
Development Control Committee



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Development Control Committee** held on **Thursday 28 March 2019** at **10.00am** at the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

Chairman Jim Thorndyke

Vice Chairmen David Roach and Andrew Smith

John Burns

Susan Glossop

Carol Bull

Ian Houlder

Mike Chester

David Nettleton

Terry Clements

Peter Stevens

Jason Crooks

Julia Wakelam

Robert Everitt

In Attendance:

Sara Mildmay-White - Ward Member: Rougham

This was the last meeting of St Edmundsbury Borough Council's Development Control Committee before its dissolution on 6 May 2019. As a result, the minutes of the meeting remain as drafted following the meeting and cannot be confirmed by the Committee and signed by the Chair. This is consistent with all other dissolved Committees and bodies.

101. In Remembrance

On opening the meeting the Chairman advised all present of the recent passing of Mike Jones, former St Edmundsbury Borough Councillor and previous Vice Chairman of the Development Control Committee.

Members were informed that Councillor Peter Stevens was representing the Committee at the funeral which was being held that morning and he would join the meeting later.

The Chairman then asked all present to stand in order to observe a one minute silence in remembrance of their friend and former colleague.

102. Apologies for Absence

There were no apologies for absence.

The Democratic Services Officer reminded the Committee that Councillor Peter Stevens had indicated that he would be attending but would be arriving late to the meeting.

103. **Substitutes**

There were no substitutes present at the meeting.

104. **Minutes**

The minutes of the meeting held on 7 March 2019 were unanimously received as an accurate record and were signed by the Chairman.

105. **Planning Application DC/18/0382/FUL - Cornhill Walk, Brentgovel Street, Bury St Edmunds (Report No: DEV/SE/19/022)**

Planning Application - Demolition and redevelopment of the Cornhill Walk Shopping Centre to provide mixed use development comprising (i) 1,666sq.m (Use Class A1/D2) at the ground floor (ii) 49 no. residential units (Use Class C3) to three upper floors including parking, bin storage, access and other associated works as amended by plans received 13th December 2018

This application was referred to the Development Control Committee at the request of one of the Ward Members (Eastgate).

A Member site visit was held prior to the meeting. Officers were recommending that the application be approved, subject to the completion of a Section 106 Agreement and conditions.

Bury St Edmunds Town Council had raised objections, together with a number of other third parties.

The Senior Planning Officer explained that a number of changes had been made to the scheme throughout the process of the application in order to address some of the concerns raised.

Since publication of the agenda 'late papers' had been circulated which set out the full wording of the proposed conditions; together with amended plans reflecting further changes that had been made to the scheme.

The day before the meeting further amended plans had been submitted which the Officer made reference to her presentation and highlighted the changes to the Committee.

Members were also advised that further late objections had been received from residents who had made prior representations and whom largely reiterated their previous points raised.

Speakers: Roderick Reese (Bury St Edmunds Society) spoke against the application
Bill Goodsall (Chairman, Well Street Association) spoke against the application
Phil Cobbold (on behalf of Orchard Street and Short Brackland residents) spoke against the application

Graham Ashley (neighbouring resident) spoke against the application

Kieran Rushe (agent) spoke in support of the application

Councillor David Nettleton spoke against the proposal, citing concerns in relation to:

- The height/mass/bulk of the building;
- The impact on the character of the area, including the Conservation Area;
- The viability of the proposed retail units;
- Parking and highways impact – including concerns relating to delivery vehicles;
- Air quality; and
- The impact on the residential amenity of the neighbouring properties.

Councillor Nettleton proposed that the application be refused for these reasons and this was duly seconded by Councillor Julia Wakelam who echoed the concerns raised.

In response to the reasons cited for refusal, the Service Manager (Planning – Development) explained that she would not recommend the inclusion of:

- The viability of the proposed retail units – the site had been identified for retail units and was within the primary shopping area of the town, furthermore, there was no evidence to suggest that the retail units would not be viable;
- Parking and highways impact, including concerns relating to delivery vehicles – the Highways Authority had not objected in this regard and the existing nearby retail units would have regular deliveries, furthermore, there was a specific condition included for a Delivery Management Plan to be provided; and
- Air quality – Environmental Services had not objected in this regard.

The Service Manager did, however, consider the following reasons to be defensible and advised on the relevant planning policies that could be appended to them:

- The height/mass/bulk of the building;
- The impact on the character of the area, including the Conservation Area; and
- The impact on the residential amenity of the neighbouring properties.

Furthermore, the Committee was advised that Officers did not consider that the Decision Making Protocol need be invoked, therefore if Members resolved to refuse the application for these reasons a risk assessment would not need to be undertaken for further consideration by the Committee.

Further debate then ensued with additional concerns being raised by Members in relation to the proposed gym, which was to operate 24/7, and the impact this could have on neighbouring residential properties. In response to which, the Senior Planning Officer advised that a specific condition had been included in respect of the gym.

A number of the Committee referenced the proposed building's Well Street side elevation and the design of the metal balcony screens in particular.

Some Members considered these to be vastly out of keeping with the surrounding area.

The Chairman invited the Principal Conservation Officer to address the meeting in respect of this matter. The Committee was advised that it was a difficult site and the Planning Authority had worked closely with the architect on all aspects of design. A specific condition had been included for details of the screens to be submitted.

On conclusion of the discussion the Chairman put the motion for refusal to the vote. With 4 voting for the motion, 8 against and with 1 abstention the Chairman declared the motion lost.

Councillor Terry Clements then proposed that the application be deferred, in order to allow Officers additional time in which to work with the applicant, in light of the varied concerns raised by the Committee. This was duly seconded by Councillor David Roach.

Upon being put to the vote and with 12 voting for the motion and with 1 abstention, it was resolved that

Decision

Consideration of the application be **DEFERRED** in order allow additional time for Officers to work with the applicant, in light of the varied concerns raised by the Committee.

(On conclusion of this item the Chairman permitted a short comfort break.)

106. **Planning Application DC/18/1498/FUL - Boyton Meadows, Anne Suckling Road, Little Wratting (Report No: DEV/SE/19/023)**

Planning Application - 38no. dwellings and associated access works

This application was referred to the Development Control Committee as it was a major application.

Haverhill Town Council objected to the application, contrary to the Officer recommendation of approval, subject to the completion of a Section 106 Agreement and conditions as set out in Paragraph 65 of Report No DEV/SE/19/023.

The Senior Planning Officer explained that since publication of the agenda 'late papers' had been circulated which set out amendments to two of the proposed conditions (Nos 10 and 13) together with two additional conditions in respect of ecological mitigation/enhancements.

Members were also advised that a further late objection had been received from Haverhill Town Council who had largely reiterated their previous points raised in their earlier representation.

Speakers: Julie Richards (neighbouring objector) spoke against the application

Alasdair Vaux (agent) spoke in support of the application

Councillor John Burns spoke in favour of the design and layout of the scheme but stated that he felt unable to support the application due to concerns with the proposed access.

Councillor Burns explained that he considered that the access needed to be moved further along Anne Suckling Road in order to protect existing residents, particularly in light of the adjacent Persimmon Homes development which had led to increased parking along the road already.

The Committee was advised that the Highways Authority were satisfied with the access proposed which would result in some leylandii trees being removed, the Council's Tree Officer had been consulted on this aspect and had no objection to what was proposed.

Other Members raised queries in respect of; waste collection, Police and Crime Officer comments and holding objections. All of which, the Case Officer responded to in turn and provided further explanation; she also clarified that all holding objections had been resolved.

Further debate highlighted additional Member concerns in relation to the parking provision within the scheme. The Senior Planning Officer confirmed that the Highways Authority were satisfied with what was proposed.

Councillor David Roach stated that he also felt unable to support the scheme in view of the proposed access and parking provision. He therefore proposed that consideration of the application be deferred in order to allow Officers additional time in which to work with the applicant in light of these concerns. This was duly seconded by Councillor David Nettleton.

Upon being put to the vote and with 9 voting for the motion, 2 against and with 2 abstentions, it was resolved that

Decision

Consideration of the application be **DEFERRED** in order allow additional time for Officers to work with the applicant, in light of the concerns raised by the Committee in respect of access and parking provision.

107. **Planning Application DC/18/1024/FUL - Hengrave Farm, Stanchils Farm Lane, Hengrave (Report No: DEV/SE/19/024)**

Planning Application - Importation and engineering of suitable restoration materials to allow use of land for agriculture

Members were advised that the application site was a remnant of historic sand and gravel workings of approximately 1ha. The application proposed restoration of the site to return it to agricultural use. The proposal, at the same time, would also be a waste recovery operation and would require an Environmental Permit alongside planning permission.

Minerals extraction and waste management were normally dealt with at County Council level. However, pre-application advice was sought from Suffolk County Council by the applicant and the use of imported material to achieve restoration was not viewed as 'disposal of waste' as the material would be put to a beneficial use. It was therefore considered to be an engineering operation and due to the modest scale of the proposal this should be dealt with by the Local Planning Authority.

Henceforth, the application was referred to the Development Control Committee following call-in by the Ward Member, Councillor Susan Glossop (Risby) because of concerns raised by local residents. The application, being a major application by site area, was therefore referred directly to the Committee.

Officers were recommending that the application be approved subject to conditions, as set out in Paragraph 57 of Report No DEV/SE/19/024.

The Senior Planning Officer informed the Committee that during the course of the application amendments were made to the access and internal routing of HGVs and additional information was submitted regarding ecology.

Speakers: Wendy Smith (neighbouring objector) spoke against the application
Dr Jeremy Field (neighbouring objector) spoke against the application
Councillor Susan Glossop (Ward Member: Risby) spoke on the application
Edward Vipond (application) spoke in support of the application

Councillor John Burns made reference to proposed condition No 11 and asked that it be amended to clarify that no deliveries or works shall take place on weekends or Public Holidays.

Councillor Terry Clements spoke in support of the proposal and moved that the application be approved, as per the Officer recommendation. This was duly seconded by Councillor David Nettleton.

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

Decision

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

1. The development hereby permitted shall be begun not later than 3 years from the date of this permission.
2. The developer shall notify the Local Planning Authority in writing 2 weeks prior to the implementation of this planning permission and of the commencement of the infill of the Site.
3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
4. Constructions Method Statement (04D)
Prior to commencement of development, including any works of

demolition, a Construction Method Statement shall be 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 provide for:

- i) Loading and unloading of plant and materials;
 - ii) Storage of plant and machinery;
 - iii) Speed enforcement measures;
 - iv) A site waste management plan;
 - v) Wheel washing facilities;
 - vi) Measures to control the emission of dust and dirt during works;
 - vii) A list of construction activities categorised in terms of the noise they would generate as non-intrusive, intrusive and noisy;
 - viii) a list of plant and machinery to be used on site;
 - ix) Access and protection measures around the construction site for pedestrians, cyclists and other road users including arrangements for diversions during the construction period and for the provision of associated directional signage relating thereto;
 - x) Reference to other measures intended to minimise harm to amenity, including bunds.
5. No operations shall commence on site until the applicant has submitted to the Local Planning Authority, a Lorry Management Plan for the routing of HGVs from the public highway to and from the site. The scheme shall be implemented as approved, or as may subsequently be approved, in writing by the Local Planning Authority. The scheme shall make provision for:
- a) monitoring of the approved arrangements during the life of the site;
 - b) ensuring that all drivers of vehicles under the control of the applicant are made aware of the approved arrangements, and
 - c) the disciplinary steps that will be exercised in the event of default.
6. All HGV traffic movements to and from the site, over the duration of the restoration 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 restoration materials commence.
- The Deliveries Management Plan shall include details of a register of complaints and record of actions taken to deal with such complaints, that the site operator shall maintain at the site office throughout the period of the restoration of the site and shall be available for inspection at 24 hours notice.
- The Deliveries Management Plan should include a methodology for avoiding mud from the site tracking onto the highway with details of any proposed preventative measures such as wheel washing. The approved strategy should address the prevention of mud leaving the site during periods of rain when the working site will get muddy. The approved strategy is to be adhered to until completion of the development.
7. Prior to commencement of development a scheme for the protection during the operations of the adjoining wood belt, buffer strips on the eastern and western edges of the Site and of the grounds of the adjacent Stanchil's Farm, to the west, including trees and shrubs, in

accordance with BS 5837:2012 - Trees in relation to construction - Recommendations, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures contained with the scheme shall be implemented prior to commencement of any development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.

8. Before any operations are commenced on the site, details of a scheme of soft landscaping shall be submitted to and approved in writing by the Local Planning Authority; such details shall incorporate the Ecological Enhancement Planting indicated in the Preliminary Ecological Appraisal by Susan Deakin BSc MSc CMLI Landscape Manager and Ecologist dated October 2018, Para 3.19. The works shall be completed in accordance with the approved plans and in accordance with a timetable to be agreed 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.
9. All ecological measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal by Susan Deakin BSc MSc CMLI Landscape Manager and Ecologist dated October 2018 (paragraph 3.14 to 3.19); as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.
10. All reptile mitigation measures shall be carried out in accordance with the details contained in the Hengrave Farm – Reptile Survey & Great Crested Newt HSI Assessment dated October 2018 (section 9 and table on page 1-6); as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination. All site clearance shall be overseen on site by an ecological clerk of works, on-site ecologist or other appropriately competent person. A site attendance record shall be maintained by the applicant which shall contain name and purpose of the visit and shall be available for inspection at 24 hours notice.
11. Any deliveries to and from, and any works on site shall only take place between 0800hours and 1700hours Monday to Friday, unless approved in writing by the Local Planning Authority. No deliveries or works shall take place on Saturdays, Sundays or Public Holidays.
12. There shall be no more than 30 HGV movements (15 in and 15 out) per day. No HGVs shall arrive or leave the site outside of the approved hours or weekends or Public Holidays. A record of HGV movements made each day shall be maintained by the applicant and shall be available for inspection at 24 hours notice.
13. The operations hereby permitted shall be completed within three years

of commencement of the infill of the Site. On completion of restoration all buildings, structures, security fencing, plant and machinery used in connection with the operation of the site shall be removed from the land. No mounds or waste heaps shall be left above ground level after completion of restoration, save any earthworks or mounds that form an integral part of the approved restoration scheme.

108. **Planning Application DC/18/2395/FUL - Sheldon, 2 Stoney Lane, Barrow (Report No: DEV/SE/19/025)**

Planning Application - (i) 1no. dwelling with detached garages for new and existing dwellings (ii) Creation of vehicular access (Previous application DC/16/0001/FUL)

This application was referred to the Development Control Committee following consideration by the Delegation Panel. The item was presented to the Panel due to the Parish Council having objected to the proposed development and Councillor Ian Houlder (Ward Member: Barrow) having raised concerns.

Officers were recommending that the application be approved, subject to conditions as set out in Paragraph 28 of Report No DEV/SE/19/025.

Within her presentation to the Committee the Senior Planning Officer made reference to the planning history of the site. Members were also advised of a related application where development had commenced according to the applicant. Officers were in the process of assessing the site in question but reminded the Committee that it was not relevant to the proposal they were considering.

Councillor Ian Houlder (Ward Member: Barrow) addressed the meeting on behalf of Barrow Parish Council who had been unable to attend. He outlined their comments/concerns in relation to the application.

Councillor David Nettleton moved that the application be approved, as per the Officer recommendation. 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 **GRANTED** subject to the following conditions:

- 1 The development hereby permitted shall be begun not 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 No development above slab level shall take place until samples of the facing and roofing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 4 The new vehicular access shall be laid out and completed in all respects

- in accordance with Drawing No. CS-002; and with an entrance width of 11metres at the boundary of the carriageway and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.
- 5 The gradient of the vehicular access shall not be steeper than 1 in 20 for the first 5metres measured from the nearside edge of the adjacent metalled carriageway.
 - 6 The access driveway shall be constructed at a gradient not steeper than 1 in 8.
 - 7 No development above ground shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.
 - 8 Prior to first use of the development hereby permitted, the area(s) within the site shown on drawing No. CS-002 for the purpose of loading, unloading, manoeuvring and parking of vehicles has been provided. Thereafter the area(s) shall be retained and used for no other purpose.
 - 9 Before the access is first used, the visibility splay in the north westerly direction shall be provided as shown on Drawing No. CS-002 with an X dimension of 2.4m and a Y dimension of 43m and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.
 - 10 No development above ground level shall take place until a scheme of soft landscaping for the site drawn to a scale of not less than 1:200, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include accurate indications of the position, species, girth, canopy spread and height of all existing trees and hedgerows on and adjacent to the site and details of any to be retained, together with measures for their protection during the course of development. Any retained trees removed, dying or becoming seriously damaged or diseased within five years of commencement 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. The works shall be completed in accordance with the approved plans and in accordance with a timetable to be agreed with the Local Planning Authority.
 - 11 The dwelling(s) 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 and evidence of compliance has been obtained.
 - 12 Prior to first occupation, all dwellings with off street parking shall be provided with an operational electric vehicle charge point at reasonably and practicably accessible locations, with an electric supply to the charge point capable of providing a 7kW charge.
 - 13 Demolition or construction works shall not take place outside 0800 hours to 1800 hours Mondays to Fridays and 0830 hours to 1300 hours

on Saturdays and at no time on Sundays, public holidays or bank holidays.

(On conclusion of this item, and Part A of the agenda, the Chairman permitted an interval before proceeding with Part B of the agenda at 1.30pm. During the interval Councillor Peter Stevens joined the meeting.)

109. **Planning Application DC/18/2496/OUT - Land at 27, Hollybush Corner, Bradfield St George (Report No: DEV/SE/19/026)**

Outline Planning Application (means of access to be considered) - 1no. dwelling (Revised plans received 1/2/19 showing access proposed)

This application was referred to the Development Control Committee as the Parish Council objected to the proposal which was in conflict with the Officer's recommendation for approval, subject to conditions as set out in Paragraph 27 of Report No DEV/SE/19/026.

A Member site visit was held prior to the meeting.

The Senior Planning Officer advised that since publication of the agenda the applicant had made changes to the indicative layout and the amended plans were shown to Members as part of her presentation to the Committee. However, Members were reminded that the plans were indicative only in light of the application before the Committee being in outline form.

Attention was also drawn to the application previously made for the site and the related TPO; Members were assured that the Council's Tree Officer had raised no concerns with the application before them.

Speakers: Patrick Stephenson (supporter) spoke in support of the application
Councillor Peter Squirrell (Chairman, Bradfield St George Parish Council) spoke against the application
Councillor Sara Mildmay-White (Ward Member: Rougham) spoke against the application

Councillor Julia Wakelam raised questions in relation to the required tree protection area in respect of the tree onsite which was subject to a TPO. The Service Manager (Planning – Development) advised that this would be addressed at the reserved matters stage.

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

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

Decision

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

- 1 Application for the approval of the matters reserved by conditions of this permission shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun not later than whichever is the latest of the following dates:-
 - i) The expiration of three years from the date of this permission; or
 - ii) The expiration of two years from the final approval of the reserved matters; or,In the case of approval on different dates, the final approval of the last such matter to be approved.
- 2 Prior to commencement of development details of the [appearance, landscaping, layout, and scale] (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.
- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
- 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 No security lights or floodlights shall be erected on site without the submission of details to, and written approval from, the Local Planning Authority to ensure a lighting environment of low district brightness at residential properties.
- 6 Prior to first occupation, the dwelling with off street parking shall be provided with an operational electric vehicle charge point at a reasonably and practicably accessible location, with an electric supply to the charge point capable of providing a 7kW charge.
- 7 Prior to the dwelling hereby permitted being first occupied, the vehicular access onto the carriageway shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.
- 8 The dwelling(s) 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 and evidence of compliance has been obtained.
- 9 Prior to the commencement of development the access proposed to serve number 27 (as permitted by DC/18/0585/HH) shall be fully implemented and brought into use. The said access shall be constructed in accordance with all relevant conditions attached to DC/18/0585/HH.

110. Planning Application DC/18/1147/FUL - Land Adjacent to The Forge, The Street, Lidgate (Report No: DEV/SE/19/027)

Planning Application - (i) 1no. dwelling; (ii) 1no. ancillary outbuilding and (iii) improvements to existing vehicular access

At the meeting of the Development Control Committee on 7 March 2019 Members resolved to defer consideration of this application in order to allow

Officers additional time in which to consider the further study that had been undertaken on the site and subsequent comments from Historic England in response to that study.

The application had been originally referred to the Committee following consideration by the Delegation Panel; having been referred to the Panel because the Parish Council objected to the proposal.

A Member site visit was held prior to the 7 March 2019 meeting and a supplementary 'late paper' was issued after publication of the agenda.

The Senior Planning Officer advised Members that the day before the meeting a further archaeological report concerning the Lidgate Castle Pond/Mere, produced by John Rainer of Suffolk Archaeology Field Group, was submitted to the Planning Authority and Historic England.

The Officer explained that he made direct contact with Historic England in respect of the report and had received an email in response which he read out to the Committee. In summary, Historic England stated that: "*although interesting, nothing presented warrants their reassessment [of the planning application]*".

In light of this response, Officers considered there to be no reason to further delay determination of the application and were continuing to recommend that it be approved subject to conditions, as set out in Paragraph 19 of Report No DEV/SE/19/027.

Speakers: Professor Paul Watchman (on behalf of objecting Lidgate residents) spoke against the application
Councillor John Whitefield (Chairman, Lidgate Parish Council) spoke against the application
Dean Pearce (agent) spoke in support of the application

Councillor Mike Chester made reference to the historical importance of the site and suggested that a further deferment might be prudent.

Councillor John Burns raised questions in respect of condition No 17. The Service Manager (Planning – Development) explained that it was a standard condition requested by Suffolk Archaeology and which contained nationally used terminology.

Councillor Ian Houlder spoke in support of the application and proposed that it be approved, as per the Officer recommendation. This was duly seconded by Councillor David Roach.

Upon being put to the vote and with 13 voting for the motion and with 1 abstention, it was resolved that

Decision

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

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

2. No development above slab level shall take place until samples of the external materials to the house and outbuilding have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
3. The dwelling hereby approved shall not be occupied until the area(s) within the site shown on Drawing No. 18/25/03 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.
4. The dwelling hereby approved shall not be occupied until the existing vehicular access has been improved, laid out and completed in all respects in accordance with SCC Drawing No. DM02 (access over footway); and with an entrance width of 4.5 metres. Thereafter the access shall be retained in the specified form.
5. Prior to the dwelling hereby permitted being first occupied, the vehicular access onto the B1063 shall be properly surfaced with a bound material for a minimum distance of 10 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.
6. The areas to be provided for storage and presentation of Refuse/Recycling bins as shown on Drawing No. 18/25/03 shall be provided in its entirety before first occupation of the dwelling and shall be retained thereafter for no other purpose.
7. Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.
8. Gates shall be set back a minimum distance of 5 metres from the edge of the carriageway and shall open only into the site and not over any area of the highway.
9. Before the access is first used visibility splays shall be provided as shown on Drawing No. 18/25/03 with an X dimension of 2.4m and a Y dimension of 59m and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.
10. No development above ground level shall take place until a scheme of soft landscaping for the site drawn to a scale of not less than 1:200, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include accurate indications of the position, species, girth, canopy spread and height of all existing trees and hedgerows on and adjacent to the site and details of any to be retained, together with measures for their protection during the course of development. Any retained trees removed, dying or becoming seriously damaged or diseased within five years of commencement 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. The works shall be

completed in accordance with the approved plans and in accordance with a timetable to be agreed with the Local Planning Authority.

11. All planting comprised in the approved details of landscaping shall be carried out in the first planting season following the commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.
12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking or re-enacting that Order), the dwelling shall not be extended in any way, and no structures shall be erected within the curtilage of the dwelling.
13. Before occupation of the dwelling hereby approved biodiversity enhancement measures will include the renewal of the post and rail fencing around the perimeter (note 8 on dwg.18/25/03) with no gravel board to allow the passage of amphibians, reptiles and mammals through the fence at ground level as not create a barrier into or out of the site. Any such measures as shall be installed and thereafter retained as so installed. There shall be no occupation unless and until the biodiversity enhancement measures to be installed have been installed.
14. The dwelling(s) 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 and evidence of compliance has been obtained.
15. 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.
16. The mitigation measures as laid out within the flood risk assessment by G. H. Bullard & Associates LLP dated March 2018 shall be implemented in full prior to first occupation of the dwelling hereby approved and shall remain thereafter unless the Local Planning Authority gives written consent for any variation.
17. 1. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.
The scheme of investigation shall include an assessment of significance and research questions; and:
 - a. The programme and methodology of site investigation and recording
 - b. The programme for post investigation assessment
 - c. Provision to be made for analysis of the site investigation and recording
 - d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - e. Provision to be made for archive deposition of the analysis and

records of the site investigation

f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

2. No buildings shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

18. Prior to operational use of the site, at least one electric vehicle charge point shall be provided at reasonably and practicably accessible location. The Electric Vehicle Charge Point shall be retained thereafter and maintained in an operational condition. Charge points shall be Fast (7-22KW) or Rapid (43KW) chargers.

**111. Planning Application DC/19/0136/FUL & DC/19/0135/LB - 41
Cornhill, Bury St Edmunds (Report No: DEV/SE/19/028)**

**Planning Application - Installation of security shutter to rear entrance
(and associated Listed Building Consent)**

These applications had been referred to the Development Control Committee as St Edmundsbury Borough Council was the applicant.

The Case Officer explained that the wrong plan had been mistakenly appended to the agenda (Page 151) and the correct version was shown to the Committee as part of his presentation.

Bury St Edmunds Town Council had no objections to the proposal. Officers were recommending that the applications be approved, subject to conditions as set out in Paragraphs 22 and 23 of Report No DEV/SE/19/028.

Councillor Robert Everitt raised a question with regard to the prevention of anti-social behaviour and was advised that the gates at the rear of the premises were lockable.

Councillor David Nettleton proposed that the applications be approved, as per the Officer recommendations. This was duly seconded by Councillor Everitt.

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

Decision

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

1. The development hereby permitted shall be begun not 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

And, Listed Building Consent be **GRANTED** subject to the following conditions:

1. The works to which this consent relates must be begun not later than 3 years from the date of this notice.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.

112. Planning Application DC/18/2523/FUL - Aviary, Abbey Gardens, Angel Hill, Bury St Edmunds (Report No: DEV/SE/19/029)

(Councillor Julia Wakelam declared a non-pecuniary interest in this item as she was a member of the Abbey of St Edmund Heritage Partnership. She would remain in the meeting and take part in the debate and voting thereon.)

Planning Application - Installation of new plant sales retail building (A1 use) including removal of existing timber frame gardener's store and part of existing aviary

This application had been referred to the Development Control Committee as St Edmundsbury Borough Council was the applicant.

Bury St Edmunds Town Council had no objections to the proposal. Officers were recommending that the application be approved, subject to conditions as set out in Paragraph 35 of Report No DEV/SE/19/029.

Councillor David Nettleton spoke against the application; specifically in relation to the removal of part of the existing aviary building. He stated that the aviary was enjoyed by many visitors to the Abbey Gardens and, in view of this, a public consultation should have been undertaken on the proposal.

The Service Manager (Planning – Development) explained that the Committee was to determine the application before them irrespective of the Council being the applicant. The decision whether or not to remove part of the aviary was not a material planning consideration and was not a matter for the Committee to determine in their role as Local Planning Authority.

Councillor Julia Wakelam spoke in support of the application and moved that it be approved, as per the Officer recommendation. This was duly seconded by Councillor Ian Houlder.

Upon being put to the vote and with 11 voting for the motion and with 3 abstentions, it was resolved that

Decision

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

- 1 The development hereby permitted shall be begun not 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 The building hereby approved for A1 retail purposes, shall be for the sale of plants and associated items only, and shall only be open for trade to members of the public during the following times:
Mondays - 07:30am to 20:00pm
Tuesdays - 07:30am to 20:00pm
Wednesdays - 07:30am to 20:00pm
Thursdays - 07:30am to 20:00pm
Fridays - 07:30am to 20:00pm
Saturdays - 07:30am to 20:00pm
Sundays - 07:30am to 20:00pm

113. **Planning Application DC/18/2161/FUL - West Stow Anglo Saxon Village and Country Park, Icklingham Road, West Stow (Report No: DEV/SE/19/030)**

(Councillors Susan Glossop and Ian Houlder declared non-pecuniary interests in this item as they were two of the St Edmundsbury Borough Council appointed representatives on the West Stow Anglo Saxon Village Trust. They would remain in the meeting and take part in the debate and voting thereon.)

Planning Application- (i) Replacement of existing heating systems with Ground Source Heating System and associated pipe route and (ii) External plant room

This application had been referred to the Development Control Committee as St Edmundsbury Borough Council was the applicant.

The Parish Council had no objections to the proposal. Officers were recommending that the application be approved, subject to conditions as set out in Paragraph 43 of Report No DEV/SE/19/030.

Councillor Susan Glossop raised queries in relation to the responses included within the report from statutory consultees. The Service Manager (Planning – Development) confirmed that all matters referred to within the report had been resolved via negotiation with relevant parties.

Councillor John Burns raised a specific question with regard to the comments made by the Arboricultural Officer in Paragraph 6. He asked how the drill water would be disposed of and how any potential contamination would be managed.

The Case Officer explained that condition No 5 required a Construction Method Statement this matter was covered as part of this requirement at point (vii).

It was moved that the application be approved as per the Officer recommendation and duly seconded.

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

Decision

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

1. The development hereby permitted shall be begun not 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. All groundworks must only take place outside of the bird breeding season which is considered to be between February and October inclusive.
4. Notwithstanding the details in the Arboricultural Method Statement (P1309 – AMS 01 V2) and the Tree Protection Plan (P1309 - TPP01), prior to commencement of development a revised Arboricultural Method Statement and Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall update the submitted documents as follows:
 - a. extension of the construction exclusion zone up to the ablution block over the trees to be protected,
 - b. Indicate the location and root protection area of all trees omitted from the original plan and located adjacent to the works in particular those located along the proposed ablution block connection pipe
 - c. Detail vehicle access routes and required ground protection
 - d. Detail the location of site facilities and storage during construction
 - e. The Councils Arboricultural Officer shall be informed when the tree protection fencing has been installed.Thereafter, development shall proceed in accordance with these revised details.
5. Construction Method Statement:

Prior to the commencement of development, including any works of demolition, a Construction Method Statement shall be 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 provide for:

 - i) The parking of vehicles of site operatives and visitors
 - ii) Loading and unloading of plant and materials
 - iii) Site set-up including arrangements for the storage of plant and materials used in constructing the development and the provision of temporary offices, plant and machinery
 - iv) The erection and maintenance of security hoarding including external safety and information signage, interpretation boards, decorative displays and facilities for public viewing, where appropriate
 - v) Wheel washing facilities
 - vi) Measures to control the emission of dust and dirt during construction
 - vii) A scheme for recycling/disposing of waste resulting from the works including for the release of drilling water.
 - viii) Hours of construction operations including times for deliveries and the removal of excavated materials and waste
 - ix) Noise method statements and noise levels for each construction activity including piling and excavation operations
 - x) Access and protection measures around the construction site for pedestrians, cyclists, other recreational users and walkers on St Edmunds Way and Lark Valley path including arrangements for

diversions during the construction period and for the provision of associated directional signage relating thereto.

6. No development shall take place until a landscape restoration plan for the site drawn to a scale of not less than 1:500 has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities. The approved works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

114. Planning Application DC/19/0077/HH & Listed Building Consent DC/19/0078/LB - 143 Southgate Street, Bury St Edmunds (Report No: DEV/SE/19/031)

- (i) Householder Planning Application - (i) single storey rear extension (following demolition of existing rear extension) (ii) loft conversion and (iii) demolition and replacement of boundary wall (resubmission of DC/18/1700/HH)**
- (ii) Application for Listed Building Consent - (i) Demolition of boundary wall with No.143 and (ii) replacement boundary wall.**

The applications were referred to the Development Control Committee as the applicant is employed by St Edmundsbury Borough Council.

Bury St Edmunds Town Council had no objections to the proposal. Officers were recommending that the applications be approved, subject to conditions as set out in Paragraph 23 of Report No DEV/SE/19/031.

Councillor Julia Wakelam proposed that the applications be approved as per the Officer recommendations. This was duly seconded by Councillor Terry Clements.

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

Decision

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

- 1 The development hereby permitted shall be begun not 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.

And, Listed Building Consent be **GRANTED** subject to the following

conditions:

- 1 The development hereby permitted shall be begun not 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 No development above ground level along the boundary wall shall take place until details in respect of the following have been submitted to and approved in writing by the Local Planning Authority:
 - i) Samples of external materials for the reconstruction of the boundary wallThe works shall be carried out in full accordance with the approved details unless otherwise subsequently approved in writing by the Local Planning Authority.

115. **Closing Remarks**

This being the last St Edmundsbury Development Control Committee prior to the formation of the West Suffolk Council, both the Chairman and Service Manager (Planning – Development) gave thanks to Members and Officers and wished those standing for re-election well.

The meeting concluded at 3.00pm