

Development Control Committee



St Edmundsbury
BOROUGH COUNCIL

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| Title: | Agenda | | | | | | | | | | | | |
| Date: | Thursday 2 November 2017 | | | | | | | | | | | | |
| Time: | 2.00 pm (or on the conclusion of the Special Development Control Committee meeting, whichever is the later) | | | | | | | | | | | | |
| 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;">Ivor Mclatchy Alaric Pugh Andrew Smith Peter Stevens</td> </tr> <tr> <td style="vertical-align: top;"><u>Charter Group Members (2)</u></td> <td style="vertical-align: top;">Julia Wakelam</td> <td style="vertical-align: top;">David Nettleton</td> </tr> <tr> <td style="vertical-align: top;"><u>UKIP Group Member (1)</u></td> <td style="vertical-align: top;">Jason Crooks</td> <td></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> </table> | <u>Conservative Members (12)</u> | Terry Clements Robert Everitt Paula Fox Susan Glossop Ian Houlder | Ivor Mclatchy Alaric Pugh Andrew Smith Peter Stevens | <u>Charter Group Members (2)</u> | Julia Wakelam | David Nettleton | <u>UKIP Group Member (1)</u> | Jason Crooks | | <u>Haverhill Indys Member (1)</u> | John Burns | |
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| <u>UKIP Group Member (1)</u> | Barry Robbins | | | | | | | | | | | | |
| <u>Haverhill Indys Member (1)</u> | Tony Brown | | | | | | | | | | | | |
| 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. | | | | | | | | | | | | |

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| Quorum: | Six Members |
| SITE VISITS WILL BE HELD ON THURSDAY 26 OCTOBER 2017 AT THE FOLLOWING TIMES: | |
| The coach for Committee Members will depart West Suffolk House at 9.30am and will travel to the following sites: | |
| 1. Planning Application DC/17/1628/OUT - Land Adjacent to Aldersfield Place Farm, Ashfield Green, Wickhambrook, CB8 8UZ Outline Planning Application (Means of Access to be considered) - 1no. dwelling and detached garage Site visit to be held at 9.50am(approx) | |
| 2. Planning Application DC/17/1588/HH - 59 Millfield Road, Barningham, IP31 1DX Householder Planning Application - conversion of bungalow to two storey dwelling including single storey rear extension and part two storey / part single storey front extension Site visit to be held at 10.50am(approx) | |
| 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.

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

Material Planning Considerations

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

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

- Supplementary Planning Guidance/Documents eg. Affordable Housing SPD
 - Master Plans, Development Briefs
 - Site specific issues such as availability of infrastructure, density, car parking
 - Environmental; effects such as effect on light, noise overlooking, effect on street scene
 - The need to preserve or enhance the special character or appearance of designated Conservation Areas and protect Listed Buildings
 - Previous planning decisions, including appeal decisions
 - Desire to retain and promote certain uses e.g. stables in Newmarket.
3. The following are **not** Material Planning Considerations and such matters must not be taken into account when determining planning applications and related matters:
 - Moral and religious issues

- Competition (unless in relation to adverse effects on a town centre as a whole)
 - Breach of private covenants or other private property / access rights
 - Devaluation of property
 - Protection of a private view
 - Council interests such as land ownership or contractual issues
 - Identity or motives of an applicant or occupier
4. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission must be determined in accordance with the Development Plan (see table above) unless material planning considerations indicate otherwise.
5. A key role of the planning system is to enable the provision of homes, buildings and jobs in a way that is consistent with the principles of sustainable development. It needs to be positive in promoting competition while being protective towards the environment and amenity. The policies that underpin the planning system both nationally and locally seek to balance these aims.

Documentation Received after the Distribution of Committee Papers

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

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

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

Public Speaking

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

DEVELOPMENT CONTROL COMMITTEE: DECISION MAKING PROTOCOL

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

Decision Making Protocol

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

- Where an application is to be deferred, to facilitate further information or negotiation or at an applicant's request.
- Where a recommendation is to be altered as the result of consultation or negotiation:
 - The presenting Officer will clearly state the condition and its reason or the refusal reason to be added/deleted/altered, together with the material planning basis for that change.
 - In making any proposal to accept the Officer recommendation, a Member will clearly state whether the amended recommendation is proposed as stated, or whether the original recommendation in the agenda papers is proposed.
- Where a Member wishes to alter a recommendation:
 - In making a proposal, the Member will clearly state the condition and its reason or the refusal reason to be added/deleted/altered, together with the material planning basis for that change.
 - In the interest of clarity and accuracy and for the minutes, the presenting officer will restate the amendment before the final vote is taken.
 - Members can choose to;
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory);
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory) following consultation with the Chair and Vice Chair(s) of Development Control Committee.
- Where Development Control Committee wishes to overturn a recommendation and the decision is considered to be significant in terms of overall impact; harm to the planning policy framework, having sought advice from the Assistant Director (Planning and Regulatory) and the Assistant Director (Human Resources, Legal and Democratic) (or Officers attending Committee on their behalf);
 - A final decision on the application will be deferred to allow associated risks to be clarified and conditions/refusal reasons to be properly drafted.

- An additional officer report will be prepared and presented to the next Development Control Committee detailing the likely policy, financial and reputational etc risks resultant from overturning a recommendation, and also setting out the likely conditions (with reasons) or refusal reasons. This report should follow the Council's standard risk assessment practice and content.
- In making a decision to overturn a recommendation, Members will clearly state the material planning reason(s) why an alternative decision is being made, and which will be minuted for clarity.
- In all other cases, where Development Control Committee wishes to overturn a recommendation:
 - Members will clearly state the material planning reason(s) why an alternative decision is being made, and which will be minuted for clarity.
 - In making a proposal, the Member will clearly state the condition and its reason or the refusal reason to be added/deleted/alterred, together with the material planning basis for that change.
 - Members can choose to;
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory)
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory) following consultation with the Chair and Vice Chair(s) of Development Control Committee
- Member Training
 - In order to ensure robust decision-making all members of Development Control Committee are required to attend annual Development Control training.

Notes

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

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

Agenda

Procedural Matters

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 - 28

To confirm the minutes of the meetings held on 7 September 2017 (*as amended*), 21 September 2017 and 5 October 2017 (copies attached).

4. Planning Application DC/17/1628/OUT - Land Adjacent to Aldersfield Place Farm, Ashfield Green, Wickhambrook

29 - 42

Report No: **DEV/SE/17/042**

Outline Planning Application (Means of Access to be considered) - 1no. dwelling and detached garage

5. Planning Application DC/17/1588/HH - 59 Millfield Road, Barningham

43 - 54

Report No: **DEV/SE/17/043**

Householder Planning Application - conversion of bungalow to two storey dwelling including single storey rear extension and part two storey / part single storey front extension

6. Planning Application DC/17/1867/HH - Anvil Cottage, Maltings Lane, Ingham

55 - 64

Report No: **DEV/SE/17/044**

Householder Planning Application - Single storey rear extension and two storey side extension

7. Planning Application DC/17/1576/HH - Walnut Brook, Withersfield Road, Haverhill

65 - 72

Report No: **DEV/SE/17/045**

Householder Planning Application - Detached outbuilding on concrete base

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Development Control Committee



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Development Control Committee** held on **Thursday 7 September 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

Terry Clements

Ian Houlder

Jason Crooks

Ivor Mclatchy

Robert Everitt

David Nettleton

Paula Fox

Andrew Smith

Susan Glossop

Substitutes attending:

John Griffiths

Barry Robbins

By Invitation:

Richard Rout

343. **Apologies for Absence**

Apologies for absence were received from Councillor John Burns, Alaric Pugh, Peter Stevens and Julia Wakelam.

344. **Substitutes**

Councillor Barry Robbins attended the meeting as substitute for Councillor John Burns and Councillor John Griffiths attended as a substitute for Councillor Alaric Pugh.

345. **Minutes**

The Chairman drew attention to the two sets of minutes attached to the agenda for Members' consideration:

19 July 2017

Councillor David Nettleton spoke on the minutes of 19 July 2017 and made reference to being aware of concerns from a third party in relation to the content of the minutes, however, he did not personally dispute them.

The Chairman advised the meeting that the minutes in question had been circulated in draft mode prior to inclusion on an agenda, which was not the normal process.

The minutes of the meeting held on 19 July 2017 were then confirmed as a correct record and were signed by the Chairman.

3 August 2017

Councillor Nettleton also spoke on the minutes of 3 August 2017 and made reference to Minute No 340 (Planning Application DC/16/1050 & Listed Building Consent Application 16/1051/LB – 6 Lower Baxter Street, Bury St Edmunds).

At the meeting in August Councillor Nettleton had spoken against the application in question on the grounds of design and had believed that he had asked that his objection was recorded in the minutes, however, on investigation the recording of the meeting had not shown this.

Councillor Nettleton, therefore, asked that his objection be formally recorded and the Chairman agreed for it to be noted.

The minutes of the meeting held on 3 August 2017 were then confirmed as a correct record and were signed by the Chairman.

346. **Planning Application DC/17/0595/RM - Development Zones I, K and L, Marham Park, Bury St Edmunds (Report No: DEV/SE/17/036)**

Reserved Matters Application - Submission of details under DC/13/0932/HYB for details of access, scale, layout, appearance, landscaping and parking for Development Zones I, K and L for 180 dwellings Including Details Reserved by Conditions C19, C20, C21, C22, C23, C30, C31, C35, C36 and C37 of application DC/13/0932/HYB

This application was referred to the Development Control Committee as it was a major application and the Parish Councils concerned raised objections, which was contrary to the Officer recommendation of approval, subject to a condition, as set out in Paragraph 69 of Report No: DEV/SE/17/036.

The Principal Planning Officer explained that the application before the Committee sought Reserved Matters approval (access, scale, layout, appearance, landscaping and parking) following the Hybrid planning application granted in 2014 subject to a number of detailed conditions.

The Case Officer spoke on other related applications in respect of the Marham Park development and made reference to the overall Masterplan.

As part of his presentation the Officer made reference to:

- The 'late papers' which were circulated after the agenda was published; within which attention was drawn to the representation received from Suffolk County Council's Flood and Water Engineer who confirmed that their holding objection to the application could be removed;

- The approved Density Parameter Plan; which demonstrated that the scheme before Members was at the top of the permitted range, but within the specified limits, in light of which Officers considered the density proposed to be acceptable;
- The Road Hierarchy and Parking Plan which Highways had confirmed was acceptable (including access for emergency vehicles) and the size of the garages proposed was in accordance with the County's parking guidelines; and
- The landscape masterplan.

The Committee was advised that as a result of Parish boundary changes that came into effect on 1 April 2017 the application site now fell within Bury St Edmunds, when previously it came under Fornham All Saints. Accordingly, as both Parish Councils had been consulted on the related hybrid application the Chairman had permitted both to address the meeting.

Speakers: Councillor Tom Murray (Bury St Edmunds Town Council) spoke against the application
 Councillor Howard Quayle (Fornham All Saints Parish Council) spoke against the application
 Sean Marten (applicant) spoke in support of the application

During discussion, questions were raised with regard to; road widths, space standards and the management of the open space.

In answering these questions the Case Officer clarified that:

- The width of the proposed roads complied with the Suffolk Design Guide;
- The Nationally Described spaces Standards could only be applied if they were part of a Local Plan. As these were currently not part of the St Edmundsbury Development Plan they could not be applied to the application. The Officer explained that planning colleagues were currently working on this matter and Members of the Committee asked that this be progressed as quickly as possible; and
- The Committee were advised that the management arrangements for open space varied across the schemes within Marham Park as different developers often chose different management mechanisms. Members were assured that in all cases Officers worked closely with the developers.

Councillor Robert Everitt asked a specific question with regard to surface treatments within the scheme such as tactile paving. The Case Officer explained that the development met all county standards in this respect. In response to which Councillor Everitt encouraged the applicant to consider the inclusion of these elements wherever possible.

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

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

Decision

Planning permission be **APPROVED** subject to the following condition:

1. Plans and documents condition

347. **Planning Application DC/17/0232/FUL - 65 Horsecroft Road, Bury St Edmunds (Report No: DEV/SE/17/037)**

Planning Application - (i) 1no new dwelling with extension to existing access drive and (ii) Single storey side extension to No.65 Horsecroft Road and remaining works to new drive entrance

This application was referred to the Development Control Committee in order to ensure full openness of the application process and in light of the interest in the proposal.

A Member site visit was held prior to the meeting. Bury St Edmunds Town Council had withdrawn an earlier objection in relation to the application, however, representations had been received from neighbouring properties.

Officers were recommending that the application be refused, for the reason set out in Paragraph 7 of the 'late papers' which were circulated after the agenda had been published.

As part of his presentation the Planning Officer made reference to:

- The 'late papers' which contained an amendment to the wording of refusal reason 1 and explained the reasoning for removing refusal reason 2 (as a result of the applicant since proposing the repositioning of the existing fence a further 900mm back from its current position and to plant an evergreen Laurel hedge in front, fronting Horsecroft Road);
- An email that had been circulated to the Committee from the applicant which queried the Site Area (sqm) figures set out in the late papers within a table in Paragraph 5. The Officer confirmed that some of the figures in the late papers had unfortunately been included inaccurately and advised the Committee of the correct calculations.

The Case Officer spoke on the history of the site and related planning applications.

Attention was also drawn within the presentation to nearby residences which had been subject to similar 'infill' planning applications. The Officer explained that the site area and curtilage of the proposed dwellings within the application would be somewhat smaller than the others shown, which reinforced the Officer's concerns regarding the proposed impact of the development on the character and appearance of the area.

Speakers: Elizabeth Maine (neighbour) spoke against the application
Councillor Richard Rout (Ward Member: Westgate) spoke against the application
Trevor Grange (applicant) spoke in support of the application

Councillor David Nettleton proposed that the application be refused, as per the Officer recommendation and for the reason set out in the 'late papers', and this was duly seconded by Councillor Ian Houlder.

Upon being put to the vote and with 3 voting for the motion, 9 against and with 1 abstention the Chairman declared the motion lost.

Following further discussion on the application by the Committee, Councillor Terry Clements proposed that the application be deferred in light of Members' concerns, to enable Officers to work with the applicant to seek improvements to the scheme where possible. This was duly seconded by Councillor David Nettleton.

Upon being put to the vote and with 3 voting for the motion, 9 against and with 1 abstention the Chairman declared the motion lost.

Councillor Carol Bull then proposed that the application be approved, contrary to the Officer recommendation, and this was duly seconded by Councillor Susan Glossop.

The Lawyer then interjected and explained that in making the proposal for approval Members needed to give reasons as to why they were going against the Officer's recommendation.

Following deliberation and after receiving Officers' advice, Councillors Bull and Glossop determined the following reasons:

- Refusal reason 2 had been removed as no longer relevant, leaving just one reason in the Officer's recommendation;
- The impact on visual amenity was not as severe as originally thought, particularly given the reduction in height; and
- The plot sizes concerned were considered adequate.

The Case Officer then read out draft conditions which could be used if Members were minded to approve the application:

1. Standard time limit
2. Samples of materials
3. Access material details
4. Parking and manoeuvring details
5. Tree protection measures
6. Removal of permitted development rights
7. Details of boundary/screening treatment
8. Details of landscaping scheme
9. In accordance with approved plans

Councillor Glossop asked if the existing Leylandii trees could be conditioned in any way, however, the Assistant Director (Planning & Regulatory Services) advised against this specific condition as there were legal rights under antisocial behaviour legislation which can control the height of such hedges. A screening condition to be agreed with Officers was therefore recommended.

The Chairman then put the motion for approval to the vote, with 9 voting for, 3 against and with 1 abstention, it was resolved that

Decision

Planning permission be **GRANTED**, contrary to the Officer recommendation, for the following reasons:

- Refusal reason 2 had been removed as no longer relevant, leaving just one reason in the Officer's recommendation;
- The impact on visual amenity was not as severe as originally thought, particularly given the reduction in height; and
- The plot sizes concerned were considered adequate.

And subject to the following conditions:

1. Standard time limit
2. Samples of materials
3. Access material details
4. Parking and manoeuvring details
5. Tree protection measures
6. Removal of permitted development rights
7. Details of boundary/screening treatment
8. Details of landscaping scheme
9. In accordance with approved plans

348. **Planning Application DC/17/0995/VAR - Forge Cottage, Bowbeck, Bardwell (Report No: DEV/SE/17/038)**

Planning Application - Variation of Condition (2) of DC/16/1098/HH to enable re-orientation of the solar panels for the (i) conversion of open fronted car port (attached to converted outbuilding) into guest accommodation (ii) relocation of solar panels from the existing outbuilding to be floor mounted (iii) detached cart lodge (amended)

This application was referred to the Development Control Committee following consideration by the Delegation Panel and because the Parish Council did not object to the proposal, which was contrary to the Officer's recommendation of refusal, for the reasons set out in Paragraph 31 of Report No DEV/SE/17/038.

The Planning Officer drew attention to Paragraph 28 of the report which outlined efficiency information in respect of the solar panels. In light of which, Officers considered the reorientation of the panels to only result in a *marginal* benefit and were therefore recommending refusal of the application; as the harm caused by the proposal would outweigh the benefit.

Speakers: Ian Wilkinson (neighbour) spoke against the application
Councillor Andrew Smith (Bardwell Parish Council) spoke in support of the application*

David Tomlinson (applicant) spoke in support of the application

(*Whilst speaking as a member of and on behalf of the Parish Council, Councillor Smith clarified that when the Parish Council considered the application in question he personally abstained from the vote and stressed that he would maintain an open mind when considering the item.)

During his address to the meeting Councillor Smith had requested, on behalf of the Parish Council, that screening options be explored with the applicant to help mitigate the impact of the solar panel's re-siting.

Councillor David Roach spoke in support of the screening suggestion and questioned the degree of harm that would be caused by the panel's re-orientation, he moved that the application be approved, contrary to the Officer recommendation, and this was duly seconded by Councillor Carol Bull.

In response to a number of questions/comments with regard to the Officer's perception of 'harm' the Principal Conservation Officer addressed the meeting and provided additional explanation.

Councillor Terry Clements moved an amendment that the application be deferred in order to allow time for a Member site visit to be undertaken and for Officers to investigate appropriate screening options. However, this motion failed to be seconded.

The Chairman, therefore, put the motion for approval to the vote and with 8 voting for, 4 against and with 1 abstention it was resolved that

Decision

Planning permission be **GRANTED**, contrary to the Officer recommendation, for the following reason:

- The degree of harm was not considered to be significant when compared to the previously approved scheme

And subject to the following conditions:

1. Original time limit

The development to which this permission relates must be commenced not later than 12.01.2020.

2. Approved plans

The development hereby permitted shall be carried out in accordance with the approved plans and documents.

3. Screening details

Before the installation of the solar panels hereby approved details of soft landscaping screening shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a planting plan; schedules of plants noting species, plant sizes and proposed numbers/ densities. The approved scheme shall be implemented not later than the first planting season following the installation of the solar panels (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.

4. Removal of PV panels

The Solar Panels shall be removed within 3 month of the cessation of their use and the land shall be, as far as is reasonably practicable, restored to its condition before the development took place, or to such a condition as has been agreed with the Local Planning Authority.

5. Parking prior to first use

The use shall not commence until the area(s) within the site shown on Drawing No 3646-06B for the purposes of [LOADING, UNLOADING,]

manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

6. Materials

The development shall be carried out in full accordance with the details approved under DCON(A)/16/1098 unless otherwise subsequently approved in writing by the Local Planning Authority.

Informative:

This planning permission does not grant consent for any works to the curtilage listed building. Any works required to the listed building in association with the installation or subsequent removal of the solar panels, such as a connection to the electricity supply, may require Listed Building Consent. The applicant is advised to provide the Council with details of such work before it is carried out.

The meeting concluded at 12.16 pm

Signed by:

Chairman

Special Development Control Committee



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Special Development Control Committee** held on **Thursday 21 September 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

Ian Houlder

Terry Clements

Ivor Mclatchy

Jason Crooks

David Nettleton

Robert Everitt

Alaric Pugh

Paula Fox

Andrew Smith

Susan Glossop

Julia Wakelam

Substitutes attending:

Sara Mildmay-White

In attendance:

Sara Broughton

Ward Member for Great Barton

Beccy Hopfensperger

Ward Member for Fornham

349. **Apologies for Absence**

Apologies for absence were received from Councillor Peter Stevens.

350. **Substitutes**

Councillor Sara Mildmay-White attended the meeting as substitute for Councillor Peter Stevens.

(Councillor Peter Stevens had previously indicated that to avoid the perception of pre-determination and bias due to his close association with the applicant in his capacity as Portfolio Holder for Operations, he would not be present during the consideration of Planning Application No: DC/17/0521/FUL.)

351. **Planning Application DC/17/0521/FUL - Land North of Hollow Road Farm, Hollow Road, Fornham St Martin (Report No: DEV/SE/17/039)**

(Councillors Robert Everitt, Paula Fox, David Nettleton and David Roach declared local non-pecuniary interests as Members of Suffolk County Council and remained in the meeting for the consideration of this item.)

Planning Application DC/17/0521/FUL - Creation of a municipal operational hub comprising waste transfer station (WTS), household waste recycling centre (HWRC) (including reuse building), fleet depot (including offices), public realm maintenance depot and associated infrastructure accesses, internal roads, parking, weighbridges and landscaping scheme

This application had been originally referred to the Development Control Committee on 19 July 2017 because it was a Major Development, the Parish Council had objected, and because the applicant was the Council.

The application was deferred from consideration at the 19 July meeting to enable Officers to source further information on the following matters, for reporting back to the Committee:

- Whether provision of the proposed shared cycle/foot path could be removed from the application;
- Whether vehicular access to the proposed development could be facilitated from the Southern roundabout at Compiegne Way; and
- Whether, in the interests of pedestrian and highway safety, any traffic calming measures could be introduced along the A134 and C735 Fornham Road.

Following the Committee meeting on 19 July the applicants submitted the following information on 10 August 2017:

- Amended plans proposing removal of path to South of Barton Hill
- A134/A143 Roundabout Access Appraisal Summary report
- Revised Travel Plan
- Letter regarding Highway Authority pre-application advice on speed limits
- Indicative 'signs and lines' drawing
- Additional information on HGV vehicles and movements report
- Letter regarding electric vehicle charging points (subsequently amended on 29 August 2017)

On receipt of this information Officers had undertaken a full re-consultation on the application.

The Case Officer advised on the following updates further to the publication of the agenda:

- Attention was drawn to the 'late papers' produced and circulated in supplement to the agenda, which contained responses from the Health and Safety Executive and the Lark Valley Travel Group;
- Since the late papers were produced further representations objecting to the application had been received from the following (the contents of which were verbally summarised):
 - Lark Valley Gravel Group
 - Suffolk West Action Group
 - Kingsbury Hill Wood, Fornham St Genevieve
 - Park Farm, Fornham St Genevieve
 - A promotor of a site at Park Farm
 - An unknown address
- The Committee were informed of an application which had recently been submitted to the Planning Authority for an agricultural storage building on the land adjacent to the application site. Members were

advised that this had no significant bearing on the scheme seeking determination.

- Lastly, the Officer explained that an additional condition was to be added to the recommendation, for the avoidance of doubt:
"In accordance with the amendments received 10 August 2017, notwithstanding any reference in the application, planning permission is not given for path to the South of Barton Hill."

A second Member site visit had been held prior to the meeting. Officers were continuing to recommend that the application be approved, subject to the conditions set out in Paragraph 81 of Report No DEV/SE/17/039 and inclusive of the additional condition as advised above.

(At this point the IT equipment failed, the Chairman apologised for this unintentional adjournment and the issue was swiftly resolved when an engineer attended and corrected the fault.)

The Principal Planning Officer then made his presentation, in which the Committee was advised that the main issues required to determine the application were as follows, each of which were spoken on in detail with supporting visual slides:

- The Principle of Development and Policy Context
- Highways and Travel Planning
- Landscape, Ecology and Heritage Assets
- Noise, Odour and Air Quality
- Drainage and Protection of Groundwater
- Residential Amenity
- Sustainability

In conclusion, the Officer summarised the benefits and dis-benefits of the scheme and explained the reasoning behind the recommendation for approval.

A second presentation was then made to the Committee by the Suffolk County Council Highways Officers that were in attendance.

Their presentation opened by outlining the role of the Highways Authority as statutory consultee in the planning process and then moved on to respond specifically to the application in respect of the following elements; the shared cycleway and footpath, access to the site and traffic calming on the C735 Fornham Road and A134.

In conclusion:

- Whilst the Highway Authority maintained that the provision of a footway on Barton Hill was desirable the removal of this from the scheme did not result in them recommending refusal of the application;
- In terms of the access, the proposed alternative of A134/A143 Compiegne Way (as raised at the 19 July meeting) was not considered viable; and
- With regard to traffic calming, whilst a safety audit had already been undertaken further audits would be carried out during the detailed design process and the design would be adjusted if considered

necessary. Furthermore, the Highway Authority continued to advise that a lower speed limit was not appropriate for the location.

The Chairman then invited the following registered public speakers to speak in turn. He explained that due to the level of public interest in this application, he had again (as per 19 July arrangement) varied the Committee's protocol for public speaking on this occasion. To be fair and equitable to all interested parties, each category of public speaking had been extended to allow a total time allocation of 12 minutes instead of the usual three:

- (a) **Objector** – Mr Mark Aston, a resident of Fornham St Genevieve;
- (b) **Objector** – Mr Adrian Graves of Great Barton, on behalf of The Villages Community Forum;
- (c) **Objector** – Mr Colin Hilder, a resident of Fornham St Genevieve;
- (d) **Objector** – Mrs Sarah Bartram, a resident of Great Barton and former resident of Fornham St Martin;
- (e) **Supporter** – Mr Steve Lumley, occupier of an immediate neighbouring business at Hollow Road Farm;
- (f) **Fornham St Martin cum St Genevieve Parish Council** – Councillor Penny Borrett, Chairman;
- (g) **Fornham All Saints Parish Council** – Councillor Howard Quayle, Chairman;
- (h) **Great Barton Parish Council** – Councillor Philip Reeve, Chairman;
- (i) **Bury St Edmunds Town Council** – Councillor Kevin Hind, Chairman;
- (j) **Ward Member** – Councillor Beccy Hopfensperger, Fornham Ward;
- (k) **Ward Member** – Councillor Sarah Broughton, Great Barton Ward;
- (l) **Agent** – Richard Sykes-Popham, agent for the applicant; and
- (m) **Applicant** – Councillor Matthew Hicks, Suffolk County Council, applicant.

(At the end of the public speaking, the Chairman adjourned the meeting for a short comfort break. The meeting resumed at 12.17pm.)

A detailed debate then ensued with the following points raised:

- (a) Councillor Terry Clements spoke on his personal experience of navigating the roads in question as a passenger of an HGV vehicle and stressed the need to ensure that the movement of these types of vehicles was prescribed in terms of their access to the site via specific conditions;

- (b) Councillor Andrew Smith sought additional explanation with regard to the role of the Secretary of State and the scheme being a departure from the Development Plan;
- (c) Councillor Alaric Pugh and the Chairman reminded the meeting that the costings for the West Suffolk Operational Hub project had been previously considered by full Council and were not part of the Development Control Committee's remit when considering planning applications;
- (d) Councillor John Burns made reference to the proposed changes to household waste sites across the county and the impact this could have on the scheme, in response to which the Chairman reminded the Committee that they were to consider the application before them 'as is';
- (e) Councillor David Nettleton drew attention to the application site being within the countryside on agricultural land. He stated that the scheme seeking determination would change the C735 into a major route leading to the A143, therefore, greatly affecting the rural village that the C735 travelled through (Great Barton). Councillor Nettleton explained that in his opinion the best outcome for the application would be a refusal as this would allow the applicant the right of appeal, therefore, ensuring that the decision was made locally rather than being determined by the Secretary of State;
- (f) Councillors Sara Mildmay-White and Ian Houlder spoke in support of the application by making reference to the wider community benefit of the scheme in view of a growing population and increased need;
- (g) A number of other questions/comments were raised in relation to the following: fire safety, road safety and access, light pollution, landscaping, security, pest control and operational hours.

The Case Officer then responded to the points raised as follows:

- Fire Safety – both the Council's Public Health and Housing Team and the Environment Agency were consulted on the application and had raised no concerns with regard to fire safety. Furthermore, the Committee were advised that a separate permit would be required from the Environment Agency in order for the facility to operate and this would require compliance with certain safety measures in this respect;
- Highways/Access – The Officer reiterated the earlier points made by the Highways Authority, in that they did not support the alternative proposed access of Compiegne Way (hence this did not form part of the application before Members and was not for consideration) or the introduction of a reduced speed limit, which had also not been supported by the local constabulary.
Attention was drawn to the conditions specifically with regard to vehicle movement and the prescribed HGV traffic movements/management plan. The Committee was also advised that the movement statistics were based on a 2039 projected forecast.

- Secretary of State/Development Plan – Members were advised that if the Committee resolved to grant planning permission Officers would consult with the Secretary of State to provide him with opportunity to consider whether to call the application in for his own determination. Furthermore, the Planning Authority had been made aware that a third party had already made a request to the Secretary of State that the application in question be called in.
The Service Manager (Planning – Development) then responded with regard to the justification of recommending a departure from the Development Plan. The Committee was advised that whilst the Plan was considered to be 'silent' in relation to the combination of uses that we would be looking at in this proposal, Officers had considered and applied the other policies in the Development Plan. Under the definitions of the NPPF in respect of the scheme seeking determination other policies were considered relevant, as made reference to on pages 62-66 of Working Paper 1 and Section 38(6) of the Planning and Compulsory Purchase Act 2004. Reference was also made to 'sustainable development' and the process in which the benefits and dis-benefits of the proposal had been weighed up by Planning Officers in presenting a balanced recommendation;
- Lighting – The site was required to be lit at night but its impact was not considered to be significant in view of the light that already emanated from the neighbouring British Sugar factory and a lighting plan had been provided to the Planning Authority;
- Landscaping – The Landscape and Ecology Officer did not recommend planning mature trees and plants as they had a greater chance of failure. The ongoing maintenance of the landscaping would be carried out by the West Suffolk Landscaping Team and a plan had been devised to reflect this;
- Security – The Officer advised that there would be fencing around the development and CCTV in operation. He was not aware if it would be manned 24 hours but this was not a planning consideration;
- Pest Control – The Planning Authority had been not been made aware of any specific mitigation in this respect, however, pest control was not a planning consideration and would be the responsibility of the operator to manage;
- Hours of Operation – Public Health and Housing Officers had been consulted with the hours proposed which were considered acceptable, in light of which it would be unreasonable to request that they were amended (in response to question as to whether the closure on Christmas Day and New Year's Day could be extended to Easter Sunday).

Councillor David Roach spoke in support of the application and stated that he considered that the reasons for deferral (from 19 July) had been addressed. He moved that the application be approved, as per the Officer recommendation and inclusive of the additional recommendation, as advised. This was duly seconded by Councillor Ian Houlder.

Prior to the vote being taken on the motion for approval Councillor David Nettleton requested a recorded vote and this was supported by five other Members, in line with the Committee's Procedure Rules.

Upon being put to the vote Members voted as follows:

| Name of Member | For | Against | Abstained |
|-----------------------|------------|----------------|------------------|
| Carol Bull | X | | |
| John Burns | | X | |
| Terry Clements | | X | |
| Jason Crooks | | X | |
| Robert Everitt | X | | |
| Paula Fox | X | | |
| Susan Glossop | X | | |
| Ian Houlder | X | | |
| Ivor Mclatchy | X | | |
| David Nettleton | | X | |
| Alaric Pugh | X | | |
| David Roach | X | | |
| Andrew Smith | X | | |
| Jim Thorndyke | X | | |
| Julia Wakelam | | X | |
| Sara Mildmay-White | X | | |
| TOTAL | 11 | 5 | 0 |

With 11 voting for the motion and 5 against, it was resolved that

Decision

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

1. The development hereby permitted shall be begun no later than 3 years from the date of this permission.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
3. Prior to the first use of the development hereby permitted, the new vehicular access shall be laid out and completed in all respects in accordance with Drawing No. 5121919-ATK-WSOH-PL-DR-C-7002 Rev P07. Thereafter the access shall be retained in the specified form.
4. Prior to the commencement of development details of site access to be used during the construction of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be implemented in full in accordance with the approved details.
5. Prior to the first use of the development hereby permitted, a signing strategy plan to provide details of signage to and from the site shall be submitted and approved by the Local Planning Authority. The strategy shall thereafter be implemented in full in accordance with the approved details.
6. No development shall commence on the path shown on drawing No. 5121919-ATK-WSOH-PL-DR-C-7002 P07 until construction specifications have been submitted and approved in writing by the Local Planning Authority. The path shall thereafter be provided in accordance with the approved details prior to the first occupation of the development.

7. 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.
The Plan shall include details of a routing strategy to avoid non A roads until C735 from A134 and before and after highway and verge condition surveys on Fornham Road and Barton Hill.
8. All Operational HGV traffic movements to and from the site shall be subject to a Routing Management Plan which shall be submitted to the Local Planning Authority for approval a minimum of 28 days before first use of site.
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. The use shall not commence until the areas within the site shown on 5121919-ATK-WSOH-PL-DR-C-7002 Rev P07 for the purposes of loading, unloading, manoeuvring and parking of vehicles has been provided and thereafter that areas shall be retained and used for no other purposes.
10. Before any access is first used visibility splays shall be provided in accordance with details to be previously approved in writing by the Local Planning Authority and thereafter shall be retained in the approved form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.
11. Prior to the development hereby permitted being first brought into use, the Framework Travel Plan (dated August 2017) that was submitted to support the application must be implemented in full, thereafter, it shall be reviewed and revised on an annual basis, unless otherwise agreed in writing by the Local Planning Authority. An annual Travel Plan Review, to be undertaken in accordance with the approved Travel Plan must also be submitted to the Local Planning Authority for written approval for a period of 5 years from the site being brought in to use.
12. Prior to the occupation of the development hereby permitted details of the areas to be provided for secure covered cycle storage for employees and details of changing facilities including storage lockers and showers shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.
13. Prior to the first occupation, a completed Travel Information Pack shall be submitted to and approved in writing by the Local Planning Authority and shall include up-to-date walking, cycling and bus maps, relevant bus and rail timetable information, car sharing information, and sustainable transport discounts. The Travel Information Pack shall

be maintained and operated thereafter. Within one month of first occupation, each employee shall be provided with Travel Information Pack that contains the sustainable transport information and measures that was identified in the Framework Travel Plan (dated August 2017).

14. 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 applicant shall submit a detailed design based on the submitted Flood Risk Assessment and Drainage Strategy by Atkins Ltd and will demonstrate that surface water run-off generated up to and including the critical 100 year +CC storm will not exceed the run-off from the existing site following the corresponding rainfall event. The scheme shall also include:-

- A) Details of further infiltration testing on site in accordance with BRE 365 to verify the permeability of the site (trial pits to be located where soakaways are proposed and repeated runs for each trial hole). The use of infiltration as the means of drainage will be taken forward only if the infiltration rates and groundwater levels show it to be possible. Borehole records should also be submitted in support of soakage testing.
- B) Additional groundwater monitoring is required across the site to verify the depth to the local water table. This should be included in support of additional soakage testing and undertaken where drainage features are to be located.
- C) Provided the Local Planning Authority are satisfied with the infiltration rates the following shall be submitted:
 - I. Applicant shall submit dimensioned plans illustrating all aspects of the surface water drainage scheme including location and size of soakaways and the conveyance network. A statement on the amount of impermeable area served by each soakaway should also be illustrated on the plans and should be cross referenceable with associated soakaway calculations.
 - II. Modelling results (or similar method) to demonstrate that the soakaways have been adequately sized to contain the 30yr event for the catchment area they serve. Each soakaway should be designed using the nearest tested infiltration rate to which they are located. A suitable factor of safety should be applied to the infiltration rate during design.
 - III. Infiltration devices will only dispose of clean water due to the site area overlying a Source Protection Zone. Demonstration of adequate treatment stages for water quality control shall be submitted.
 - IV. Infiltration devices should be no more than 2m deep and will have at least 1 - 1.2m of unsaturated ground between base of the device and the groundwater table. If individual soakaways are

- being used they will be at least 5m away from any foundation (depending on whether chalk is present).
- V. Soakaways will have a half drain time of less than 24hours.
 - VI. Any conveyance networks in the 1 in 30 event show no flooding above ground.
 - VII. Details of any exceedance volumes during the 1 in 100 year rainfall + CC and their routes should be submitted on the drainage plans. These flow paths will demonstrate that the risks to people and property are kept to a minimum. There shall be no offsite flows.
- D) If the use of infiltration is not possible then modelling OR a similar method shall be submitted to demonstrate that:-
- I. Surface water runoff will be discharged to a suitable receptor and restricted to the existing greenfield runoff rates for the site.
 - II. Any attenuation features will contain the 1 in 100 year rainfall event including climate change
 - III. Any pipe networks in the 1 in 30 event show no flooding above ground.
 - IV. Modelling of the volumes of any above ground flooding during the 1 in 100 year rainfall + climate change to ensure no flooding to properties on or off-site. This should also include topographic maps showing where water will flow and/or be stored on site.
- E) 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.
15. 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.
 16. 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 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.
 17. No development, including any demolition, shall take place until a Construction Environment Management Plan has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall include a pollution risk assessment and mitigation methods to be implemented, and provide for:
 - any requirements for dewatering excavations and how the resulting trade effluent will be managed to comply with the law

- and prevent pollution;
- the loading and unloading of plant and materials;
- the storage of plant and materials used in constructing the development;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction; and
- a scheme for recycling/disposing of waste resulting from demolition and construction works.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

18. No development shall commence until the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which first shall have been submitted to and approved in writing by the Local Planning Authority. The Written Scheme of Investigation shall include an assessment of significance and research questions; and:
 - The programme and methodology of site investigation and recording.
 - The programme for post investigation assessment.
 - Provision to be made for analysis of the site investigation and recording.
 - Provision to be made for publication and dissemination of the analysis and records of the site investigation.
 - Provision to be made for archive deposition of the analysis and records of the site investigation.
 - Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
 - 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.
19. 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 and the provision made for analysis, publication and dissemination of results and archive deposition.
20. Prior to the occupation of the development a scheme for the provision of fire hydrants within the application site have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied or brought into use until the fire hydrants have been provided in accordance with the approved scheme. Thereafter the hydrants shall be retained in their approved form unless the prior written consent of the Local Planning Authority is obtained for any variation.
21. Prior to their first use in the development, details of proposed photovoltaic panels to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.
22. The development hereby permitted shall be occupied in complete accordance with the Odour Management Plan (March 2017) version 5

- (document ref ATK-WSOH-PL-RP-EN-006).
23. The site demolition, preparation and construction works shall be carried out between the hours of 08:00 to 18:00 Mondays to Fridays and between the hours of 08:00 to 13:30 Saturdays and at no time on Sundays or Bank Holidays without the prior written consent of the Local Planning Authority.
 24. Within a 12 month period a maximum of 106,496 tonnes waste and materials for recycling may be accepted at the Waste Transfer Station. The operator shall keep a record of all imported material which shall be made available to the Local Planning Authority upon request.
 25. Within a 12 month period a maximum of 607 tonnes of hazardous waste may be accepted at the application site. The operator shall keep a record of all imported material which shall be made available to the Local Planning Authority upon request.
 26. Prior to the first occupation of the development hereby permitted a scheme for the provision of 10 No electric vehicle charging points (to include 7 within the staff parking area, 2 within the fleet parking area and 1 within the visitor parking area) shall be submitted to an approved in writing by the Local Planning Authority.
 27. Prior to the commencement of development a Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved plan.
 29. Prior to the implementation of the proposed landscaping to the northern boundary of the site, details of the mound profiles shall be submitted to and approved in writing by the Local Planning Authority.
 30. The development shall not begin, including the removal of tree T1 which lies to the north-east of the site (identified on Appendix 4 Tree Protection Plan of the submitted Arboricultural Impact Assessment), until details of a replacement Oak tree in accordance with the submitted landscape plan (Dwg No 5121919-ATK-WSOH-PL-DR-L-7050 P9) have been submitted to and approved in writing by the Local Planning Authority. The use of the permitted development shall not commence until the replacement tree has been provided.
 31. The development hereby permitted shall be carried out in complete accordance with section 7 'Mitigation' of the submitted ecology report dated 2 February 2017 prepared by SWT Trading Ltd.
 32. The facilities hereby permitted shall not operate outside of the following hours unless otherwise agreed in writing with the Local Planning Authority:
 - Household Waste Recycling Centre
 - Public opening hours
 - 09:00 – 17:00 (Monday – Wednesday, Friday – Sunday)
 - 09:00 – 19:00 (Thursday)
 - Closed on Christmas Day and New Year's Day
 - Operational hours
 - 06:00 – 20:00 (7 days a week)
 - Closed on Christmas Day and New Year's Day
 - WTS (operational hours only)
 - 05:30 – 22:30 (7 days a week)
 - Closed on Christmas Day and New Year's Day
 - Depot (operational hours only)
 - 06:00 – 20.00 (Monday – Friday)

- 06:00 – 20:00 (Saturday – for street cleaning services, vehicle and equipment maintenance, trade waste activities and for domestic waste services immediately following bank holidays)
 - 06:00 – 20:00 (Sunday - for street cleaning services only)
33. All vehicles that are to be used on site that are fitted with reversing warning alarms are to be white noise alarms.
 34. Notwithstanding the provisions of Part 7 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, replacing or re-enacting that Order), no fixed plant or machinery, buildings or structures shall be erected, extended or altered at the site without prior permission of the Local Planning Authority.
 35. Prior to the commencement of any development a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans and/or specifications at such time(s) as may be specified in the approved scheme.
 36. In accordance with the amendments received 10 August 2017, notwithstanding any reference in the application, planning permission is not given for path to the South of Barton Hill.

Informatives:

- 1) It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.
Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.
The County Council's West Area Manager must be contacted on Tel: 01284 758868. For further information go to: <https://www.suffolk.gov.uk/roads-and-transport/parking/apply-for-a-dropped-kerb/>
A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.
- 2) The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.
- 3) Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
- 4) Any discharge to a watercourse or groundwater needs to comply with

the Water Environment (Water Framework Directive) (England and Wales) Regulations 2003

- 5) The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team.
- 6) In accordance with the 'National Planning Policy Framework' the Council confirms it has implemented the requirement to work with the applicant in a positive and proactive way. In this case amendments and additional information were sought to address objections in relation to drainage and landscaping.

The meeting concluded at 1.28 pm

Signed by:

Chairman

Development Control Committee



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Development Control Committee** held on **Thursday 5 October 2017** at **10.00 am** at the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

Chairman Carol Bull (Vice-Chairman) (in the Chair)

Vice Chairman David Roach

John Burns

Terry Clements

Jason Crooks

Robert Everitt

Paula Fox

Susan Glossop

Ian Houlder

Ivor Mclatchy

Alaric Pugh

Andrew Smith

Peter Stevens

Julia Wakelam

David Nettleton

Substitutes attending:

Sara Mildmay-White

By Invitation:

Barry Robbins

1. **Apologies for Absence**

Apologies for absence were received from Councillor Jim Thorndyke.

2. **Substitutes**

Councillor Sara Mildmay-White attended the meeting as substitute for Councillor Jim Thorndyke.

3. **Minutes**

In light of discussions that had been held separately of the Committee in relation to the contents of the minutes of the previous meeting, the Lawyer assured the Committee that after thorough investigation Officers and the Chairman, Councillor Jim Thorndyke, were satisfied that the minutes were a true and accurate record.

Councillor David Nettleton clarified that despite not having been recorded as present, he did attend the previous meeting as evident in the contents of the minutes.

Councillors Peter Stevens, Alaric Pugh and John Burns declared that they would not take part in the vote as they were not present at the previous meeting.

Councillors Ian Houlder and Terry Clements spoke in support of the content of the minutes.

The minutes of the meeting held on 7 September 2017 were then confirmed as a correct record and signed by the Chairman.

4. **Planning Application DC/17/0599/FUL - 5 Francis Close, Haverhill (Report No: DEV/SE/17/040)**

Planning Application – (i) 1no building to include 4no. flats (following demolition of existing dwelling), (ii) new vehicular access and parking, (iii) replacement of existing boundary fences and (iv) insertion of dropped kerb.

The application was referred to the Development Control Committee at the request of the Delegation Panel. The matter was presented before the Delegation Panel as the Town Council had raised objections, which was contrary to the Officer recommendation of approval, subject to conditions, as set out in paragraph 33 of Report No: DEV/SE/17/040.

The Planning Officer explained that the application before the Committee sought the erection of one building to accommodate four flats, new vehicular access and parking and insertion of dropped kerb. The application proposed to demolish the existing house and build in its place a small, two storey development of four one bedroom flats. During the course of the application the Agent had reduced the width of the building to provide a more harmonious relationship in the setting of the existing site. The number of flats had also been reduced from five (4 x two bed and 1 x one bed) to 2 x one bed units and 2 x two bed units.

A Member site visit was held prior to the meeting. Representations had been received from Haverhill Town Council and neighbouring properties citing objections listed in paragraphs 8 and 9 of the report.

As part of his presentation the Officer explained that the applicant had agreed to provide a new pedestrian footway on the southern side of Francis Close on the opposite side of the highway to No. 5 which would link to the existing footpath. The existing bollard at the end of Francis Close would be re-positioned to provide for parking and manoeuvring space.

Speakers: Grace Cutts (neighbour) spoke against the application
Councillor Barry Robbins (Ward Member: Haverhill North) spoke against the application
Rachel Moses (Agent) spoke in support of the application

The Case Officer also read out a statement submitted by Haverhill Town Council against the application.

During discussion a number of Members raised concerns on the application in relation to; vehicular access to the site, the lack of off-street car parking in the area and the size of the proposed dwellings.

The Officer responded to the concerns and clarified that:

- The Highways Authority had submitted no objections to the application in relation to vehicular access to the site.
- The proposal would provide an additional four car parking spaces and would retain the garage associated with the property to accommodate secure cycle storage.
- The Council had not yet adopted their own enforceable space standard. Policy DM22 did however require new housing to be fit for purpose and function well, providing adequate space, light and privacy and Officers were of the opinion that the dwellings met the policy requirement.

Some Members were, however, in agreement that the proposed dwellings were considered as affordable housing in an area where there was a shortage of that type of housing.

Councillor John Burns proposed that the application be refused on highways and traffic and transportation grounds and this was duly seconded by Councillor Paula Fox.

Upon being put to the vote and with 5 voting for the motion, 10 against and with 1 abstention the Chairman declared the motion lost.

Following further debate, the Principal Planning Officer confirmed that:

- The Highways Authority was confident that a motor vehicle would be unable to gain access through the space vacated by the repositioned bollard at the end of Francis Close without causing significant damage to the vehicle;
- The repositioning of the bollard would not impinge on road sweeper or similar access in that vicinity;
- The existing property could, subject to seeking approval to drop the kerbstone, instate parking onsite by removing the hedgerow or wall. However, this would not include the benefits proposed as part of the application e.g. increased manoeuvring space to allow vehicles to leave the property in a forward gear.

Discussion then took place with regard to parking provision within the area and the close proximity of the site to two public car parks. As a result of which, Councillor Susan Glossop proposed that the application be deferred in order to allow for alternative parking provision to be explored. However, this motion failed to be seconded.

Councillor David Nettleton then proposed that the application be approved, as per the Officer recommendation, and this was duly seconded by Councillor Terry Clements.

Upon being put to the vote and with 10 voting for the motion and 6 against, it was resolved that

Decision

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

1. Development to commence within three years
2. Materials are specified
3. In accordance with plans
4. The site demolition, preparation and construction works shall be carried out between the hours of 08:00 to 18:00 Mondays to Fridays and between the hours of 08:00 to 13:30 Saturdays and at no time on Sundays or Bank Holidays without the prior written consent of the Local Planning Authority.
5. Hard Landscaping
6. Soft Landscaping
7. Root protection during construction
8. Boundary treatment to be provided prior to occupation in accordance with the details shown on drawing 1620/PD/01B
9. The removal of hedge to the front boundary of the site must be undertaken outside of the bird nesting season to ensure that wildlife habitats are maintained and are not adversely affected by the development.
10. The bin storage area shown on drawing 1620/PD/01B shall be provided in accordance with these approved details prior to the first occupation of any of the dwellings hereby approved.
11. All HGV and construction 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. A survey should be made of the condition of the highway prior to commencement of work and any damage made to the highway during construction shall be made good before the first occupation.
12. Occupation shall not commence until the area(s) within the site shown on drawing 1620/PD/06 for the purpose of manoeuvring and parking of vehicles and secure cycle storage has been provided and thereafter that area(s) shall be retained and used for no other purposes.

13. There shall be no occupation of the development hereby approved unless and until the new footway shown on drawing number 1620/PD/07 has been provided.
14. DM7 Water Efficiency. The dwelling hereby approved shall not 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.

The meeting concluded at 11.12am

Signed by:

Chairman

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St Edmundsbury
BOROUGH COUNCIL

DEV/SE/17/042

Development Control Committee 2 November 2017

Planning Application DC/17/1628/OUT – Land Adjacent to Aldersfield Place Farm, Ashfield Green, Wickhambrook

Date Registered: 04.08.2017 **Expiry Date:** 06.11.2017

Case Officer: James Claxton **Recommendation:** Refuse Application

Parish: Wickhambrook **Ward:** Wickhambrook

Proposal: Outline Planning Application (Means of Access to be considered) -
1no. dwelling and detached garage

Site: Land Adjacent To Aldersfield Place Farm, Ashfield Green,
Wickhambrook

Applicant: Mr Parker

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:

James Claxton

Email: James.Claxton@westsuffolk.gov.uk

Telephone: 01284 757382

Background:

This application is referred to the Development Control Committee following consideration by the Delegation Panel. It was presented before the Delegation Panel at the request of Councillor Clive Pollington the local Ward Member, and because the Officer's recommendation for REFUSAL is contrary to that of Parish Council's for approval.

A site visit is proposed to take place on Thursday 26 October 2017.

Proposal:

1. Outline permission is sought for the erection of a single dwelling with a detached garage. The means of access is to be considered, which is to be created by cutting through the existing hedgerow. All other matters are reserved, and any other information submitted is indicative only and not capable of being taken into account at this stage, except to otherwise indicate how it might be possible to develop the site.

Application Supporting Material:

2. Information submitted with the application as follows
 - Layout plan
 - Location Plan
 - Indicative street scene
 - Design and Access Statement
 - Land Contamination details
 - Planning Statement

Site Details:

3. The site is located to the north east of Ashfield Green, Wickhambrook, and consists of an open undeveloped field, located on the edge of existing development. The proposal is sited approximately 65 metres from Place Farm located to the south west, and approximately 50 metres from the row of existing dwellings to the north west.

Planning History:

4. No relevant applications.

Consultations:

5. Highways – No objections, recommend conditions.
6. Environmental Health - No objections.
7. Public Health and Housing – No objections, recommend conditions.
8. Parish Council - The majority of Parish Councillors do not object to this application although two have referred to it as being beyond the designated area and undermining the character of Wickhambrook's greens with clusters of housing.

Representations:

9. None received.

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

Joint Development Management Policies Document:

- Policy DM1 Presumption in Favour of Sustainable Development.
- DM2 Creating Places – Development Principles and Local Distinctiveness
- DM5: Development in the Countryside
- DM22 Residential Design
- DM27: Housing in the Countryside

St Edmundsbury Core Strategy December 2010

- Policy CS2 (Sustainable Development)
- Policy CS3 (Design and Local Distinctiveness)
- Policy CS4 (Settlement Hierarchy and Identity)
- Policy CS13 (Rural Areas)

Other Planning Policy:

10. National Planning Policy Framework (2012) core principles and paragraphs 56 – 68

Officer Comment:

11. The issues to be considered in the determination of the application are:
 - Principle of Development
 - Settlement Hierarchy and Sustainable development
 - Impact on Character
 - Highway safety
 - Residential Amenity
 - Other Matters
 - Parish Council's response.

Principle of Development

Settlement Hierarchy and Sustainable development

12. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Recent High Court cases¹ have reaffirmed the primacy of the development plan and proposals that do not accord with the development plan should not be seen favourably, unless there are material considerations that outweigh the conflict with the plan. This is a crucial policy test to bear in mind in considering this matter since it is not just an absence of harm that is necessary in order to outweigh any conflict with the Development Plan, rather material considerations and benefit must be demonstrated if approval is to be granted for a proposal that otherwise conflicts with the provisions of the plan.

1. Daventry DC V SSCLG & Anr [2015] EWHC 3459 (Admin); East Staffordshire BC V SSCLG and Anr [2016] EWHC 2973 (Admin); *Barley Hall Estates V Test Valley BC and Anr* [2016] EWHC 3028 (Admin); *Suffolk Coastal DC v Hopkins Homes Ltd UKSC 2016/0076*

13. Reference has been made in the submitted planning statement to the recently approved application at 3 The Hill, Front Street, Ousden (application reference DC/17/0397/OUT), suggesting that if the site at Ousden was considered as infill, then this application should be determined in the same manner. It is well established that individual planning applications are not material considerations in the determination of other applications, and that each should be judged on its individual merits.
14. Reference has also been made to the appeal case in Great Barton where dwellings have been allowed without fully complying with the provisions of policy DM27 (reference APP/E3525/W/15/3139957). However that proposal was still within what that Inspector defined as the cluster, and in any event bore little resemblance to this proposal. That decision focuses instead on the number of dwellings that comprise a cluster within which those developments would sit and where dwellings would be located without a direct road frontage and is not materially comparable therefore to the situation before us now.
15. It is also reasonable to suggest that this presented argument fails to understand the aim of the policy, which is to allow modest development to support rural economies, within a location that meets a very specific set of criteria where harm would otherwise be limited, but which also restricts sprawl on the edges of those settlements that might otherwise harm the character and landscape or an area or result in a proliferation otherwise of locationally unsustainable development.
16. The National Planning Policy Framework (NPPF) does not define or limit the meaning of the term 'isolated' and neither do adopted planning documents. Using the definition provided by the Oxford English Dictionary as guidance, isolated is defined as: "*Placed or standing apart or alone; detached or separate from other things or persons; unconnected with anything else; solitary.*" However paragraph 55 does not indicate that any new home in the countryside which is not isolated should necessarily be accepted. This does not merely relate to the existence or absence of nearby dwellings, but must also be read in the context of the broad overall aim of paragraph 55, which is to promote sustainable development in rural areas by locating housing where it will enhance or maintain the vitality of rural communities. This approach is reiterated in Policy CS4 of the Bury St Edmunds Core Strategy (CS).
17. The Council's settlement strategy derives from a detailed understanding of the character of the district and the requirement to accommodate growth sustainably. The local policy framework seeking to deliver that strategy has been subject to a rigorous process of evidence gathering, consultation, and examination. It accords with the basic principles of the NPPF, which seeks to secure sustainable development and reduce the need to travel. The principle of development in this case would not accord to the pattern of settlement established in the CS.
18. Paragraph 55 advises that, to promote sustainable development, rural housing should be located where it would enhance or maintain the vitality of rural communities. Paragraph 7 of the Framework sets out the three dimensions to sustainable development: economic, social and

environmental, and that these roles are mutually dependent and should be jointly sought to achieve sustainable development. Policy DM1 follows the thrust of this requirement for sustainability recommending that any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

19. St Edmundsbury Borough Council is able to demonstrate at least a five year supply of housing land for the period 2017 – 2022, plus necessary buffer, as detailed in the council's report "Assessment of a five year supply of housing land taking a baseline date of 31 March 2017". The relevant policies for the supply of housing are therefore considered to be up-to-date. The starting point for all proposals is therefore the development plan.
20. Policies DM1 and RV1 set out the presumption in favour of sustainable development required by all local plans, and which paragraph 49 of the NPPF makes clear applies to all housing proposals. Sustainable development is the 'golden thread' that runs throughout plan making and decision taking and this 'presumption in favour of sustainable development' is embedded in paragraph 14 of the NPPF, and which applies in two scenarios. Firstly, if the proposal accords with the policies of the development plan support should be given for the proposed development, unless material considerations otherwise indicate development should be refused. Secondly, and on the other hand, this presumption in favour of sustainable development also applies if the development plan is absent, silent, or relevant policies are out of date, in which case permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Officers advise that the Development Plan is not silent in this regard and that, as advised, the Council has a sufficient five year housing land supply. On this basis the presumption in favour of sustainable development as set out in the NPPF does not apply.
21. Policy DM2 sets out the principles of development that all proposals should have regard to, and seeks to reinforce place and local distinctiveness as a central tenet in decision making with the Borough. Development should recognise and address the key features, characteristics, landscape character and special qualities of the area, and maintain or enhance the sense of place that these features create, taking advantage of opportunities to restore such features where they have been eroded.
22. The application site is located in designated countryside. Policy CS4 identifies these areas as unsustainable due to the reliance on motor cars to access shops, other facilities or employment. Policy CS13 further states that development permitted in such locations will only be so much as is necessary reflecting the need to maintain the sustainability of services in the community they serve, and the provision of housing for local needs. Development outside defined areas will be strictly controlled.
23. Policy DM5 sets out the specific instances of development that are considered appropriate in the countryside along with the criteria proposals will need to meet and those policies that set out further criteria depending on the type of development. In this instance, policy DM27 sets out those additional criteria for new market dwellings in the countryside. Proposals

will only be permitted on small undeveloped plots where they are *within* a closely knit cluster, and front a highway. A small undeveloped plot is one that could be filled by either one detached dwelling, or a pair of semi-detached dwellings, where plot sizes and spacing between dwellings is similar and respectful of the rural character and street scene of the locality.

24. The proposal is not within a cluster. It is on the edge of an existing belt of ribbon development with no built development adjacent to its north east and eastern boundary. The vicinity is typical of the clustered form of Wickhambrook but development beyond these clusters should nonetheless be resisted. This proposal does not comply with policies CS4, CS13, DM5 or DM27 that all seek to concentrate new development in the countryside within the bounds of existing settlements and clusters. There is, consequently, an unequivocal policy conflict and this failure to meet the provisions of the Development Plan, noting the latest Court rulings on the interpretation of the NPPF, indicate that significant weight should be attached to this conflict against the scheme as a matter of principle. Any harm, including matters of detail, as shall be set out below, must indicate refusal, in accordance with the Development Plan, unless there are material considerations that indicate otherwise.
25. In this instance further harm stems from a development outside the defined settlement boundary as an unsustainable form of development. It extends existing ribbon development in the countryside that would set an inappropriate precedent for further dwellings to be built along the roadside. However limited that number of dwellings might be, and given the requirement of consistency in the decision making process. This would erode patterns of development between settlements, and extrude into the countryside. Considering the many similar situations within the Borough, the proposal would result in a precedent for altering the historic patterns of development and extend built form outside of defined settlement boundaries and countryside clusters.
26. The aim of the adopted policies is not to stop all development, but to allow modest development to support rural economies, restricting sprawl on the edges of settlements that might harm landscapes and result in undesirable development.
27. As stated, the Local Authority has a demonstrable five year housing land supply and relevant policies for the supply of housing are considered up to date. On this basis, the presumption as set out within paragraph 14 of the NPPF does not apply and development should be considered in accordance with the Development Plan. Furthermore there are no material considerations that would outweigh that conflict, and the Local Planning Authority is under no additional pressure to release land that does not accord with adopted plans and policies.
28. The proposal represents an inappropriate and unsustainable development in the countryside. It would set a precedent for development outside of defined clusters that would erode the character of settlements and result in ribbon development, with the associated harm that arises from those forms of development. The development fails to accord with policies DM2, DM25, DM27, DM33, CS2, CS4 and CS13 and paragraphs 17, 28, 53 and 60 of the NPPF.

Impact on Character

29. Policy CS3 of the Core Strategy requires new development to create and contribute to a high quality, safe and sustainable environment. Proposals will be expected to address an understanding of the local context and demonstrate how it would enhance an area. This requirement is detailed further in Policy DM13 (Landscape Features) which states that development will be permitted where it will not have an unacceptable adverse impact on the character of the landscape, landscape features wildlife or amenity value.
30. Arguments that the proposal might otherwise be acceptable since it is located near to existing built development could be applied to many cases and could result in significant unplanned and incremental expansion of rural settlements. There is an element of vegetation which may provide a degree of screening to the proposal, however to create an access a clear breach of the vegetation within the street scene is required and however extensive the existing vegetation views into the site will always likely be available. In any event, the proposal will have an intrinsic adverse effect upon the character of the area by intruding into this otherwise open countryside setting, to the detriment of the character and appearance of the area, and would have an unwelcome urbanising effect on public views of the locality. This would be the case regardless of the scale or specific position of this dwelling on this site.
31. The proposal would therefore create a significant level of visual intrusion in this rural location, spreading beyond those boundaries enshrined in policy, creating a significant impact so as to cause material harm to the surrounding landscape character, and which would not accord with policies CS3 and DM13.

Highway safety

32. The consultation response for the highways department details no objections to the proposal and makes recommendations for conditions to ensure the proposed access is created to the relevant standards.

Residential Amenity

33. The proposal is sited approximately 65 metres from Place Farm located to the south west, and approximately 50 metres from the row dwellings to the north west. It is reasonable to suggest that by virtue of this location, and as scale is a reserved matter, a dwelling on this site could be appropriately designed to satisfactorily mitigate adverse impacts to residential amenity.

Other Matters

34. Accurate and robust pre-application advice was provided which detailed that development in this location would not be supported and detailed other opportunities for delivering similar proposals that would accord with locally adopted policies. It is noted that there are existing outbuildings, and policy DM28 provides a potential for the conversion of defunct buildings where they have met the criteria of that policy. These options for development are open to the applicant and could be much less difficult

to resist, however they would not weigh favourably in the balance of considerations, as a possible fall-back position, as they are materially different to this present proposal.

35. Reference is made to surface water drainage issues, due in part to a network of ditches in the area being unmaintained, and a system of land drains being installed as part of this development. In addition the existing ditch would be renovated, and managed going forward allowing for the natural drainage system of the area. Whilst this could provide an element of positive weight to the proposal, there could also be considerations to the applicant's duty of care as land owner and acting in a neighbourly manner if the surface flooding is of such a level prior to this proposal. Notwithstanding that, that concession would not outweigh the considerable conflict this proposal has with the development plan and adopted policies that are detailed in this report.

Conclusion.

36. Some positive weight could be afforded to the proposal due to the location of the proposal in relation to existing development and the limited amenity impacts this would create, with mitigation afforded through reserved matters. However this is significantly outweighed by the level of conflict with the development plan as a whole, and the supporting Joint Development Management Policies.

37. As stated by the NPPF unsustainable development should be avoided, unless other material considerations in the planning balance equalise the overall principle of proposals. Whilst any development within Ashfield Green would be classed as unsustainable, if it accorded with adopted policy then there is opportunity in the balance of considerations for development at this location to be approved. However in this instance the proposal does not accord with any of the adopted policies, the location is unsustainable, and these factors weigh significantly against the proposal.

38. Therefore, and considering that consistency of decision making for applications is key for developers, the Local Authority, and members of the public, the proposal is recommended for refusal as a clear departure from adopted policy.

Recommendation:

39. It is recommended that planning permission be **REFUSED** for the following reason:

1. The proposal is for a dwelling outside the settlement boundary and would therefore fall within the remit of policies DM5 and DM27. It is not an infill plot within a cluster, being sited on the end of the settlement, and therefore represents an unsustainable ribbon development. By virtue of this location the proposal would create a visual intrusion, having an unwelcome urbanising effect on public views of the locality, creating a significant impact so as to cause material harm to the surrounding landscape character. Accordingly, the proposal fails to accord with policies DM2, DM5, DM13, DM27, DM33, CS2, CS3, CS4 and CS13 and paragraphs 53 and 55 in particular of the NPPF, which seek to tightly constrain development in the countryside to that which supports local services and is

in appropriate locations. The proposal is in clear and significant conflict with local and national policies.

Documents:

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

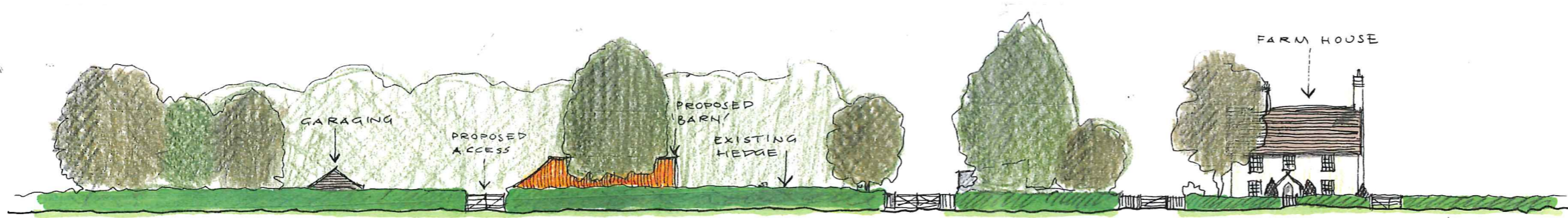
<http://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OU5L8YPD07L00>



DC/17/1628/OUT

Land Adjacent To Aldersfield Place Farm, Ashfield Green, Wickhambrook

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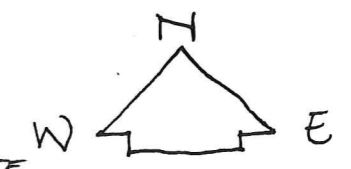
PROPOSED STREET SCENE ~ 1:500



LOCATION ~ 1:2500



* RENOVATE HISTORIC DITCH & PROPOSED TREE MANAGEMENT



SITE LAYOUT ~ 1:500

| | |
|----------|--|
| Client | MR PARKER |
| Project: | SINGLE DWELLING LAND ADJACENT ALDERSFIELD PLACE FARM, ASHFIELD GREEN, WICKHAMBROOK |
| Drawing: | OUTLINE PLANNING |

| | |
|-----------|-----------|
| Scale: | 1:500 |
| Date: | JUNE 2017 |
| Contract: | 4177 |
| Drg No. | 01 |

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St Edmundsbury
BOROUGH COUNCIL

DEV/SE/17/043

Development Control Committee 2 November 2017

Planning Application DC/17/1588/HH – 59 Millfield Road, Barningham

| | | | |
|----------------------|--|------------------------|---------------------|
| Date | 02.08.2017 | Expiry Date: | 27.09.2017 |
| Registered: | | EOT agreed: | 05.10.2017 |
| Case Officer: | Debbie Cooper | Recommendation: | Approve Application |
| Parish: | Barningham | Ward: | Barningham |
| Proposal: | Householder Planning Application - conversion of bungalow to two storey dwelling including single storey rear extension and part two storey / part single storey front extension | | |
| Site: | 59 Millfield Road, Barningham | | |
| Applicant: | Mr. H. Cane & Mrs. G. Howard | | |

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:

Debbie Cooper
Email: deborah.cooper@westsuffolk.gov.uk
Telephone: 01638 719437

Background:

This application is referred to the Development Control Committee following consideration by the Delegation Panel. It was presented before the Delegation Panel at the request of Councillor Carol Bull, the local Ward Member and also as Barningham Parish Council object to the application, contrary to the Officer recommendation of APPROVAL.

A site visit is proposed to take place on Thursday 26 October 2017.

Proposal:

1. Planning permission is sought for the conversion of a bungalow to a two-storey dwelling, including a single storey rear extension and a part two-storey / part single storey front extension. The rear section of the existing integral garage is to be converted into living accommodation with a new attached garage created in the front extension. The proposal creates three first floor bedrooms, a bathroom and a study / bedroom four.
2. The proposed single storey rear extension measures 1.985 metres in depth (to the line of the existing boiler room to be demolished), 10 metres in width, has an eaves height of 2.5 metres and a height to the ridge of 3.7 metres.
3. The proposed front extension measures up to 2.7 metres in depth (in line with the front of the adjacent garage (No. 57), with the two-storey element stepped back 0.615 of a metre. It measures 3.7 metres in width and has an eaves height of 5.13 metres with a ridge height of 6.99 metres.
4. The application as originally submitted proposed a larger first floor extension with both a two-storey rear extension and a two-storey front extension. The application was subsequently amended to set the first floor back in line with the existing rear wall, thereby reducing the first floor bulk and enabling the ridge height to be lowered from 7.595 metres to 6.990 metres. The application was also amended to set back the first floor over the garage, thereby improving the aesthetics of the front elevation and again reducing the first floor bulk.

Application Supporting Material:

5. Information submitted with the application as follows:
 - Application Form
 - Location plan and proposed block plan
 - Existing and proposed floorplans and elevations

Site Details:

6. The application site comprises of a single storey dwelling situated within the settlement boundary of Barningham. The property is set within a small cul-de-sac of five dwellings, the other four houses being detached two-storey dwellings, and is accessed via a private road in the joint ownership of these properties. There is an existing integral garage with off-road parking for three cars.

Planning History:

| Reference | Proposal | Status | Decision Date |
|-------------|--|---------------------|---------------|
| E/83/1863/P | Change of layout and house types for already approved scheme - as amended by letter dated 17/5/83 and accompanying revised plans | Application Granted | 07.06.1983 |
| E/80/2000/P | ERECTION OF 74 DETACHED DWELLINGS, GARAGES TOGETHER WITH ESTATE ROADS & ACCESS | Application Granted | 11.08.1980 |

Consultations:

7. Highways: no objection subject to a condition requiring the provision and retention of parking.

Representations:

8. Parish Council: recognise and support the concerns raised by the neighbouring residents and therefore object to the application. Agree with Cllr Bull's suggestion that the application should go before the Delegation Panel for consideration.
9. Neighbours: Letters of objection from the owner / occupiers of the 4 properties within the cul-de-sac (numbers 57, 61, 63 and 65 Millfield Road), summarised as follows:
 - Overlooking / loss of privacy
 - Overshadowing / loss of light
 - Overbearing
 - Visual impact
 - Out of character with the area
 - Overdevelopment
 - Impact on existing views
 - Parking concerns
 - Siting of the oil tank (Officer note: agent confirmed that the oil tank will not protrude above the fence line and that filling will be as existing, that is via the existing side entrance).
 - Materials
 - Encroachment of scaffolding ; damage to property during the build; storage of building materials; and a dispute over the ownership of land in front of the garage of No. 57 shown within the application site (*Officer note: these are considered to be civil matters and cannot be remedied through planning legislation. It is for the relevant parties to resolve between themselves*).

Policy:

10. Joint Development Management Policies Document:

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

11. St Edmundsbury Core Strategy 2010:

- Policy CS3 (Design and Local Distinctiveness)

12. Vision Policy RV1 - Presumption in favour of Sustainable Development

Other Planning Policy:

13. National Planning Policy Framework (2012) core principles and paragraphs 56 - 68

Officer Comment:

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

- Principle of Development
- Design and Form
- Highway Impacts
- Impact on Neighbours

15. Policy DM24 states that extensions and alterations shall respect the scale, character and design of the existing dwelling and the character and appearance of the immediate and surrounding area. It should not result in over-development of the dwelling curtilage or adversely affect the residential amenity of neighbouring dwellings.

16. In this case, the dwelling is positioned within a curtilage of a sufficient size such that the proposal does not represent overdevelopment of the plot. The first floor element of the proposal is largely confined to the existing footprint and the ground floor extensions represent only a 30% increase in the footprint. The rear garden is of a good size and there is no significant loss of garden as a result of this proposal with only a 1.985 metre single storey rear extension.

17. Whilst the change from a bungalow to a two-storey dwelling will alter the character and scale of the existing dwelling somewhat fundamentally, it is not considered to be out of keeping with the immediate area which comprises of large detached two-storey dwellings and in this context a refusal on the basis of DM24 and a failure of the extension to respect the host dwelling could not be sustained. The use of matching brickwork and roof tiles, with first floor cement fibre cladding in a cream colour, are considered to be in keeping with the area.

18. The amendments to the application have resulted in a reduced first floor bulk and have enabled the pitch to be reduced to 6.990 metres. A street scene drawing shows this to be lower than the 7.8 metre height of the adjacent property at No. 61. The use of a hipped roof also reduces the visual prominence of the extension.

19. Concerns have been raised by neighbours in relation to overlooking and loss of privacy. However the stand off distances to neighbours are considered to be acceptable and do not give rise to serious overlooking, noting the otherwise built up nature of the area, notwithstanding the increased height of the property. The rear garden of No. 57 is 13 metres in length and there is a 14 metre depth across the access drive to numbers 63 and 65 with No. 59 sited opposite a detached double garage. First floor windows are located to the front and the rear to avoid overlooking, with only an obscure glazed en-suite window on one side elevation. The proposed rear Juliette balcony does not extend beyond the building line and offers no more adverse impact than a first floor window otherwise would in a built up location. The ground floor side kitchen window facing number 61 is a high level window set at a minimum of 1.7 metres above ground level.
20. Concerns have also been raised by neighbours with regards to overshadowing / loss of light and overbearing impact. Given the distance to neighbouring properties and the tracking of the sun, it is considered that there will only be a very limited loss of light to neighbouring residents, with some loss of evening light to the end of the rear garden of No. 57. Whilst the introduction of a first floor will lead to some overshadowing this is not considered to be significant enough to justify refusal. The amendments to the proposal to reduce the bulk of the first floor, particularly at the rear, are considered sufficient to prevent the extension appearing as an overbearing addition to the dwelling. Accordingly, within this built up context, the effects upon amenity are considered wholly reasonable. In reaching this conclusion it is considered reasonable to impose a condition on approval ensuring construction takes place within acceptable hours of the day.
21. Policy DM46 requires that proposals for all development maintain a sufficient level of parking in accordance with adopted standards. The Suffolk County Council Parking Guidance indicates that for a four bedroom dwelling, three parking spaces will need to be provided on the site.
22. The proposed block plan indicates that there is a sufficient level of parking on the site. The retention of these spaces will be enforced through the use of a condition, to ensure a suitable level of parking is retained on the site in perpetuity.

Conclusion:

23. 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:

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

- 1 The development hereby permitted shall be begun not later than 3 years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning

Act 1990.

- 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:

| Reference No: | Plan Type | Date Received |
|----------------------|------------------------------------|----------------------|
| 2017-12-BD32 | Location & Block Plan | 08.09.2017 |
| 2017-12-BD31 | Ex & Prop Elevations & Floor Plans | 08.09.2017 |

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

- 3 Occupation of the extension hereby permitted shall not commence until the area(s) within the site shown on drawing no. 2017-12-BD32 for the purposes of loading, unloading, manoeuvring and parking of vehicles has been provided. Thereafter the area(s) shall be retained and used for no other purpose.

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

- 4 Demolition or construction works shall not take place outside 07:30 hours to 18:00 hours Mondays to Fridays and 07:30 hours to 13:00 hours on Saturdays and at no time on Sundays or Bank Holidays.

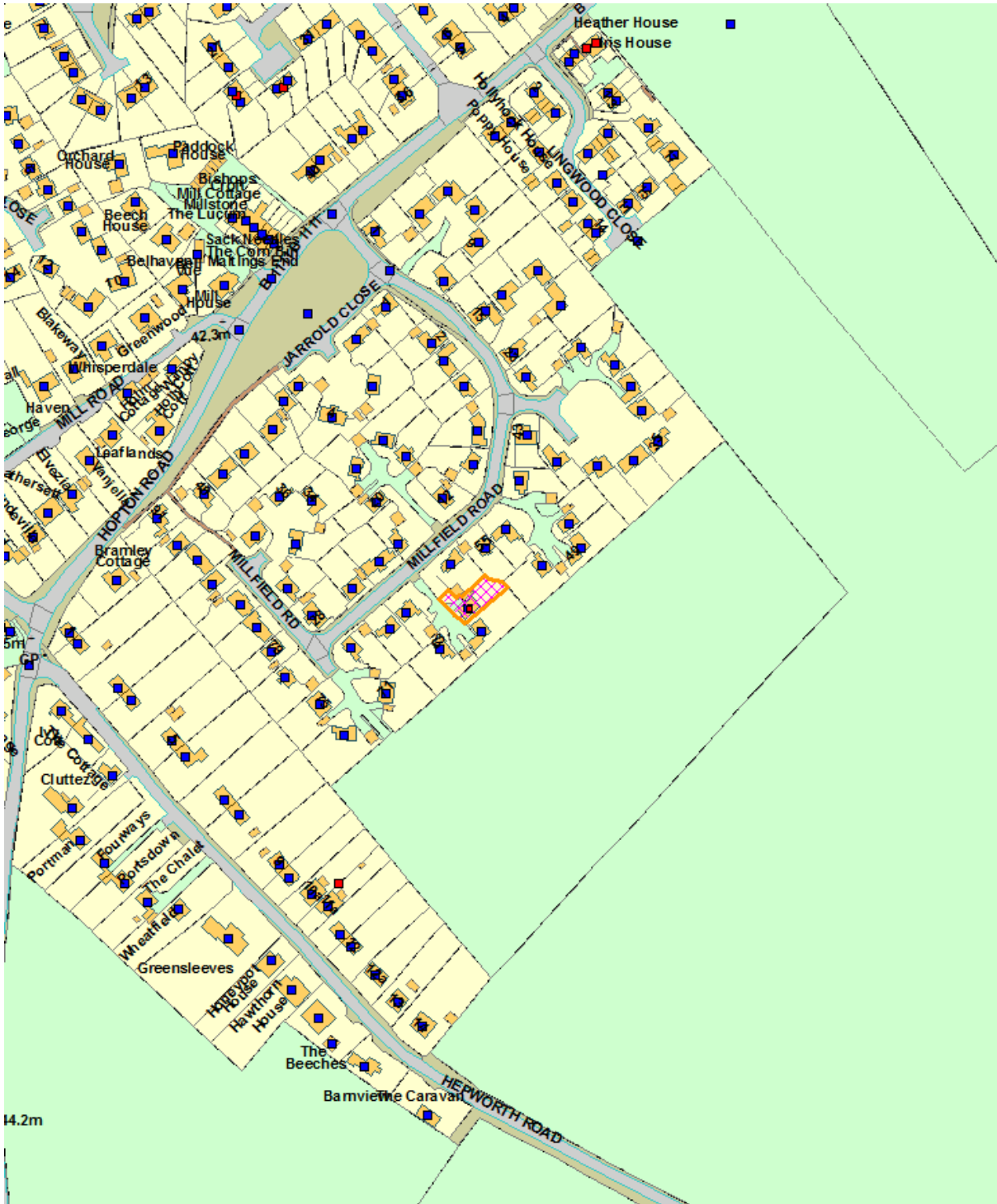
Reason: To protect the amenity of occupiers of adjacent properties from noise and disturbance.

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=OTZZ7HPDIDP00>

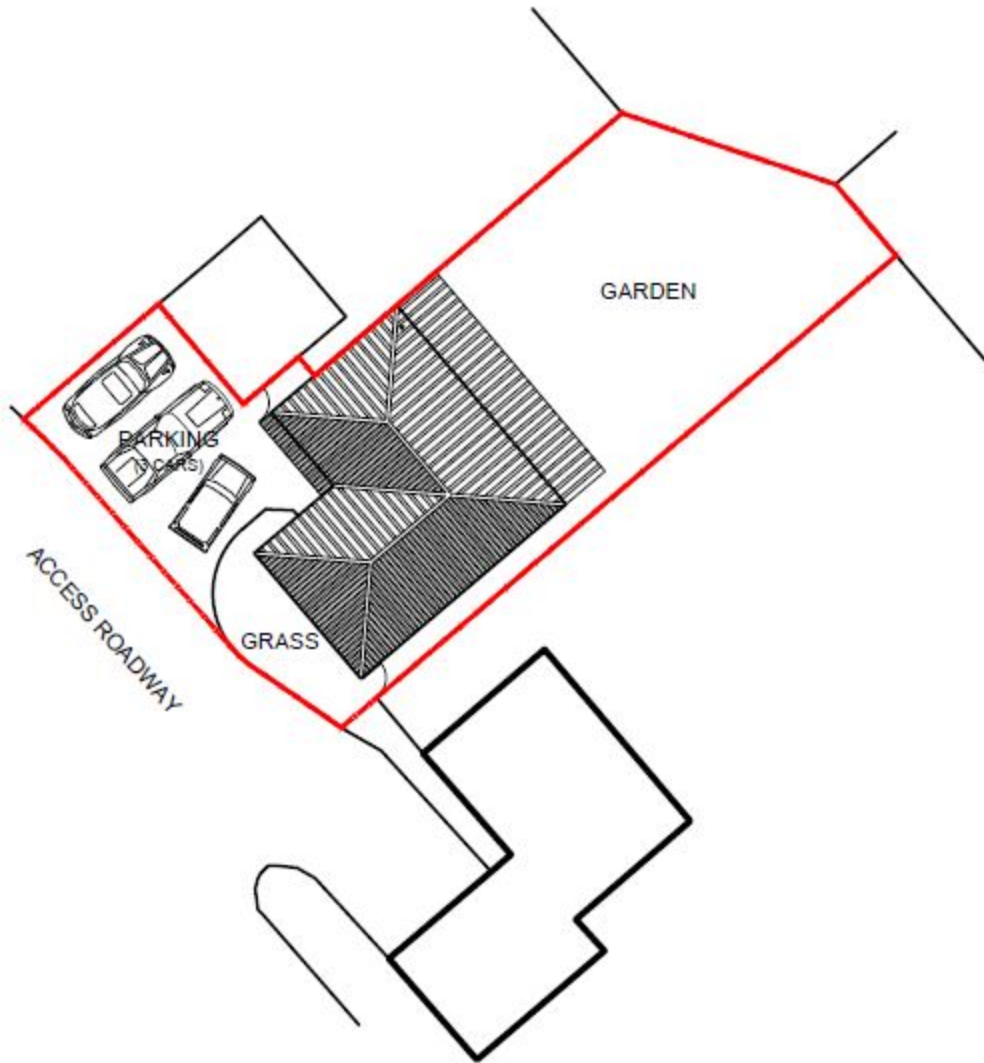
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DC/17/1588/HH

59 Millfield Road, Barningham

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PROPOSED BLOCK PLAN 1:500

SCALEBAR 1:500

0

20 METRES



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St Edmundsbury
BOROUGH COUNCIL

DEV/SE/17/044

Development Control Committee 2 November 2017

Planning Application DC/17/1867/HH – Anvil Cottage, Maltings Lane, Ingham

Date Registered: 08.09.2017 **Expiry Date:** 03.11.2017

Case Officer: Jonny Rankin **Recommendation:** Approve Application

Parish: Ingham **Ward:** Risby

Proposal: Householder Planning Application - Single storey rear extension and two storey side extension.

Site: Anvil Cottage , Maltings Lane, Ingham

Applicant: Mr & Mrs B. Smith

Synopsis:

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

Recommendation:

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

CONTACT CASE OFFICER:

Jonny Rankin
Email: jonny.rankin@westsuffolk.gov.uk
Telephone: 01284 757621

Background:

This application is referred to the Development Control Committee in accordance with the authorities' constitution as the applicant is an employee.

Proposal:

1. Planning permission is sought for a single storey rear extension and two storey side extension. The single storey rear extension has a footprint of 3.9m x 3.6m with a height to the eaves of 2.5m and 4.2m to the highest point comprised of a roof lantern. The two storey side extension has a footprint of 7.6m x 2.3m with a height to the eaves of 4.9m and 8m to the ridgeline of the pitched roof.

Site Details:

2. The application site is a detached dwelling accessed via Maltings Lane and situated within the Housing Settlement Boundary.

Planning History:

| Reference | Proposal | Status | Received Date | Decision Date |
|------------------|---|------------------------|----------------------|----------------------|
| SE/12/0664/HH | Planning Application - Erection of single storey side and rear extension as amended by plan received 16.08.12 | Application - Approved | 22.05.2012 | 06.09.2012 |
| DC/17/1867/HH | Householder Planning Application - Single storey rear extension and two storey side extension. | Pending Decision | 08.09.2017 | |

Consultations:

3. None received.

Representations:

| | |
|----------------------------|--------|
| Dormers Cottage The Street | Object |
| Grendel The Street | Object |

2no. neighbour representations received:

4. Dormers Cottage; I write regarding the above mentioned planning application for a single & two storey extension to Anvil Cottage, Ingham, the rear of which faces onto the rear of my property (Dormers Cottage). During the original planning application for the building of the Anvil Cottage, circa 2008, I commented to you about the overall height of the proposed building and the presence of windows in the first floor (west) elevation. Some of these comments seem to have been taken on board at the time with false windows being put in place. The latest planning application (DC/17/1867/HH) appears to not only add windows to this elevation on both the ground and first floor, but increase the height of this elevation. I believe this will look imposing and out of place in the surroundings and will be of detriment to my own enjoyment of my property / outside space as it will be more overlooked by Anvil Cottage. This is already an existing problem due to a dip in elevation between the two properties, and despite a six foot fence, this provides little privacy. I hope you will take these comments on board and restrict the scope of the application to ensure continued enjoyment of my property and ensuring that buildings remain in keeping within the area.
5. Grendel; When this property and the adjacent property were built we objected to the overview of our property. This situation was overcome by the nearest upstairs window overlooking our property to be blanked off. The latest extension at Anvil cottage actually adds two new windows which would overlook my property and the situation is made more intrusive by these properties being in an elevated position. (I note that they have already added velux windows to the roof to add light!!).

Policy:

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM24 Alterations or Extensions to Dwellings, including Self Contained annexes and Development within the Curtilage
- Core Strategy Policy CS3 - Design and Local Distinctiveness

Other Planning Policy:

6. National Planning Policy Framework (2012) core principles and paragraphs 56 - 68.

Officer Comment:

7. Policy DM24 states that planning permission for alterations or extensions to existing dwellings, self-contained annexes and ancillary development within the curtilage of dwellings will be acceptable provided that the proposal respects the character, scale and design of existing dwellings and the character and appearance of the immediate and surrounding area, will not result in over-development of the dwelling and curtilage and shall not adversely affect the residential amenity of occupants of nearby properties.
8. In the case of this application, the dwelling is located within a curtilage which is able to accommodate the scale of the extension without over-development occurring. The extension is considered respectful of the character, scale, design and appearance of the existing dwelling and surrounding area.
9. The side extension constitutes a subservient addition to the property with a lower ridge height than the host dwelling which does not extend beyond the existing two storey element to the rear, The side elevation presents to a well screened boundary with no immediate residential neighbour (out buildings associated with the adjacent public house and a car parking area extend to the north). The single storey rear extension is only marginally above and beyond what could be progressed under householder permitted development rights and sits within the existing two storey element to the rear on an area currently set aside as patio.
10. Neighbour representations raised concerns in respect of first storey window to the rear elevation of the proposed two storey extension. As per the submitted plans this is proposed to be obscure glazed and also fixed shut. Accordingly, the extension does not increase the potential for overlooking or perceived overlooking, over and above the existing scenario. Nor does the proposal encroach upon neighbouring properties to the rear beyond the existing built line. Of note; the 2no. properties which made representation Dormer Cottage and Grendel are 15m and 16m respectively away, when measured at the closest points to the proposed extension. There is also a stand-off within the application site of 10m between the rear of the proposed extension and shared boundary line between the applicant site and aforementioned properties. Therefore the proposal is considered acceptable in relation to neighbouring properties, with no harm to the amenity of residents.
11. No objection has been received from County Highways and it is noted that the proposal maintains the existing garaging and ample off street car parking and space to manoeuvre.

Conclusion:

12. 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:

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

1. 01A Time Limit Detailed
2. 14FP Approved Plans
3. NS Materials Detailed on Application Form
4. Window to be obscure glazed and fixed shut

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:

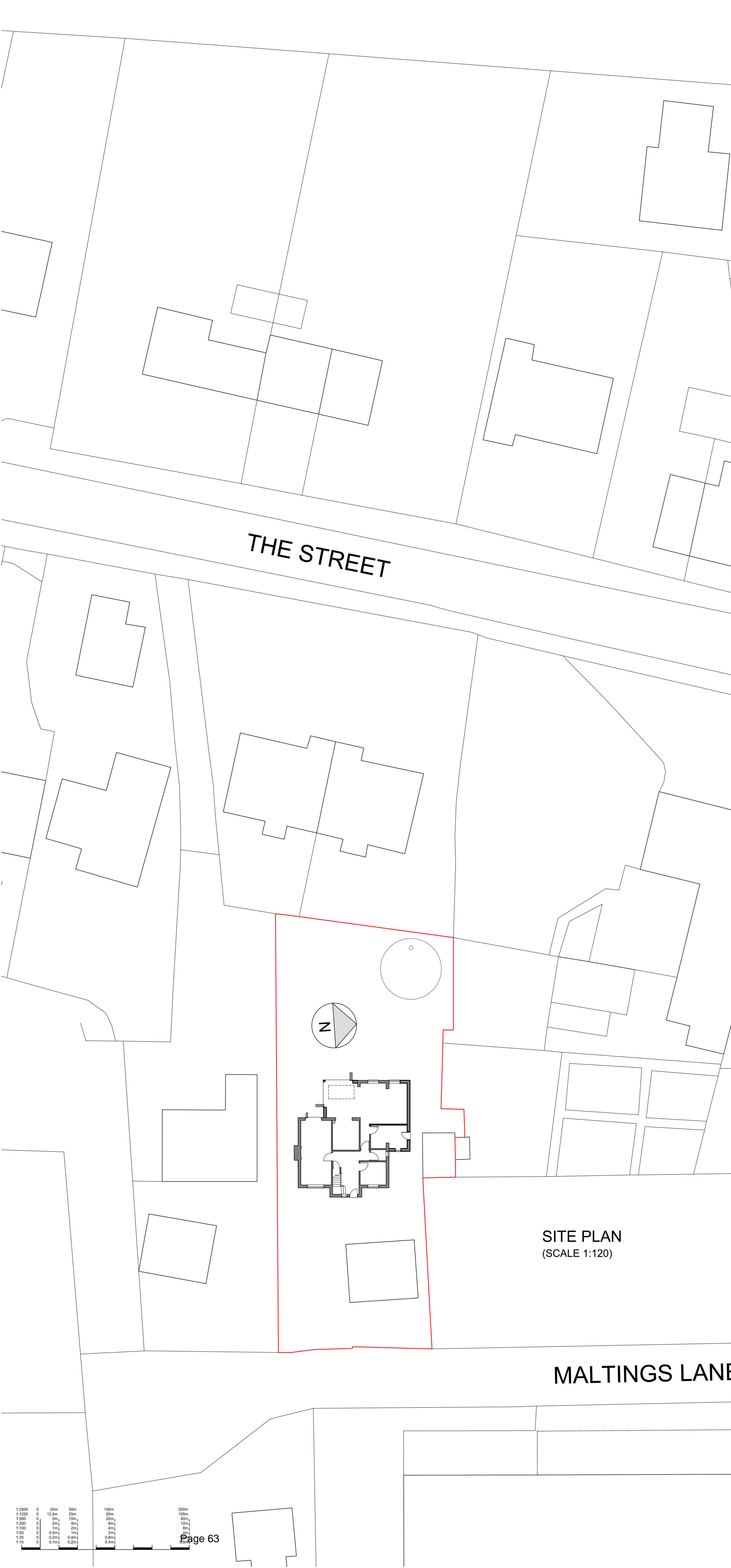
All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online.

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OVX46TPDJ4Y00>

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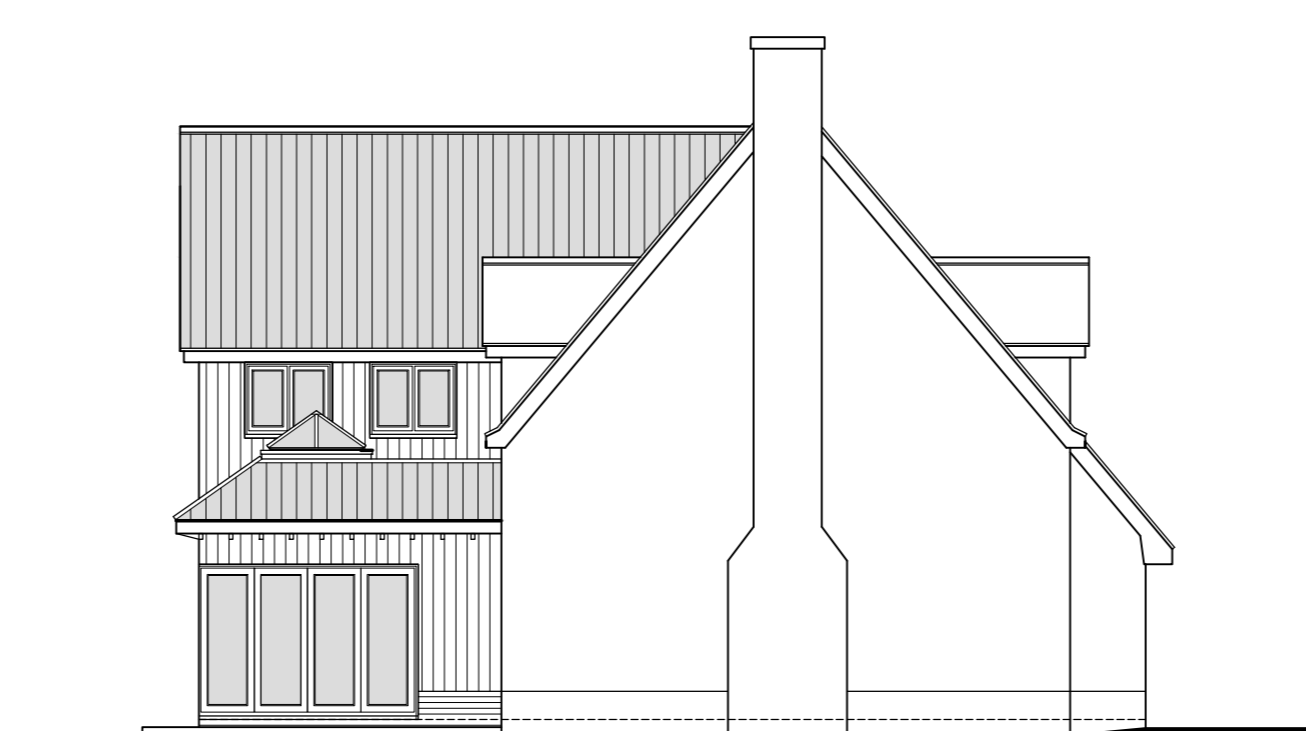
SITE PLAN
(SCALE 1:120)

MALTINGS LANE

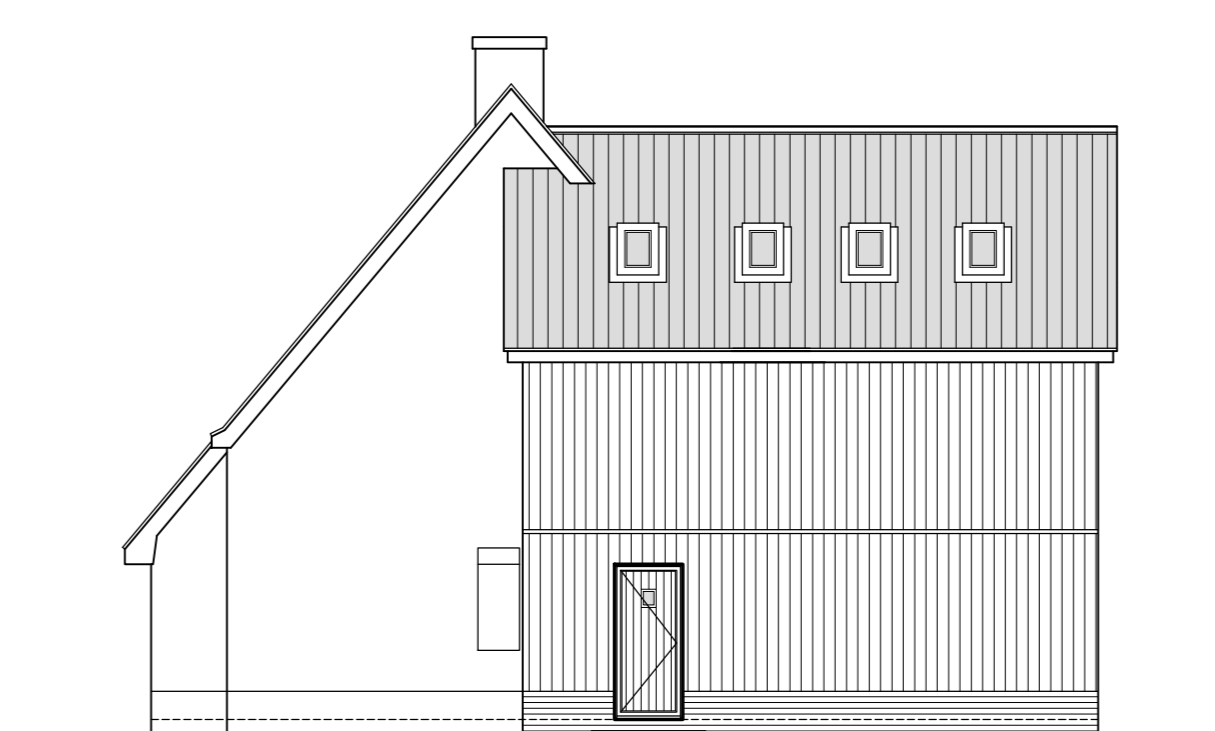
THE STREET



FRONT
ELEVATIONS



SIDE



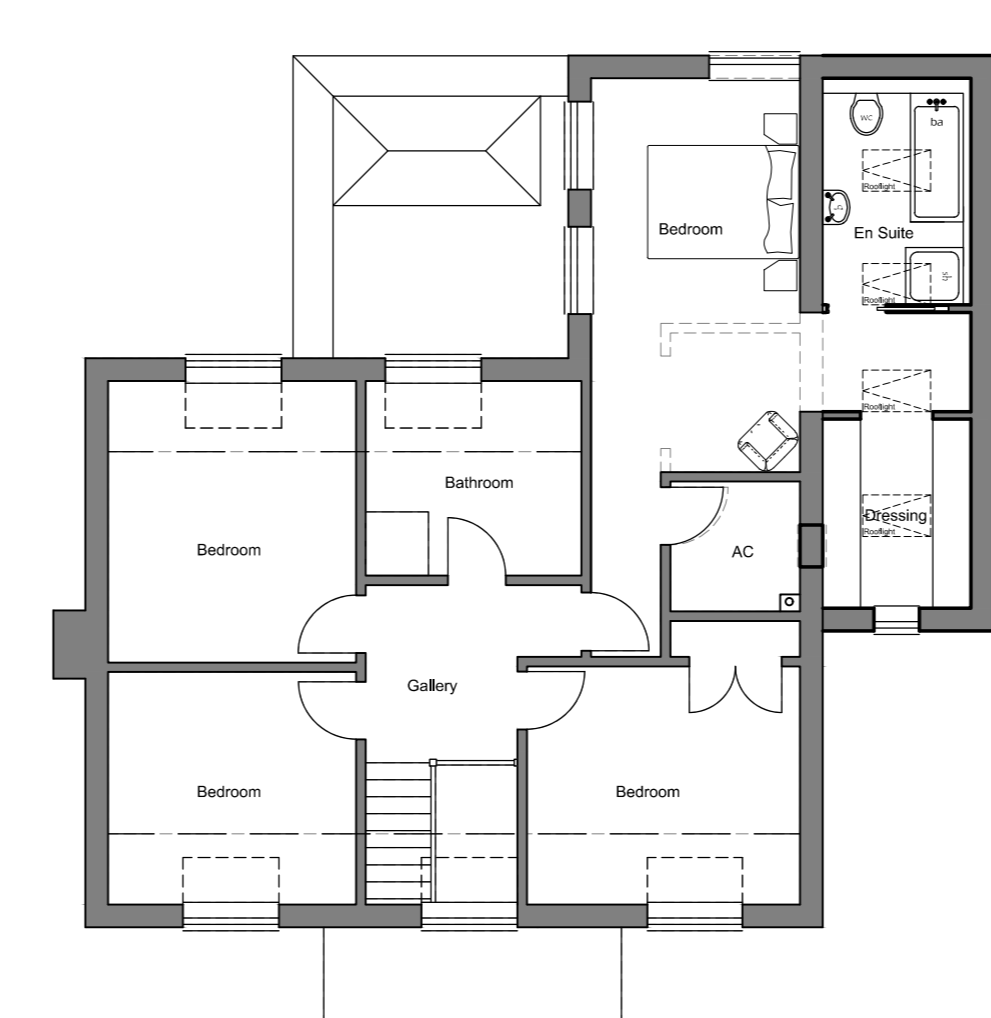
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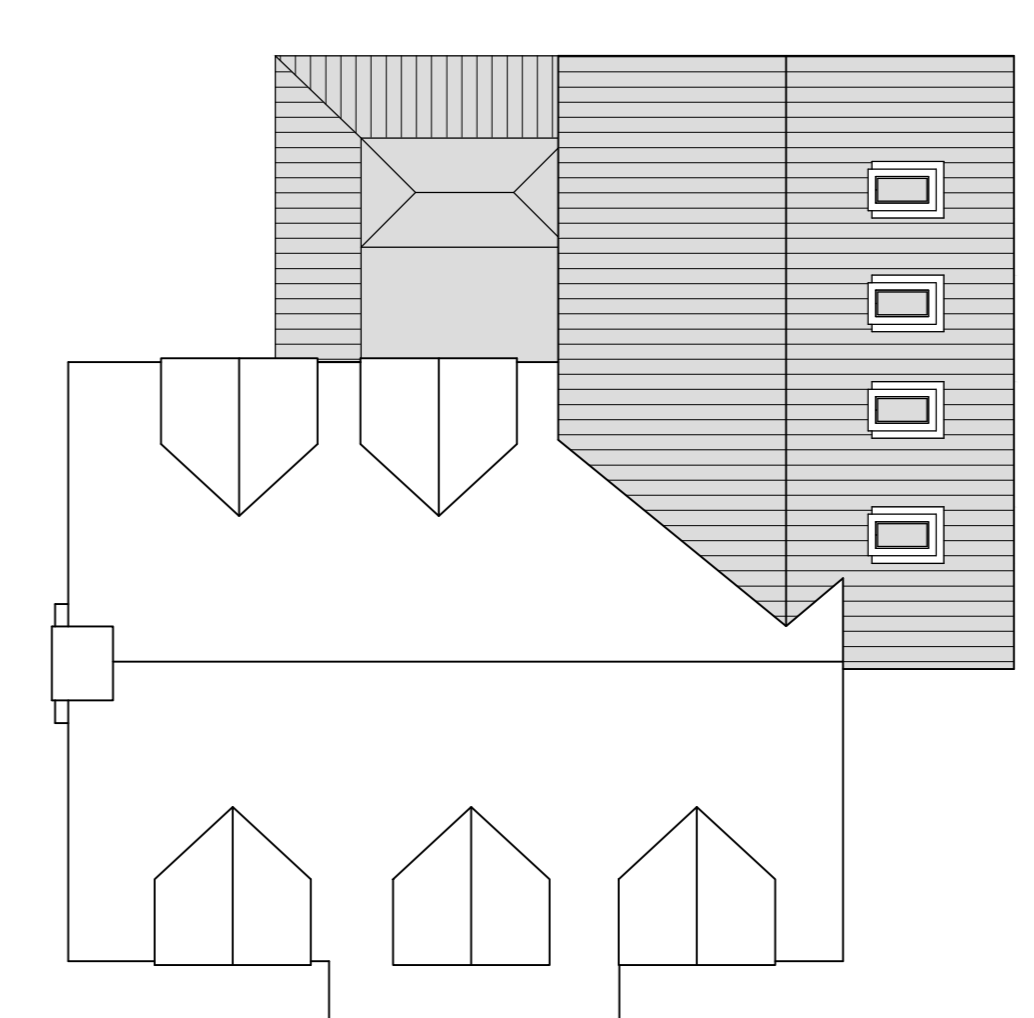
REAR



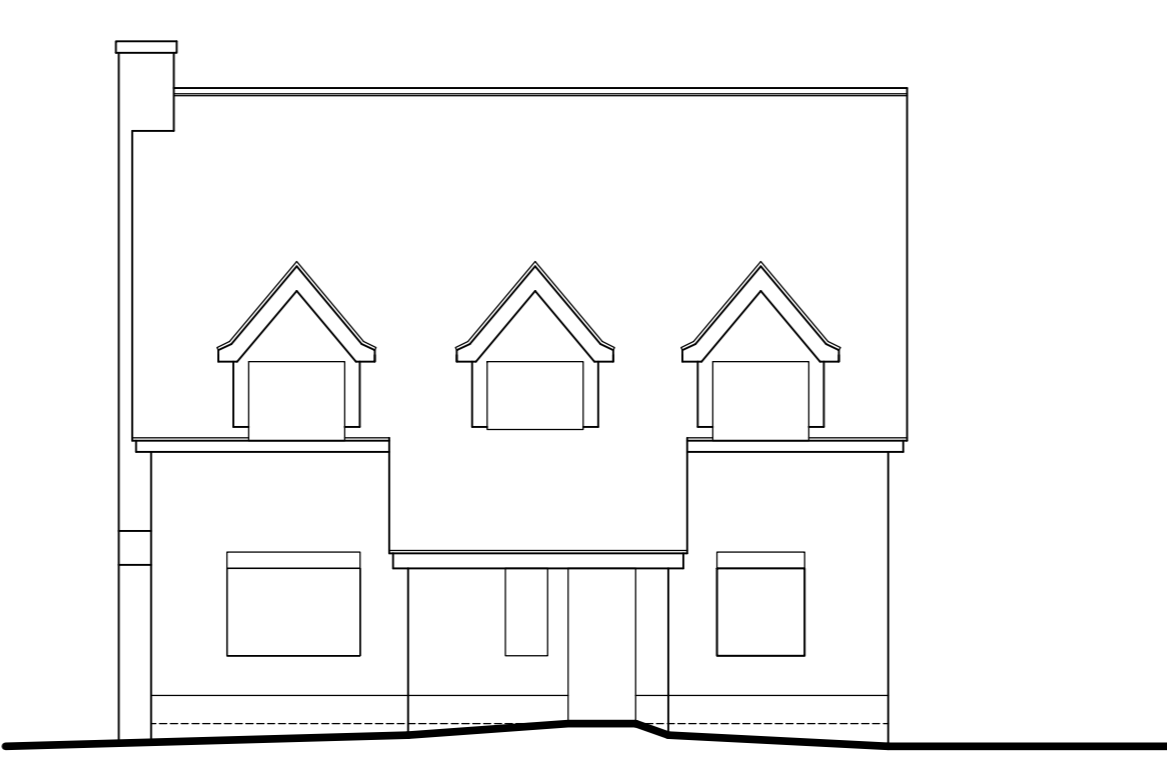
GROUND
FLOOR PLANS
PROPOSED



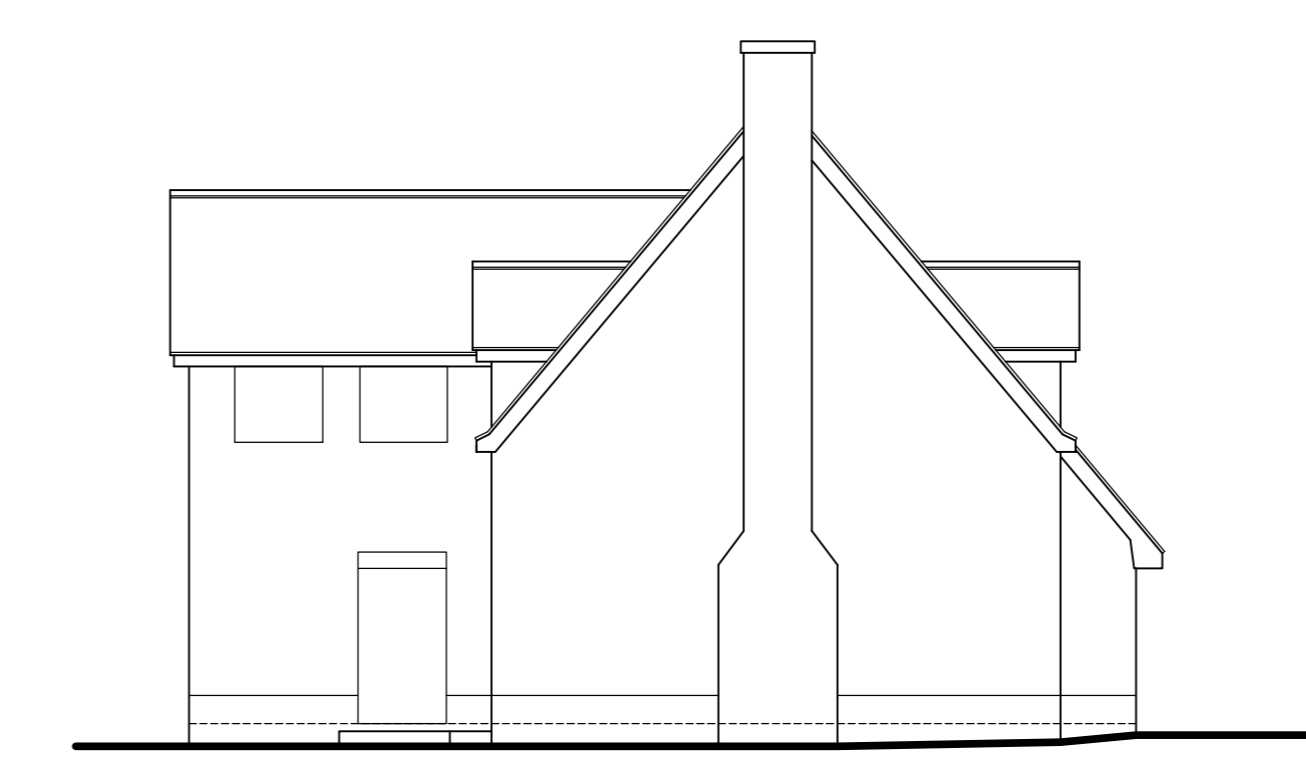
FIRST



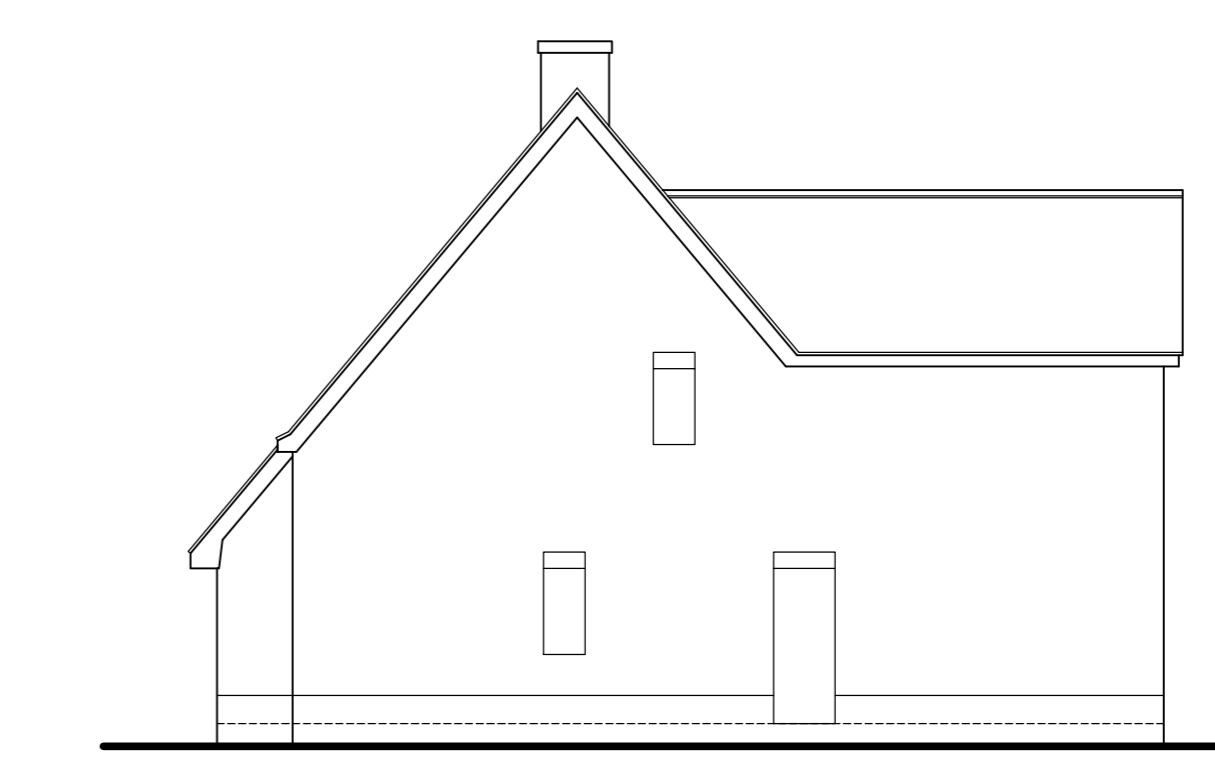
ROOF



FRONT
ELEVATIONS



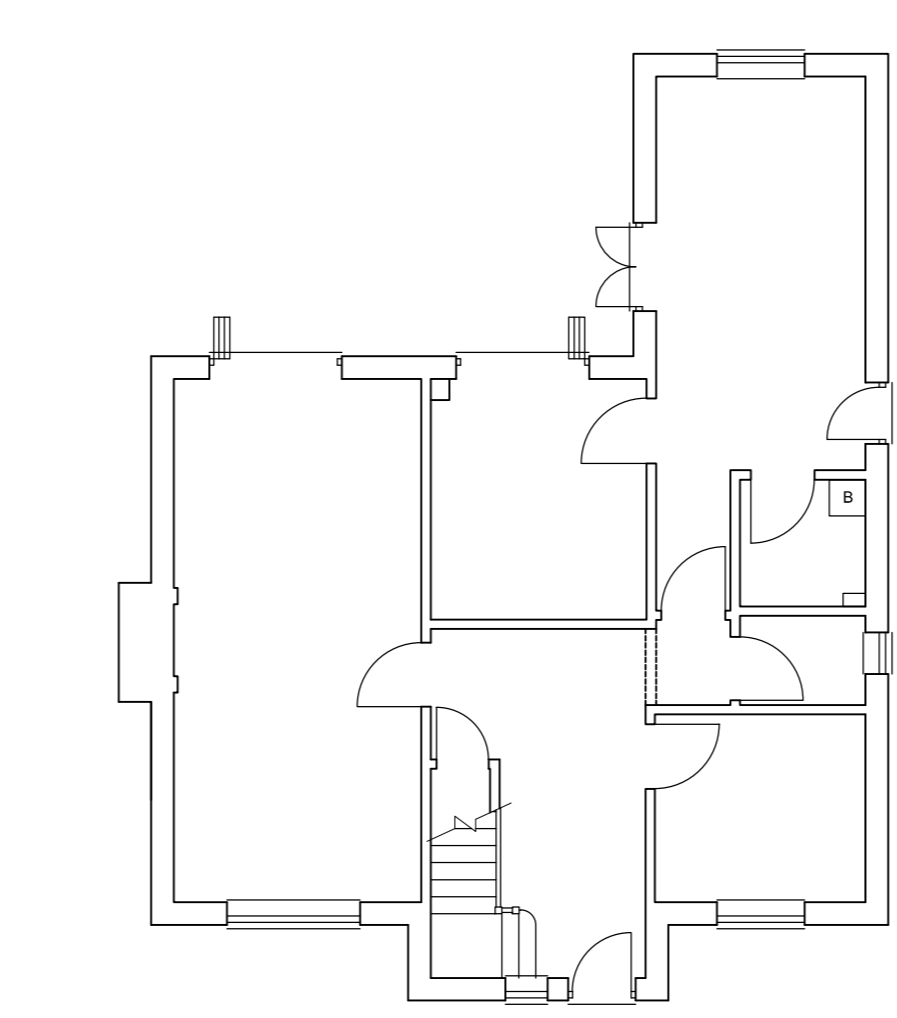
SIDE



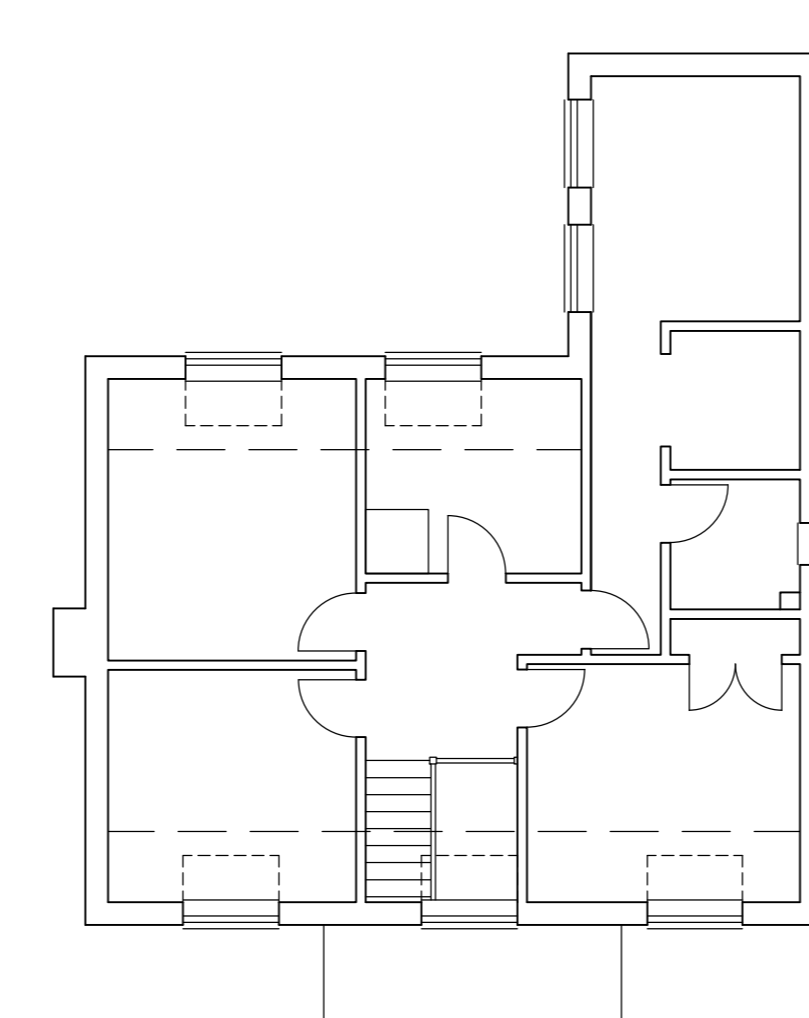
SIDE



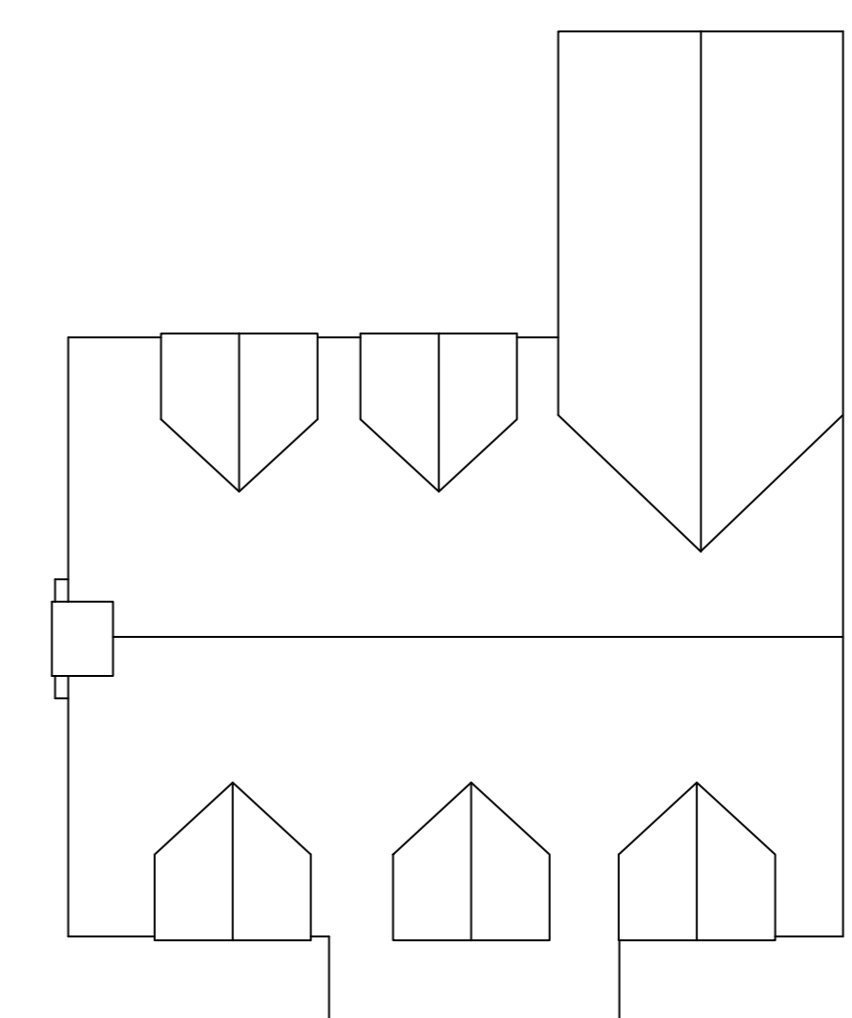
REAR



GROUND
PLANS
EXISTING



FIRST



ROOF

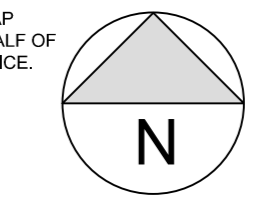
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COMMENCING WORK OR ORDERING ANY MATERIALS.
ANY DISCREPANCIES TO BE NOTIFIED IMMEDIATELY.

| Revision | Notes | Date | Drawn | Checked |
|--|-------------------------|----------------------|-----------------------|---------|
| Client MR & MRS B. SMITH | | | | |
| Project PROPOSED ADDITIONS AND ALTERATIONS | | | | |
| Address ANVIL COTTAGE MALTINGS LANE INGHAM SUFFOLK IP31 1NS | | | | |
| Drawing PLANS & ELEVATIONS | | | | |
| Drawing No. 17; 010 - 3 | | Revision - | | |
| Scale 1:100 | Paper Size A0 | Drawn MB | Checked AJF | |
| andrewfleetmciat chartered architectural technologist <small>6 Regent Place, Soham, Cambridgeshire, CB7 5RL Tel: (01353) 729551 w: www.andrewfleet.co.uk e: mail@andrewfleet.co.uk</small> | | | | |



ORDNANCE
SURVEY MAP
(SCALE 1:1250)

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LICENCE No. AR 10003548





St Edmundsbury
BOROUGH COUNCIL

DEV/SE/17/045

Development Control Committee 2 November 2017

Planning Application DC/17/1576/HH – Walnut Brook, Withersfield Road, Haverhill

| | | | |
|-------------------------|--|--------------------------------------|--------------------------|
| Date Registered: | 21.08.2017 | Expiry Date: Ext of Time: | 16.10.2017 03.11.2017 |
| Case Officer: | Karen Littlechild | Recommendation: | Approve Application |
| Parish: | Haverhill Town Council (EMAIL) | Ward: | Haverhill West |
| Proposal: | Householder Planning Application - Detached outbuilding on concrete base | | |
| Site: | Walnut Brook, Withersfield Road, Haverhill | | |
| Applicant: | Mrs Margaret Marks | | |

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:

Karen Littlechild
Email: karen.littlechild@westsuffolk.gov.uk
Telephone: 01638 719450

Background:

This application is referred to the Development Control Committee as the applicant is an Elected Member of the Borough Council.

Proposal:

1. The application seeks planning permission for the construction of a detached outbuilding on a concrete base.
2. The proposal measures 6 metres wide, 6 metres deep, 1.96 metres to the eaves and 2.7 metres to the ridge.
3. The proposal is to be of a wooden log style construction with a tiled asphalt roof.

Application Supporting Material:

4. Information submitted with the application as follows
 - Application Form
 - Location Plan
 - Block Plan
 - Floor Plan
 - Elevations
 - Flood Risk Questionnaire

Site Details:

5. The application site comprises of a two storey detached dwelling situated within the settlement boundary of Haverhill. The site also lies within the buffer areas of a bank top and a County Wildlife Site. The host dwelling is set back from the road within a generous sized plot and is accessed via a shared driveway.

Planning History:

| Reference | Proposal | Status | Decision Date |
|------------------|--|---------------------|----------------------|
| 6. E/91/2316/P | Construction of vehicular access | Application Granted | 29.10.1991 |
| 7. E/89/4161/P | Erection of house and double garage | Application Granted | 20.03.1990 |
| 8. E/87/3129/P | Outline Application - Erection of single detached dwelling house with access | Application Refused | 21.12.1987 |

Consultations:

9. Suffolk Wildlife Trust – No representation received
10. Environment Agency – No objection

11. Ecologist – Verbally raised no objection.

Representations:

12. Parish – No objection

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

13. Joint Development Management Policies Document:

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

14. St Edmundsbury Core Strategy December 2010

- Policy CS3 (Design and Local Distinctiveness)

15. Haverhill Vision 2031:

- Policy HV1 (Presumption in Favour of Sustainable development)

Other Planning Policy:

16. National Planning Policy Framework (2012) core principles and paragraphs 56 - 68

Officer Comment:

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

- Principle of Development
- Impact on residential amenity
- Impact on street scene/character of the area
- Design and Form
- Flood Risk
- Biodiversity

18. Policy DM24 states that planning permission for alterations or extensions to existing dwellings, self-contained annexes and ancillary development within the curtilage of dwellings will be acceptable provided that the proposal respects the character, scale and design of existing dwellings and the character and appearance of the immediate and surrounding area, will not result in over-development of the dwelling and curtilage and shall not adversely affect the residential amenity of occupants of nearby properties.

19. In this case, the dwelling is located within a curtilage which is able to accommodate the scale of proposal without overdevelopment occurring.

20. There is sufficient distance and boundary treatments between the proposed outbuilding and neighbouring dwellings and as such it is considered that there will be no impact on neighbouring amenity.

21. The outbuilding is to be set back from the road in line with the existing dwellings and partially screened by mature hedging therefore it is considered that there will be no adverse impact on the street scene or character of the area.
22. The proposed outbuilding which is of a single storey construction with timber walls and an asphalt tiled roof is considered to be of an appropriate design for this location.
23. The outbuilding is to be sited within 12.5 metres of Stour Brook. The Environment Agency have raised no objection to the proposal but advised that the applicant may need an environmental permit for flood risk activities if they want to do work in, under, over or within 8 metres (m) from a fluvial main river and from any flood defence structure or culvert or 16m from a tidal main river and from any flood defence structure or culvert. Stour Brook is designated a 'main river'. However, this is an advisory comment that any developer must have regard to but has no bearing on the acceptability or not of this planning application.
24. Although the proposed outbuilding is to be situated within 12.5 metres of Stour Brook and 35.5 metres of the County Wildlife site, the lawn area where the outbuilding is to be sited has been cut on a regular basis and as such it is considered that there will be no significant impact on wildlife.

Conclusion:

25. 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:

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

- 1 The development hereby permitted shall be begun not later than 3 years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

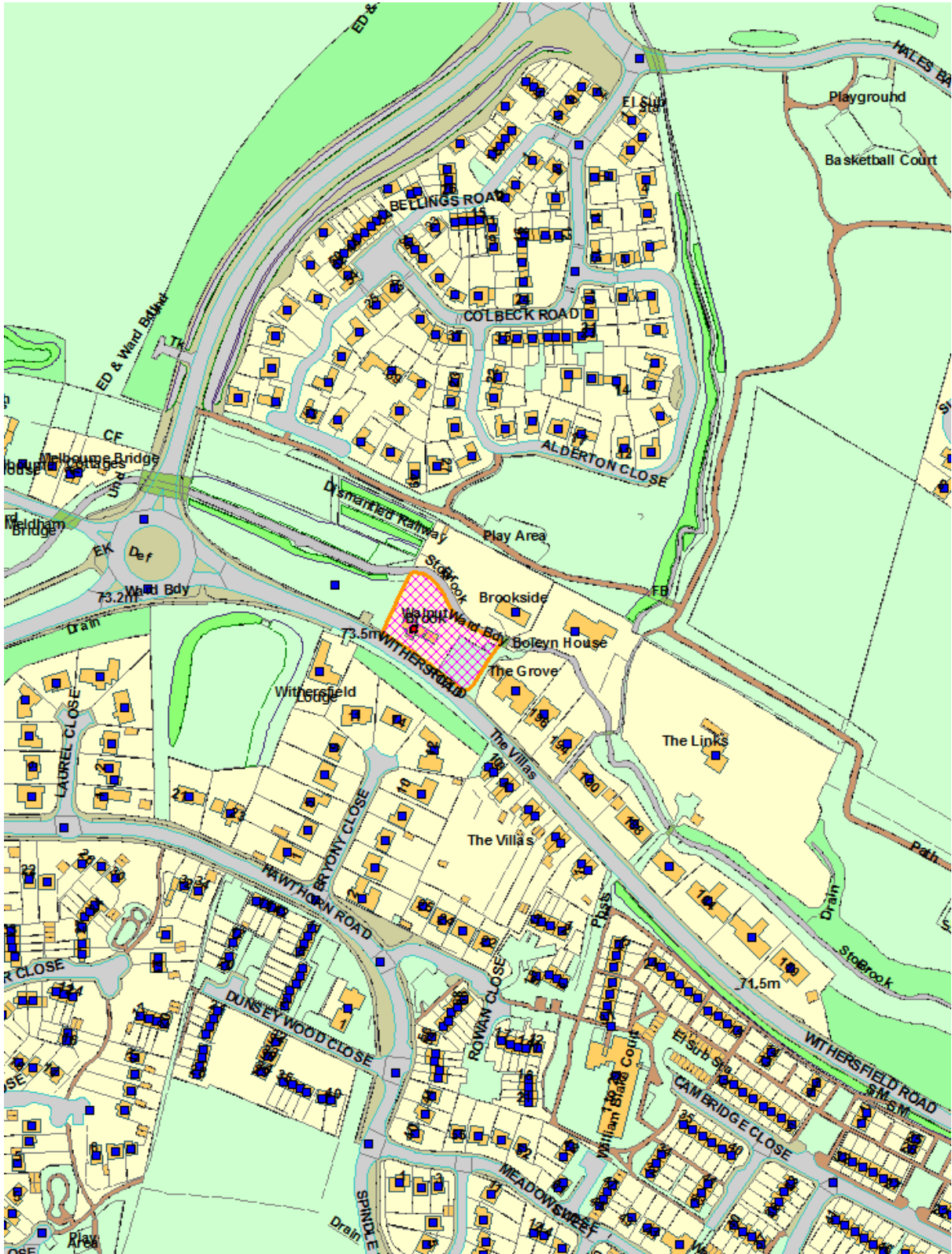
- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:

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

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=OTY9A0PD02I00>



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Walnut Brook Withersfield Road Haverhill Suffolk CB9 7RN



Block Plan shows area bounded by: 566059.0, 246488.25 566187.0, 246616.25 (at a scale of 1:500), OSGridRef: TL66124655. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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