Development Control Committee

West Suffolk Council

Minutes of a meeting of the **Development Control Committee** held on **Wednesday 28 April 2021** at **10.00 am** via Microsoft Teams

Present **Councillors**

Chair Andrew Smith
Vice Chairs Mike Chester and Jim Thorndyke

Richard Alecock	Rachel Hood
Trevor Beckwith	Ian Houlder
Carol Bull	David Palmer
John Burns	David Roach
Jason Crooks	David Smith
Roger Dicker	Peter Stevens
Susan Glossop	

In attendance
Elaine McManus (Ward Member: Haverhill North)

122. **Welcome**

The Chair formally commenced the meeting and jointly welcomed all present and those externally viewing the Development Control Committee.

A number of housekeeping matters and remote meeting guidance were highlighted to all.

123. **Apologies for absence**

Apologies for absence were received from Councillors Andy Drummond and Don Waldron.

124. **Substitutes**

The following substitutions were declared:

Councillor Trevor Beckwith substituting for Councillor Don Waldron; and
Councillor Rachel Hood substituting for Councillor Andy Drummond

The Democratic Services Officer then verbally outlined all Members of the Committee who were present, together with any attending Councillors and the names of the Officers supporting the meeting.

125. **Minutes**

The minutes of the meeting held on 7 April 2021 were confirmed as a correct record, with 15 voting for the motion and with 1 abstention, subject to the inclusion of the following additional paragraph:

020. **Planning Application DC/20/1729/HH - Welham House, South Street, Risby (Report No: DEV/WS/21/008)**

[To be inserted after the list of registered speakers]
Councillor Susan Glossop was invited by the Chair to open the debate and addressed the meeting as Ward Member (Risby) for the application. Councillor Glossop stated that she reserved her right to speak again as a Committee Member if so wished.

126. **Declarations of interest**

Members' declarations of interest are recorded under the item to which the declaration relates.

During consideration of this item, there was an interruption when Councillor Rachel Hood addressed the meeting. The Chair made clear that the interruption was inappropriate and called for order. The Monitoring Officer also spoke and confirmed the advice that was given to Councillor Hood in respect of her declaration.

127. **Planning Application DC/20/1849/FUL - Boyton Hall, Anne Sucklings Lane, Little Wratting (Report No: DEV/WS/21/010)**

(Councillor David Smith declared a non-pecuniary interest in this item in light of the fact that he had taken part in Haverhill Town Council's consideration of the application. However, Councillor Smith stressed that he would keep an open mind and listen to the debate prior to voting on the item.)

Planning application - a. Sixty-six bed care home for the elderly including car park, bicycle, refuse and garden stores b. new vehicular and pedestrian access onto Anne Suckling Road (following demolition of existing house)

This application was referred to the Development Control Committee following a call-in request from one of the local Ward Members Councillor Joe Mason (Haverhill North).

As part of her detailed presentation to the meeting the Principal Planning Officer drew attention to a typographical error in Paragraph 166 of Report No DEV/WS/21/010.

Reference was also made to the supplementary 'late papers' that had been circulated after publication of the agenda and which included the following information:

- A paper from the applicant responding to the Committee report;
- An indicative amended site plan showing 40 parking spaces; and
- A zone report providing information on existing care homes in a five-mile radius.

The written response and amended site plan sought to address the concerns raised by the Highway Authority in respect of the number of parking spaces, the width of the access road and the required visibility splays. However, the

Committee was informed that the content of the late papers had resulted in no change to the assessment and recommendations made in the Officer's report.

Lastly, Members were advised that since the late papers were produced additional neighbour objections had been received in respect of the application raising concerns previously covered in other representations.

Officers were recommending that the application be refused for the reasons set out in Paragraph 173 of Report No DEV/WS/21/010.

Speakers: Ian Sheppard (neighbouring objector, also speaking on behalf of fellow resident objectors Bill Reynolds, Brad Strachan, Mike Ford and Julie Goodwin) spoke against the application
Councillor Elaine McManus (Ward Member: Haverhill North) spoke against the application
Tracey Spencer (agent) spoke in support of the application

A number of Members spoke on the application, largely voicing support for the Officer's recommendation of refusal.

In response to a question regarding the need for care homes, the Principal Planning Officer explained that a parcel of land had been allocated for such a development as part of the Great Wilsey Park masterplan.

Following comments made concerning the removal of trees that would be required to facilitate the development, the Chair invited the Council's Arboricultural Officer to address the meeting.

Councillor Jason Crooks spoke on the impact the development would have on the character and identity of the area. Accordingly, he proposed that the application be refused, as per the Officer recommendation. This was duly seconded by Councillor Johns Burns.

Upon being put to the vote and with 14 voting for the motion and 1 against, it was resolved that:

Decision

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

Reason 1
The proposed three storey care home would be significantly greater in scale than the surrounding buildings with large areas of hard landscaping. It would appear as an incongruous and intrusive form of development and would have an adverse effect on the character and appearance of the area. This adverse effect would be exacerbated by the loss of garden and associated landscape features and through the demolition of the existing building, both of which currently make a positive contribution to the character of the area. The development would therefore be contrary points a, b, d, and j of policy DM2 of the Joint Development Management Policies document and policy CS3 of the Core Strategy.

Reason 2
The size and nature of the proposed building is such that it would create long elevations containing numerous windows, many of which would be in an elevated position. The development would have an oppressive impact on the outlook from the neighbouring properties The Willows and 1 Boyton Woods. The development would also have an adverse effect on the level of private amenity currently enjoyed by the neighbour 1 Boyton Woods through a significant increase in the level of actual and perceived overlooking. The development would therefore be contrary to policy DM2 of the Joint Development Management Policies Document which states proposals should not adversely affect residential amenities of adjacent areas.

Reason 3
There are a number of trees currently on the site, some of which are covered by tree preservation orders. Collectively, these trees contribute to the landscape setting of Ann Suckling Road and are an important part of its character.
Several trees would be removed to facilitate the development including a group of Silver Birch to the front of the site. The development would also result in harm to the retained Horse chestnut tree(T1) which is an important landscape feature. The feasibility of the tree's short- and long-term retention has not been sufficiently demonstrated, and it is anticipated that it is likely to be subject to significant post development resentment pressure, which would jeopardise its long-term retention. The development would therefore be contrary to policy DM13 of the Joint Development Management Policies Document 2015 as it would result in an unacceptable adverse impact on landscape features.

Reason 4
The application does not provide an adequate number of parking spaces or suitable cycle storage for staff and visitors. As such the development would be likely to lead to an unacceptable risk of obstructive on-street parking which would impact on highway safety. Additionally, the access is below the required 5.5 metres in width and it appears that the layout may conflict with the required visibility splays. As such the access arrangement introduces a risk of a severe impact on the safety of all users. The development is therefore contrary to policy DM2 (l) and DM 46 of the Joint Development Management Policies Document as it fails to deliver a design in accordance with standards that maintains or enhances the safety of the highway network.

Reason 5
The development would give rise to impacts on the local library and local primary healthcare provision in the area and financial contributions are required to mitigate these impacts. A S106 agreement to secure the necessary contributions has not been secured and as such the development does not comply with policy CS14 of the St Edmundsbury Core Strategy which requires all new proposals for development to secure the necessary on and off-site infrastructure

required to support the development and to mitigate the impact of it on existing infrastructure.

(Councillor Roger Dicker left the meeting at 10.36am during the Officer's presentation of this item.)

128. **Planning Application DC/21/0325/FUL - The Retreat, Plough Hill, Stansfield (Report No: DEV/WS/21/011)**

Planning application - one dwelling with outbuilding

This application was referred to the Development Control Committee because the proposal was a departure from the Development Plan. Stansfield Parish Council had cited no objections to the scheme.

The officer report included details of the history of the site and in particular the fallback position of a consented replacement dwelling.

As part of her presentation to the meeting the Planning Officer drew attention to an error in Report No DEV/WS/21/011, in that Paragraph 14 could be disregarded as the outstanding comments made reference to were included elsewhere in the report.

The Officer also provided videos of the site by way of a virtual 'site visit'.

Lastly, the 'late papers' issued after publication of the agenda were highlighted and which included further comments from the Highways Authority; who stated that in response to changes to the access and the visibility splay plan they no longer had any concerns with the application, subject to the inclusion of four additional conditions.

Accordingly, Officers were recommending that the application be approved subject to conditions as set out in Paragraph 53 of the report and in the late papers.

Speaker: Russell Grant (applicant) spoke in support of the application

Councillor Peter Stevens proposed that the application be approved, as per the Officer recommendation, and this was duly seconded by Councillor Carol Bull.

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

<u>Decision</u>

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

1. The development hereby permitted shall be begun not later than three 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 development hereby permitted shall be constructed entirely of the materials detailed on the submitted plans dated 17.02.2021.
4. Demolition or construction works shall not take place outside 18:00 hours to 08:00; hours Mondays to Fridays and 13:00; hours to 08:00; hours on Saturdays and at no time on Sundays, public holidays or bank holidays.
5. 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.
6. The dwelling(s) hereby approved shall not be occupied until the 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.
7. Prior to occupation details of biodiversity enhancement measures to be installed at the site, including details of the timescale for installation, shall be submitted to and approved in writing by the Local Planning Authority. Any such measures as may be agreed shall be installed in accordance with the agreed timescales and thereafter retained as so installed. There shall be no occupation unless and until details of the biodiversity enhancement measures to be installed have been agreed in writing by the Local Planning Authority.
8. 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.
9. No development above ground level shall take place until details of the treatment of the boundaries of the site have been submitted to and approved in writing by the Local Planning Authority. The details shall specify the siting, design, height and materials of the screen walls/fences to be constructed or erected and/or the species, spacing and height of hedging to be retained and / or planted together with a programme of implementation. Any planting removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by soft landscaping of similar size and species to those originally required to be planted. The works shall be completed prior to first use/occupation in accordance with the approved details.
10. Prior to commencement of development an Arboricultural Method Statement (including any demolition, groundworks and site clearance) shall be submitted to and approved in writing by the Local Planning Authority. The Statement should include details of the following:
    a. Measures for the protection of those trees and hedges on the application site that are to be retained,
    b. Details of all construction measures within the 'Root Protection Area' (defined by a radius of dbh x 12 where dbh is the diameter of the trunk measured at a height of 1.5m above ground level) of those trees on the application site which are to be retained specifying the position, depth, and method of construction/installation/excavation of service

trenches, building foundations, hardstandings, roads and footpaths,
c. A schedule of proposed surgery works to be undertaken to those trees and hedges on the application site which are to be retained.

11. No development above ground level shall take place until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules and periods for all soft landscape areas (other than small privately owned domestic gardens) together with a timetable for the implementation of the landscape management plan, has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out in accordance with the approved details and timetable.
12. The new vehicular access shall be laid out and completed in accordance with SCC Access Drawing No. DM01; and with an entrance width of 3 metres and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.
13. The areas to be provided for the presentation for collection of Refuse/Recycling bins as shown on Drawing No. LTD160.003A shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.
14. The use shall not commence until the areas within the site shown on Drawing No. LTD160.003A for the purposes of manoeuvring and parking of vehicles and for the purposes of secure cycle storage areas shall be retained and used for no other purposes.
15. Before the access is first used visibility splays shall be provided as shown on Drawing No. LTD160.003A with an X dimension of 2.4 metres and a Y dimension of 59 metres in each direction and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metre e erected, constructed, planted or permitted to grow within the areas of the visibility splays.

129. **Planning Application DC/20/2047/ADV - Advertising Board, 98 High Street, Newmarket (Report No: DEV/WS/21/012)**

(Councillor Rachel Hood declared a non-pecuniary interest in this item in light of the fact that she was a member of Newmarket Town Council who had discussed the application and had also attended the Delegation Panel meeting when the application was discussed. However, Councillor Hood stressed that she was not a member of Newmarket BID and would keep an open mind and listen to the debate prior to voting on the item. The Monitoring Officer also informed the Committee of the advice she had given Councillor Hood in relation this matter and was satisfied with Councillor Hood's position.
Councillor Susan Glossop also declared a non-pecuniary interest in this item in light of the fact that she was West Suffolk Council's representative on the Newmarket BID's Board of Directors. She therefore would not take part in the discussion or voting thereon in respect of this application.)

Application for advertisement consent - two internally illuminated digital totem signs with static BID map to replace existing signage

This application was referred to the Development Control Committee following consideration by the Delegation Panel and in view of the support given by Newmarket Town Council and neighbouring premises; which was in conflict with the Officer's recommendation of refusal for the reason set out in Paragraph 53 of Report No DEV/WS/21/012.

As part of her presentation to the meeting the Planning Officer also provided videos of the site by way of a virtual 'site visit'.

Speakers: Steve Elsom (local resident and business owner) spoke in support of the application
Councillor Michael Jefferys (Newmarket Town Council) spoke in support of the application
Paul Brown (Newmarket BID, applicant) spoke in support of the application
(Councillor Jefferys did not connect to the meeting to personally address the Committee and instead the Democratic Services Officer read out a pre-prepared submitted statement on his behalf.)

During the debate a number of Members made comments on the application recognising that the entirety of Newmarket High Street fell within the wider designated Conservation Area yet also giving weight to the much-needed economic benefit the signage could provide to the town.

Councillor John Burns voiced support for the application and disagreed with the Officer's reason for refusal in that he did not consider that the proposed development will cause harm to the significance of a designated heritage asset. Accordingly, he proposed that the application be approved, contrary to the Officer recommendation, and this was duly seconded by Councillor Richard Alecock.

The Service Manager (Planning – Development) advised the Committee that if they were minded to approve the application contrary to the Officer recommendation a Risk Assessment would not be required.

The Planning Officer then verbally outlined the conditions which could be appended to a permission.

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

<u>Decision</u>

Planning permission be **GRANTED, CONTRARY TO THE OFFICER RECOMMENDATION**, subject to the following conditions:

1. This consent shall expire at the end of a period of five years beginning with 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.
3. The maximum luminance from the internally illuminated signs shall not exceed 2500 candela/m2.
4. The advertisements hereby permitted shall only be illuminated between the following hours: 9am - 4pm.

(On conclusion of this item the Chair permitted a short comfort break and asked that an adjournment slide be displayed in the live stream, before reconvening the virtual meeting and taking a roll-call of those present.)

130. **Planning Application DC/21/0528/FUL - Haverhill House, Lower Downs Slade, Haverhill (Report No: DEV/WS/21/013)**

Planning application - a. external wall insulation to all elevations with coloured render finish b. replacement fenestration to the south east, north east and north west elevations c. replace one window on south west elevation

This application was referred to the Development Control Committee because West Suffolk Council was the applicant.

The Planning Officer advised Members that the consultation period expired on 15 April 2021 and no further comments had been received.

As part of her presentation to the meeting the Planning Officer also provided videos of the site by way of a virtual 'site visit'.

Officers were recommending that planning permission be granted subject to conditions, as set out in Paragraph 23 of Report No DEV/WS/21/013.

Speaker: Oliver Ingwall-King (West Suffolk Council Energy Advisor, applicant) spoke in support of the application

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

Upon being put to the vote and with 14 voting for the motion and with 1 against, it was resolved that

<u>Decision</u>

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

1. The development hereby permitted shall be commenced 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. The development hereby permitted shall be constructed entirely of the materials detailed on the submitted plan / drawing No.(s) – application form and proposed elevations.

131. **Planning Application DC/21/0527/FUL - Bus Station, St Andrews Street North, Bury St Edmunds (Report No: DEV/WS/21/014)**

Planning application - Installation of one air source heat pump including siting of external unit adjacent to North elevation

This application was referred to the Development Control Committee because West Suffolk Council was the applicant.

The Planning Officer drew attention to the supplementary 'late papers' that had been circulated since publication of the agenda and which contained the consultation response received from Bury St Edmunds Town Council, who cited no objection to the scheme.

The Planning Officer advised Members that the consultation period expired on 13 April 2021 and no further comments had been received.

As part of his presentation to the meeting the Planning Officer also provided videos of the site by way of a virtual 'site visit'.

Officers were recommending that planning permission be granted subject to conditions, as set out in Paragraph 22 of Report No DEV/WS/21/014.

Speaker: Oliver Ingwall-King (West Suffolk Council Energy Advisor, applicant) spoke in support of the application

Councillor Jim Thorndyke proposed that the application be approved as per the Officer recommendation, this was duly seconded by Councillor Mike Chester.

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 commenced 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.

(Councillor Roger Dicker re-joined the meeting at 12.54pm during the preliminary discussion of this item. The Chair advised Councillor Dicker that he would be unable to take part in the voting on this item as he had not been privy to the entirety of the Officer's presentation.)

The meeting concluded at 1.00 pm

Signed by:

Chair