

# Development Control Committee



*St Edmundsbury*  
BOROUGH COUNCIL

**Minutes** of a meeting of the **Development Control Committee** held on **Thursday 6 July 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 David Roach

John Burns

Ivor Mclatchy

Terry Clements

David Nettleton

Jason Crooks

Alaric Pugh

Paula Fox

Andrew Smith

Susan Glossop

Julia Wakelam

Ian Houlder

**Substitutes attending:**

Peter Thompson

## 324. **Apologies for Absence**

Apologies for absence were received from Councillor Robert Everitt and Councillor Peter Stevens.

## 325. **Substitutes**

Councillor Peter Thompson attended the meeting as substitute for Councillor Peter Stevens.

## 326. **Minutes**

The minutes of the meeting held on 1 June 2017 were confirmed as a correct record and were signed by the Chairman subject to the following amendment:

**Minute No. 323 Planning Application DC/16/0788/FUL – Street Farm Barns, Low Street, Bardwell (Report No: DEV/SE/17/025)**

*"Councillor Andrew Smith advised the meeting that he had considered the planning application previously when it was brought before **Bardwell Ousden Parish Council**..."*

Councillor Smith also raised a query with regard to the wording of a separate paragraph in respect of this same Minute No and Officers agreed to review the recording of the meeting and correct the wording if considered necessary, in consultation with the Chairman.

327. **Planning Applications DC/16/2836/RM and DC/17/0048/FUL - Land North West of Haverhill, Anne Sucklings Lane, Little Wratting (Report No: DEV/SE/17/026)**

**DC/16/2836/RM - Reserved Matters Application - Submission of details under outline planning permission SE/09/1283/OUT - The appearance, layout, scale, access and landscaping for 200 dwellings, together with associated private amenity space, means of enclosure, car parking, vehicle and access arrangements together with proposed areas of landscaping and areas of open space for a phase of residential development known as Phase 1.**

**DC/17/0048/FUL - Change of use of land to highway use for 1no. point of vehicular access/egress to public highway - Haverhill Road and creation of hard standing for foot/cycle way - following planning application- SE/09/1283 as amended by plans dated 28th April 2017.**

These applications were referred to the Development Control Committee as the development was considered to be of wider significance and due to the presence of objections from the Town Council which were contrary to the Officer recommendation of approval, subject to conditions, as set out in the supplementary papers circulated after publication of the agenda.

The Committee were informed that the reserved matters application sought approval of the detail for the first phase of one of the two strategic growth sites for Haverhill. The separate full planning application sought consent for a vehicular access that did not form part of the original outline consent.

The Case Officer explained that the wider North-West Haverhill site had been the subject of significant public engagement through the preparation and adoption of a Concept Statement and a Masterplan. The Masterplan addressed a wide range of key issues including the distribution of uses, the location of the relief road, design principles, open spaces, accessibility and built form.

Members were advised that the proposals were considered to comply with the relevant policies of the development plan, with the National Planning Policy Framework and were considered to be acceptable in all other material respects. A Member site visit was held prior to the meeting.

Attention was drawn to the supplementary papers which had been circulated in respect of this item and specifically Condition number 1 in respect of the Reserved Matters application which listed the approved plans and documents.

The Senior Planning Officer advised that there had been a number of minor amendments made to some of the plans, therefore, altering the revision numbers and dates. One example being the inclusion of additional pathways for Plots 116 and 117 to link the properties to their parking areas. She also highlighted that the landscape detail plans listed within that Condition would be subject to amendment in connection with the separate Condition No 20 which related to soft landscaping.

As part of her presentation the Senior Planning Officer set out in detail the varied changes made to the application in order to reach the scheme that was now proposed.

One of these changes was the removal of the formal play equipment from the open space in the Linear Park area. Officers considered that formal play equipment was in contrast with this natural area and it would instead come forward as part of an adjacent scheme.

Speaker: Mr David Moseley (applicant) spoke in support of the application

In response to comments made in relation to space standards the Service Manager (Planning – Development) advised the Committee that Planning Officers were currently undertaking a piece of work in conjunction with the Council’s Public Health and Housing Officers. Once complete it would be presented to Cabinet in the first instance.

Councillor John Burns addressed the meeting in respect of the application and thanked the applicant for attending Haverhill Town Council meetings and making subsequent changes to the scheme as a result of the dialog with the Town Council. However, he cited objection with regard to; the removal of the play equipment, lack of bus services to the site, the absence of electric car charging points and the new vehicular access, which he understood had not been subject to a traffic assessment.

On this basis, Councillor Burns proposed that the application be deferred in order to seek clarity with regard to Suffolk County Council Highway’s assessment of the new access. However, there was no seconder for this motion.

In response, the Case Officer advised the meeting that Highways had not raised any concerns with the access and its safety/visibility. Furthermore, they also cited no issue with the internal route-ways within the development. The County Highways Officer who was present also responded and echoed the Case Officer’s comments in this respect.

The Senior Planning Officer also informed the Committee that public transport contributions had been secured at the outline stage of the application. With reference to electric car charging points, the Officer explained that no such condition was attached to the outline application and it would not be appropriate to condition at this stage.

During further debate questions were raised with regard to; the phasing of other sites within Haverhill Vision 2031, flooding/drainage, ecology and the types of properties included within the scheme.

In answering these questions the Case Officer clarified that:

- Pre-commencement phasing conditions were in place to ensure the Planning Authority had control over how and when each phase of development came forward;
- The Council’s Strategic Housing team were consulted on the mix of properties and considered it appropriate;

- The Ecology Tree & Landscape Officer was content with the application;
- Flooding/drainage would be dealt with via detailed conditions. The County Highways Officer present confirmed that the Highways Authority was also satisfied that flooding/drainage could be mitigated via the conditions proposed.

Councillor Paula Fox raised specific concern with regard to the five properties at the very bottom of the scheme who would potentially reverse from their driveways directly onto Ann Suckling Road.

The County Highways Officer confirmed that the class of this road permitted reversing onto it and it was not considered that this would have a severe impact on highway safety in the area. The meeting was advised that there had been no recorded incidents on the road within the last five years and the Highways Authority used accident data to inform their consultation responses.

Councillor Alaric Pugh moved that the applications be approved, as per the Officer recommendation, and this was duly seconded by Councillor Terry Clements.

Upon being put to the vote and with 13 voting for the motion and with 2 abstentions, it was resolved that

#### Decisions

Planning permission and reserved matters be **GRANTED** subject to the following conditions and subject to the drainage concerns being satisfactorily overcome and final agreement of the site-wide design code:

#### DC/17/0048/FUL

1. Time: the development hereby permitted shall be begun not later than 3 years from the date of this permission.
2. Approved Plans: the development hereby permitted shall not be carried out except in complete accordance with the approved plans and documents.

#### DC/16/2836/RM

1. Time: the development hereby permitted shall be begun not later than 3 years from the date of this permission.
2. Phasing: pre-commencement Prior to the commencement of development (excluding clearance, ground investigation, remediation, archaeological and ecology works) within Phase 1, details of phasing of development of Phase 1 shall be submitted to and agreed in writing with the Local Planning Authority. Such details shall include, but not limited to, the phased delivery of roads and footways, including the re-alignment of Haverhill Road and associated roundabout, and their connections to the surrounding highway network in relation to the phasing for the delivery of homes within Phase 1. Development shall be undertaken in accordance with the Phasing details agreed, unless a variation to the approved details is first agreed in writing with the Local Planning Authority.

3. Surface Water Drainage: pre-commencement, no development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 year +CC storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved FRA and will include the following:-
  - i. Dimensioned plans illustrating all aspects of the surface water drainage scheme (including an impermeable areas plan).
  - ii. Modelling shall be submitted to demonstrate that the surface water discharge to the receiving watercourse, up to the 1 in 100yr +CC rainfall event, will be restricted to  $Q_{bar}$  or 2l/s/ha for the critical storm duration.
  - iii. Modelling of the surface water drainage scheme to show that the attenuation features will contain the 1 in 100yr+CC rainfall event. Proposed open basins within POS will not exceed a max water depth of 0.5m during same event.
  - iv. Modelling of conveyance networks showing no above ground flooding in 1 in 30 year event, plus any potential volumes of above ground flooding during the 1 in 100 year rainfall + CC.
  - v. Topographic plans shall be submitted depicting all safe exceedance flow paths in case of a blockage within the main SW system and/or flows in excess of a 1 in 100 year rainfall event. These flow paths will demonstrate that the risks to people and property are kept to a minimum.
  - vi. Proposals for water quality control – A SuDS management train with adequate treatment stages should be demonstrated which allows compliance with water quality objectives, especially if discharging to a watercourse. Interception Storage will be required within the open SuDS.
  - vii. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime. viii) Arrangements to enable any Surface water drainage within any private properties to be accessible and maintained including information and advice on responsibilities to be supplied to future owners.
4. Surface Water Drainage management: pre-above ground construction, no development shall commence until details of a construction surface water management plan detailing how surface water and storm water will be managed on the site during construction is submitted to and agreed in writing by the local planning authority. The construction surface water management plan shall be implemented and thereafter managed and maintained in accordance with the approved plan.
5. Materials: pre-above ground construction, notwithstanding the details previously submitted, no above ground construction of the dwellings hereby approved shall take place until details of the facing and roofing materials to be used in respect of each plot have been submitted to

and approved in writing by the Local Planning Authority. All work shall be carried out in accordance with the approved details.

6. Design Detailing: pre-above ground construction Prior to any above ground construction taking place, details of the windows, door reveals, sills and headers and bargeboards for each plot shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed with the Local Planning Authority the details shall be in the form of elevations drawn to a scale of not less than 1:10 and horizontal and vertical cross-section drawings to a scale of 1:2. The works shall be carried out in complete accordance with the approved details.
7. Boundary Treatments: pre-above ground construction No above ground construction shall take place until details of the siting, design, height and materials of boundary walls and fences have been submitted to and approved in writing by the Local Planning Authority. The approved walling and/or fencing shall be constructed or erected before the first occupation of the dwelling to which it relates is first occupied and thereafter retained in the form and manner installed.
8. Parking – prior to occupation, the space/spaces shown for the purpose of garaging and/or car parking shall be provided and available for the intended purpose prior to the first occupation of the dwelling to which it relates is first occupied.
9. Retention of Parking Spaces and Garages: notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking and re-enacting that Order) the space shown within the curtilage of any dwelling for the purpose of garaging and/or car parking shall be retained solely for the garaging and/or parking of private motor vehicles and for ancillary domestic storage incidental to the enjoyment of the associated dwelling and shall be used for no other purpose. No development shall be carried out in such a position as to preclude vehicular access to those car parking spaces.
10. Cycle storage: prior to first occupation Secure, covered and accessible cycle storage shall be provided and available for use prior to the first occupation of the dwelling to which it relates is first occupied. The storage shall be provided in accordance with details previously submitted to and agreed in writing by the local planning authority.
11. Visibility Splays: internal across roads, before any access is first used, clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 43 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension). Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and reenacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.
12. Visibility Splays: junctions with main roads, before any access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that

area between the nearside edge of the metalled carriageway and a line 4.5 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 43 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension). Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and reenacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

13. Bin Storage: appropriate areas shall be provided for storage of Refuse/Recycling bins shall be provided, in accordance with details submitted to and agreed in writing with the local planning authority, before the first occupation of any of the dwellings to which it relates is first occupied and thereafter retained in the form and manner installed.
14. Estate Road Layout: details prior to any above-ground construction, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.
15. Estate Road layout implementation: no dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.
16. Crossing Points: prior to the commencement of development, details of two formal crossing points (to be either signals or zebra crossing) on main road running between the north and south parcels of development shall be submitted to and agreed in writing with the local planning authority. The crossing points shall be fully implemented in accordance with the agreed details in accordance with a timetable agreed in writing with the local planning authority.
17. Noise Internal: prior to occupation of the proposed dwellings, the noise mitigation measures, as stated within the Noise Survey and Acoustic Design Advice Report, Issue No. 2, prepared by the FES Group and dated the 15 May 2017, shall be implemented to ensure that the internal ambient noise levels within each dwelling, with windows closed, do not exceed an LAeq (16hrs) of 35 dB(A) within bedrooms and living rooms between the hours of 07:00 to 23:00 and an LAeq (8hrs) of 30dB(A) within bedrooms and living rooms between the hours of 23:00 to 07:00, in accordance with the current guideline levels within BS8233:2014 – Guidance on sound insulation and noise reduction for buildings.
18. Noise External: prior to occupation of the proposed dwellings, the noise mitigation measures, as stated within the Noise Survey and Acoustic Design Advice Report, Issue No. 2, prepared by the FES Group and dated the 15 May 2017, shall be implemented to ensure that the noise level within the external amenity areas of each dwelling do not exceed an LAeq of 50 dB (A), in accordance with the current guideline levels within BS8233:2014 – Guidance on sound insulation and noise reduction for buildings.
19. Tree Protection: pre-commencement, notwithstanding the details previously submitted, no development shall commence until an updated Arboricultural Method Statement has been submitted to and

approved in writing by the Local Planning Authority. The Statement should include details of the following:

- i) Measures for the protection of those trees and hedges on the application site that are to be retained.
- ii) Details of all construction measures within the 'Root Protection Area' (defined by a radius of  $dbh \times 12$  where  $dbh$  is the diameter of the trunk measured at a height of 1.5m above ground level) of those trees on the application site which are to be retained specifying the position, depth, and method of construction/installation/excavation of service trenches, building foundations, hardstandings, roads and footpaths.
- iii) A schedule of proposed surgery works to be undertaken to those trees and hedges on the application site which are to be retained. The development shall be carried out in accordance with the approved Method Statement unless the prior written consent of the Local Planning Authority is obtained for any variation.

20. Soft Landscaping: pre-above ground construction, notwithstanding the details previously submitted, no above ground construction shall take place until there has been submitted to and approved in writing by the Local Planning Authority a final scheme of soft landscaping for the site drawn to a scale of not less than 1:200, to include details of on plot planting and planting within the SUDS Basins. The soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities. The approved scheme of soft landscaping works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

**328. Planning Application DC/17/0438/FUL - Tartan House, Etna Road, Bury St Edmunds (Report No: DEV/SE/17/027)**

**Planning Application - (i) 80 no. bedroomed hotel (demolition of existing building) (ii) drive-through coffee outlet (mixed A3 and A5 use) (iii) associated refuse storage, parking and landscaping (iv) new pedestrian bridge access across River Lark (v) improvements and upgrading of proposed vehicular access from Compiegne Way, North of River Lark (vi) improvements and upgrading of proposed vehicular access from Etna Way/Enterprise Park (vii) in channel engineering works to River Lark**

This application was referred to the Development Control Committee as the development was considered to be of considerable local interest on a prominent site within Bury St Edmunds.



A Member site visit was held prior to the meeting. Officers were recommending that the application be approved, subject to conditions, as set out in the supplementary papers circulated after publication of the agenda.

Attention was drawn to the supplementary papers which had been circulated in respect of this item which set out a revised list of conditions. Further to these the Senior Planning Officer advised that an additional condition was to be added to secure details of kerb and barrier treatment of the river channel.

The Committee was also advised that since publication of the supplementary papers an additional representation had been received, citing a number of objections already raised by other nearby residents to the scheme.

Councillor Julia Wakelam sought advice as to whether she had any perceived form of interest in light of both herself and the applicant being on the Board of the Bury St Edmunds Literature Festival.

The Lawyer (Planning) advised that he did not consider Councillor Wakelam's connection to the applicant to constitute as any form of interest that required declaration.

Speakers: Mrs Sarah Kewell (resident) spoke against the application  
Councillor David Nettleton (Ward Member: Risbygate) spoke in support of the application

Councillor Wakelam then spoke as the other Ward Member for Risbygate and echoed the comments by Councillor Nettleton in that; she welcomed the application which would dramatically improve a derelict site, but made reference to the existing highways issues suffered by the nearby residents to the site.

A considerable number of other Members of the Committee spoke on the highways/access issues within the area when traversing Compiegne Way.

In response, the Suffolk County Council Highways Officer who was present confirmed that the Highways Authority was aware of the issues in question and that a scheme to address this junction, as part of a much wider strategic plan for this A14/Bury St Edmunds 'corridor', was in place with initial plans in the process of being drawn up.

The Committee were advised that Officers did not consider that the application would have a severe impact on the highway network and it was therefore unreasonable to request the applicant to address an already existing issue.

Councillor Nettleton again addressed the meeting and spoke in support of the plans that were being progressed by the County Council. He reiterated the Highways Officer's comments that this was the appropriate way to address the traffic issues at the junction and not via the application before Members.

Councillors Carol Bull and John Burns each raised a question in respect of Condition Nos 3 and 4 which set out times for the coffee outlet opening hours and deliveries, but did not specify the days of the week on which they applied. The Case Officer explained that she would need to seek clarity on

this from the Council's Public Health and Housing Officer and would respond to all Members of the Committee directly with the answer.

Councillor Wakelam moved that the application be approved, as per the Officer recommendation, and this was duly seconded by Councillor David Nettleton.

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

### Decision

Planning permission be **GRANTED** subject to the following conditions:

1. Time: the development hereby permitted shall be begun not later than 3 years from the date of this permission.
2. Approved Plans: the development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
3. Coffee Outlet Opening Hours: the drive through coffee outlet shall be open only between the hours of 07:00- 21:00 [days TBC]
4. Times for Deliveries: Deliveries to and collections from the site shall take place only between the hours of 07:00-18:00 [days TBC]
5. Unexpected Contamination: if, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
6. Demolition and Construction Times: demolition and construction works shall take place only between the hours of 07:30-19:00 Mondays to Fridays and 07:30-13:00 on Saturdays. No work shall take place on Sundays or Bank Holidays.
7. Construction Method Statement: prior to works commencing a construction method statement be produced to and be agreed by the local planning authority. The method statement is to include the measures to control dust emissions, noise & vibration and methodology for waste recycling on site and waste disposal. The agreed method statement to be adhered to throughout the demolition and construction works.
8. Deliveries Management Plan: all HGV traffic movements to and from the site over the duration of the construction period shall be subject to a Deliveries Management Plan which shall be submitted to the planning authority for approval a minimum of 28 days before any deliveries of materials commence. No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan. The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.
9. Arboricultural Method Statement: no development shall commence until an Arboricultural Method Statement has been submitted to and

approved in writing by the Local Planning Authority. The Statement should include details of the following:

- i). Measures for the protection of those trees and hedges on the application site that are to be retained,
- ii) Details of all construction measures within the 'Root Protection Area' (defined by a radius of  $dbh \times 12$  where  $dbh$  is the diameter of the trunk measured at a height of 1.5m above ground level) of those trees on the application site which are to be retained specifying the position, depth, and method of construction/installation/excavation of service trenches, building foundations, hardstandings, roads and footpaths.
- iii) A schedule of proposed surgery works to be undertaken to those trees and hedges on the application site which are to be retained.

The development shall be carried out in accordance with the approved Method Statement unless the prior written consent of the Local Planning Authority is obtained for any variation.

10. Surface Water Management Plan: no development shall commence until details of a construction surface water management plan detailing how surface water and storm water will be managed on the site during construction is submitted to and agreed in writing by the local planning authority. The construction surface water management plan shall be implemented and thereafter managed and maintained in accordance with the approved plan throughout the entire construction period.
11. External Materials: no above ground construction shall take place until full details of the external materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
12. Off Site Stock Proof Fencing: prior to the first use of the development hereby approved, stock proof fencing and gates on Ram Meadow shall be fully installed in accordance with details submitted to and agreed in writing by the local planning authority. The details shall include the precise location, design and method of installation. The location of the fencing shall be in general conformity with the details shown on the 'Indicative Fencing Location - Ram Meadow, BSE', which attaches to this consent.
13. Landscape Management Plan: prior to the first use of the development hereby approved a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved prior to the first use of the development and managed for the lifetime of the development and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include the following elements:
  - enhancement of the river channel
  - detail extent and type of new planting (NB planting to be of native species)
  - details of maintenance regimes
  - details of any new habitat created on site
  - details of treatment of site boundaries and/or buffers around water bodies
  - details of management responsibilities
  - details of kerb and barrier treatment of the river channel

14. River Channel Enhancements: the enhancements within the River Channel detailed in condition 13 above shall develop the proposals set out in Appendix F of the submitted Design and Access Statement that accompanies the application. The enhancements shall be fully implemented prior to the first use of the development hereby approved or in accordance with a timetable agreed in writing with the local planning authority.
15. Soft Landscaping: Notwithstanding the submitted landscaping plan, full details of the soft landscaping, taking account of any need to retain planting within the highway verge, shall be submitted to the local planning authority and agreed in writing. All planting comprised in the approved details of landscaping shall be carried out in the first planting season following the commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.
16. Footway: no above ground construction shall take place until details of a proposed footway from Etna Road to the northern car park and from the northern car park onto the Tesco car park taking into consideration existing road signs, surface materials and appropriate guard railing and or fencing have been submitted to and approved in writing by the Local Planning Authority. The approved footway shall be laid out and constructed in its entirety and available for use prior to the first use of the hotel hereby approved. Thereafter the footway shall be retained in its approved form.
17. Footway: no above ground construction shall take place until details of a proposed footway and details of its connection to the existing footway network from Etna Road to the Main site entrance have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to First occupation of the property. Thereafter the footpath shall be retained in its approved form.
18. Headlight Screening: no above ground construction shall take place until details of proposed vehicle headlight screening have been submitted to and approved in writing by the Local Planning Authority. The approved screening shall be laid out and constructed in its entirety prior to First use of the property and thereafter retained in its approved form.
19. Parking Provision: the use hereby approved shall not commence until the area(s) within the site shown on drawing number 4761/3-02 Rev B for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.
20. Visibility Splays From access onto Etna Road: before the first use of the access onto Etna Road from site, visibility splays which shall be set back 2.4m and then 43m in the direction of Compiegne Way and to the nearside of the kerb, shall be provided in accordance with details previously approved in writing by the Local Planning Authority and thereafter shall be retained in the approved form and kept clear from obstruction.

21. Visibility Splays from access onto Compiegne Way from Etna Road: before the access is first used onto Compiegne Way from Etna Road, visibility splays, which shall be 43m set back 2.4m in both directions, shall be provided in accordance with details previously approved in writing by the Local Planning Authority and thereafter shall be retained in the approved form and kept clear from obstruction.
22. Visibility Splays onto Compiegne Way from the car park: before the access is first used onto Compiegne Way from the application site car park visibility splays shall be provided, which shall be set back 2.4m for a distance of 70m in both directions, in accordance with details previously approved in writing by the Local Planning Authority and thereafter shall be retained in the approved form and kept clear from obstruction.
23. Access Details: no part of the development shall be commenced until details of the proposed access (including the position of any gates to be erected and visibility splays provided) have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to First occupation of the property. Thereafter the access shall be retained in its approved form.
24. Bicycle Storage: the use shall not commence until the area(s) within the site for the storing of bicycles has been submitted to and approved in writing by the Local Planning Authority for the purposes parking and storing of bicycles to meet SCC parking standards, plus one space per hotel staff has been provided and thereafter that area(s) shall be retained and used for no other purposes, these spaces are required to be secure and covered.
25. Surface Water Drainage and FRA Implementation: the strategy for the disposal of surface water (dated Feb 2017, ref: 130/2016/03) and the submitted Flood Risk Assessment (FRA) shall be fully implemented in accordance with these details prior to the first use of the development hereby permitted. The strategy shall thereafter be managed and maintained in accordance with the approved strategy.
26. SUDS Components: prior to the first use of the development hereby permitted, full details of all Sustainable Urban Drainage System components and piped networks shall be submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.
27. Noise Barrier: prior to the first use of the development hereby approved, an imperforate noise barrier shall be erected along the south east site boundary of the site between the drive through café and Etna Road. The barrier shall be installed in accordance with details submitted to and approved by the local planning authority. The approved barrier shall be maintained in perpetuity.
28. Kitchen Ventilation Systems: prior to the first use of the development hereby approved, details of any kitchen ventilation systems, to include noise attenuation and odour control systems and details of any external plant, shall be submitted to and approved by the local planning authority. The approved systems and plant, shall be installed in full accordance with the agreed details and in respect of kitchen ventilation systems, before the commercial kitchen is brought into use.
29. Electric Vehicle Charging: prior to first use of the hotel as approved under this planning permission, at least 8 electric vehicle charge points

shall be provided for customer use at reasonably and practicably accessible locations within the car park. The Electric Vehicle Charge Points shall be retained thereafter.

30. Rapid Vehicle Charge Point: prior to first operational use of the Coffee Outlet as approved under this planning permission, at least 1 publically available 'rapid' electric vehicle charge point shall be provided in a location within the car park to be agreed in writing with the local planning authority. The Electric Vehicle Charge Point shall be retained thereafter.

On conclusion of this item the Chairman permitted a short comfort break before continuing with the business on the agenda.

329. **Planning Application DC/17/0842/FUL - Land North West of Bury St Edmunds, Tut Hill, Fornham All Saints (Report No: DEV/SE/17/028)**

**Acoustic Fencing along the North-West and South-West boundaries of the Northern Way employment area in connection with Hybrid Planning Permission - DC/13/0932/HYB**

This application was referred to the Development Control Committee because the application site was owned by the Council.

Officers were recommending that the application be approved, subject to conditions, as set out in Paragraph 27 of Report No DEV/SE/17/028.

The Principal Planning Officer explained that the proposal before the Committee had been submitted following the approval of DC/13/0932/HYB which granted, inter alia, outline consent for residential development. A requirement of the Section 106 agreement of this permission was to provide a noise attenuation fence, hence, the application was in direct response to this Section 106 requirement.

Members were advised that the proposal would require the removal of 131 trees and the pruning of a further 35 trees to make space to construct the fence. This would be compensated by way of mitigation planting, as outlined in Condition No 1.

Attention was drawn to Paragraph 25 of the report which made reference to the applicants having commenced construction of the fence, which was subsequently ceased when the Council became aware of the work.

Councillor John Burns sought clarity with regard to the timings of the tree removal that had already been undertaken on site. The Officer reminded the meeting that the trees in question were not protected by way of a Tree Preservation Order meaning the removal did not represent a breach of planning legislation. However, he would clarify the dates involved and would respond to all Members of the Committee directly with the answer.

Councillor David Roach proposed that the application be approved, as per the Officer recommendation, and this was duly seconded by Councillor Ian Houlder.

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

### Decision

Planning permission be **GRANTED** subject to the following conditions:

1. 3 year time limit condition
2. Within three months of the date of this planning permission, a scheme for the mitigation planting (the location of which is indicated on approved drawing 180604/URB/SK/AFMP/001)), to comprise a 4m-deep strip of native species woodland, shall be submitted to and approved in writing by the Local Planning Authority. The mitigation planting shall be provided during the first planting season following the grant of planning permission, except for that between Points B and C as indicated on the approved drawing where it shall be provided during the first planting season after three years from the grant of planning permission. Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.
3. Prior to the completion of the acoustic fence, a scheme for the provision of bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The bat boxes shall be provided in accordance with the approved scheme.
4. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.

330. **Planning Application DC/17/0029/OUT - Little Moseleys, The Green, Fornham All Saints (Report No: DEV/SE/17/029)**

#### **Outline Planning Application (All matters reserved) - 4no. dwellings**

This application was referred to the Development Control Committee because the proposal was a departure from the Development Plan in that it proposed residential development outside the limits of the settlement envelope.

The Senior Planning Officer advised that the scheme before Members was seeking outline planning permission and that scale, layout, access details and landscape & appearance were reserved for future consideration.

During the presentation reference was made to the policy conflict in respect of the application; Officers had therefore had to weigh up the benefits and disbenefits of the scheme in order to achieve a balanced recommendation.

The Service Manager (Planning – Development) also spoke on the application in connection with Vision 2031 and the importance of taking into account material planning considerations.

Speakers: Miss Wendy Braithwaite (resident) spoke against the application

Councillor Enid Gathercole (Vice-Chairman of Fornham All Saints Parish Council) spoke against the application  
Councillor Beccy Hopfensperger (Ward Member: Fornham) spoke against the application  
Mr Chris Wilkie (agent) spoke in support of the application

A number of Members commented on the application largely in relation to; the site being outside the settlement boundary and the highways concerns as raised by some of the public speakers. Some of the Committee made reference to requiring extension of the 30mph speed limit in order to cover the entrance to the site.

However, they were reminded by the Case Officer that the Highways Authority did not consider the development to have a severe impact on the transport network, irrespective of those existing concerns raised by residents, in view of the proposal being for just four dwellings.

The Chairman suggested that it might be appropriate for Officers to engage with Suffolk County Council with regard to potentially extending the 30mph speed limit.

Councillor David Nettleton moved that that application be approved, as per the Officer recommendation, and this was duly seconded by Councillor Carol Bull.

Upon being put to the vote and with 9 voting for the motion, 5 against and with 1 abstention, it was resolved that

#### Decision

Planning permission be **GRANTED** subject to the following conditions:

1. Reserved Matters: details of the [access, appearance, landscaping, layout, and scale], (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
2. Time limit Outline: application for the approval of the matters reserved by conditions of this permission shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun not later than whichever is the latest of the following dates:-
  - i. The expiration of three years from the date of this permission; or
  - ii. The expiration of two years from the final approval of the reserved matters; or,
  - iii. In the case of approval on different dates, the final approval of the last such matter to be approved.
3. Pedestrian access: the use shall not commence until the area within the site shown on drawing number 16 1508 02 Rev C for the purposes of providing safe pedestrian access through the site has been provided and shall be retained and used for no other purposes.
4. Contamination – Preliminary Risk Assessment: no development approved by this planning permission shall commence until the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:



- i) A site investigation scheme (based on the approved Preliminary Risk Assessment (PRA) within the approved Desk Study), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  - ii) The results of a site investigation based on i) and a detailed risk assessment, including a revised Conceptual Site Model (CSM).
  - iii) Based on the risk assessment in ii), an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.
5. Contamination verification report: no occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in iii) above, is submitted and approved, in writing, by the Local Planning Authority. The long term monitoring and maintenance plan in iii) above, shall be updated and be implemented as approved.
6. Unidentified contamination: if, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
7. Archaeology Written Scheme of Investigation: 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
  - 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.

8. Archaeology post investigation assessment: no building 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 1 and the provision made for analysis, publication and dissemination of results and archive deposition.
9. Biodiversity enhancement: before occupation details of biodiversity enhancement measures to include where relevant bird boxes, bat bricks or boxes and hedgehog gates to be installed at the site, including details of the timescale for installation, shall be submitted to and approved in writing by the Local Planning Authority. Any such measures as may be agreed shall be installed in accordance with the agreed timescales and thereafter retained. There shall be no occupation unless and until details of the biodiversity enhancement measures to be installed have been agreed in writing by the Local Planning Authority.
10. Water efficiency: 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.

**331. Planning Application DC/17/0971/HH - 9 Westminster Drive, Bury St Edmunds (Report No: DEV/SE/17/030)**

**Householder Planning Application - (i) Two storey side and rear extensions (following demolition of existing double garage) and (ii) new vehicular access**

This application was referred to the Development Control Committee as the applicant was related to a member of staff.

Officers were recommending that the application be approved, subject to conditions, as set out in Paragraph 22 of Report No DEV/SE/17/030.

Attention was drawn to the supplementary papers which had been circulated in respect of this item which set out an additional condition to be added to the recommendation, together with details of a representation that had been received since the agenda was published from a neighbouring resident.

Councillor David Nettleton moved that the application be approved, as per the Officer recommendation, and this was duly seconded by Councillor Ian Houlder.

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

Decision

Planning permission be **GRANTED** subject the following conditions:

1. The development hereby permitted shall be begun not later than 3 years from the date of this permission.
2. The new vehicular access shall be laid out and completed in all respects in accordance with Drawing No. DM03; and with an entrance width of 3 metres and made available for use prior to the improved dwelling be first used. Thereafter the access shall be retained in the specified form.
3. Prior to the improved dwelling hereby permitted being first occupied, the new access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.
4. Prior to the construction of the new access, hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.
5. The use shall not commence until the area(s) within the site shown on drawing No. 09/WMD/01 for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.
6. Before the dwelling/extension hereby permitted is first occupied/brought into use, the 2no. windows in the eastern elevation shall not be glazed other than with obscure glass and this form of glazing shall be retained permanently at all times thereafter.
7. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
8. Prior to the commencement of works above slab level, details of the proposed finished ground levels of the parking area surrounding the building (including cross sections) and details of the boundary treatment to the north boundary, shall be submitted to and approved in writing by the Local Planning Authority. The parking area and boundary treatment shall be completed in accordance with the approved details prior to the first use of the extension hereby approved.

The meeting concluded at 2.02 pm

**Signed by:**

**Chairman**

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