

Development Control Committee



St Edmundsbury
BOROUGH COUNCIL

Title:	Agenda												
Date:	Thursday 3 May 2018												
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 Chairman Carol Bull and David Roach</p> <table style="width: 100%; border: none;"> <tr> <td style="vertical-align: top;"><u>Conservative Members (12)</u></td> <td style="vertical-align: top;">Terry Clements Robert Everitt Paula Fox Susan Glossop Ian Houlder</td> <td style="vertical-align: top;">Alaric Pugh Andrew Smith Peter Stevens Vacancy</td> </tr> <tr> <td style="vertical-align: top;"><u>Charter Group Members (2)</u></td> <td style="vertical-align: top;">David Nettleton</td> <td style="vertical-align: top;">Julia Wakelam</td> </tr> <tr> <td style="vertical-align: top;"><u>Haverhill Indys Member (1)</u></td> <td style="vertical-align: top;">John Burns</td> <td></td> </tr> <tr> <td style="vertical-align: top;"><u>Independent (non-group) Member (1)</u></td> <td style="vertical-align: top;">Jason Crooks</td> <td></td> </tr> </table>	<u>Conservative Members (12)</u>	Terry Clements Robert Everitt Paula Fox Susan Glossop Ian Houlder	Alaric Pugh Andrew Smith Peter Stevens Vacancy	<u>Charter Group Members (2)</u>	David Nettleton	Julia Wakelam	<u>Haverhill Indys Member (1)</u>	John Burns		<u>Independent (non-group) Member (1)</u>	Jason Crooks	
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*** THERE ARE NO SITE VISITS REQUIRED FOR THIS AGENDA ***													
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:	Helen Hardinge Democratic Services Officer Tel: 01638 719363 Email: helen.hardinge@westsuffolk.gov.uk

**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 online here:

<https://planning.westsuffolk.gov.uk/online-applications/>

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 Council Core Strategy 2010
The Forest Heath Core Strategy 2010, as amended by the High Court Order (2011)	St Edmundsbury Local Plan Policies Map 2015
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' website:

<https://www.westsuffolk.gov.uk/planning/upload/Guide-To-Having-A-Say-On-Planning-Applications.pdf>

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 set out in the National Planning Policy Framework (paragraph 206). 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)
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- 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 the Planning Practice Guidance.

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

Part 1 – Public

Page No

1. Apologies for Absence

2. Substitutes

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

3. Minutes

1 - 10

To confirm the minutes of the meeting held on 5 April 2018 (copy attached).

4. Planning Application DC/18/0275/FUL - Sainsbury's, Haycocks Road, Haverhill

11 - 20

Report No: **DEV/SE/18/020**

Planning Application - (i) Extension to online goods area and (ii) alterations to existing service yard and car park

5. Planning Application DC/18/0388/FUL - Sainsburys, Haycocks Road, Haverhill

21 - 32

Report No: **DEV/SE/18/021**

Planning Application - Planning Application - (i) Change of use of 10no parking spaces to hand car wash and valeting operation to include cabin and canopy and (ii) 7no floodlights

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Development Control Committee



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Development Control Committee** held on **Thursday 5 April 2018** 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

Jason Crooks

Paula Fox

Susan Glossop

Ian Houlder

David Nettleton

Alaric Pugh

Andrew Smith

Peter Stevens

Julia Wakelam

By Invitation:

John Griffiths

Jane Midwood

8. **Apologies for Absence**

Apologies for absence were received from Councillors Terry Clements and Robert Everitt.

9. **Substitutes**

There were no substitutes present at the meeting.

(It was announced at the start of the meeting that Councillor John Griffiths was to act as substitute for Councillor Terry Clements, but would be joining the meeting part-way through. However, on his arrival it transpired that the Chairman and Officers had been misinformed and the meeting was subsequently advised that Councillor Griffiths was not acting as substitute; he was purely attending the meeting to speak on the one planning application for which he had registered to do so as Ward Member.)

10. **Minutes**

The minutes of the meeting held on 12 March 2018 were unanimously received by the Committee as a correct record and were signed by the Chairman.

11. **Planning Application DC/17/2429/VAR - Haverhill Research Park, Hanchett End, Haverhill (Report No: DEV/SE/18/014)**

Variation of condition 8 of DC/14/2087/OUT to remove use class restrictions limiting B1 (c) light industry to ancillary areas of individual buildings only, allowing for a general B1 (a) (b) (c) light industrial use across the whole site

This application had been referred to the Development Control Committee on 12 March 2018 as it related to a major development and because objections had been received from both Withersfield Parish Council and Haverhill Town Council, along with the Ward Member (Withersfield) and a number of local residents.

At the meeting on 12 March 2018 Members resolved that they were minded to refuse permission, contrary to the Officer recommendation, due to concerns relating to the impact on residential amenity.

Accordingly, the Decision Making Protocol was invoked which required a risk assessment report to be produced for consideration by the Committee prior to a final decision being made on the application.

In addition to the risk assessment report before Members, a site visit had also been held prior to the meeting.

Officers were continuing to recommended approval of the application as per Paragraph 20 of Report No DEV/SE/18/014.

Speakers: Councillor Jane Midwood (Ward Member: Withersfield) spoke against the application
Mr Paul Sutton (agent) spoke in support of the application

Prior to opening the debate, the Chairman reminded the Committee that the application before Members was purely seeking the variation of a condition for the entire application site. The extant permission for the development was not up for debate.

In response to comments made by Councillor Midwood in her address to the meeting the Service Manager (Planning – Development) explained that whilst the aerial photograph used in the presentation did not show the residential properties adjacent to the application site other photographs used by the Case Officer did. Furthermore, Members undertook a site visit and viewed the proximity of the properties in question to the application site.

Councillor Julia Wakelam asked if it would be possible to condition the application to require further tree planting on the application boundary that bordered the residential properties, in order to reduce the impact on residents. The Principal Planning Officer explained that this would be possible, in principle.

In response to a number of further comments from Members of the Committee, the Service Manager (Planning – Development):

- Reiterated the linkage of the site's application history to the Borough's Vision 2031 Development Plan and Policy HV10;
- Advised that the Council's Economic Development & Growth Team had worked alongside the applicant for some time in order to assist with the marketing of the site and did not question the voracity of the marketing undertaken thus far;
- Stressed that the requested variation of Condition 8 would not prevent research based companies from occupying the site; and
- Explained that if an application was received for residential development on the site it would be contrary to the Development Plan and would need to be considered in light of this along with policies in the National Planning Policy Framework.

Councillor Peter Stevens spoke in support of the application and moved that it be approved as per the Officer recommendation, this was duly seconded by Councillor David Roach.

Upon being put to the vote and with 7 voting for the motion, 2 against and with 4 abstentions, it was resolved that

Decision

Planning permission be **GRANTED** subject to the conditions as per outline permission DC/14/2087/OUT except:

Condition 2 to read:

- (a) Application for approval of the reserved matters shall be made to the Local Planning Authority not later than 22 Dec 2024 (this being 10 years from the date of outline permission DC/14/2087/OUT).
- (b) The development hereby permitted shall be begun not later than the expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Condition 8 to read:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking and re-enacting that Order), the site and all buildings erected thereon shall be used for Class B1 (Business) purposes only and a single hotel (Class C1) as defined in the Town and Country Planning (Use Classes) Order 1987 as amended, or in any legislation revoking or re-enacting that class.

12. **Planning Application DC/17/0688/FUL - 46 to 47, St Andrews Street South, Bury St Edmunds (Report No: DEV/SE/18/015)**

Planning Application - 3 storey building with basement level to comprise 16 no. residential apartments (following demolition of existing buildings). As amended by revised plans and documents received on 25 September 2017

This application was referred to the Development Control Committee at the request of the Ward Members (Abbeygate) and because the Town Council objected to the proposal which was contrary to the Officer recommendation of approval, subject to the completion of a S106 Agreement, as set out in Paragraph 83 of Report No DEV/SE/18/015.

The Senior Planner advised that since publication of the agenda Ward Members (Abbeygate) Councillors Jo Rayner and Andrew Speed had further reiterated their objection and concerns with regard to the scheme.

In presenting the application the Case Officer made reference to the objection from Suffolk County Council Highways and stressed that the concerns raised by the Highways Authority had to be taken on balance alongside all other factors in respect of the application.

Speakers: Mr Tom Stebbing (resident) spoke against the application
Councillor Kevin Hind (Bury St Edmunds Town Council) spoke against the application
Mr Rob MacKay (developer for the scheme) spoke in support of the application

Councillor Julia Wakelam voiced objection to the application; raising concerns with regard to insufficient parking, the design and the lack of affordable housing provided by the scheme. She proposed that the application be refused, contrary to the Officer recommendation of approval. This was duly seconded by Councillor John Burns.

Further discussion then took place particularly with regard to the subterranean single aspect basement accommodation proposed as part of the development.

The Principal Conservation Officer addressed the meeting at this point and informed Members that she had objected to the original scheme submitted by the applicants due to the height and scale of the proposed building, which she considered to be overbearing in respect of the immediate surroundings. Accordingly, the applicant had amended the scheme to remove a storey and they had, therefore, included basement accommodation in replacement of this in order to continue to deliver a viable project.

Councillor Alaric Pugh voiced dissatisfaction at the proposed basement accommodation and expressed a wish for the Committee to consider an alternative scheme for a taller building which would negate the need for basement accommodation. Accordingly, he proposed that the application be deferred in order to allow Officers time in which to explore this with the applicant. This was duly seconded by Councillor David Nettleton.

Councillor Wakelam, as proposer of the original motion of refusal, stated that she supported the alternative motion of deferment and would therefore withdraw her motion for refusal.

Councillor John Burns, as seconder of the original motion, also agreed and was content to withdraw.

Councillor Burns and Councillor Andrew Smith asked Officers as part of the deferment to consider the points raised by Suffolk County Council as Highways Authority in connection with the application; specifically in relation to their comments in their correspondence dated 2 March 2018 and their request for £15,000 to alleviate parking provision concerns.

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

Decision

The application be **DEFERRED** in order to allow Officers time in which to engage with the applicant with regard to the scheme proposed, in light of Members' specific concerns with the basement accommodation element.

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

13. **Planning Application DC/17/2389/FUL - EMG Used Cars, Tayfen Road, Bury St Edmunds (Report No: DEV/SE/18/016)**

(Councillor Andrew Smith declared a local non pecuniary interest in this item as he had been party to the appointment of the architect for this application for an unrelated scheme, in a capacity unrelated to the Borough Council. He would therefore remain in the meeting and take part in consideration of the application.)

Planning Application - 46 no. apartments and 1 no. commercial unit (Class A1/A2/A3/B1(a) use) (Re-submission of DC/16/0730/FUL)

This application was referred to the Development Control Committee because the Town Council objected to the proposal which was contrary to the Officer recommendation of approval.

The Senior Planner advised that the scheme before Members was an identical one to that which was approved by the Planning Inspectorate on 1 February 2018 under Application No DC/16/0730/FUL.

The application seeking determination by the Committee (DC/17/2389/FUL) had been submitted in the alternative whilst the appeal in relation to DC/16/0730/FUL was ongoing. The applicant's intention had been to withdraw the appeal had DC/17/2389/FUL been determined positively prior to the appeal process being concluded. However, this had not been possible due to the objection received from the Town Council.

Accordingly, the purpose of the report before Members was to consider the comments received from consultees and third parties whilst noting that this was an identical scheme to that recently allowed by the Planning Inspectorate, as per the appeal Inspector's decision letter attached as Working Paper 1 to Report No DEV/SE/18/016.

Speakers: Dr Maggie Exon (resident) spoke against the application
Councillor Kevin Hind (Bury St Edmunds Town Council) spoke against the application

Councillor Alaric Pugh proposed that the application be approved, as per the Officer recommendation. 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 conditions set out within the schedule appended to the Planning Inspectorate's decision letter, shown at Working Paper 1 to Report No DEV/SE/18/016.

14. **Planning Application DC/18/0109/FUL - Detached Dwelling, Parsons Spinney, Front Street, Ousden (Report No: DEV/SE/18/017)**

Planning Application - 1no. dwelling with garage and access

This application was referred to the Development Control Committee following consideration by the Delegation Panel and because the Parish Council supported the scheme which was contrary to the Officer's recommendation of refusal.

A Member site visit was held prior to the meeting. Officers were recommending that the application be refused for the reasons set out in Paragraph 49 of Report No DEV/SE/18/017.

The Senior Planning Officer, as part of her presentation, advised the Committee which trees would be removed to accommodate the development (following questions with regard to this matter at the site visit).

Attention was also drawn to the 'late papers' issued after agenda publication which outlined details of late representations received in relation to the application.

Speakers: Mr Guy Holland-Bosworth (neighbour) spoke against the application
Mrs Jessamy Saltmarsh (applicant) spoke in support of the application

Councillor Alaric Pugh spoke in support of the Officer recommendation and the policy reasoning for refusal and moved that the application be refused. This was duly seconded by Councillor Ian Houlder.

Upon being put to the vote and with 8 voting for the motion, 4 against and with 1 abstention, it was resolved that

Decision

Planning permission be **REFUSED** for the following reasons:

1. Policies CS1 and CS4 between them establish the spatial strategy and the settlement hierarchy for development within St. Edmundsbury. Both seek to resist, in conformity with the provisions of Para. 55 of the National Planning Policy Framework (NPPF), residential development outside of settlement boundaries in otherwise unsustainable areas. Furthermore, Policy DM5 states that areas designated as countryside will be protected from unsustainable development and Policy DM27 sets out the circumstances where dwellings will be permitted outside of settlement boundaries. Ousden is a lower order settlement and the provision of a dwelling outside of the designated settlement boundary represents an unsustainable form of development. The proposal does not meet the provisions of policy DM27 in that it is not within a cluster and neither is it considered to be a small undeveloped plot within an otherwise continuous built up frontage. There are no material considerations that outweigh this significant conflict with the Development Plan.
2. Policy DM2 (Creating Places – Development Principles and Local Distinctiveness) states that proposals should recognise and address key features, characteristics and landscape of the area, and Policy CS4 seeks to ensure that development proposals do not adversely affect the setting of a settlement.

The proposal would create an encroachment to the countryside, distinctively separate from the housing settlement boundary. The proposal would harmfully erode the important green gap between clustered settlements within the parish of Ousden. A dwelling, plus garage and driveway in this location, as well as associated curtilage and paraphernalia, would significantly and materially adversely alter the landscape character of this area to its detriment. The proposal would create a visual intrusiveness in this otherwise presently attractive rural location and create a significant impact such as to cause harm to the surrounding landscape, to the significant material detriment of the character and appearance of the area. The proposal is therefore contrary to the provisions of Policy DM2, Policy DM13 and the National Planning Policy Framework (NPPF).

15. **Planning Application DC/18/0139/HH - 29 Micklesmere Drive, Ixworth (Report No: DEV/SE/18/018)**

Householder Planning Application - Single storey side extension (resubmission of DC/17/1117/HH)

This application was referred to the Development Control Committee following consideration by the Delegation Panel and because the Parish Council supported the scheme which was contrary to the Officer recommendation of refusal.

A Member site visit was held prior to the meeting. Officers were recommending that the application be refused for the reason set out in Paragraph 15 of Report No DEV/SE/18/018.

Attention was also drawn to the 'late papers' issued after agenda publication which included an additional map setting out the proposed layouts to the property.

Speakers: Councillor John Griffiths (Ward Member: Ixworth) spoke in support of the application
Mr Jeremy Tattersall (applicant) spoke in support of the application

Councillor John Burns disagreed with the reason for refusal and spoke in support of the application, he proposed that planning permission be approved contrary to the Officer recommendation of refusal. This was duly seconded by Councillor David Nettleton.

The Principal Planning Officer advised that the Decision Making Protocol would not need to be invoked in respect of this item; accordingly he then read out conditions to the meeting which could be attached to the planning permission should Members resolve to grant the application which included a soft landscaping condition as requested by Members.

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. Standard time limit
2. 14FP – Compliance with plans
3. Matching materials
4. Soft landscaping

16. **Planning Application DC/18/0204/VAR - Land to Rear of 62-63 Victoria Street, Bury St Edmunds (Report No: DEV/SE/18/019)**

Planning Application - Variation of condition 5 of DC/16/2803/FUL to vary the wording of condition 5 to The submitted scheme for the provision of additional parking bay(s) and associated works on Albert Street and York Road shown on drawing number SK02 shall be implemented in its entirety within six months of first occupation of either of the dwellings hereby permitted' for the Planning Application - 2no. dwellings (following demolition of existing garage and boundary fences)

This application was referred to the Development Control Committee because the prospective purchaser of one of the properties concerned was a contracted employee of the Planning Authority.

The Principal Planning Officer explained that the application before Members was simply seeking approval to vary the wording of a condition in respect of

prior approval granted. Officers were recommending that the application be approved, subject to conditions as set out in Paragraph 20 of Report No DEV/SE/18/019.

The Committee were advised that the request to vary the condition was in reaction to Suffolk County Council Area Highway's timescale for delivery as opposed to any resistance or unwillingness on the applicant's behalf. Approval would allow the completion and occupation of the dwellings rather than otherwise suffering a delay awaiting the formal Traffic Regulation Order.

Speaker: Mr Tom Stebbing (agent) spoke in support of the application

A number of Members spoke in support of the application, whilst equally citing frustration at Suffolk County Council Area Highway's timescale for delivery.

It was agreed, through the Chairman, that the Service Manager (Planning – Development) would draft a letter to Suffolk County Council on behalf of the Committee highlighting their concerns with regard to this matter.

The Service Manager also explained, in response to Members' questions with regard to enforcement, that if the Traffic Regulation Order had not been issued within a further six month period then the Planning Authority would take a view as to whether the matter was in the public interest to take enforcement action in terms of expediency.

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

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. NS Time Limit
2. 14FP Approved Plans
3. NS Demolition and construction timings
4. NS Additional parking bay(s)
5. NS External materials and finishes
6. NS Boundary treatments
7. NS Bin and cycle storage provision
8. NS Waste material arising
9. NS Security lights or floodlights

The meeting concluded at 12.46 pm

Signed by:

Chairman

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St Edmundsbury
BOROUGH COUNCIL

DEV/SE/18/020

Development Control Committee 3 May 2018

Planning Application DC/18/0275/FUL – Sainsbury's, Haycocks Road, Haverhill

Date Registered:	09.02.2018	Expiry Date:	06.04.2018
Case Officer:	Alice Maguire	Recommendation:	Approve Application
Parish:	Haverhill Town Council	Ward:	Haverhill West
Proposal:	Planning Application - (i) Extension to online goods area and (ii) alterations to existing service yard and car park.		
Applicant:	C/o Agent – Indigo Planning		

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:

Alice Maguire

Email: alice.maguire@westsuffolk.gov.uk

Telephone: 01638 719476

Background:

1. **The application is referred to the Development Control Committee following an objection from the Town Council and subsequent consultation with the Delegation Panel.**

Proposal:

2. Planning permission is sought for an extension to the existing online goods area, and alterations to the existing service yard and car park. The extension is proposed to be 111sqm resulting in a 'Goods Online' (GOL) facility with a total floor space of 301sqm. The proposal will result in the loss of 36 car parking spaces from the existing supermarket car park, including one disabled space and one parent and child space.

Site Details:

3. The proposal site is at Sainsbury's, Haycocks Road. This is a large site to the north of Haverhill, bounded by Haycocks Road to the west and south, and the A1307 to the north. To the east of the site is the Cambridge Road Retail Park. The area itself is very much characterised by industrial and retail uses, although to the south of the site are residential properties. The site itself is set at a much lower ground level to those residential properties and is shielded by landscaping.

Planning History:

4. The site has an extensive planning history but nothing of direct relevance to this present proposal.

Consultations:

5. Suffolk County Highways Authority: Do not wish to restrict the grant of permission.

Representations:

6. Haverhill Town Council: Object in the interest of safety. Due to the loss of 36 parking spaces, this will lead to an increase in vehicles parking along Haycocks Road. Although Suffolk County Council is aware of hazardous parking on this road, the Town Council request that this is addressed by installing parking restrictions. In addition, HGV's queuing/waiting to enter the service yard will add to this problem. A detailed transport study is required.

7. Ward Councillor: Calls the application in following concerns raised by the Town Council and Ward Councillors relating to the significant loss of car parking spaces at Sainsbury's.
8. No neighbour representations have been received.

Policy:

- Core Strategy Policy CS2 - Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM35 Proposals for main town centre uses
- Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM46 Parking Standards
- Policy DM1 Presumption in Favour of Sustainable Development

Officer Comment:

9. Issues to be considered in determination of this application:
 - Principle of the Development and Sustainable Development
 - Parking standards and Highway Safety
 - Impact on residential amenity and the character of the area

Principle of the Development

10. The proposal seeks to extend the existing GOL facility and service yard to allow Sainsbury's to expand their existing GOL service. The enlarged service yard will allow turning space and parking for an additional 12 GOL vans. This will result in the loss of 36 car parking spaces (34 standard, one disabled and one parent and child spaces).
11. It is considered by the applicant that, looking into longer term shopping habits, as well as the increase in online shopping and a home delivery service along with changing lifestyles, that the number of vehicle journeys necessary to the store will be reduced.
12. Paragraph 20 of the National Planning Policy Framework (2012) sets out that to deliver sustainable development, and help achieve economic growth that '*local planning authorities should plan proactively to meet the development needs of business and support and economy fit for the 21st century*'. It is considered that this proposal is a proactive approach to meet the demands of the store and therefore encourages economic growth.

13. Policy DM1 and paragraph 20 of the NPPF advocate the *presumption in favour of sustainable development*. This also encourages local authorities to *'work proactively to find solutions that means proposals can be approved wherever possible, and to secure development that improves the social, economic and environmental conditions in the area'*. In the case of this application, the new development is required to support economic growth in the area and to ensure a more efficient online delivery service is provided by the store. This improves the environmental conditions by reducing the need for customers to visit the store by car, representing sustainable development.

Parking Standards and Highway Safety

14. Policy DM46 of the Joint Development Management Policies Document (2015) seeks to reduce the over-reliance on the car and to promote more sustainable forms of transport. Although this proposal may not change travel habits to the store, it will reduce the need to travel to the store in the first place by the better efficiency of the GOL service. In turn, along with changing shopping habits, there will be a reduced demand for car parking spaces. It should also be noted that this expansion of the GOL service is a response by Sainsbury's to increasing demand for that service and this must be respected as adding considerable weight in support to this proposal.

15. The existing number of spaces in the car park is 401, meaning the loss of 36 spaces will result in 365 retained spaces. In the applicant's covering letter, it is stated that a Parking Beat Survey was carried out in June 2015 and recorded a peak occupancy of 62.3% based on a total of 408 parking spaces. It is considered that there will be sufficient parking capacity retained in the car park and the Highways Authority do not wish to restrict the grant of permission.

16. With regard to highway safety, an objection has been raised by Haverhill Town Council. There is concern that the loss of 36 car parking spaces will result in vehicles parking along Haycocks Road. There is also concern that in addition, HGV's queuing/waiting to enter the service yard will add to this problem. From the points raised above, and the fact that vehicles are already parking along Haycock's Road (possibly for convenience), it is not believed that the redeployment of these 36 spaces will have a significant direct impact on the on-street parking along Haycock's Road. The proposal will result in parking for an additional 12 GOL vans, meaning that there will be an increase in traffic along Haycocks Road. As these vans will be using this road at different times for deliveries, it is not considered that there is any severe safety impact by the increase in the GOL vans.

Impact on the area

17. The proposal is in a location characterised by commercial use but is also in close proximity to a residential area. The site is set at a much lower level to these properties and is well screened by a landscaping buffer, therefore have no impact on the neighbouring residential properties.
18. The proposal will result in the loss of a few modest trees, and although these trees are not covered by tree preservation orders, it is considered that the loss of these trees should be mitigated by some further replacement. The site is presently open parking, and will be enclosed as part of a more service / utilitarian element of the premises and a condition requiring the submission of a soft landscaping scheme is therefore recommended. Furthermore, noting the recommendations in the tree report, tree protection is imposed through a condition.
19. The submitted noise report indicates that there will be no adverse noise effects arising from the proposal and no conditions are necessary.
20. The size of the proposal will be subservient to the existing superstore and the design and materials are in keeping with the character of the existing site. It will therefore not appear a stark contrast in the area and is considered acceptable on the basis of design and form.

Conclusion:

21. 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:

22. It is recommended that planning permission be **GRANTED** subject to the following conditions:
 1. Development to commence within 3 years
 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
 3. Submission and implementation of soft landscaping scheme
 4. Implementation of tree protection as per submitted tree report.

Informatives:

1 When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising. In this case the application could be approved without negotiation or amendment so there was no need to work with the applicant.

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=P3W213PDM4400>

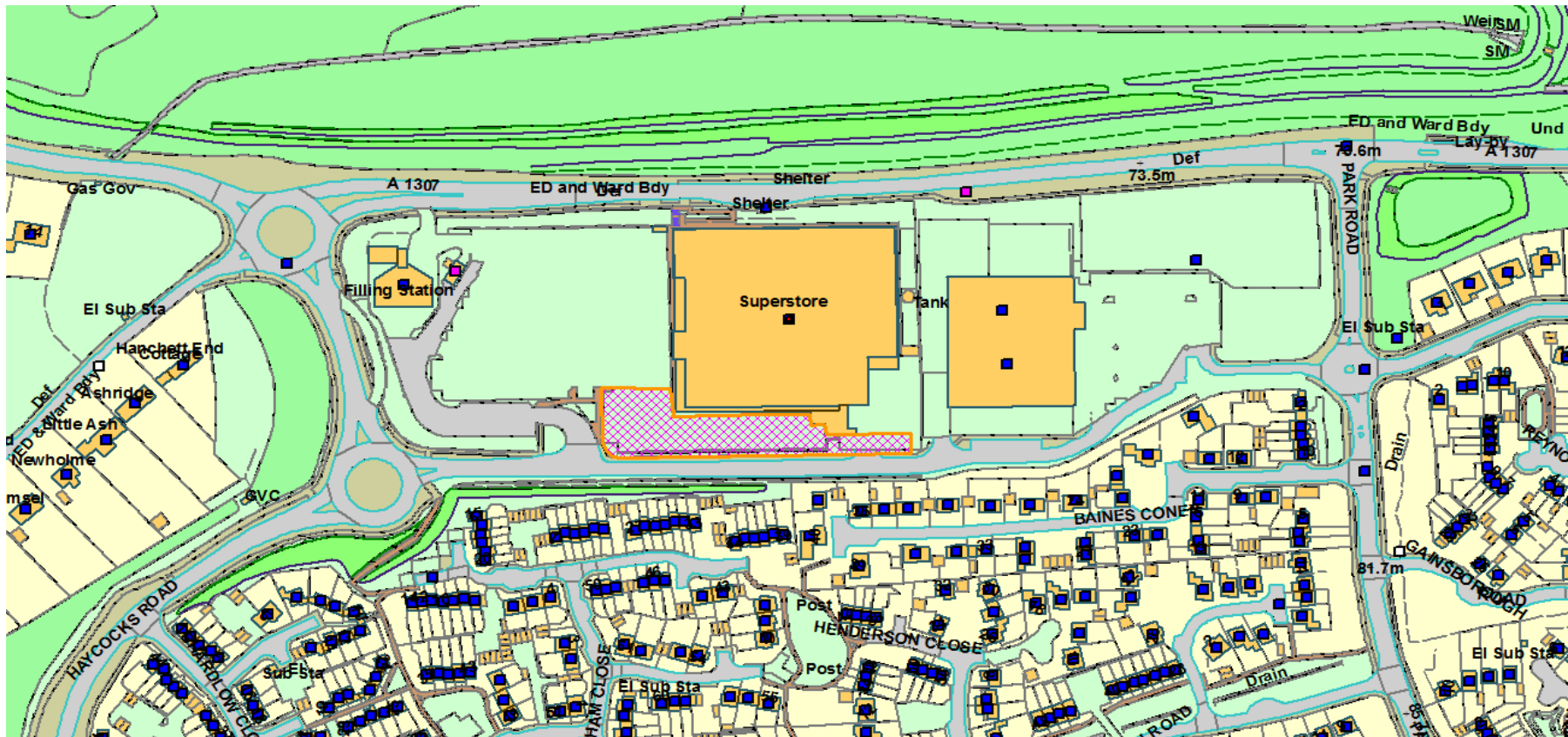


DC/18/0275/FUL

Sainsburys

Haycocks Road

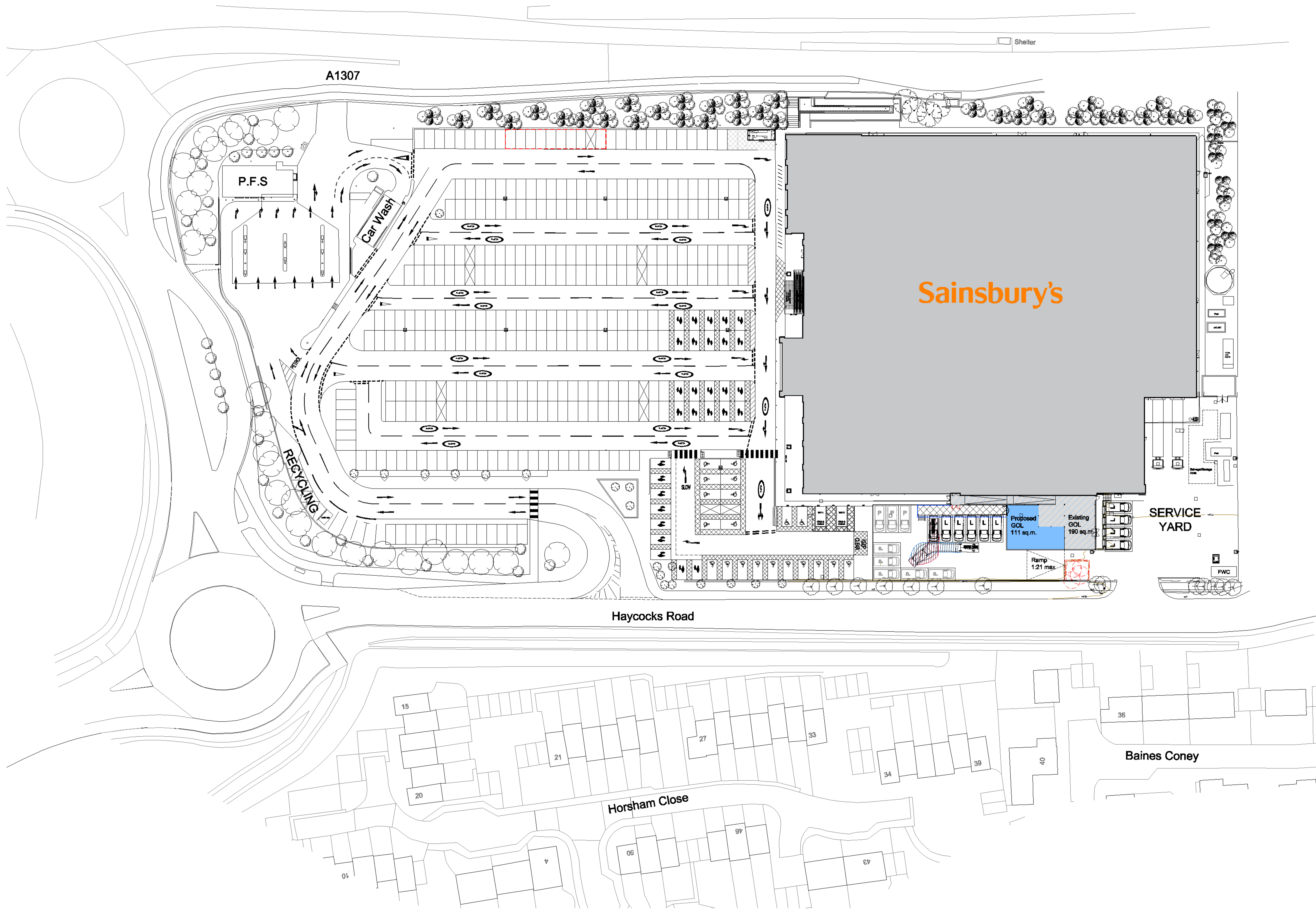
Haverhill



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HAVERHILL

Existing Parking Spaces	
Standard	350
Disabled	21
Parent and Child	30
Total	401
Proposed Parking Spaces	
Standard	318
Disabled	20
Parent and Child	29
Total	365
Difference	-36



Page 8

All drawings are subject to full site survey. All dimensions are to be checked on site.

0m 10m 20m 30m 40m 50m

PLANNING

CLIENT: Sainsbury's

PROJECT: Haycocks Road, HAVERHILL, CB8 7YL

DATE: Proposed Site Plan, January 18

SCALE: 1:500 @ A1

DESIGNER: CHQ ARCHITECTS

PROJECT NO: CHQ.16.12446-PL0004

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St Edmundsbury
BOROUGH COUNCIL

DEV/SE/18/021

Development Control Committee 3 May 2018

Planning Application DC/18/0388/FUL – Sainsburys, Haycocks Road, Haverhill

Date Registered:	1.3.2018	Expiry Date:	26.4.2018
Case Officer:	Charlotte Waugh	Recommendation:	Approve Application
Parish:	Haverhill Town Council	Ward:	Haverhill West
Proposal:	Planning Application - Planning Application - (i) Change of use of 10no parking spaces to hand car wash and valeting operation to include cabin and canopy and (ii) 7no floodlights		
Site:	Sainsburys, Haycocks Road, Haverhill		
Applicant:	Mr Jon-Pall Bonnett – Waves Consultancy		

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:

Charlotte Waugh

Email: charlotte.waugh@westsuffolk.gov.uk

Telephone: 01284 757349

Background:

1. The application has been referred to the Development Control Committee following an objection from Haverhill Town Council and to allow this application to be considered along with DC/18/0275/FUL (previous agenda item) which also involves the loss of car parking spaces within the same site.

Proposal:

2. Planning Permission is sought for the change of use of 10 car parking spaces to a hand car wash. A cabin will be erected on site accommodating a customer reception area and welfare facilities for staff. The cabin measures 4.8m x 2.4m with a flat roof at a height of 2.5 metres. To the east of the cabin five screen panels will be erected to the rear of the wet wash area at a height of 1.8 metres, on the western side a canopy would be erected to cover the valet area. Four employees are anticipated with operating hours being 08:00-19:00 Monday to Saturday and 10:00-16:00 Sundays.

Site Details:

3. The car wash site is located to the north of Sainsbury's car park to the east of the petrol station. A landscaped boundary forms the northern boundary with the main road.

Planning History:

4. Various planning applications have been submitted on the site, below are those considered to be most relevant:

Reference	Proposal	Status	Received Date	Decision Date
DC/18/0275/FUL	Planning Application - (i) Extension to online goods area and (ii) alterations to existing service yard and car park.	Pending Decision	09.02.2018	
DC/18/0389/ADV	Application for Advertisement Consent - (i) 1no Internally illuminated Fascia Sign, (ii) 3no non illuminated fascia	Granted	01.03.2018	

signs and (iii) 5no
non illuminated
information signs

Consultations:

5. Public Health and Housing: No objections subject to condition controlling operational hours.
6. Environment Team: We have no cause for concern but recommend that no final decision is made until the Environment Agency have responded and assessed the risks to ground water from operation of the site as a hand car wash.
7. Environment & Transport – Highways: No objection, subject to conditions.
8. Environment Agency: No objections subject to condition.

Representations:

9. Haverhill Town Council: The Town Council OBJECT to this application on the grounds of loss of further car parking spaces. The accumulative loss of spaces over the years has led to over-spill parking along Haycocks Road which raises concern for the safety of pedestrians and road users.
- 10.No neighbour representations have been received.

Policy:

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM46 Parking Standards
- Vision Policy HV1 - Presumption in Favour of Sustainable Development
- Core Strategy Policy CS3 - Design and Local Distinctiveness

National Planning Policy Framework 2012

Officer Comment:

- 11.The issues to be considered in the determination of the application are:
 - Principle of Development
 - Impact on Amenity

- Impact on Highway Safety/Parking Provision
- Other Matters

Principle of Development

12. The proposed development comprises the provision of a car wash facility including cabin within the car park of Sainsburys. Shopping habits have changed in the recent past and supermarkets now provide a number of ancillary roles to merely food shopping. On this basis, it is not unusual to find car washing facilities within the grounds of large food stores. Given the subservient nature and modest scale of the development there are no objections in principle, providing the application complies with adopted policies in relation to parking provision, noise and visual/residential amenity.

Impact on Amenity

13. In terms of visual amenity, the proposal involves the erection of a modest sized cabin to contain a reception area and welfare facilities for staff. This is considered reasonable and given the minimal size and height proposed is unlikely to appear dominant or imposing within its setting. Similarly a canopy will shelter cars being given an internal clean and screens will separate the car wash area from planting to the rear. These structures are of a temporary nature and have a limited visual impact. Given that the site is enclosed this form of development and associated signage is considered acceptable.

14. The application is supported by a Design and Access Statement produced by Waves Car Wash Ltd incorporating details of the proposed flood lighting and an Acoustic Report, commissioned by Waves, on the typical noise generation of a car wash facility produced by RPS (Acoustics).

15. The Acoustic Report is based on noise measurements taken during the operation of plant and equipment used at a typical Wave Car wash facility, including a jet pressure washer and compressor, vacuum cleaners and a submersible water recycling pump. Scenarios have been calculated using different combinations of the various plant and equipment items running simultaneously and concludes that a typical Waves car wash facility generates a noise level of between 77.1 and 80.1 dB(A) of sound pressure at source, depending on the combination of plant and equipment items in use.

16. Floodlighting will be provided to the car wash facility with seven, 50 Watt polycarbonate LED floodlights which will be directed over the work area. It is understood that the floodlights will be switched off, outside of the operating hours and this can be controlled via condition.

17. The submitted plans indicate that the proposed Waves car wash facility will be located to the far north of the application site adjacent to A3017, at a distance of approximately 130m from the nearest residential premises at Horsham Close. It is therefore unlikely that the use of the car wash facility will give rise to any disturbance at the nearest residential property by reason of noise or lighting.

Impact on Highway Safety/Parking Provision

18. Policy DM46 seeks to ensure that proposed development is served by sufficient parking provision which is appropriately designed and sited. At present the store is served by 401 parking spaces, incorporating 21 disability spaces and 30 parent and child spaces.

19. Whilst the car wash represents a loss of 10 spaces, it is possible to wash and valet 5-6 cars at any one time and therefore, the net loss is 3-4 spaces, if it is assumed that these are vehicles which would otherwise have visited the store and the occupants are shopping while their car is being cleaned. Whilst the design allows for customers to stay in their car during the car wash, generally customers would drop off their car and then enter the store to carry out their shopping and on this basis, the parking spaces are not technically 'lost'.

20. This application has been received at the same time as another application at Sainsbury's to expand their goods online facility (DC/18/0275/FUL). This involves a single storey extension of 111sqm which would result in the loss of 36 standard parking spaces. The combination of the two proposals will result in a loss of 46 parking spaces. However, when examining this figure consideration must be given to the changing shopping habits of customers, as stated above it is possible that those using the car wash will shop at the same time. Furthermore, the expansion of the goods online facility aims to serve more customers through internet ordering and delivery and should, consequently, reduce the number of visitors to the store.

21. A Parking Beat Survey carried out in June 2015 recorded a peak occupancy of 62.3% and on this basis, the car park is considered to have sufficient capacity to meet the demands from the proposed development. The application site is located in a rear corner of the site where it will not hinder vehicular or pedestrian access to the store and the Highway Authority has raised no objections. This survey and its results have been considered by the Highway Authority who have raised no objections to the proposal.

22. Accordingly, it is not considered that the proposal will have an adverse impact on the operation of the car park or superstore as a whole.

23. Whilst concerns have been raised by the Town Council regarding customers parking on Haycocks Road, this appears to be out of convenience rather

than as an overspill as this still occurs when sufficient spaces are available within the car park. The Highway Authority is unable to impose parking restrictions on this road as it is privately owned. IN any event, this is considered to be a management issue rather than an issue of insufficient capacity within the existing car park.

Other Matters

24. Car washing will take place over a concrete pad with a central drain, silt trap and interceptor. The water will be filtered using a recycling system and re-used within the car wash. Only biodegradable detergents will be used with foul water directed to Sainsbury's foul water drain and any remaining sludge collected by a licenced contractor. The applicant has already discussed proposals with the Environment Agency and is aware of their guidance. Accordingly, no objection is raised by the Environment Agency subject to the imposition of a condition controlling surface water drainage.
25. The applicant estimates that the car wash will generate four full time and four part time jobs which will benefit the local economy. Certainly job creation is encouraged by both local and national planning policy with the NPPF stating at paragraph 20 *'To help achieve economic growth, Local Planning Authorities should plan proactively to meet the development needs of businesses and support an economy fit for the 21st century.'* This weighs in favour of the scheme.

Conclusion:

26. The application site is able to accommodate the proposed development without causing any adverse impacts on parking provision, highway safety or residential amenity and is therefore, considered acceptable and in compliance with local and national policy.

Recommendation:

27. It is recommended that planning permission be **GRANTED** with the following conditions:
1. Development to commence within 3 years
 2. The development shall be carried out in accordance with approved plans
 3. The operating hours of the Waves Car Wash facility and any associated lighting shall be limited to 08:00 to 19:00 hours on Monday-Saturday and from 10:00 to 16:00 hours on Sundays, Bank and Public Holidays.
 4. The light source shall not be visible from any highway, either local or distant, in order to avoid disability or discomfort glare for either pedestrians or motorists.
 5. The screens shall prevent any spray from the cleaning operation being blown towards the A1307 highway.

6. Surface water draining from areas of hardstanding shall be passed through an oil separator or series of oil separators, prior to being discharged into any watercourse, soakaway or surface water sewer. The separator(s) shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water or vehicle washdowns and detergents shall not pass through the separator(s) and should be drained instead to foul sewer or sealed system.

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=P4V32TPDMHR00>

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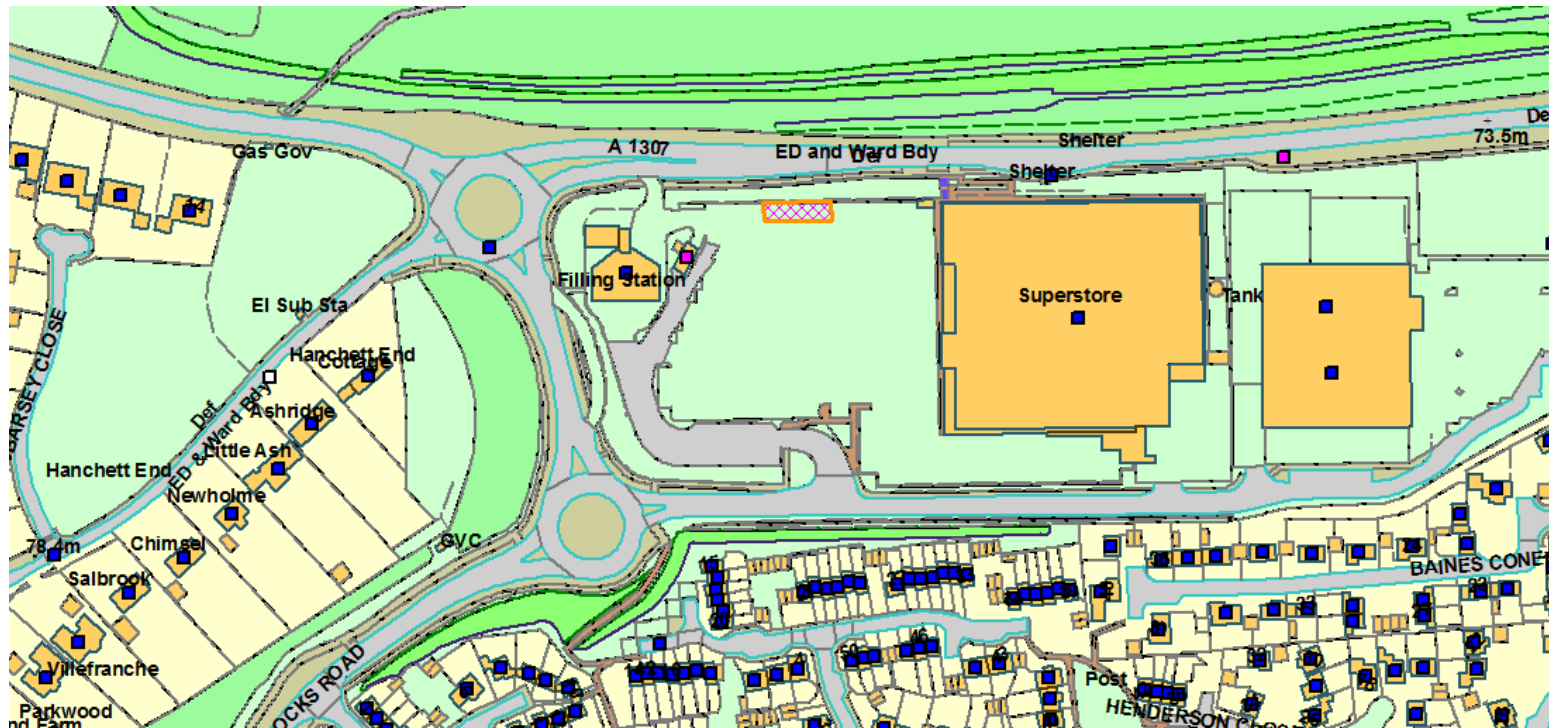
DC/18/0388/FUL

Car Wash - Sainsburys

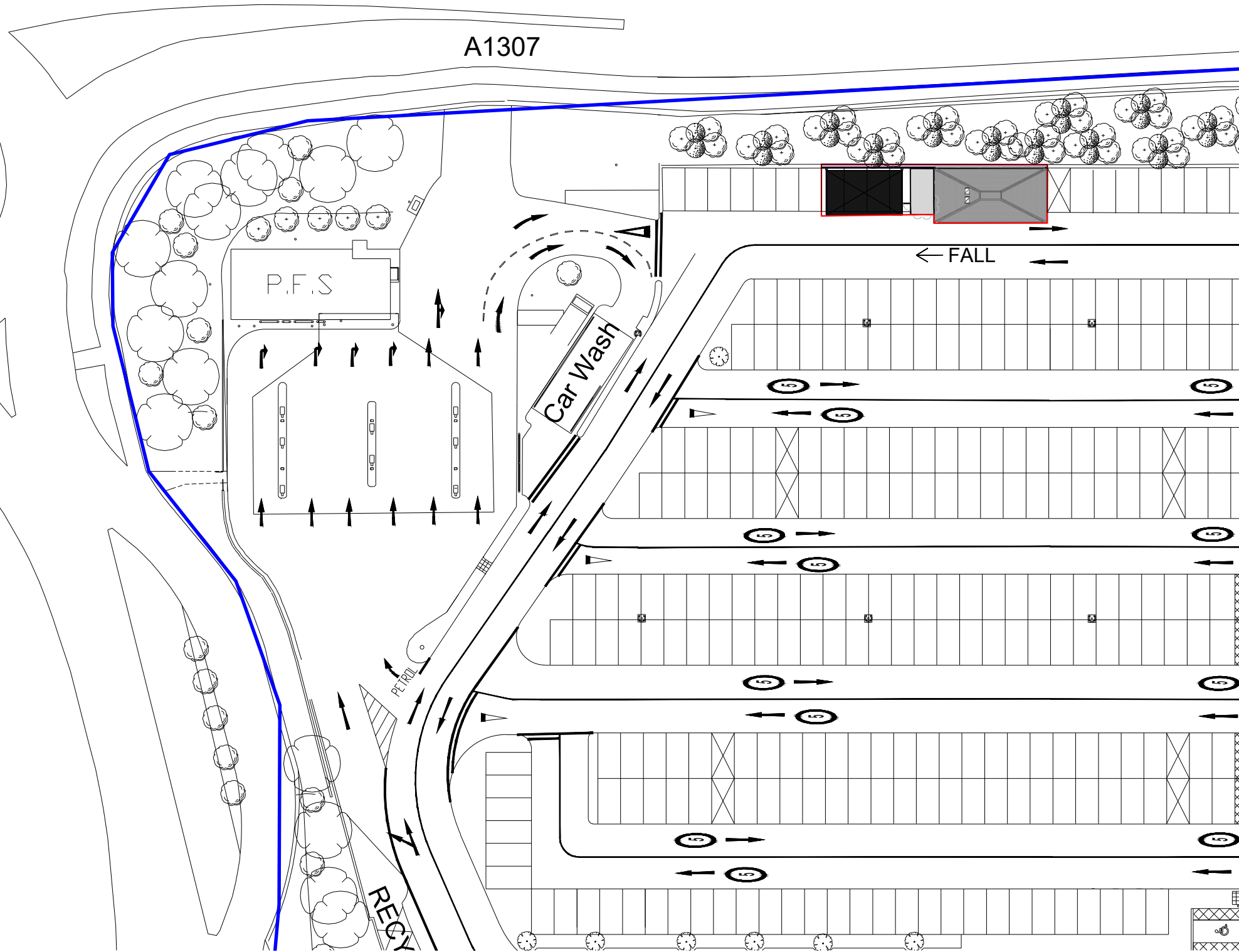
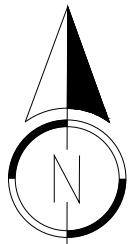


Haycocks Road

Haverhill



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Rev	Amendment	Date	By

Status
PLANNING

Waves Consultancy Ltd
 4 College Mews
 London
 SW18 2SJ
 020 8877 3884
 www.wavescarwsh.co.uk



Project
 Hand Car Wash Installation
 Sainsbury's Supermarket Ltd
 Haycocks Road
 Haverhill
 CB9 7YL

Drawing Title
Proposed Block Plan

Scale
 1:500 @ A3

Drawn By
 JPB

Date
 19/02/2018

Drawing Number
 CB9 7YL-PL-003

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