site does benefit from a Masterplan which was adopted in 2010 which acts as informal planning guidance for future planning applications such as this one.
17. The allocation of this site first occurred in 2006 under Policy BSE3 of the Replacement St Edmundsbury Borough Local Plan 2016. The relief road (Rougham Tower Avenue) which is currently being constructed was first allocated under the St Edmundsbury Local Plan 1998 (Adopted 1998). At that time there was no allocation between the new road and the A14.

Consultations:

18. Highway Authority: No objection but recommend conditions that include requiring all vehicles over 7.5 tonnes to access the site via junction 45 of the A14, to agree walking and cycling strategy and other standard conditions
19. Environment Agency: No objection but recommend conditions
20. Environmental Health: No objection but recommend a range of conditions that are aimed to protect amenity of the nearest residential properties
21. Suffolk Fire and Rescue: No objection but recommend a condition that requires the details of at least 7 fire hydrants to be agreed.
22. Highways England: No Objection
23. Conservation Officer: No objection but recommends a condition to agree details of markings and information boards relating to the old airfield perimeter track
24. Environment Team: No objection concerning Contaminated Land, Local Air Quality and Environmental Permitting Issues. Recommend a condition that

requires at least 5% of all car parking spaces to have electrical charging points for cars.

25. Ecology and Landscape Officer: No objection to the scheme but recommends various conditions to secure landscaping and ecology mitigation and enhancements
26. Suffolk County Council Archaeological Service: No objection subject to conditions being attached to any approval notice.
27. Rights of Way: No objection to the amended plans which includes an amended cycle/footway. No recommended conditions
28. Suffolk County Council Flood and Surface Water Engineer: No objection but recommend standard conditions to ensure surface water is appropriately managed.
29. Anglian Water: No objection but recommend a condition relating to a foul sewerage network strategy.

Representations:

30. Rushbrooke with Rougham Parish Council: Having considered the reconsultation, members are happy to support this Planning Application.
31. Bury St Edmunds Town Council: No objection based on the information received.
32. Two letters of objection have been received from residents. One is from 15 Oswyn Close, BSE and the second is from Weaver House, 9A Looms Lane, BSE. In summary the objections state;
 - All developers on the Suffolk Business Park must provide more than sufficient on site parking
 - Traffic Plans must specify primary access from junction 45 of the A14 and not Junction 44 which is often Gridlocked
 - Inadequate surface water management plan and other technical comments surrounding the management of surface water drainage.

Policy: The following policies of the Joint Development Management Policies Document, the Bury St Edmunds Vision 2031 Document and the St Edmundsbury Core Strategy December 2010 have been taken into account in the consideration of this application:

33. Joint Development Management Policies Document:
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM2: Creating Places – Development Principles and Local Distinctiveness
 - Policy DM3: Masterplans
 - Policy DM6: Flooding and Sustainable Drainage
 - Policy DM7: Sustainable Design and Construction

- Policy DM10: Impact of Development on Sites of Biodiversity and Geodiversity Importance
- Policy DM11: Protected Species
- Policy DM12: Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM13: Landscape Features
- Policy DM14: Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- Policy DM15: Listed Buildings
- Policy DM20: Archaeology
- Policy DM35: Proposals for Main Town Centres Uses#
- Policy DM44: Rights of Way
- Policy DM45: Transport Assessment and Travel Plans
- Policy DM46: Parking Standards

34. St Edmundsbury Core Strategy December 2010

- Policy BV1: Presumption in Favour of Sustainable Development
- Policy BV13: Strategic Site – Extension to Suffolk Business Park, Moreton Hall, Bury St Edmunds
- Policy BV26: Green Infrastructure in Bury St Edmunds

35. St Edmundsbury Core Strategy December 2010

- Policy CS1 – St Edmundsbury Spatial Strategy
- Policy CS2 – Sustainable Development
- Policy CS3 – Design and Local Distinctiveness
- Policy CS7 – Sustainable Transport
- Policy CS8 – Strategic Transport Improvements
- Policy CS9 – Employment and the Local Economy
- Policy CS10: Retail, Leisure, Cultural and Office Provision
- Policy CS14 – Community Infrastructure Capacity and Tariffs

Other Planning Policy:

36. National Planning Policy Framework

37. National Planning Practice Guidance

38. Concept Statement Suffolk Business Park Extension Adopted October 2007

39. Suffolk Business Park Extension Masterplan Adopted June 2010

40. St Edmundsbury Green Infrastructure Strategy Dated September 2009

Officer Comment:

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

- Principle of Development
- Landscape and Ecology matters
- Heritage matters
- Sustainable transport and highway matters
- Highway matters
- Other matters

Principle of Development

42. The Suffolk Business Park as a whole is an allocated employment site under Policy BV13 of the Bury St Edmunds Vision 2031 document. This policy sets out that businesses should be either B1 or B8 uses. Before the Bury St Edmunds Vision 2031 document was adopted in September 2014 the site was first allocated in 2006 under BSE3 of the Replacement St Edmundsbury Local Plan and was at that time also allocated for B1 and B8 uses. A B1 use can be split into (a) Offices - other than those within an A2 Use (b) Research and Development - laboratories and studios and (c) Light Industry. B1 uses are considered acceptable next to residential areas as they, by their very nature, do not cause harm residential amenity. B8 uses are Storage and Distribution uses. Apart from the 4.04 hectare Treatt site the application is solely seeking to confirm the allocation and is therefore considered acceptable in principle.
43. The council in allocating the Suffolk Business Park sought to bring forward a high quality business park rather than an industrial estate. The council deliberately did not allocate this site for B2 uses (General Industrial) to help ensure the delivery of a high quality business park. The B2 use class order covers a wide spectrum of activities ranging from high tech manufacturing to traditional industries. Whilst some uses within the class may be acceptable a blanket permission for all B2 uses could open the site up to potential B2 uses which the Local Planning Authority would otherwise seek to resist. The adopted Masterplan for the site sets out that the allocation is for a high quality, well landscaped, business park and as such building design, outside storage and landscaping need careful consideration to ensure that the aspiration is met. The preamble to Policy BV13 in the Bury St Edmunds Vision document says "*there will be some flexibility of office, storage and manufacturing uses within each site, but developers of individual plots will be required to show that proposals conform to the masterplan.*" Whilst B2 is contrary to the development plan in the strict sense it is clear that some flexibility does exist to allow for the uses on the site like Treatt which may be acceptable but do not neatly fall within a B1 or B8 use.
44. Treatt are a company that have traded from the Northern Way Industrial Estate for many decades. They provide ingredient solutions to the flavour, fragrance and personal care sectors, For a over a year now officers have had numerous meetings with Treatt to understand what it is that they do on site, what sort of development they wish to bring forward and what possible impacts could arise from their global headquarters trading out of Suffolk Business Park. Whilst Treatt have an element of B2 they also have B1 (Research and development) and B8 (storage of products they produce) uses on site and so they would be a mixed use site. Public Health and Housing have visiting the current Treatt premises with officers and are entirely satisfied that with standard mitigation to control potential nuisance it is anticipated that Treatts could operate from the site without causing harm. On the visit of Treatts current premises it was noted that existing residential properties are located far closer than they would be if Treatts moved to the Suffolk Business Park. No complaints have been recorded from their current site and it was also noted that enhanced

mitigation will be built into the new site which would again further help to protect residential amenity. The pre application details shown to officers indicate a very high quality premises which would be read far more as a global headquarters than that of a manufacturing plant.

45. In conclusion the principle of B1 and B8 uses on this site is in accordance with local plan policies and therefore acceptable. Regarding the Treatts plot whilst the full details are not currently before the council, officers are entirely satisfied that a scheme can be brought forward that is compatible with a high quality business park in design and landscape terms. Additionally it is considered that a scheme could be worked up that would not harm nearby residential properties and as such this element of the scheme is, in principle, considered acceptable. It should also be noted that a condition would be attached to any approval notice that removed the B2 element from this part of the site if Treatt did not ultimately move to the site.

Landscape and Ecology

46. Policy DM13 of the Joint Development Management Policies document requires that development will be permitted where it will not have an unacceptable adverse impact on the character of the landscape, landscape features, wildlife, or amenity value. The policy goes on to note the sensitivity of the Special Landscape Areas and requires that individual proposals within or adjacent to these areas will be assessed based on their specific landscape and visual impact. Policy DM13 also requires that all development proposals should demonstrate that their location, scale, design and materials will protect, and where possible enhance the character of the landscape, including the setting of settlements, the significance of gaps between them and the nocturnal character of the landscape. Finally the policy advises that where any harm will not significantly and demonstrably outweigh the benefit of the proposal, development will be permitted subject to other planning considerations. However the policy also requires that it is essential that commensurate provision must be made for landscape mitigation and compensation measures, so that harm to the locally distinctive character is minimised and there is no net loss of characteristic features.
47. Policy BV13 states in part that amongst other things, *the design and landscaping have been informed by a masterplan for the site.* The Suffolk Business Park Extension Masterplan was adopted in June 2010. Landscaping and ecology is dealt with in section 5. This states that *the landscape objectives for the site are to retain where possible the existing landscape features which make a positive contribution to the appearance of the area, and to enhance the site with extensive new planting. Therefore, the principal trees and hedgerows will be substantially retained and will be incorporated into the structure of Suffolk Park Extension.* The masterplan goes on to state that, *within plots, planting will be used to soften frontages and provide some enclosure of vehicle parking and manoeuvring areas appropriate to the use. A landscaping strategy will be formulated to ensure consistency in the nature of the planting and in the species used. Native species will be used where possible. This will ensure*

that landscape is an integral part of plot design and result in a consistent appearance throughout the development.

48. Officers had concern with the originally submitted scheme and the impact that it may have had on Landscape and the Rougham Control Tower which is a grade II listed building (impact on heritage assets is discussed in the next section). Following discussions with officers the scheme was amended and mitigation measures were proposed. Those amendments/mitigation included;

1. Reducing the maximum height of buildings east of the internal access road from 25 metres to 21 metres;
2. Increasing the woodland planting along the southern boundary with the A14 from 20 metres to 30 metres wide;
3. Increasing the woodland planting along the eastern boundary from 5 metres wide to an average 11.5 metres wide area of woodland planting;
4. Adding a minimum 10 metre wide width of woodland planting east of the internal access road along the Application Site's northern boundary if B8 uses front onto the Eastern Relief Road; and
5. Adding a range of design principles which are to be applied to design proposals brought forward at the reserved matters stage (set out in Chapter 12 of the Environmental Statement) to visually mitigate the impact of buildings on important views.

49. The submitted details include a height parameters plan. This plan sets out three distinct zones where buildings would be up to 16 metres, 20 metres and 21 metres. Whilst it will take time for landscaping to mature and be able to function as an effective buffer officers are satisfied that sufficient space has been set aside for large trees to grow into which will appropriately landscape and screen the site. In this situation trees will never block or screen buildings of circa 20 metres in height but large trees like oak or beech will mature to a significant scale, and which will then be able to soften and in turn reduce visual impact. In determining what landscaping would be appropriate officers were very aware of the wider character of Moreton Hall to the west and the woodland clumps in the wider countryside. Moreton Hall has numerous thick, deep landscape belts which were either retained or new planted when development came forward. The sylvan character of the surrounding locality has and should influence development of the Suffolk Business Park and this proposal respects that character.

50. Landscaping alone will not mitigate the impact of large building and the submitted details set out that building layout, orientation and design will play a vital role in bringing forward an acceptable development. A range of design principles to help mitigate the impact of buildings have been submitted in the amended Environmental Statement and Design and Access Statement and would be conditioned. Such features of design that have been secured include, but are not limited to, such things as curved roofs, use of glazing and other articulation and the use of varying colours and shades. These are considered acceptable and will help to significantly reduce the impact of large buildings.

51. It is the view of officers that whilst the development of large buildings will have an impact it will not be an unacceptable one. In allocating the site for B1 and B8 uses the council accepted that a change in the locality would occur. Officers have sought to ensure that the change is neither significant nor harmful. It is considered that the range of mitigation that has been secured in principle is sufficient to ensure that harm to landscape is minimised and that an acceptable development is brought forward in the future.
52. Matters around ecology and biodiversity have been considered and are considered acceptable by the council's Landscape and Ecology Officer. A variety of conditions would be attached to any permission to ensure that ecology mitigation and enhancements are brought forward. This element of the scheme is also considered acceptable

Heritage Matters

53. The site is not in or near to a conservation area and there are no listed buildings within the site. However to the north east of the site is the Rougham Control Tower and Radar Building, both of which are grade II listed buildings. The setting of these buildings contributes to their special interest. It is acknowledged that the development of the site in close proximity to the listed buildings is already established and that the development will have an impact on the setting of the listed buildings. The form and scale of the buildings is not yet known, therefore the precise impact of the development on the setting of the listed buildings cannot be assessed. The Conservation Officer is satisfied with the suite of mitigation measures that has been proposed and is discussed in length above.
54. The site currently contains part of the perimeter track which served the airfield. Although not listed in its own right, it is a non-designated heritage asset with considerable evidential, communal and historic values. The development includes a proposal to mark the position of the track at points where roads and cycle path overlap it, together with interpretation boards to explain the significance of the track markers in the context of the history of the wider site. Additionally the hard landscaping condition will require that future schemes consider the potential for marking where the track once ran on their plots. Whilst it is recognised that business premises will not be open to the public this will add a notional cost to a scheme and business owners may well grant school groups, the Rougham Tower Association or other groups special one off access. This approach is welcomed and is considered by officers to be a proportionate and reasonable approach that will record and allow future generations to understand where this historical piece of local infrastructure once was.

Sustainable transport and highway matters

55. Local Plan policies require that developments are accessible by a range of transport modes and not just the car. The scheme would bring forward a new cycle/footway link from the A14 underpass along the western boundary of the site to the Sybil Andrews Academy. Along some of this route there is currently a narrow cycle/footway. The scheme proposes to

widen and resurface this element along Lady Miriam Way South and introduce a new section which would link the underpass to the southern section of Lady Miriam Way South. At first inspection this may not appear to be so significant as south of the underpass the route heads east towards the village of Rougham. However SCC are at advanced stages with another landowner to agree a new public cycle / footway route that would link the underpass to Rougham Hill on the southern side of the A14. These two separate links will join up to create a direct traffic free route from the strategic residential allocation for Bury South East and beyond to the Suffolk Business Park and the new Sybil Andrews Academy. Whilst highway improvements will be delivered by other developments along the Bedingfeld Way, J45 A14, Rougham Hill corridor traffic congestion still needs managing. The creation of a shorter, traffic free cycle and walking route for residents is seen as a very real benefit which this development will contribute towards. As such it should be given significant weight and will be of real benefit to the town in helping with managing congestion.

56. The proposed new internal road and two stubs are considered acceptable by the highway authority in design terms. The Highway Authority has no objection to the scheme and has recommended various standard highway conditions, all of which are considered acceptable. Of the recommended conditions it is worth noting that they have recommended that a condition be attached which requires all vehicles over 7.5 tonnes to use junction 45 of the A14 (unless otherwise not available) to access the businesses once they are operating. This is considered acceptable and will help in managing traffic congestion and keeping larger vehicles away from residential areas.
57. The scheme does not include any parking spaces or standards as that level of detail is not yet known. Policy BV13 requires a Travel Plan to be implemented to reduce dependency on the motor vehicle. Having discussed this with officers at SCC who oversee Public Transport Operations and Travel Plans it was agreed that the requirement for a Travel Plan and contributions towards a bus service would not be sought unless in exceptional circumstances. Having considered various factors it was not considered appropriate to seek such an approach or contributions to amend a bus service. The factors that influenced this decision included i) the length of time that it will realistically take to deliver the entire Business Park and assessing at what point a service would become viable ii) the limitation on how many contributions the council can pool together for one project, iii) the experience elsewhere in the County of bus routes serving business parks and how sustainable they are in the long term after developer subsidy drops away.
58. To replace this approach the council will be requiring that facilities are installed in all new premises that allow for staff to walk and cycle to work. These practical facilities would exceed what would normally be delivered. Such facilities will include male and female changing rooms, with lockers that can accommodate wash kit, a suit or other workwear, drying rooms to dry wet clothes, and multiple shower cubicles. Officers will be expecting the amount of lockers to be provided to be greater than 40% of the staff who work on site. Additionally proposals will be required to deliver cycle

parking for 30% of staff which are covered, secure, lit and conveniently located next to main entrances. It is hoped that owing to the existing and proposed cycle/footway infrastructure which are either already in place or will be delivered by this or other developments that staff who can cycle and walk to work will do so, even if it is not every day. A "cycle and walking strategy" is being sought to agree details which subsequent applications will adhere to.

59. It is of course fully acknowledged that many people who work at the business park will not be able to walk or cycle to work and their only option will be to travel by motor car. As such car parking, and the amount of car parking, will be looked at very carefully when future details are submitted to the Council. Both Highway Engineers and Planning Officers are extremely keen to ensure that adequate parking is provided on plot so that the business park does not suffer from inadequate parking.

Other matters

60. Other consultation responses around archaeology, land contamination, surface water drainage, fire hydrants, foul surface water, ground water protection, were all supportive of the scheme subject to standard conditions.

61. It has been recommended that all plots bring forward at least 5% of their car parking spaces with electric charging points. This is considered acceptable and will help future proof the park if as such vehicles become more common place.

Conclusion:

62. The Suffolk Business Park represents the key strategic employment allocation for Bury St Edmunds and west Suffolk. To ensure that we bring forward sustainable communities it is vital that employment growth comes forward at the same time as the planned housing growth. This application represents the first of many applications and 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:

63. It is recommended that planning permission be **APPROVED** subject to the following conditions:

Conditions relating to the new internal road and two road stubs

1. Commence within 3 years
2. Accesses to be complete ahead of any other part of the development
3. Visibility splays agreed and made available prior to the access first being used
4. Full details of the estate roads, agreed before development commences

5. No business unit occupied before the new internal road is complete to at least binder course
6. The new estate road served from lady Miriam way south and ERR to have cleared sight splays being materials are delivered
7. Submit and agree a construction deliver plan with LPA
8. Submit and agree lighting column locations
9. Submit and agree a remediation strategy
10. Agree a further remediation strategy if unexpected land contamination is discovered during construction
11. No piling or other foundation designs using penetrative methods
12. Submit and agree a materials management plan
13. Submit and agree location of fire hydrants
14. Submit and agree location and details of the markings of the old airfield perimeter track
15. Submit and agree the details of the information boards relating to the old airfield perimeter track
16. Standard 2 part Archaeology condition
17. Submit and agree a surface water drainage scheme
18. Submit and agree construction surface water management plan
19. Submit and agree details of all Sustainable Urban Drainage System components and piped networks
20. Submit and agree a foul sewerage strategy
21. Submit and agree a construction management plan
22. Implement the detailed submitted landscaping scheme
23. Submit and agree an aftercare/management plan for the submitted landscaping
24. Submit and agree a phasing plan
25. Submit and agree breeding bird survey, mitigation and implementation
26. Lighting strategy for construction phase
27. Site clearance restrictions
28. Pre commencement badger survey and implementation of any recommendations
29. Ecology mitigation measures during construction
30. Biodiversity enhancement measures as identified to be implemented

Conditions relating to the submitted structural landscaping

1. Commence within 3 years
2. Submit and agree a construction deliver plan with LPA
3. Submit and agree a remediation strategy
4. Implement the detailed submitted landscaping scheme
5. Submit and agree an aftercare/management plan for the submitted landscaping
6. Submit and agree a phasing plan
7. Submit and agree a tree protection plan
8. Submit and agree a site wide landscape strategy
9. Submit and agree details of the bund and landscaping to the A14

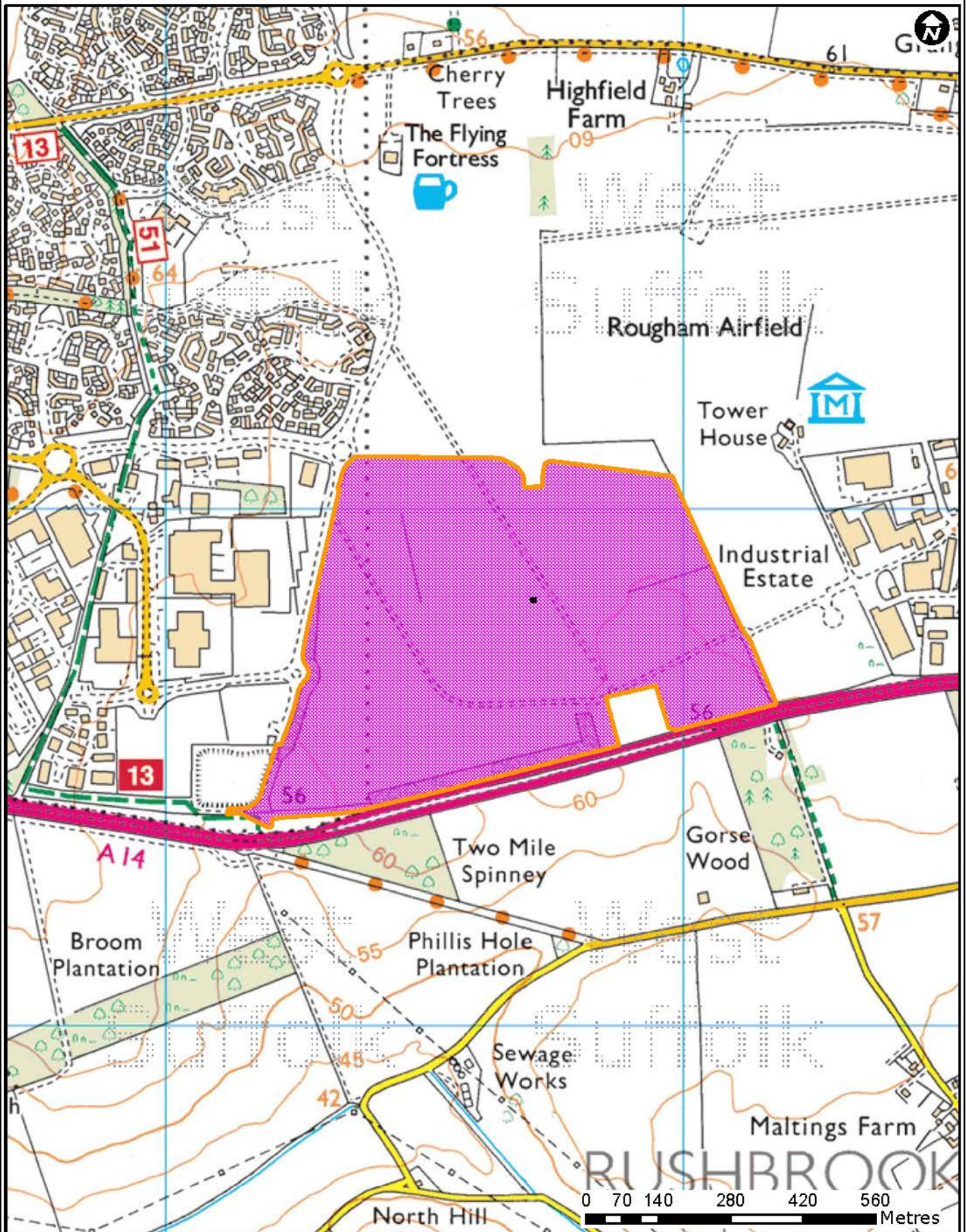
Conditions relating to individual plots

1. Standard outline time limit. – first reserved matters within 3 years – commence within 2 years for that plot – all reserved matters within 10 years
2. Submit and agree a construction deliver plan with LPA
3. Submit and approve a cycle signage strategy with the LPA Agree a further
4. Submit and approve an on plot walking and cycle strategy prior to the determination of the first reserved matters application
5. Submit and agree a remediation strategy
6. Agree a further remediation strategy if unexpected land contamination is discovered during construction
7. No infiltration of surface water at the Treatt site
8. No piling or other foundation designs using penetrative methods
9. Submit and agree a materials management plan
10. Submit and agree location of fire hydrants
11. 5% of all parking plots shall be served by electrical charging points
12. Standard 2 part Archaeology condition
13. Submit and agree a surface water drainage scheme
14. Submit and agree construction surface water management plan
15. Submit and agree details of all Sustainable Urban Drainage System components and piped networks
16. Submit and agree a foul sewerage strategy
17. Submit and agree a construction management plan
18. Submit and agree details on fixed plant and equipment
19. Submit and agree noise control measures for each plot
20. Submit and agree odour control measures for each plot
21. Submit and agree audible warning alarms used on each plot
22. Submit and agree electric hook up for lorry refrigerators to ensure that lorry engines do not need to run for each plot
23. Submit and agree lighting for each plot to protect resident amenity
24. Submit and agree a site wide landscape strategy
25. Reserved matter applications to adhere to the approved mitigation measures contained with the hereby approved ES
26. Submit and agree soft landscaping schemes
27. Submit and agree hard landscaping schemes
28. Submit and agree landscape aftercare and management plan
29. Submit and agree a tree protection plan
30. Submit and agree a phasing plan
31. Updated biodiversity study
32. Submit and agree bat friendly lighting strategy for each plot
33. Bat emergence and return to roost surveys
34. Biodiversity enhancement measures as identified to be implemented

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=OILC1MPD07L00>



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Revisions:	Drawn / Chkd:	Date:
A Cycle track to South West Boundary amended	JC	13.01.2017
B Site Boundary amended	JC	27.01.2017
C Trees to be felled following bat survey added	ARy	17.02.2017
D Landscape at southern boundary adjusted to 30m	SW	06.03.2017



- APPLICATION SITE BOUNDARY
- LANDSCAPE ZONE
- 3x TREES TO BE REMOVED FOLLOWING REQUIRED BAT SURVEY AND MITIGATION
- ⌋ AREA OF EXISTING SHRUBS TO BE REMOVED

Client: **JAYNIC** **PRC**

Project: **SUFFOLK BUSINESS PARK**
 24 Church St West, Woking, Surrey, GU21 6HT
 01483 494 350
 info@prc-group.com
 www.prc-group.com

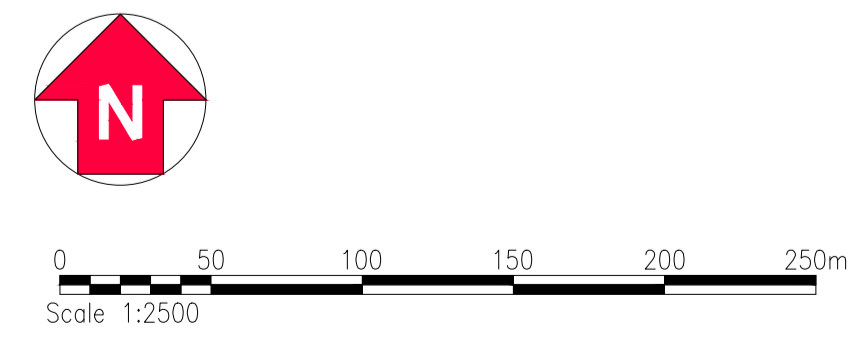
Drawing Title: **PROPOSED SITE PLAN**

Scale @ A1: **1:2500** Checked by: **SC** Date: **DEC 2016**

Job No: **10541** Stage: **PL 02** Drawing No: **D**

Issue Status:
 Construction Preliminary
 Information Approval
 Tender

Offices:
 Woking
 London
 Milton Keynes
 Warsaw



DEV/SE/17/015

St Edmundsbury
BOROUGH COUNCIL

Development Control Committee**6 April 2017****Planning Application DC/16/1050/FUL****Listed Building Consent Application****DC/16/1051/LB****6 Lower Baxter Street, Bury St Edmunds**

Date 14th June **Expiry Date:** Extension of time to
Registered: 2016. 18.04.2017 requested.

Case Officer: Penelope Mills **Recommendation:** Grant planning permission and listed building consent, subject to conditions and subject to no objections being received from the National Amenities Societies and Historic England.

Parish: Bury St Edmunds **Ward:** Abbeygate

Proposal: Planning Application - (i) Conversion of existing offices on first and second floors to 3 no. apartments (ii) Three storey extension, with link building, to comprise of 2 no. apartments
Listed Building Consent - (i) Repairs and alterations to enable conversion of first and second floors to 3 no. apartments (ii) Three storey extension, with link building, to Northern elevation to form 2no. apartments

Site: 6 Lower Baxter Street, Bury St Edmunds

Applicant: Kentford Developments Limited - Mr Boyce

Synopsis:

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

Recommendation:

Grant the applications, subject to the use of recommended conditions, and subject to no objections being received from the National Amenities Societies and Historic England.

CONTACT CASE OFFICER:

Penelope Mills

Email: penny.mills@westsuffolk.gov.uk

Telephone: 01284 75736

Background:

This application is referred to Development Control Committee due to the presence of two Member call-ins and in light of the level of public interest, which raise balanced matters that Officers believe warrant consideration by the Development Control Committee.

Bury Town Council have objected to the proposal.

A site visit will be undertaken on 30 March 2017.

Proposal:

1. The applications seek planning and listed building consent to enable the creation of three 2-bedroom and two 1-bedroom residential apartments. Two of the apartments would be contained within the existing first and second floors of 6 Lower Baxter Street and three would be within a new extension over the existing vehicle parking area to the north of the building.
2. The existing parking area will be upgraded and laid out to provide covered off street vehicle parking, together with cycle and bin storage at ground level with a communal access lobby giving access to the apartments above. The retail shops on Abbeygate Street will retain their rear pedestrian/staff emergency accesses across the car parking area.

Application Supporting Material:

3. The following documents accompany the planning application forms and comprise the planning application (including amendments/additional information received after the application was registered):

Reports and Supporting Statements

- Enviro-Screen Report
- Heritage Statement
- Planning Statement

Drawings

- Site Location Plan
- Existing floor plans, roof plan and elevations
- Proposed elevations, block plans, floor plans, street view, shadow plans and sections (amended plans received September 2016)
- Photomontage and explanatory text
- 3D Cad model elevated views
- Visibility analysis

Site Details:

4. The application site comprises an existing Grade II Listed Building within the Bury St Edmunds Conservation Area and the historic grid. The building currently has retail units at ground floor, fronting onto Abbeygate Street. The upper floors, which are accessed from Lower Baxter Street, are used as B1 offices. These applications only relate to the office spaces accessed from Lower Baxter Street, and no alterations are proposed to either of the shops on Abbeygate Street.
5. The building abuts the highway on the southern and western sides and adjoins another listed building, 28 Abbeygate Street, to the east. To the north of the building there is an area of hardstanding used as a parking and service yard and beyond this to the north are residential apartments contained within the former Council Offices. Immediately to the east of the hardstanding area is the rear garden of number 6 Angel Hill, which sits at a lower level fronting onto Angel Hill.

Relevant Planning History:

6. **SE/08/1106** Listed Building Application - Erection of security fence and gate with associated rearrangement of parking layout
Application Granted 29.08.2008
7. **SE/08/1103** Planning Application - Erection of security fence and gate with associated rearrangement of parking layout **Application Granted** 29.08.2008

8. **E/97/2237/LB** Listed Building Application - Alterations associated with change of use of second floor offices into two residential flats including construction of external bridged walkway
Application Granted 16.10.1997
9. **E/97/2233/P** Planning Application - (i) Change of use of second floor offices into two residential flats; and (ii) construction of external bridged walkway **Application Granted** 16.10.1997

Consultations:

Conservation Officer: Initial concerns resolved through submission of amended/additional plans. No Objection – subject to conditions

- Initial consultation response summary:
The proposed development would appear to involve the loss of the staircase as referred in the list description, a significant section of the decorative cornice to the rear range, and the loss of a number of sash windows which based on the information provided would cause harm to the significance of the building. The scale of the proposed development would appear to be acceptable from a conservation point of view as seen from Lower Baxter Street, subject to the continuation of the eaves line and a reduction in the attic windows, however the impact on the setting of 6 angle hill and character and appearance of the conservation area as viewed from Angel Hill and Mustow Street is not clear and further information is required to demonstrate the relationship between buildings and the impact on the character and appearance of the conservation area.
- Comments on first set of amendments:
The revised details submitted informally appear to have largely addressed all conservation issues raised with regard to the works to the existing building allowing for the retention of the staircase at ground floor level while removing the staircase to the upper levels which we are advised are modern replacements following a fire. In addition, the link has been set back from High Baxter Street to enable the existing cornice to the historic range to be exposed. The full balcony proposed to the historic rear range has been replaced with Juliet balconies and following an inspection we are advised the intention is to repair the windows rather replace them.

The photomontages are a very helpful aid in understanding the impact of the proposal on what is a very sensitive area at the heart of the historic core as seen from Angel Hill. The depiction however as seen from Angel Hill with the parking restriction in the foreground suggests the front of the building will sit some way back from the face of the orange clad building however on plan these elevations appear to be almost level. I appreciate this montage is

depicted at an angle and therefore it may be that a photomontage detailing the proposal square on would be more helpful. With regard to the design, a contemporary approach is welcomed however there are some elements which I remain to be convinced on given their context in such a historic setting. The idea of a largely fully glazed elevation is I believe the right approach taking advantage of the unusually open views in a town centre location. The removal of the former balconies which extended around the flank walls is similarly welcomed. However in an effort to address overlooking issues the deep angled fins of the revised balcony will, I fear, appear as a heavy almost industrial addition, which given its context would jar awkwardly with the elegant frontages along Angel Hill.

I appreciate the desire to create an outdoor living space particularly given the location however if the issues of overlooking are such that a simple and discrete approach is not possible then I am not convinced the balconies should remain. Similarly I am concerned the detail proposed to the verges will appear heavy but perhaps some examples of this detail would be useful for discussion at this stage.

- Comments on further amendments:

Whilst the additional information and montages are helpful I remain unconvinced with regard to the deep finned balconies which with their frosted finish and extended protrusion, detailed in an effort to address overlooking issues, would I fear only emphasise their bulk. Whilst, as previously expressed, a contemporary approach is welcomed as this often enables a light and elegant design, the sensitivity of the site in the centre of the town necessitates particular care to ensure the proposal, striking as it may be, does not detract from its historic context by appearing too assertive or, as a result of the design of the balconies, too bulky. Addressing the concerns of conservation would appear to be reasonably straight forward. Either the balcony is redesigned as a lighter almost invisible addition, which I appreciate would exacerbate any overlooking issues which may still be apparent, or the balconies are removed.

Unfortunately whilst all other areas of concern raised from a conservation point of view appear to have been addressed, the balconies, as well designed to address overlooking as they may be, would not address the concerns expressed re their bulky appearance and assertive nature.

- Comments following final amendments:

Having removed the proposed balconies the amended floor plans, elevations and visuals have addressed the only outstanding issues

from a conservation point of view. No objections, subject to sample of external materials, window and door details.

Environment Agency: No objection – recommend informative

- Advised the site is situated within Flood Zone 1 (low risk) of the Environment Agency's Flood Map.
- Advised that the site is located above a Principal Aquifer and within Source Protection Zone (SPZ) and that the developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination.

Public Health and Housing: No objection – recommend conditions

- Recommend conditions regarding hours of construction, waste material, security/flood lighting, acoustic insulation.
- Advised on room size requirements and safe means of escape, as set out in the 1985 and 2004 Housing Act respectively.

Environment Team: No objection – recommend informative

- An application of comprising of this many dwellings would normally require a full phase one desk study assessment, however, this Service is willing to accept the lower level of assessment as submitted as the proposed development is largely a conversion of an existing structure and the proposed development comprises no soft landscaping or garden areas of any kind.
- The completed questionnaire indicates some minor oil & fluid leaks from vehicles that have parked in the existing parking area. Groundworks will occur in this area and therefore there may be a low risk to construction workers and the general public during the development process. Given the level of risk is likely to be low and restricted to a limited time period, we do not require a condition in this instance, but would draw the applicants attention to the below informative.

Suffolk County Highways: Initial concerns resolved through submission of amended/additional plans. No objection – recommend conditions

- Initially queried how the proposed car park layout would function when adjacent spaces are occupied, due to the limited room for vehicles to manoeuvre between the rows of spaces.
- Requested vehicle swept path / tracking plans showing how the car park would function with the proposed layout or reconfigure the layout to give greater manoeuvring space. It is noted from the site visit that the car park is currently configured differently although unclear from the adjacent highway whether it can accommodate 5 vehicles as required.

- Further to receiving additional plans and information regarding the proposed parking provision, recommended conditions regarding refuse/recycling bins, parking and manoeuvring and cycle storage
- Due to the highly sustainable location of the proposal, a reduced (from Suffolk Guidance for Parking 2015 levels) parking provision of 1 space per dwelling plus adequate cycle parking is acceptable.

Archaeology: No objection – recommend conditions

- This proposed development site is of high archaeological potential, within the historic core of Bury St Edmunds as outlined in the County Historic Environment Record (BSE 072), and within the Area of Archaeological Importance adopted in the Local Plan. The Lower Baxter Street/Angel Hill Corner forms part of the medieval town grid, and Lower Baxter Street is likely to have had Late Saxon origins. There is particular potential for complex archaeology on the site, relating to the development of the town from its earliest days. The proposed works would cause ground disturbance with the potential to damage any archaeological deposits that exist.
- There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets of national importance. However, in accordance with the National Planning Policy Framework (Paragraph 141), any permission granted should be the subject of planning conditions to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

Representations:

Bury Town Council: Objection.

Objections raised on the following grounds:

- i) Design, visual appearance and material;
- ii) Layout and density;
- iii) Loss of daylight/sunlight;
- iv) Overlooking/overshadowing;
- v) Loss of visual amenity; and,
- vi) Effect on conservation area.

Bury Society: Made the following comments:

- Response 23rd July 2016
The Society is generally supportive of plans to introduce new homes into the town centre. However, we are concerned about the overall height of the proposed extension, especially when viewed from the Angel Hill. We therefore suggest that the applicant be asked to provide a street view from this location. We also ask that the new external materials be required to match the existing - particularly in respect of joinery detailing. We query whether the parking arrangement actually works and also the servicing arrangements for the Cancer Research shop.

- Response 21st November 2016
The Bury Society remains concerned that the large glazed gable end on the east elevation will be visually intrusive when viewed from the Angel Hill (especially at night when the interior is illuminated). We suggest that the impact might be reduced by substituting a hipped gable end (as existing) and conventional window openings (also as existing).

Public representations: Nearby addresses notified and site notice posted. Representation received from nine interested parties. The issues raised are summarised below (full representations are available to view online):

Residential Amenity

- Overshadowing of south-facing windows of apartment 5 Suffolk House and associated loss of light – shadow plans submitted are misleading as the windows are shown as ‘washed out white’ on the drawings
- Impact on outlook from and light to windows on Flat 2 Suffolk House
- Overlooking to 6 Angel Hill – assurances sought that alterations to glazing would be implemented and effectively monitored in perpetuity. Previous comments objected to overlooking and loss of privacy to garden and rear facing windows.
- Impact on light to 6 Angel Hill and right to light issues.
- Impact of noise and smell on residents of Suffolk House from waste management facility on northern side of parking area.

Highways

- Impact on safe flow of vehicles in Lower Baxter Street where it narrows and becomes one-way further affected by on-street parking of visitors and delivery vehicles.
- Parking arrangements on drawing number 692 040 is misleading as it fails to demonstrate the impact of turning and manoeuvrability of vehicles on Lower Baxter Street itself.
- How will pedestrians and users of Lower Baxter Street be affected
- No motor cycle parking provision
- Flat 6 supportive of the conversion of the above if, and only if, the apartments of Suffolk House who did not have parking allocated to them are allocated a parking permit for the immediate area.

Character and Appearance

- Concern over impact on listed building and conservation area
- Lack of detail in terms of specific type and quality of materials – suggest these should be qualified prior to making a recommendation

Policy:

10. The following policies of the Joint Development Management Policies Document (2015), the Bury St Edmunds Vision 2031 (2014) and the St Edmundsbury Core Strategy (2010) are relevant to the consideration of this application:

Joint Development Management Policies Document (2015):

- Policy DM1 – Presumption in Favour of Sustainable Development.
- Policy DM2 – Creating Places – Development Principles and Local Distinctiveness.
- Policy DM6 – Flooding and Sustainable Drainage.
- Policy DM7 – Sustainable Design and Construction.
- Policy DM15 – Listed Buildings.
- Policy DM17 – Conservation Areas.
- Policy DM20 – Archaeology.
- Policy DM22 – Residential Design.
- Policy DM365 – Proposals for Main Town Centre Uses
- Policy DM45 – Travel Assessments and Travel Plans.
- Policy DM46 – Parking Standards.

Bury St Edmunds Vision 2031 (2014)

- Policy BV1 – Presumption in Favour of Sustainable Development.
- Policy BV2 – Housing Development within Bury St Edmunds.
- Policy BV25 – Conserving the Setting and Views from the Historic

St Edmundsbury Core Strategy December (2010).

- Policy CS1 (Spatial Strategy)
- Policy CS2 (Sustainable Development)
- Policy CS3 (Design and Local Distinctiveness)
- Policy CS4 (Settlement Hierarchy and Identity)

Other Planning Policy:

11. The following adopted Supplementary Planning Documents are relevant to this planning application:

Officer Comment:

12. The subsequent section of the report discusses whether the development proposed in this application can be considered acceptable in principle, in the light of extant national and local planning policies. It then goes on to consider other relevant material planning considerations, (including site specific considerations) before reaching conclusions on the acceptability of the proposals.

Principle of Development

13. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications must be determined in accordance with the plan unless material considerations indicate otherwise. Within this plan-led system, at the heart of the National Planning Policy Framework (NPPF), there is a presumption in favour of sustainable development. Whilst this does not change the statutory status of the development plan as the starting point for decision making, it is an important material consideration that carries significant weight in the planning balance.

14. The application site falls within the Bury St Edmunds town settlement boundary, where policy BV2 of the Bury St Edmunds Vision 2031, states that, planning permission for new residential development and residential conversion schemes should be granted, where it is not contrary to other planning policies.
15. The site also falls within the Town's designated Primary Shopping Area, where in accordance with policy DM35 of the Joint Development Management Policies Document 2015, a residential use is considered to be acceptable on upper floors.
16. In light of the above, the creation of additional residential dwellings in this location is considered to be acceptable in principle. However, the acceptability or otherwise of a particular proposal would be dependant on the detail of the scheme when assessed against key development plan policies, taking into account other relevant material considerations.
17. In this case, the main considerations are: heritage impacts and visual amenity; impacts on residential amenity; and, highways impacts.

Heritage Impacts and Visual Amenity

18. The Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving the building or its setting when considering applications (Section 66.1). Section 72(1) of the same act also requires that, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
19. The NPPF also highlights the protection and enhancement of the historic environment as an important element of sustainable development and the conservation of heritage assets is identified as a core principle of the planning system (paragraph 17).
20. In terms of the impacts on the listed building and its setting, amendments to the original proposal have addressed the points initially raised by the Conservation Officer with regards to the works to the existing building. The link has been set back to enable the existing cornice to the historic range to be exposed and the historic parts of the existing staircase are to be retained. The full balcony initially proposed to the historic rear range has been replaced with Juliet balconies and the intention is to repair the existing windows rather replace them.
21. Due to the position of the site of the extension, and the tight surrounding urban form with a relatively narrow highway, the construction of the extension would not have a significant impact on the setting of the listed building itself. However, due to a combination of the topography of the area and a gap in the built frontage of those

buildings facing directly onto Angel Hill, the extension would be visible from the Angel Hill area and has the potential to impact on the setting of the listed buildings in that area.

22. The impact that the proposed development would have on this sensitive area at the heart of the historic core, is a concern that has been expressed in public representations and in the responses of the Town Council and the Bury Society. In order to assist in the assessment of this potential impact, the applicant has provided photomontages, along with an explanation of the methodology through which they were produced.
23. The current gap affords views from Angel Hill of existing, modern buildings on the opposite side of Lower Baxter Street. These do not make any special contribution to streetscene and the impact they currently have on the conservation area and views from Angel Hill is a neutral one.
24. The Conservation Officer has confirmed that a contemporary approach would be welcomed on this site. The Conservation Officer has also stated that in their view the idea of a largely fully glazed elevation looking towards Angel Hill is the right approach, however, it is acknowledged that the Bury Society, and Town Council remain concerned that this would be visually intrusive. The Conservation Officer agreed that the various iterations of the balconies, which have now been removed from the proposals, were not appropriate in this historic setting. However, having now removed the proposed balconies, the Conservation Officer has confirmed that, subject to appropriate conditions, the development is acceptable in Conservation terms.
25. In terms of the more general impacts on visual amenity, the impacts are similarly considered to be acceptable both when viewed from Lower Baxter Street and from Angel Hill to the east.
26. In terms of potential impacts on below ground heritage assets, due to the location in the historic core, the site is considered to be of high archaeological potential. In this respect, the County Council Archaeology Department have advised that there are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets of national importance. However, in accordance with the National Planning Policy Framework (Paragraph 141), any permission granted should be the subject of planning conditions to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.
27. In light of the above it is considered that the proposed development would be in accordance with the requirements of policies DM15, DM17 and DM20 of the Joint Development Management Policies Document 2015 in respect of the heritage impacts. It would also meet the key planning principles set out in the NPPF to conserve heritage assets in a manner appropriate to their significance, so that they can be

enjoyed for their contribution to the quality of life of this and future generations (paragraph 17).

Residential Amenity

28. Policy DM2 of the Joint Development Management Policies Document 2015 requires all proposals for development to take mitigation measures into account so as to not adversely affect the amenities of adjacent areas by reason of noise, smell, vibration, overlooking, overshadowing, loss of light, other pollution (including light pollution), or volume and type of traffic activity generated.
29. There are a number of residential properties around the site in relatively close proximity, which have the potential to be affected by the proposed development. Those most likely to be affected are the neighbouring apartments in Suffolk House and number 6 Angel Hill.
30. Currently, the flats within Suffolk House facing the site benefit from an unusually open aspect for this town centre location, where buildings tend to be more closely knit. The extension would cover the extent of the existing parking area, resulting in an elevation approximately 5.5 metres away from the southern elevation of Suffolk House. This clearly has the potential impact both on the outlook of those properties and the light entering the windows on that elevation.
31. To assist in the assessment of the level of impact the development would have on these neighbours, the applicant has provided a series of shadow plans. The veracity of these plans has been questioned in public representations, although the agent has advised that these have been produced using standard methodology. Notwithstanding the concerns expressed over the plans, it is clear that whilst the current boundary has some overshadowing impact, the proposed development would, as expected, result in an increase the amount of shadowing experienced by these neighbours, particularly in the winter months and the mornings.
32. In addition to the increase in overshadowing, and associated reduction in light, there would be a change in outlook for neighbouring properties in Suffolk House. Given the town centre context of the site, these impacts are not considered to be severe. However, there would be a degree of adverse effect on the amenity of these properties contrary to policy DM2, and this must attract some weight against the proposal in the planning balance.
33. Number 6 Angel Hill is positioned to the east of the proposed extension at a lower level to the application site, with its rear garden adjacent to the common boundary. This relationship makes it particularly susceptible to overlooking, and the perception of such, from the proposed development. There are a number of other buildings in the immediate vicinity that could be said to look on to this neighbour, however, the specific, direct and intimate, relationship

between the application site and the primary outdoor amenity space for number 6 is such that the provision of balconies or large fully transparent windows would result in unacceptably adverse amenity impacts.

34. Initial attempts to overcome this issue raised other concerns over the visual impact of the development and the affect it would have on the character of the conservation area and views from Angel Hill. However, the currently proposed combination of opaque glazing, high level opening windows and a 'box window' directing views away from the neighbour, has managed to balance the requirements of a visually and historically sensitive site, whilst addressing the need to reduce the overlooking introduced by the development.
35. Due to the degree of separation and the fact that the application site is located to the north of this neighbour, it is considered in the context of this town centre location that the development would not have an unacceptable overbearing impact on number 6 Angel Hill.
36. Some concerns have been raised over the potential adverse effects associated with a waste management facility at the ground floor close to Suffolk House. This bin storage area, which would be separated from Suffolk House by a hard boundary treatment, simply provides a storage area for bins to prevent them from being located on the public highway and it is considered that it would not raise any adverse effects on neighbouring amenity. Similarly, given the scale of the development and the enclosed nature of the parking it is considered that there would be no unacceptable adverse effects on amenity for traffic noise associated with the development.
37. On balance, it is considered that the development has successfully mitigated the adverse effects on the amenity of number 6 Angel Hill through inventive changes to the elevational treatment to minimise overlooking and the perception of overlooking to nearby property. However, the relationship with Suffolk House remains unchanged and as such the potential for a degree of overshadowing of and change in outlook from the windows facing the application site has not been avoided. This adverse effect on amenity should attract some weight against the proposal in the planning balance, but this weight must inevitably be limited by the town centre location of the site.

Highways Impacts

38. Policy DM22 of the Joint Development Management Policies Document states that all residential development proposals should, where appropriate, apply innovative highways and parking measures designed to avoid the visual dominance of these elements in the design and layout of new development, whilst still meeting highway safety standards.
39. Policy DM45 sets out the approach with regards to parking standards, stating that in town centres and other locations with good

accessibility to facilities and services and/or well served by public transport, a reduced level of car parking may be sought in all new development proposals.

40. The proposed extension to 6 Lower Baxter Street would project over the existing hardstanding area, allowing for 1 off-street parking space for each flat at ground floor level. This is just below the standard normally required by the 2015 Suffolk Parking Guidelines, which seeks 1 space per dwelling for 1 bedroom units and 1.5 spaces per dwelling for 2 bedroom units, with one being allocated and another being shared between two dwellings. According to these standards, the number of spaces that would normally be required for the proposed mix of dwellings would be 6.5 spaces.
41. In this case, the Local Highways Authority has confirmed that a reduced quantum of parking is acceptable due to the highly sustainable nature of the location. This approach would be in line with Local Plan Policies relating to the provision of parking in sustainable locations and the aim to reduce over-reliance on the car. Cycle parking provision for each of the flats would also be secured by way of condition.
42. The Highways Officer initially queried how the proposed parking area would function and requested vehicle swept path / tracking plans. Following the receipt of these plans the Highways Officer has recommended the approval subject to the use of conditions. The recommended conditions refer to the ground floor plan (no.692 021 B) but in the interests of clarity the parking layout tracking plans (no. 692 040) could also be referenced.
43. Concerns have been raised by public representations and the Town Council regarding highways issues, particularly the layout of the proposed parking and the impact the development would have on the free flow of movement along Lower Baxter Street.
44. Whilst the parking layout plans do not specifically show the width of Lower Baxter Street, this information is available to the Highways Authority when making their assessment of the application and they have considered that the proposal would be acceptable in highway safety terms.
45. The movement of vehicles in and out of the parking area may have a modest impact on the movement of traffic along Lower Baxter Street. However, given the existing character of this part of the highway the likely impact would be minimal. It should also be noted that the national Planning Policy Framework makes it clear at paragraph 32 that "*development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe*".
46. On balance it is considered that the development would not lead to unacceptable impacts on highway safety on adjacent highways and

the quantum of off-street parking provided is considered to be acceptable given the town centre location. As such, the development is considered to be in accordance with policies DM2, DM22 and DM45 of the Joint Development Management Policies Document 2015 in terms of the highways impacts.

Contamination

47. The Environment Officer has confirmed that whilst an application for this many dwellings would normally require a full phase one desk study assessment, they are willing to accept the lower level of assessment as submitted as the proposed development is largely a conversion of an existing structure and the proposed development comprises no soft landscaping or garden areas of any kind.

Other Matters

48. There are a number of other benefits associated with the development that must be considered in the planning balance. The development would increase housing supply and choice, but with only five apartments proposed, this is only a limited social benefit which would nonetheless attract a modest amount of weight in the planning balance.
49. The scheme would facilitate some economic benefits to the construction industry, including jobs, but these would be for a limited time. There would also be some benefits to the local economy from the circulation of funds from future occupants but this is also unlikely to be significant given the modest scale of the development.
50. The Council is currently consulting on the issues and options stage of a Town Centre Masterplan for Bury St Edmunds. This document will provide the context for the future growth, development, operation and management of the town centre as an asset. This application would fall within the area that would be covered by the masterplan. However, given the nature of the proposal and the early stage at which the masterplan is currently at, it is considered that the determination of this application would not in any way prejudice the masterplan process.
51. Due to a modest removal of some of the built fabric of the listed building to facilitate the extension and conversion, the proposal could technically be considered to involve an element of demolition. As such, Historic England and the relevant National Amenity Societies should be consulted. It has been noted that this consultation did not take place when the application was received and these parties have now therefore been consulted. As this consultation period will not have expired by the time this application is considered by Members, the recommendation is that if Members are minded to approve the applications that this should be subject to the completion of the

consultation period and confirmation that there have been no objections from these consultation bodies.

Conclusions and Planning Balance

52. The development proposal has been considered against Development Plan Policies and the objectives of the National Planning Policy Framework and the government's agenda for growth. The application has also been assessed having regard to the special Statutory duty placed on local planning authorities in respect of listed buildings and conservation areas.
53. The site is in principle an acceptable one for new residential development subject to conformity with other relevant Development Plan policies. In this regard, those policies in relation to listed buildings and conservation areas as well as those that seek to protect residential amenity and ensure highway safety are central to the consideration of the application.
54. The Town Council and Bury Society remain concerned over the impact the proposed development would have on views from Angel Hill. However, the Conservation Officer believes the design to be an acceptable one whilst providing a contrast through contemporary design, and one which would not adversely affect the character of the conservation area or key views within, into or through it.
55. Changes to the detail of the design have significantly reduced the level of overlooking to the immediate neighbour at 6 Angel Hill such that the level of actual and perceived overlooking that would now occur is considered to be acceptable in this town centre location and in accordance with the requirements of Development Plan Policy.
56. There will be an inevitable change in outlook for neighbouring properties most notably, 6 Angel Hill and those flats within Suffolk House that face onto the application site. There would also be some impact in terms of the light to those windows on the north elevation of Suffolk House, and flat number five at the ground floor would be likely to experience the most change. This adverse impact on neighbouring amenity from the change in outlook and associated reduction in light would attract some weight against the development in the planning balance. However, given the town centre location and the fact that the rooms most affected (those in apartment 5) are bedrooms as opposed to living rooms, it is considered that the level of weight to be attributed would be modest in this case, and not at a level that would justify a refusal.
57. There are some benefits associated with the proposal, which would carry weight in favour of the development, most notably through the creation of additional dwellings in a sustainable town centre location and the economic benefits associated with construction phase. However, given the small scale of the development, this would attract

only modest weight in favour of the development in the planning balance.

58. It is considered by Officers that the development would raise no adverse effects in terms of highway safety, visual amenity, heritage impacts, and contamination that could not be adequately addressed through the use of conditions.
59. On balance, it is considered that adverse effect on neighbouring amenity identified in this case, when weighed against the benefits of the scheme, the broad compliance with Development Plan policies and the presumption in favour of sustainable development would not warrant the rejection of the proposals. As such, the applications are recommended for approval.

RECOMMENDATION

60. That planning permission and listed building consent be **GRANTED** subject to no objections being received from the National Amenities Societies and Historic England and subject to conditions to secure the following:
 1. The development hereby permitted shall be begun not later than 3 years from the date of this permission.
Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 and in accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
 2. 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.
 3. The site demolition, preparation and construction works shall be carried out between the hours of 08:00 to 18:00 Mondays to Fridays and between the hours of 08:00 to 13:30 Saturdays and at no time on Sundays or Bank Holidays without the prior written consent of the Local Planning Authority.
Reason: To protect the amenity of the area.
 4. No security lights or floodlights shall be erected on site without the submission of details to, and written approval from, the Local Planning Authority to ensure a lighting environment of low district brightness at residential properties.
Reason: To protect the amenity of the area.

5. The acoustic insulation of the dwellings shall be such to ensure noise levels, with windows closed, do not exceed LAeq(8hrs) of 30dB(A) within bedrooms between the hours of 23:00 to 07:00.
6. All new external and internal works and finishes and works of making good to the retained fabric shall match the existing historic work adjacent in respect of materials, methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.
Reason: To protect the special character and architectural interest and integrity of the building in accordance with the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
7. The works hereby permitted shall be carried out in accordance with the approved plans and specifications and in such a manner as to retain existing features of architectural or historic interest within the building including those that may be exposed during implementation of the approved works.
Reason: To maintain the character of the building and to protect the special character and architectural interest and integrity of the building in accordance with the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
8. No mechanical and electrical extract fans, ventilation grilles, security lights, alarms, cameras, and external plumbing, including soil and vent pipe shall be provided on the exterior of the building until details of their location, size, colour and finish have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the special character and architectural interest and integrity of the building in accordance with the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
9. Before any work is commenced details in respect of the following shall be submitted to and approved in writing by the Local Planning Authority:
 - Details drawings of the Juliet balconies at a scale of not less than 1: 10;
 - Samples of external materials and surface finishes
 - Schedule of works/repairs and specificationsThe works shall be carried out in full accordance with the approved details unless otherwise subsequently approved in writing by the Local Planning Authority.
Reason: To protect the special character and architectural interest and integrity of the building in accordance with the

requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

10. A minimum of five working days notice shall be given to the Local Planning Authority of the commencement of works to form the new openings between the existing and new building. Opportunity shall be allowed for on-site observations and recording by a representative of the Local Planning Authority or a person nominated by the Authority during any period of work relating to this element of the works and no part of any feature of the building revealed by the works shall be removed unless first approved in writing by the Local Planning Authority.
Reason: To protect the special character and architectural interest and integrity of the building in accordance with the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
11. Before any work is commenced:
(i) sample panel(s) of all new facing brickwork shall be constructed on site showing the proposed brick types, colours and textures; face bond; and pointing mortar mix and finish profile and shall be made available for inspection by the Local Planning Authority; (ii) the materials and methods demonstrated in the sample panel(s) shall be approved in writing by the Local Planning Authority.
The approved sample panel(s) shall be retained on site until the work is completed and all brickwork shall be constructed in all respects in accordance with the approved details.
Reason: To protect the special character and architectural interest and integrity of the building in accordance with the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
12. Before any work is commenced elevation(s) to a scale of not less than 1:10 and horizontal and vertical cross-section drawings to a scale of 1:2 fully detailing the new windows to be used (including details of glazing bars, sills, heads and methods of opening and glazing) shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority all glazing shall be face puttied. The works shall be carried out in complete accordance with the approved details.
Reason: To protect the special character and architectural interest and integrity of the building in accordance with the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
13. No development shall commence until samples of the facing and roofing materials to be used have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the development is satisfactory and safeguard the character and appearance and setting of the listed building and conservation area.

14. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number 692 021 B shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.

15. The use shall not commence until the parking and turning proposed within the site, shown on drawing numbers 692 021 B and clarified by 692 040 has been provided. Thereafter these area(s) shall be retained and used for no other purposes in perpetuity

Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

16. Before the development is occupied details of the secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure the provision and long term maintenance of adequate on-site space for secure cycle storage to encourage sustainable travel.

17. Prior to the installation of any glazing on the site, a sample of the frosted/opaque glazing to be used in the east elevation and the side panels of the angled feature window shall be submitted to the local planning authority and agreed in writing. The elevation shall be completed using the agreed materials and thereafter retained as so installed.

Reason: To prevent overlooking in the interests of neighbouring residential amenity.

18. The glazing on the east elevation shall be completed in strict accordance with the details shown in the approved plan. Those areas shown to be obscurely glazed shall be non-opening and remain as such in perpetuity

Reason: To prevent overlooking in the interests of neighbouring residential amenity.

19. No individual dwelling hereby approved shall be occupied until the optional requirement for water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with for that dwelling.

Reason: In the interests of sustainability in accordance with policy DM7 of the Joint Development Management Policies Document 2015

20. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording The Archaeological Service
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason: It is necessary for this to be pre-commencement to safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy CS2 of St Edmundsbury Core Strategy 2010 and the National Planning Policy Framework (2012)

21. No buildings shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 21 and the provision made for analysis, publication and dissemination of results and archive deposition.

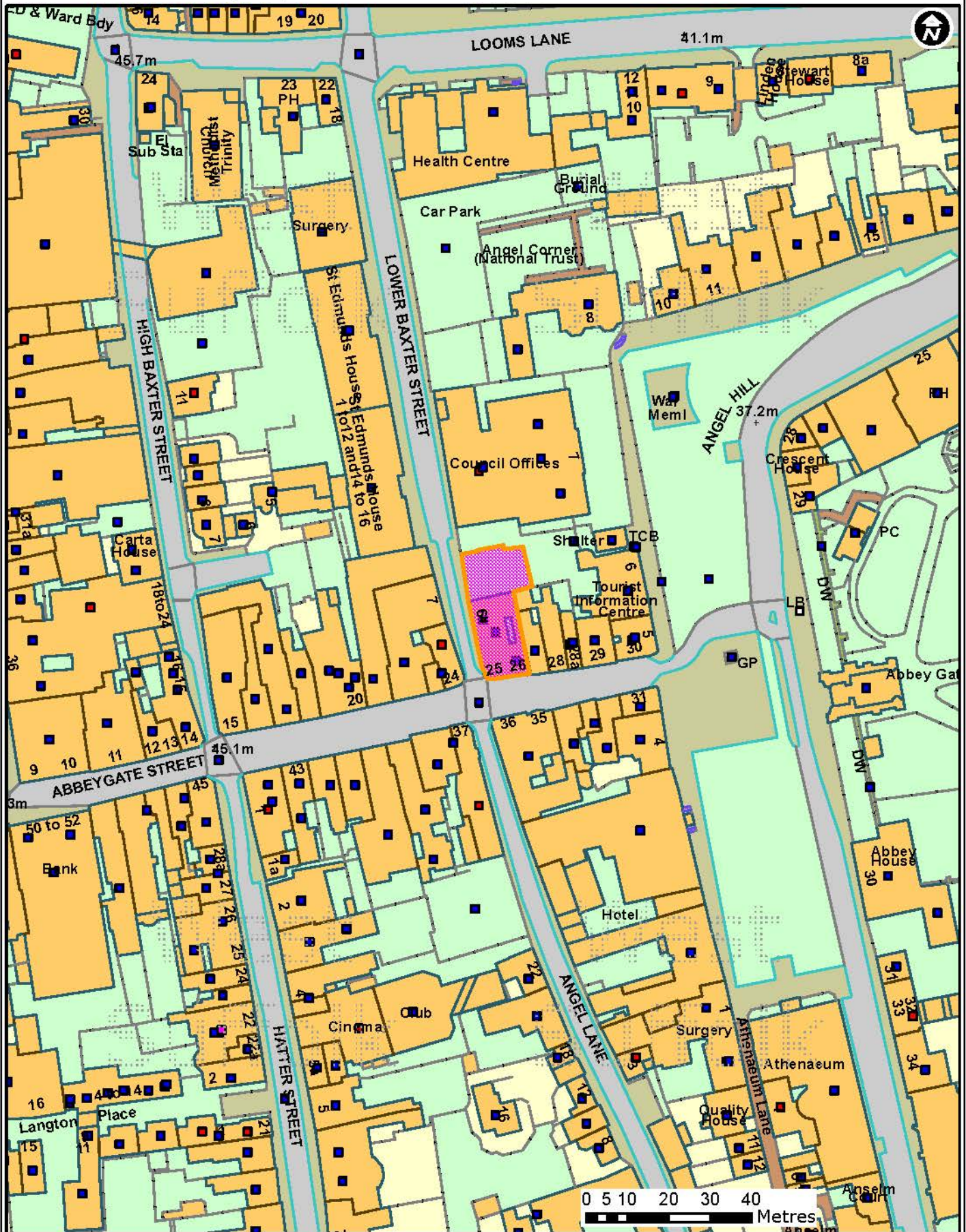
Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy CS2 of St Edmundsbury Core Strategy 2010 and the National Planning Policy Framework (2012)

Documents:

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

DC/16/1050/FUL and DC/16/1051/LB

6 Lower Baxter Street, Bury St Edmunds



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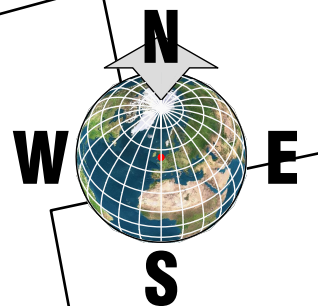
Old Council Offices

LOWER BAXTER STREET

ANGEL HILL

APPLICATION SITE (shaded)

ABBEYGATE STREET



6 Lower Baxter Street, Bury St Edmunds, Suffolk IP33 1ET Conversion of offices to residential for Kentford Developments Ltd

692 041

1:200
February 2017



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DEV/SE/17/016

St Edmundsbury
BOROUGH COUNCIL

Development Control Committee

6 April 2017

Planning Application DC/17/0166/TPO

Apartment 10, Regency Place, Maynewater Lane,

Bury St Edmunds

Date	27.01.2017	Expiry Date:	24.03.2017
Registered:		Extension of time:	07.04.2017
Case Officer:	Matthew Gee	Recommendation:	Grant
Parish:	Bury St Edmunds	Ward:	Abbeygate
Proposal:	TPO 235 (1973) - Tree Preservation Order - (i) Lime - T51 - Reduce by 7 metres (ii) Copper Beech - T52 - 1-2 metre lateral reduction all round		
Site:	Apartment 10, Regency Place, Maynewater Lane, Bury St Edmunds		
Applicant:	Mr Andrew Hobbs		

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:

Matthew Gee

Email: Matthew.Gee@westsuffolk.gov.uk

Telephone: 01638 719792

Background:

This application is referred to the Development Control Committee because it has been submitted on behalf of the applicant by an agent who is an employee of the Council.

Proposal:

1. Permission is sought for
 - i. Lime - T51 - Reduce by 7 metres
 - ii. Copper Beech - T52 - 1-2 metre lateral reduction all round

Site Details:

2. The site is located off Maynewater Lane, and comprises of an apartment block with parking to the west and south.
3. The two trees that are under consideration are located along the northern boundary and along the southern edge of the Mayne Water.

Planning History:

4. SE/06/2827 - TPO235(1973)28 - Tree Preservation Order Application Copper Beech (T52 on Order) - Crown reduce two extended lateral limbs over site by 20% and thin remaining two limbs by 15%. - Approved

Consultations:

5. Tree Officer: No objection
 - i. The large Beech tree has a wide, domed canopy which is now starting to encroach on nearby buildings. An all-round reduction of up to 1-2 meters would be suitable and would also have a very minimal impact on the tree.
 - ii. The Lime tree has a considerable amount of dead wood in the upper part of the crown which could indicate the beginnings of dieback. The tree appears to have once had a very good shape but this can no longer be retained due to the amount of dead wood. A heavy reduction of up to 7m would be suitable and this will also allow the tree to regenerate a healthier crown for the future.

Representations:

6. Town Council: No objection based on information received
7. Letter of objection – 41 Tannery Drive: Objection on the grounds that the works will result in privacy issues for both sets of dwellings, and that the trees provide an integral focus for the wildlife of the area.

Officer Comment:

8. The tree officer has raised no objections to the proposed works. As such it is considered that the works are in accordance with good arboricultural standards and will not adversely impact the health or longevity of both the Lime and Copper Beech.
9. A letter of objection has been received with regards to possible impact on the privacy of neighbouring residents and the impact on surrounding wildlife. Issues of privacy and impact on wildlife are not able to be taken into consideration as part of TPO applications. However, wildlife is protected under the 'Wildlife and Countryside Act 1981', which is advised to all applicants.

Conclusion:

10. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with national policy.

Recommendation:

11. It is recommended that planning permission be **APPROVED** subject to the following conditions:
 1. Works to be carried out to the latest arboricultural standards
 2. Works to be completed within 2 years

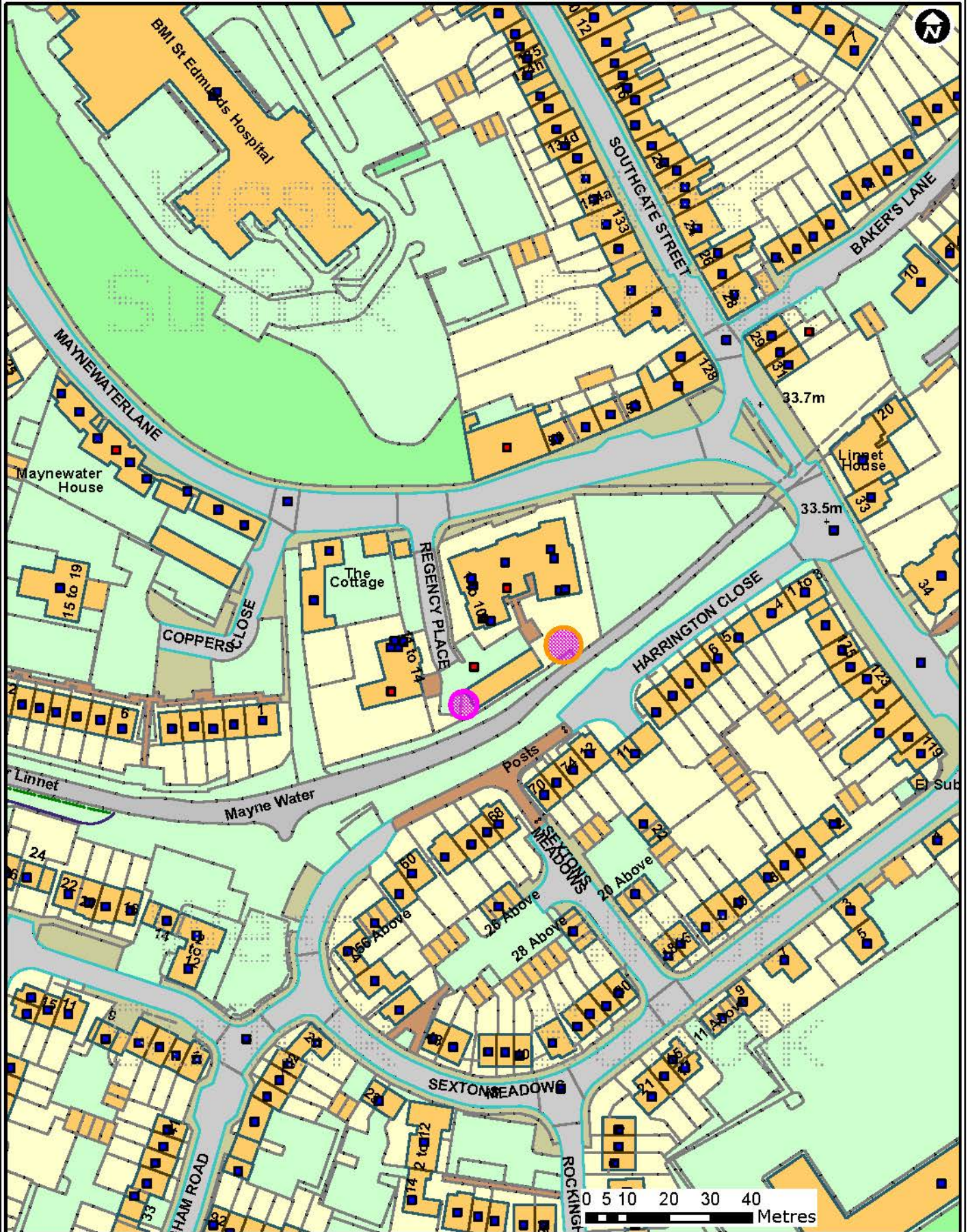
Documents:

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

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DC/17/0166/TPO

Apartment 10 Regency Place, Maynewater Lane, Bury St Edmunds



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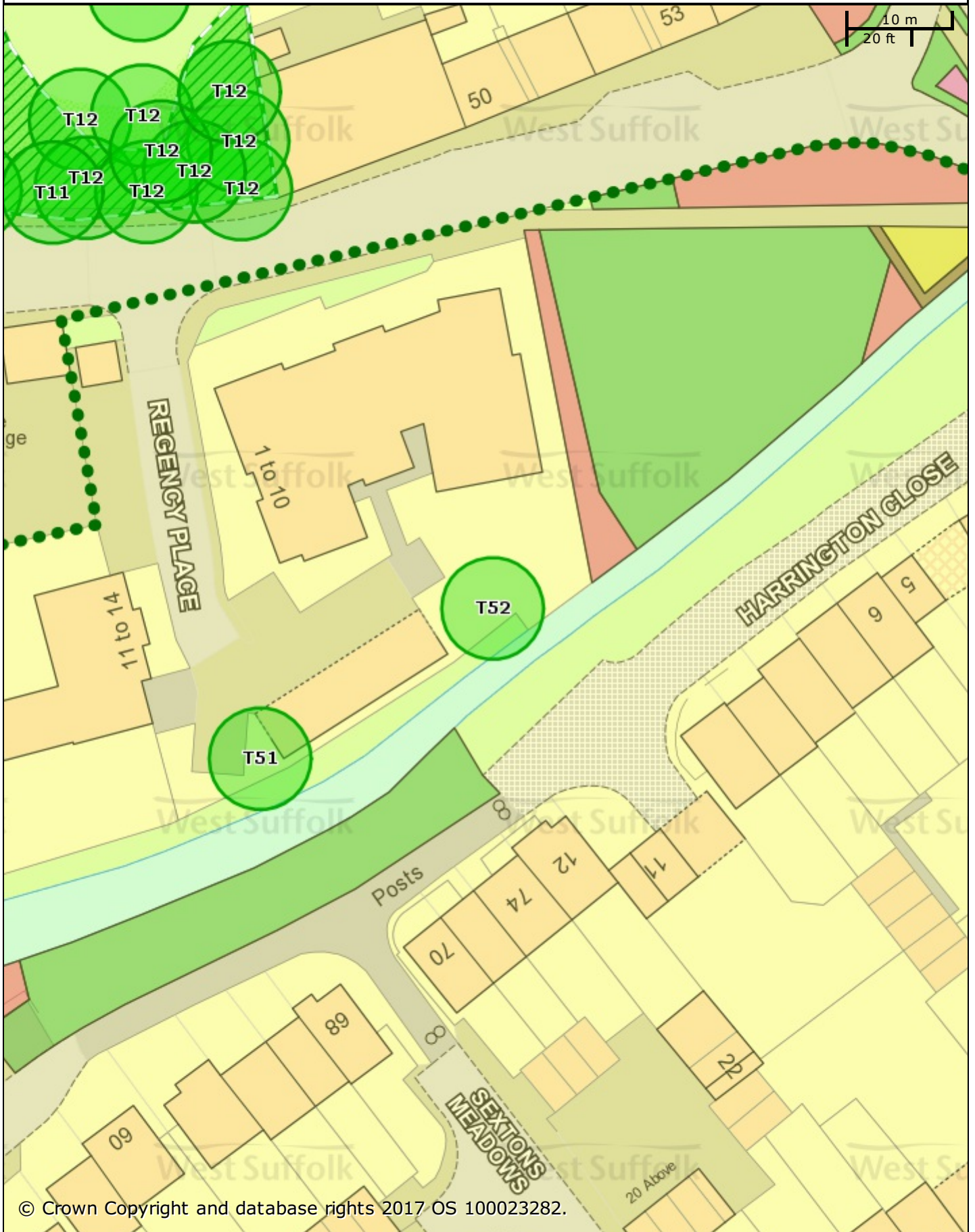
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St Edmundsbury
BOROUGH COUNCIL

Development Control Committee

6 April 2017

Planning Application DC/17/0302/TPO

7 Spring Lane, Bury St Edmunds, Suffolk, IP33 3AU

Date	10.02.2017	Expiry Date:	07.04.2017
Registered:			
Case Officer:	Jonny Rankin	Recommendation:	Grant
Parish:	Bury St Edmunds	Ward:	Risbygate
Proposal:	TPO 452 (2007) - Tree Preservation Order - T2 - Lime - (i) Raise crown to give a 7 metre clearance from ground level to the first branch (ii) Reduce 1no. limb back from the road by 2 metres		
Site:	7 Spring Lane, Bury St Edmunds		
Applicant:	Mr Andrew Hobbs		

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:

Jonny Rankin

Email: jonny.rankin@westsuffolk.gov.uk

Telephone: 01284 757621

Background:

This application is referred to Development Control Committee in the interests of transparency as the applicant is a contracted member of staff employed by the determining authority.

Proposal:

1. Consent is sought for works to T2 - Lime - TPO 452 (2007) as follows:
 - (i) Raise crown to give a 7 metre clearance from ground level to the first branch; and
 - (ii) Reduce 1no. limb back from the road by 2 metres.

Application Supporting Material:

2. Information submitted with the application as follows:
 - Application form; and
 - Location Plan.

Site Details:

3. The application site is within the curtilage of no.07 Spring Lane and fronting Spring Lane, located within the Settlement Boundary and also Tree Preservation Order TPO 452 (2007).

Planning History:

4. None relevant.

Consultations:

5. Arboricultural Officer: no objection Proposal is in line with good Arboricultural practice.

Representations:

6. Town Council: no objection based on information received.

Officer Comment:

7. Approve as per Arboricultural Officer comments.

Conclusion:

8. In conclusion, the proposed works are considered acceptable and in line with good Arboricultural practice.

Recommendation:

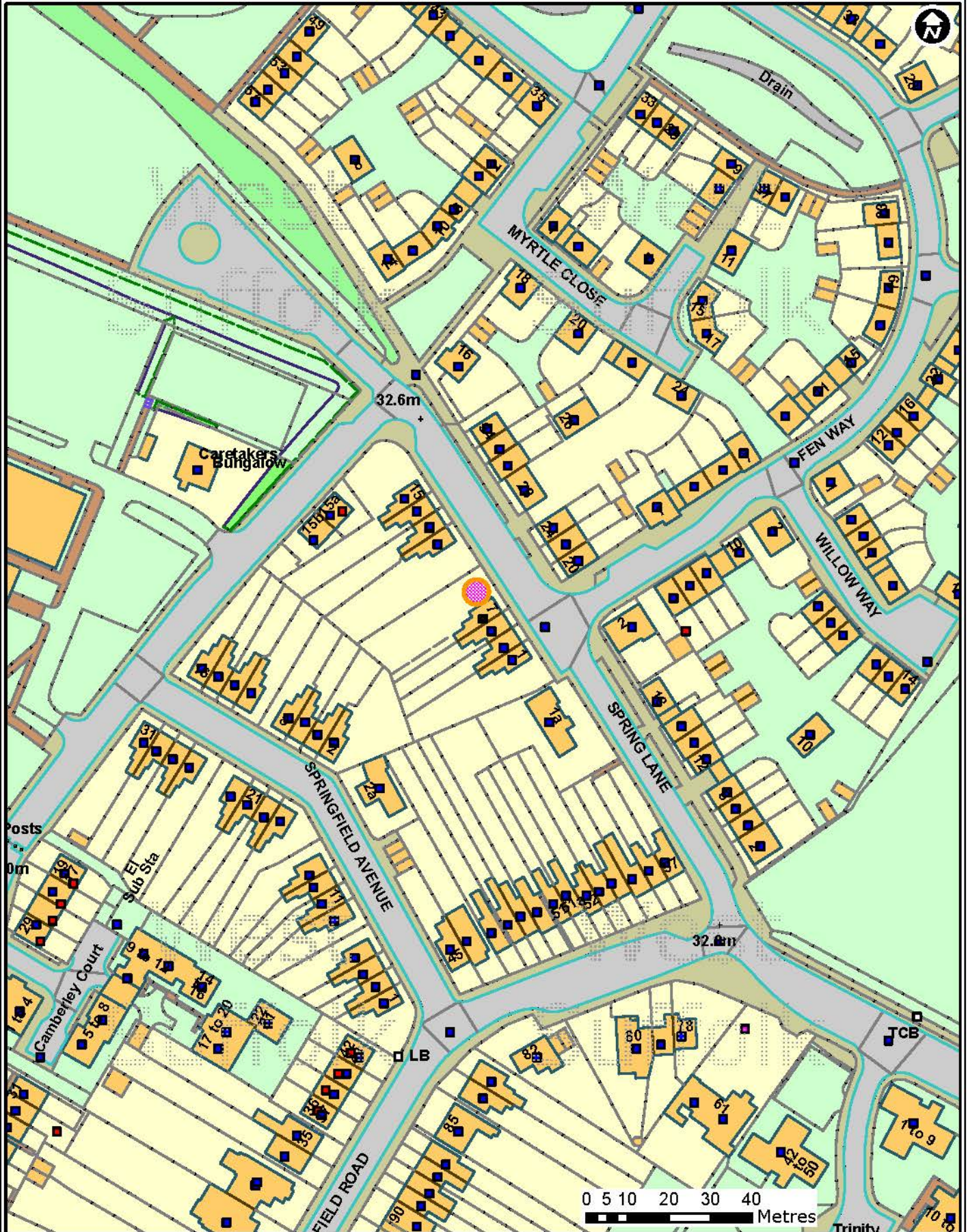
9. It is recommended that planning permission be **APPROVED** subject to standard arboricultural conditions.
1. The authorised works shall be carried out to the latest arboricultural standards (ref BS 3998:2010 Tree Works: recommendations)
Reason: To ensure the works are carried out in a satisfactory manner.
2. The works which are the subject of this consent shall be carried out within two years of the date of the decision notice.
Reason: To enable the Local Planning Authority to review the situation in the event that the authorised works are not carried out within a reasonable period of time.

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=OLBBX4PD07P00>

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