

Development Control Committee

Title	Agenda		
Date	Wednesday 1 December 2021		
Time	10.00 am		
Venue	Conference Chamber West Suffolk House Western Way Bury St Edmunds, IP33 3YU		
Full Members	<p style="text-align: center;">Chair Andrew Smith</p> <p style="text-align: center;">Vice Chairs Mike Chester and Jim Thorndyke</p> <p>Conservative Group (10) Carol Bull Ian Houlder Andy Drummond David Roach Susan Glossop Peter Stevens Brian Harvey</p> <p>The Independent Group (5) Richard Alecock Roger Dicker John Burns David Palmer Jason Crooks</p> <p>Labour Group (1) David Smith</p>		
Substitutes	<p>Conservative Group (5) Nick Clarke Sara Mildmay-White John Griffiths David Nettleton James Lay</p> <p>The Independent Group (2) Trevor Beckwith Andy Neal</p> <p>Labour Group (1) Diane Hind</p>		
Interests – declaration and restriction on participation	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.		
Quorum	Six Members		
Where required, site visits will be facilitated virtually by way of the inclusion of videos within the Case Officer's presentation of the application to the meeting			
Committee administrator	Helen Hardinge - Democratic Services Officer Telephone 01638 719363 Email helen.hardinge@westsuffolk.gov.uk		

Venue	Conference Chamber West Suffolk House Western Way, Bury St Edmunds, IP33 3YU
Contact information	Telephone: 01284 763233 Email: democratic.services@westsuffolk.gov.uk Website: www.westsuffolk.gov.uk
Access to agenda and reports before the meeting	The agenda and reports will be available to view at least five clear days before the meeting on our website.
Attendance at meetings	This meeting is being held in person in order to comply with the Local Government Act 1972. Measures have been applied to ensure the health and safety for all persons present at meetings. We may also be required to restrict the number of members of the public able to attend in accordance with the room capacity. If you consider it is necessary for you to attend, please let Democratic Services know in advance of the meeting so they can endeavour to accommodate you and advise you of the necessary health and safety precautions that apply to the meeting. For further information about the venue, please visit https://www.westsuffolk.gov.uk/contact-us.cfm
Public participation	Members of the public have the right to speak at the Development Control Committee, subject to certain restrictions. Further information is available via the separate link on the agenda's webpage for this meeting.
Accessibility	If you have any difficulties in accessing the meeting, the agenda and accompanying reports, including for reasons of a disability or a protected characteristic, please contact Democratic Services at the earliest opportunity using the contact details provided above in order that we may assist you.
Recording of meetings	The Council may record this meeting and permits members of the public and media to record or broadcast it as well (when the media and public are not lawfully excluded). Any member of the public who attends a meeting and objects to being filmed should advise the Committee Administrator who will instruct that they are not included in the filming.
Personal information	Any personal information processed by West Suffolk Council arising from a request to speak at a public meeting under the Localism Act 2011, will be protected in accordance with the Data Protection Act 2018. For more information on how we do this and your rights in regards to your personal information and how to access it, visit our website: https://www.westsuffolk.gov.uk/Council/Data_and_information/howweuseinformation.cfm or call Customer Services: 01284 763233 and ask to speak to the Information Governance Officer.

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)
 - 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.
 - The following planning local plan documents covering West Suffolk Council:
 - Joint development management policies document 2015
 - In relation to the Forest Heath area local plan:
 - i. The Forest Heath Core Strategy 2010 as amended by the High Court Order 2011
 - ii. Core strategy single issue review of policy CS7 2019
 - iii. Site allocations local plan 2019
 - In relation to the St Edmundsbury area local plan:
 - i. St Edmundsbury core strategy 2010
 - ii. Vision 2031 as adopted 2014 in relation to:
 - Bury St Edmunds
 - Haverhill
 - Rural

Note: The adopted Local Plans for the former St Edmundsbury and Forest Heath areas (and all related policy documents, including guidance and SPDs) will continue to apply

to those parts of West Suffolk Council area until a new Local Plan for West Suffolk is adopted.

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 or 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 section 3 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 via the separate link on the agenda's webpage for this meeting

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 Director (Planning and Growth);

- delegate the detailed wording and reason to the Director (Planning and Growth) 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 Director (Planning and Growth) and the Director (HR, Governance and Regulatory) (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/alterd, together with the material planning basis for that change.
 - Members can choose to;
 - delegate the detailed wording and reason to the Director (Planning and Growth)
 - delegate the detailed wording and reason to the Director (Planning and Growth) 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 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

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 - 32

To confirm the minutes of the meeting held on 3 November 2021 (copy attached).

4. Declarations of interest

Members are reminded of their responsibility to declare any pecuniary or local non pecuniary interest which they have in any item of business on the agenda, **no later than when that item is reached** and, when appropriate, to leave the meeting prior to discussion and voting on the item.

5. Planning Application DC/21/1562/FUL - 6 and 7 The Village, Rushbrooke

33 - 46

Report No: **DEV/WS/21/045**

Planning application - a. subdivision of existing single dwelling in to 2 dwellings; b. single storey rear extensions to both dwellings

6. Planning Application DC/21/1961/ADV - 36 High Street, Haverhill

47 - 56

Report No: **DEV/WS/21/046**

Advertisement Application - a. one internally illuminated fascia sign b. one internally illuminated projecting sign c. one edge illuminated window poster display sign

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Development Control Committee



Minutes of a meeting of the **Development Control Committee** held on **Wednesday 3 November 2021** at **10.00 am** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present **Councillors**

- | | |
|---|---------------|
| Chair Andrew Smith | |
| Vice Chairs Mike Chester and Jim Thorndyke | |
| Carol Bull | Ian Houlder |
| John Burns | James Lay |
| Jason Crooks | Andy Neal |
| Roger Dicker | David Roach |
| Susan Glossop | David Smith |
| Brian Harvey | Peter Stevens |

In attendance
Nick Clarke (Ward Member: Clare, Hundon & Kedington)

185. **Welcome**

The Chair formally commenced the meeting, welcomed all present to the Development Control Committee and reminded Members that a short post-Committee discussion session would be undertaken on close of the meeting.

It was also highlighted that an engineer was present in the Conference Chamber in order to carry out monitoring of the audio visual system.

186. **Apologies for absence**

Apologies for absence were received from Councillors Richard Alecock, Andy Drummond and David Palmer.

187. **Substitutes**

The following substitutions were declared:

Councillor Andy Neal substituting for Councillor Richard Alecock; and Councillor James Lay substituting for Councillor Andy Drummond.

188. **Minutes**

The minutes of the meeting held on 6 October 2021 were confirmed as a correct record, with 14 voting for the motion and with 1 abstention, and were signed by the Chair.

189. **Declarations of interest**

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

190. **Planning Application DC/21/0152/HYB - Land South of Burwell Road, Exning (Report No: DEV/WS/21/041)**

(Councillor Roger Dicker asked that it be noted, in the interests of transparency, that he was acquainted with the landowner purely by way of the individual in question being a patron at the shop/Post Office he operated in Kenford.)

Hybrid Planning Application - A. Full planning for 205 dwellings, garages, new vehicular accesses, pedestrian/cycle accesses, landscaping and associated open space and B. Outline planning - early years education facility

This application was originally referred to the Development Control Committee in September as the Officer's recommendation of approval was contrary to the view of Exning Parish Council.

The Senior Planning Officer had advised that the site in question was allocated in the Site Allocations Local Plan (SALP) 2019 under Policy SA12(a) which was adopted in September 2019. This site was known in the SALP document as Land South of Burwell Road and West of Queens View. Policy SA12(a) of the SALP 2019 document sets out that 15 hectares of land is allocated for residential development, with an indicative capacity of 205 dwellings.

At the September meeting of the Committee Members resolved to defer consideration of the application in order to allow Officers additional time in which to work with the applicant to address some of the concerns raised by the Committee relating to:

- The wider highways concerns and impact;
- The conflict with the landscape buffer and perceived overdevelopment; and
- To allow the applicant and Officers to engage with Exning Parish Council.

Following the September Committee amended plans had been submitted by the applicant revising the width of the landscape buffer along the western boundary, the inclusion of a permissive footpath to the south and relocation of a substation. Additional information was also provided in relation to off-site cycle routes into the centre of Exning.

As part of her presentation to the meeting the Senior Planning Officer went through the changes made to the application in detail. She also advised that the applicants had met with Exning Parish Council and had undertaken extensive local engagement.

Attention was drawn to the supplementary 'late papers' which set out a technical note submitted by the Highways Authority in relation to the application.

Members were also informed that an additional representation had been received from 26 Glebe Close after the late papers had been issued; the Senior Planning Officer read this out in full to the meeting.

Officers were continuing to recommend that the application be approved subject to the completion of a Section 106 Agreement Heads of Terms and conditions, as set out in Paragraph 83 of Report No DEV/WS/21/041, with the addition of a further plan to be added to condition 2 which had been omitted from the list.

Speakers: Dr Jean Whitaker (local resident) spoke against the application
Councillor Terry Wood (Chair of Exning Parish Council) spoke against the application
Darren Cogman (agent) spoke in support of the application
(Dr Whitaker did not attend the meeting to personally address the Committee and instead the Democratic Services Officer read out a pre-prepared statement on her behalf.)

Councillor James Lay raised specific concerns in relation to the wider, long-term highways impact the application could have on the roads into neighbouring Burwell and Newmarket.

He also stressed the need to ensure that effective dialog took place between all local authorities concerned in respect of applications that were sited on county and district boundaries. In response, the Senior Planning Officer assured the Committee that the consultation between Suffolk County Council, Cambridgeshire County Council, East Cambridgeshire District Council and West Suffolk Council in relation to the application in question and the original allocation in the SALP had been very extensive.

Considerable discussion took place on the application, with Members posing a number of questions to the Case Officer who responded in respect of:

- Electric charging points – a condition was listed to ensure charging points were provided at all properties;
- Sustainable Drainage System (SuDS) – the SuDS proposed was considered acceptable and could be controlled by way of conditions;
- Cycle routes – had been looked at extensively; and
- Education – the proposed scheme would allow an increase in much needed School and Early Years places, which would mitigate the impact of the additional pupils arising from the proposed development.

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

Upon being put to the vote and with 10 voting for the motion, 3 against and with 2 abstentions it was resolved that

Decision

Planning permission be **GRANTED** subject to:

A Section 106 Agreement Heads of Terms:

DC/21/0153/FUL – Land South of Burwell Road, Exning – S106 Heads of Terms			
Item	Detail	Provision	Contribution
Affordable Housing	On-site dwellings and off-site contribution	30% Mix - 40 rented & 21 shared ownership 0.5commuted sum	£51,708
Education	Early Years Primary School Secondary School Sixth Form	-	£389,652 £846,132 £832,125 £166,425
Library	Enhancement of local provision	-	£44,280
Open Space	Off-site contribution to improve existing facilities	-	£60,000
Travel Plan	Monitoring and engagement process	Travel Plan Evaluation and Support Contribution	£1,000 per annum - from first occupation for a minimum of five years, or one year after occupation of the final dwelling (whichever is the longest duration).
NHS	Health care capacity	-	£123,200
Cross Boundary Cycle Link – Burwell to Exning	Off-site cross boundary cycle link contribution required as set out in SALP.	-	£162,430

And the following conditions:

IN RESPECT OF THE FULL PLANNING APPLICATION FOR 205 DWELLINGS AND ASSOCIATED INFRASTRUCTURE:

- 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 No development shall take place on 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. Timetable for the site investigation to be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.
- 4 No building shall be occupied or otherwise used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 3 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
- 5 Prior to commencement of development details of the strategy for the disposal of surface water on the site shall be submitted to and approved in writing by the Local Planning Authority.
- 6 Prior to commencement of development details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.
- 7 Within 28 days of practical completion of the last dwelling or unit, a surface water drainage verification report shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.
- 8 Prior to commencement of development details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) shall be submitted

to and agreed in writing by the Local Planning Authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

a. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-

1. Temporary drainage systems

2. Measures for managing pollution / water quality and protecting controlled waters and watercourses

3. Measures for managing any on or offsite flood risk associated with construction.

- 9 Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.
- 10 Prior to construction above damp proof course a Phasing Plan setting out the details of the phasing of the development shall be submitted to, and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in complete accordance with the approved Phasing Plan.
- 11 No occupation of dwellings approved by this permission shall occur until the agreed scheme for improvement and/or extension of the existing sewage system has been completed.
- 12 No other part of the development hereby permitted shall be commenced until the new vehicular access complete with footways and cycleways has been laid out and completed in broad accordance with drawing number 203-20 0101 P1. Thereafter the access shall be retained thereafter in its approved form.
- 13 No part of the development shall be commenced until details of the proposed access link into Glebe Drive and Mallard Way have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to any occupation of dwellings accessed from these roads. Thereafter the access shall be retained in its approved form. The details shall show how the two cycle links will safely link to each other giving cyclists a safe and sustainable link.
- 14 Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing, lighting, traffic calming and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.
- 15 No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least base course level or better, in accordance with the approved details except with the written agreement of the Local Planning Authority.
- 16 No development shall be commenced until an estate road phasing and completion plan has been submitted to and approved in writing by the local planning authority. The estate road phasing and completion plan shall set out the development phases and the standards of construction that the estate roads serving each phase of the development will be completed to and maintained at.
- 17 Before the development hereby permitted is commenced a

Construction Management Plan and Statement shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan. The Construction Management Plan shall include the following matters:

- a) parking and turning for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) piling techniques
- d) storage of plant and materials
- e) provision and use of wheel washing facilities
- f) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works
- g) site working and delivery times
- h) a communications plan to inform local residents of the program of works
- i) provision of boundary hoarding and lighting
- j) details of proposed means of dust suppression
- k) details of measures to prevent mud from vehicles leaving the site during construction
- l) haul routes for construction traffic on the highway network and
- m) monitoring and review mechanisms.
- n) Details of deliveries times to the site during construction phase.
- o) pre and post construction photographic survey of the adopted highway off Burwell Road
- p. The erection and maintenance of security hoarding including external safety and information signage, interpretation boards, decorative displays and facilities for public viewing, where appropriate
- q. Measures to control the emission of dust and dirt during construction
- r. A scheme for recycling/disposing of waste resulting from demolition and construction works
- s. Hours of construction operations including times for deliveries and the removal of excavated materials and waste
- t. Noise method statements and noise levels for each construction activity including piling and excavation operations
- u. 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.
- v. monitoring and auditing facilities
- w. complaints response procedures and community liaison procedures

18 The dwellings hereby permitted shall not be occupied until the area(s) within the site shown on drawing numbers 203-20 0101 P1 and 203-20 0102 P1 for the purpose of loading, unloading, manoeuvring and parking of vehicles shall be provided. Thereafter the area(s) shall be retained and used for no other purpose.

19 The areas to be provided for the storage and presentation of refuse and recycling bins shall be implemented in its entirety before the dwellings are occupied and shall be retained thereafter for no other purpose.

20 Before the new access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the

metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 215 metres in a direction towards the village of Burwell and 43m in the direction of Exning village centre, along the edge of the metalled carriageway from the centre of the access (Y dimension) [or tangential to the nearside edge of the metalled carriageway, whichever is the more onerous]. 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 to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

- 21 The development hereby permitted shall not be first occupied until cycle storage details have been submitted to and approved in writing by the Local Planning Authority. Thereafter these facilities shall be retained in accordance with the approved details and continue to be available for use unless the prior written consent of the Local Planning Authority is obtained for any variation to the approved details.
- 22 Before any dwelling is first occupied, a cycle signing and lighting strategy should be submitted to and approved in writing by the Local Planning Authority and Highway Authority which include:
 - a) signing strategy to and from the site to local amenities
 - b) types of signs to be provided
 - c) location of signs and posts
 - d) methodology of lighting the routes.
- 23 All ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained in the Updated Ecology Report (Wild Frontier Ecology, September 2020) and Landscape and Ecological Management and Maintenance Plan (James Blake Associates, Nov 2020) for Phase 2 as already submitted with the planning application and agreed in principle with the local planning authority prior to determination, unless otherwise agreed in writing. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.
- 24 Prior to commencement of development (including demolition, ground works, vegetation clearance) a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:
 - a. Risk assessment of potentially damaging construction activities
 - b. Identification of "biodiversity protection zones"
 - c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
 - d. The location and timing of sensitive works to avoid harm to biodiversity features
 - e. The times during construction when specialist ecologists need to be present on site to oversee works

f. Responsible persons and lines of communication

g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person

h. Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

25 Prior to development commencing above ground level, a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

a) Purpose and conservation objectives for the proposed enhancement measures;

b) detailed designs to achieve stated objectives;

c) locations of proposed enhancement measures by appropriate maps and plans;

d) persons responsible for implementing the enhancement measures;

e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter."

26 Prior to occupation, a "lighting design strategy for biodiversity" shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

a. Identify those areas/features on site that are particularly sensitive for bats and that are likely to be disturbed by lighting;

b. Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) to demonstrate that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. No other external lighting be installed without prior consent from the Local Planning Authority.

27 Prior to development commencing, a Farmland Bird Mitigation Strategy shall be submitted to and approved by the local planning authority to compensate the loss or displacement of any Farmland Bird territories identified as lost or displaced. This shall include provision of offsite compensation measures to be secured by legal agreement, in nearby agricultural land, prior to commencement.

The content of the Farmland Bird Mitigation Strategy shall include the following:

a) Purpose and conservation objectives for the proposed compensation measure e.g. Skylark nest plots;

b) detailed methodology for the compensation measures e.g. Skylark nest plots must follow Agri-Environment Scheme option: 'AB4 Skylark Plots';

c) locations of the compensation measures by appropriate maps and/or plans;

d) persons responsible for implementing the compensation measure.

- The Farmland Bird Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained for a minimum period of 10 years.
- 28 Prior to occupation, on site measures to avoid impacts from the development alone to the Stour and Orwell Estuaries SPA and Ramsar site shall be submitted to, and be approved in writing by, the local planning authority prior occupation of the development.
The content of the of the onsite measures will be in line with the approved Habitats Regulations Assessment and shall include the following:
a) Purpose and conservation objectives for the proposed measures;
b) Detailed designs of the interpretation board to promote circular dog walking routes
within 3km of at least 2.7km¹ in length;
c) Timetable for implementation demonstrating that measures are aligned with any proposed phasing of development;
d) Locations of proposed interpretation boards by appropriate maps and plans; and
e) details of initial aftercare and long-term maintenance.
The measures shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.
- 29 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.
- 30 No development above ground level shall take place until, a landscape and ecological management plan (LEMP) has been submitted to and be approved in writing by the Local Planning Authority. The LEMP shall include the following:
a. Description and evaluation of features to be managed
b. Ecological trends and constraints on site that might influence management
c. Aims and objectives of management
d. Appropriate management options for achieving aims and objectives
e. Prescriptions for management actions
f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
g. Details of the body or organization responsible for implementation of the plan
h. Ongoing monitoring and remedial measures.
The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.
The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning

biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

- 31 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.

All boundary treatments shall include hedgehog highway gaps.

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.

- 32 No development above ground level shall take place until a Public Open Space (POS) Management Plan has been submitted to and approved in writing by the Local Planning Authority. The POS shall be implemented in accordance with the approved POS Management Plan prior to each phasing and retained thereafter in perpetuity.

- 33 No development above ground floor slab level of any part of the development hereby permitted shall take place until the travel arrangements to and from the site for residents of the dwellings, in the form of a revised Travel Plan in accordance with the mitigation measures identified in the submitted Transport Assessment (dated October 2020), Interim Residential Travel Plan (dated October 2020) and Technical Note [DATED] shall be submitted for the approval in writing by the local planning authority in consultation with the highway authority. This Travel Plan must contain the following:

- o Baseline travel data based upon the information provided in the Transport Assessment, with suitable measures, objectives and targets identified to reduce the vehicular trips made by residents across the whole development, with suitable remedial measures identified to be implemented if these objectives and targets are not met
- o Appointment of Travel Plan Coordinator to implement the Travel Plan in full and clearly identify their contact details in the Travel Plan
- o A commitment to monitor the vehicular trips generated by the residents using traffic counters and resident questionnaires and submit a revised (or Full) Travel Plan one year after occupation of the first dwelling
- o A further commitment to monitor the Travel Plan annually on each anniversary of the approval of the Full Travel Plan and provide the outcome in a revised Travel Plan to be submitted to and approved in writing by the Local Planning Authority for a minimum of five years, or one year after occupation of the final dwelling (whichever is the longest duration) using the same methodology as the baseline monitoring
- o A suitable marketing strategy to ensure that all residents on the site are engaged in the Travel Plan process
- o A Travel Plan budget that covers the full implementation of the Travel Plan

- o A copy of a residents travel pack that includes a multi-modal voucher to incentivise residents to use sustainable travel in the local area

No dwelling within the site shall be occupied until the Travel Plan has been agreed. The approved Travel Plan measures shall be implemented in accordance with a timetable that shall be included in the Travel Plan and shall thereafter adhered to in accordance with the approved Travel Plan.

- 34 Prior to commencement of development a scheme for the provision of fire hydrants within the application site shall be 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.
- 35 The site preparation and construction works including deliveries to the site and the removal of excavated materials and waste from the site shall not take place outside the hours of 8am to 6pm hours Mondays to Fridays and 8am to 1:30pm hours on Saturdays and at no time on Sundays, public holidays or bank holidays.
- 36 No plant or equipment associated with the development shall be installed until details thereof have first been submitted to and approved in writing by the Local Planning Authority. The details shall include specifications of the design, location and screening of the proposed plant or equipment. The plant or equipment shall be installed in complete accordance with the approved details before being first brought into use. Following installation the plant or equipment shall be retained in accordance with the approved details unless the prior written consent of the Local Planning Authority is obtained for any variation of the approved details or specifications.
- 37 No generators shall be used in external areas on the site shall be used outside of the hours of 8am to 6pm on Monday to Friday and 8am to 1:30pm Saturdays and at any time on Sundays, Bank or Public Holidays.
- 38 No floodlights or other means of external lighting shall be erected on the site until details have been submitted to and agreed in writing by the Local Planning Authority. Such details shall include the position, height and illumination levels of all lighting.
- 39 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.
- 40 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.
- 41 The development hereby approved shall be carried out in accordance with the approved Sustainability Statement and achieve a reduction of CO2 emissions by at least 14%.
- 42 No development above slab level shall take place until samples/details of the facing and roofing materials have be submitted to and approved in writing by the Local Planning Authority. The development shall be

carried out in accordance with the approved details.

IN RESPECT OF THE OUTLINE PLANNING APPLICATION FOR EARLY YEARS FACILITY:

- 43 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.
- 44 Prior to commencement of development details of the access, appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.
- 45 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
- 46 No development shall take place on 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. Timetable for the site investigation to be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.
- 47 No building shall be occupied or otherwise used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 48 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
- 48 Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority (LPA). The scheme shall be in

accordance with the approved FRA and include:

- a. Dimensioned plans and drawings of the surface water drainage scheme;
- b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
- d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
- e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year rainfall event including climate change, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- f. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- g. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.
- h. Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include: Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-
 - i. Temporary drainage systems
 - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
 - iii. Measures for managing any on or offsite flood risk associated with construction

The scheme shall be fully implemented as approved.

49 Within 28 days of practical completion of the Early Years Facility, a Sustainable Drainage System (SuDS) verification report shall be submitted to the LPA, detailing that the SuDS have been inspected, have been built and function in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks have been submitted, in an approved form, to and approved in writing by the LPA for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

50 All ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained in the Updated Ecology Report (Wild Frontier Ecology, September 2020) and

Landscape and Ecological Management and Maintenance Plan (James Blake Associates, Nov 2020) for Phase 2 as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

51 Concurrent with the first reserved matters application(s) A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

i) Risk assessment of potentially damaging construction activities.

j) Identification of "biodiversity protection zones".

k) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).

l) The location and timing of sensitive works to avoid harm to biodiversity features.

m) The times during construction when specialist ecologists need to be present on site to oversee works.

n) Responsible persons and lines of communication.

o) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

p) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

52 Concurrent with the first reserved matters application(s), a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

f) Purpose and conservation objectives for the proposed enhancement measures;

g) detailed designs to achieve stated objectives;

h) locations of proposed enhancement measures by appropriate maps and plans;

i) persons responsible for implementing the enhancement measures;

j) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

53 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.
- 54 Prior to first operational use of the site, at least 15% of car parking spaces shall be equipped with working electric vehicle charge points, which shall be provided for staff and/or visitor use at locations reasonably accessible from car parking spaces. The Electric Vehicle Charge Points shall be retained thereafter and maintained in an operational condition.
- 55 The site preparation and construction works including deliveries to the site and the removal of excavated materials and waste from the site shall not take place outside the hours of 8am to 6pm hours Mondays to Fridays and 8am to 1:30pm hours on Saturdays and at no time on Sundays, public holidays or bank holidays.
- 56 No plant or equipment associated with the development shall be installed until details thereof have first been submitted to and approved in writing by the Local Planning Authority. The details shall include specifications of the design, location and screening of the proposed plant or equipment. The plant or equipment shall be installed in complete accordance with the approved details before being first brought into use. Following installation the plant or equipment shall be retained in accordance with the approved details unless the prior written consent of the Local Planning Authority is obtained for any variation of the approved details or specifications.
- 57 No floodlights or other means of external lighting shall be erected on the site until details have been submitted to and agreed in writing by the Local Planning Authority. Such details shall include the position, height and illumination levels of all lighting.
- 58 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.
- 59 No development above slab level shall take place until samples/details of the facing and roofing material 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.
- 60 The opening hours of the Early Years Facility hereby approved shall be restricted to the following hours:
8am-6pm Monday to Friday
The premises shall not be open at any time on Saturdays, Sundays, Bank or Public Holidays
- 61 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 as amended (or any Order revoking and re-

enacting that Order) and the Town and Country Planning (General Permitted Development) Order 2015, as amended, the use shall be only as an Early Years Facility and for no other purpose.

191. **Planning Application DC/21/0315/FUL - Little Court, Haverhill Road, Little Wratting (Report No: DEV/WS/21/042)**

(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, he stressed that he would keep an open mind and listen to the debate prior to voting on the item.

Councillors John Burns, David Roach and Susan Glossop asked that it be noted, in the interests of transparency, that they were aware of the applicant by way of their involvement with the ONE Haverhill Partnership.

Lastly, it was acknowledged that the applicant had forwarded supporting documentation directly to all Members of the Committee in advance of the meeting.)

Planning Application - Specialist dementia care village for up to 120 residents, including: 20 x 6 bedroom apartments provided within five buildings; central amenity building containing shop, restaurant, pub, communal hall, offices and staff accommodation; club/hobby rooms; treatment/counselling rooms; vehicle and cycle parking; landscaping proposals and associated works

This application was referred to the Development Control Committee as a result of it being called-in by the Ward Member (Withersfield) Councillor Peter Stevens.

The development was also in conflict with the main spatial policies relating to this type of development and was therefore considered to be a departure from the Development Plan.

Furthermore, Haverhill Town Council had raised objections to the proposal which was in conflict with the Officer's recommendation of approval, subject to the completion of a Section 106 Agreement and conditions as set out in Paragraph 10.0 of Report No DEV/WS/21/042, with the addition of four further plans to be added to condition 2 which had been omitted from the list.

As part of her presentation the Officer showed videos of the site by way of a virtual 'site visit'.

Members were also advised that since publication of the agenda two additional representations had been received; one from District Councillor Pat Hanlon (Ward: Haverhill East) largely citing highway safety concerns and a further one from Haverhill Town Council querying the need for the proposed facility in the local area.

Attention was drawn to Paragraph 9.70 of the report and an inaccuracy therein, where the following sentence should have read:

*"...and it is considered that the scheme will **NOT** result in significant landscape and/or visual harm".*

Lastly, Members were advised that whilst the County Council had requested a contribution towards libraries, given the nature of the development it was extremely unlikely that residents of the proposed scheme would access local public libraries. In light of which, it was Officers' view that this request was unlikely to be CIL compliant and further evidence and justification on this point would be sought from the County Council if it was to be included within the S106.

Speaker: Richard Sykes-Popham (agent) spoke in support of the application

Councillor David Smith addressed the meeting and raised concern at the site in question in view of it being outside the settlement boundary and in the countryside. He also highlighted the significant impact the facility could have on health provision in the local area.

A number of Members referenced the car parking provision and questioned whether it was adequate in view of the very limited public transport operating in the area. In response, the Principal Planning Officer drew attention to the fact that the Care Home would operate a private mini bus in order to transport staff to/from the site and Suffolk County Council Highways had raised no objection in this regard.

Councillor John Burns similarly spoke on his concerns with regard to the proposed site and lack of public transport provision. He also criticised the level of contribution requested by NHS West Suffolk Clinical Commissioning Group (CCG) in view of all the residents of the proposed facility having high dependency/complex health needs.

Other Councillors remarked on the appropriateness of the proposed location, which they considered best suited a self-contained facility such as this, where residents would not be actively engaging with the local community.

In response to a question as to whether West Suffolk residents could be prioritised for the facility the Principal Planning Officer explained that it was not possible to control this via the planning process, noting that the proposal was for a private business.

Councillor Peter Stevens asked if the Decision Making Protocol would be invoked if a proposal was made to refuse the application contrary to the Officer recommendation. The Service Manager (Planning – Development) explained that she would be unable to answer that question unless a proposal was made with clear reasons for her to consider.

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

Upon being put to the vote and with 12 voting for the motion and 3 against, it was resolved that

Decision

Planning permission be **GRANTED** subject to:

- 1.) The completion of a S106 agreement to secure the following (subject to meeting the CIL Reg 122 tests):
 - NHS contribution
 - Libraries contribution (if evidenced and agreed by the lpa)
 - Financial contribution as directed by the highways authority in respect of off-site highways, public rights of way and public transport improvements.

In the event that there are any substantive changes to the S106 package, then this will go back to the Chair of the Development Control Committee to determine whether it is necessary to bring the proposals back before the Committee.

2.) The following conditions:

1. Time

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

2. Approved plans

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

3. Specialist dementia care use

The development hereby approved shall only be used as a specialist dementia care village as described in section 2 of the submitted planning statement. The development site shall not be subdivided and shall not operate as any other type of care facility.

4. Archaeology – pre commencement

No development shall take place within the 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.

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.

5. Archaeology – pre occupation

No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved

in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

6. Sustainability – compliance

The development hereby approved shall be carried out in accordance with the measures set out in the sustainability appraisal and the associated energy strategy.

7. Electric vehicle charging - pre commencement

Prior to the commencement of development full details of the electric vehicle and cycle charging facilities to be provided on site for staff and visitors shall be submitted to the local planning authority and approved in writing.

8. Materials – prior to construction

No construction using visible facing or roofing materials take place until details of those facing and roofing materials to be used 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.

9. Levels

Prior to the commencement of development, details of the existing and proposed ground levels, finished floor levels and the position and depth of all services to be laid, constructed or installed (including drains, cables, pipes, sewers and soakaways). Where this information is not available the site plan shall be marked up to show all routes available for this use and those areas not marked in this way shall be excluded from this use.

10. Public Right of way - pre-commencement

Prior to the commencement of any development, details of measures to protect the adjacent public right of way and amenity of users of the public right of way during construction shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the measures shall be put in place and retained in accordance with the approved details.

11. Construction surface water drainage management plan – pre commencement.

No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the LPA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include: method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-

- i. Temporary drainage systems
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- iii. Measures for managing any on or offsite flood risk associated with construction

12. Surface water drainage – compliance

The strategy for the disposal of surface water (Cannon Consulting, dated: Aug 2021 ref: ZA921-PL-SK-300 Rev P07) and the Flood Risk Assessment (Cannon Consulting, dated: Feb 2021, ref: CCE/ZA921/FRA-03) shall be implemented as approved in writing by the local planning authority (LPA).

The strategy shall thereafter be managed and maintained in accordance with the approved strategy.

13. Suds components – within 28 days of practical completion.

Within 28 days of practical completion of the last dwelling or unit, surface water drainage verification report shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

14. Soft and hard landscaping – pre commencement

No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard, soft and boundary treatment landscaping works for the site, which shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows in the surrounding area. A specification of soft landscaping, including proposed trees, plants and seed mixes must be included. The specification should be in line with British Standards and include details of planting works such as preparation, implementation, materials (i.e. soils and mulch), any protection measures that will be put in place (i.e. rabbit guards) and any management regimes (including watering schedules) to support establishment. This should be accompanied by a schedule, with details of quantity, species and size/type (bare root, container etc). Hard landscape details such as surface materials and boundary treatments must also be included.

15. Soft landscaping for amenity – pre commencement

No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority details of the planting proposed between the development and the adjacent neighbouring dwelling known as Little Court to create a landscape buffer to filter views from the development towards the dwelling.

16. Arboricultural method statement – pre commencement

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 $dbh \times 12$ where dbh is the diameter of the trunk measured at a height of 1.5m above ground level) of those trees on the application site which are to be retained specifying the position, depth, and method of construction/installation/excavation of service trenches, building foundations, hardstandings, roads and footpaths,
- c) A schedule of proposed surgery works to be undertaken to those trees and hedges on the application site which are to be retained.

17. Tree and hedge removal

No trees or hedgerow removal shall take place other than as approved in the arboricultural method statement required by condition 16 above.

18. Landscape management Plan – pre above ground construction

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.

19. Vegetation Clearance – pre and during construction.

Notwithstanding the approved details or any details submitted in compliance with the requirements of any other conditions imposed upon this grant of planning permission, there shall be no clearance of any existing vegetation upon the site or other site clearance works during the bird nesting season (March - September inclusive), without the written agreement of the local planning authority following the submission of survey information, undertaken by a competent ecologist to assess the nesting bird activity on site during this period.

20. Ecological mitigation and enhancement measures

All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (Green Willows Associates, May 2021, v:001 as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g., an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

21. Biodiversity Enhancement Strategy- prior to occupation

A Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter."

22. Sensitive lighting design scheme for wildlife and amenity– prior to installation of external lighting

A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority prior to the installation of any external lighting including security lights or temporary lighting during construction. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

The scheme shall also ensure a lighting environment of low district brightness at residential properties.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

23. Construction management plan – pre commencement

Before the development hereby permitted is commenced a comprehensive Construction and Site Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan. The Construction Management Plan shall include the following matters:

- A) site set-up and general arrangements for storing plant (including cranes), materials, machinery and equipment, offices and other facilities and contractors vehicle parking, loading, unloading and vehicle turning areas.
- B) Specific details of parking and turning for vehicles of site personnel, operatives and visitors
- C) Specific details of loading and unloading of plant and materials
- D) piling techniques
- E) storage of plant and materials
- F) provision and use of wheel washing facilities
- G) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works
- H) site working and delivery times
- I) a communications plan to inform local residents of the program of works
- J) provision of boundary hoarding and lighting
- K) details of proposed means of dust suppression
- L) details of measures to prevent mud from vehicles leaving the site during construction
- M) haul routes for construction traffic on the highway network and
- N) monitoring and review mechanisms.
- O) Details of deliveries times to the site during construction phase.
- P) noise method statements and noise levels for each construction activity including any piling and excavation operations.
- Q) dust, dirt and vibration method statements and arrangements.
- R) site lighting.

24. New Access – before commencement of other development

No other part of the development hereby permitted shall be commenced until the new access has been laid out and completed in all respects in accordance with drawing no. ZA921-PL-DR-001 P09 with an entrance width of 7 metres for a distance of 15 metres measured from the nearside edge of the metalled carriageway. Thereafter it shall be retained in its approved form.

25. Car parking – pre-above ground

Before any above ground construction is commenced details of the areas and infrastructure to be provided for the loading, unloading, manoeuvring and parking of vehicles including powered two-wheeled vehicles and electric vehicle charging points 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.

26. On site turning -pre commencement

Before the development is commenced details showing an adequate car turning space within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out before occupation and shall be retained thereafter and used for no other purpose.

27. Car parking management plan – pre- above ground construction

Prior to the development being first brought into use, a Car Parking Management Plan shall be submitted to and approved in writing by the local planning authority. It shall include the following:

- Details of car parking allocation and distribution (paying particular attention to staff turnover);
- Details of the management of car parking allocation and distribution – consideration for visitor parking is paramount. Details on how this will be managed should be included in the CPMP (i.e. booking system for visits);
- Methods to ensure there is no on-street car parking;
- A scheme for the provision and parking of cycles; and,
- Monitoring required of the Car Parking Management Plan to be submitted to and approved in writing in accordance with a timeframe to be agreed by the local planning authority.

The Car Parking Management Plan shall be fully implemented before the development is first occupied or brought into use, in accordance with a timeframe agreed by the Local Planning Authority, and thereafter retained for this purpose.

28. Offsite highways work – pre commencement

No part of the development shall be commenced until full details of the proposed off-site highways works on the A143 to improve pedestrian and cycle connectivity and details of the pedestrian and cycle access into the site, have been submitted to the local planning authority and agreed in writing.

The works, which shall be based on the details set out in the submitted transport note 2 and the associated drawings shall be completed in full before the development comes into use.

29. Visibility – pre first use

Before the access is first used visibility splays shall be provided as shown on Drawing No. ZA921-PL-DR-001 P09 with an X dimension of 2.4 metres and a Y dimension of 215 metres [tangential to the nearside edge of the carriageway] 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 to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

30. Provision of mini-bus

Prior to the development being first brought into use, details of the use and management of the Mini-Bus shall be submitted to and approved in writing by the local planning authority. The provision of the mini-bus shall be fully implemented before the development is first occupied or brought into use, in accordance with a timeframe agreed by the Local Planning Authority, and thereafter retained for this purpose.

31. Travel Plan – prior to first use

Notwithstanding the submitted travel plan, prior to the approved development coming into use final details of the travel arrangements to and from the site, in the form of a Travel Plan, including monitoring provisions, shall be submitted to and approved in writing by the Local Planning Authority. The approved arrangements shall be implemented in accordance with the Travel Plan and thereafter adhered to.

32. Construction hours – during development

The hours of demolition, site preparation and construction operations including deliveries to the site and the removal of excavated materials and waste from the site shall be limited to 08:00 to 18:00 hours on Mondays to Fridays and 08:00 to 13:00 hours on Saturdays. No demolition, site preparation or construction activities shall take place at the development site on Sundays, Bank or Public Holidays.

33. Plant and equipment – prior to installation

No plant or equipment, including air handling plant, extract ventilation systems, fans and compressors, used in conjunction with the proposed care village, shall be installed until full details have first been submitted to, and approved in writing, by the Local Planning Authority. The details shall include the design, location, screening and any sound attenuation measures to be implemented. The plant or equipment shall be installed in complete accordance with the approved details and shall thereafter be retained in the approved form unless the prior written agreement of the Local Planning Authority is given for the variation of any of the approved details or specifications.

34. Odour control – before first use

Before the care village is first brought into use, provision shall be made for the control of odours arising from any cooking processes, in accordance with details that shall first have been submitted to, and approved in writing, by the Local Planning Authority. Thereafter, all measures shall be retained in the approved form unless the prior written agreement of the Local Planning Authority is obtained for any variation to the approved details or specification.

35. Delivery times – during operation

Commercial deliveries to the care village shall be restricted to between 08:00 and 18:00 hours on Mondays to Saturdays only. No commercial deliveries to the site shall take place on Sundays, Bank or Public Holidays.

36. Fire hydrants

No development shall commence until 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.

(On conclusion of this item the Chair permitted short comfort break before continuing with the rest of the agenda.)

192. **Planning Application DC/21/0614/FUL - The Cold Store, The Street, Stradishall (Report No: DEV/WS/21/043)**

Planning application - change of use of agricultural storage building to (class B8) storage and distribution as amended by plans received 25th August 2021 specifying a new access driveway

This application was referred to the Development Control Committee following consideration by the Delegation Panel.

Furthermore, the Parish Council had submitted objections to the proposal which was in conflict with the Officer's recommendation of approval, subject to conditions as set out in Paragraph 30 of Report No DEV/WS/21/043.

Attention was drawn to the 'late papers' that had been circulated supplementary to the agenda and which contained the correct site plan for the application.

As part of her presentation to the meeting the Senior Planning Officer highlighted the changes that had been made to the scheme over the life of the application, principally in relation to the new access driveway proposed.

Speakers: Darron McRandal (neighbouring objector) spoke against the application
Councillor Nick Clarke (Ward Member: Clare, Hundon & Kedington) spoke on the application

Considerable debate took place on the application with Members posing a number of questions which the Case Officer responded to as follows:

- External lighting – would be controlled by condition;
- The bund – was to protect visual amenity and was not to mitigate noise; and it was not considered reasonable to require an acoustic fence to be constructed;
- Road construction – the Committee were advised as to the reasoning for the six-month period allowed for construction; and
- Local Plan – the site had been submitted as part of the Local Plan process for housing.

In response to the additional conditions suggested by Councillor Clarke under the public speaking part of the meeting, the Senior Planning Officer explained that fire suppression measures such as a sprinkler system would be covered by the Building Regulations process and couldn't be applied to a planning permission. Secondly, it would not meet the test of reasonableness to require the applicant to replace the windows referenced, as part of a planning permission.

Councillor David Roach proposed that the application be refused, contrary to the Officer recommendation, due to the proposal being retrospective in nature and not being an appropriate use of a former agricultural building. This was duly seconded by Councillor Andy Neal.

The Service Manager (Planning – Development) explained that she cautioned use of both refusal reasons given and reminded the Committee that retrospective applications were to be determined in the same way as non-retrospective proposals. Furthermore, there were specific policies which

related to the re-use of redundant agricultural buildings and the scheme seeking determination was considered to be in accordance with those.

Therefore, if Members were minded to refuse the application contrary to the Officer's recommendation the Decision Making Protocol would be invoked and a risk assessment would be produced for future consideration by the Committee.

Accordingly, Councillors Roach and Neal withdrew their proposal to refuse the application.

Councillor Roger Dicker then proposed that the application be approved, as per the Officer recommendation. This was duly seconded by Councillor Peter Stevens.

Upon being put to the vote and with 11 voting for the motion and 4 against, it was resolved that

Decision

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

1. Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:30 hours on Saturdays and at no time on Sundays, public holidays or bank holidays.
2. Prior to commencement of the access driveway, including any works of demolition, a Dust Management Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The strategy shall be implemented and maintained in accordance with the approved details.
3. No lorry or HGV movements, loading and unloading of vehicles or deliveries shall be taken or despatched outside the hours of 08:00 - 17:00 Mondays to Fridays and no deliveries shall be taken or despatched on Saturdays, Sundays and Bank Holidays unless agreed in writing with the Local Planning Authority.
4. The new access driveway as shown on plan no. 21.070.K0001 C received 25th August 2021 shall be installed in its entirety within 6 months of the date of this decision. After which all deliveries and dispatch operations, including collections, shall only take place on this access from the new rear access door shown on plan no. 21.070.K0003 A received 25th August 2021.
5. All audible alarms to all doors and vehicles kept on site, including fork-lift trucks requiring audible alarms shall be fitted with broadband (white noise) alarms or broadband (white noise) reversing alarms respectively, within 3 months of the date of this permission and retained as such.
6. A Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority within 6 months of the date of this decision.
The content of the Biodiversity Enhancement Strategy shall include the following:
 - a) Purpose and conservation objectives for the proposed enhancement measures;
 - b) detailed designs to achieve stated objectives;

- c) locations of proposed enhancement measures by appropriate maps and plans;
 - d) persons responsible for implementing the enhancement measures;
 - e) details of initial aftercare and long-term maintenance (where relevant).
- The works shall be implemented in accordance with the approved details within 6 months of the planning application decision date and shall be retained in that manner thereafter.
7. Prior to any lighting being installed on site a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.
All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.
 8. Within 6 months of the date of the decision a soft landscaping scheme (detailing the grass mix and planting on the bund, trees on the western side of the bund along with the line of trees around the access ramp as shown on drawing number 21.070.K0001_C) drawn to a scale of not less than 1:200 shall be 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 scheme of soft landscaping works shall be implemented not later than the first planting season following commencement of the access road (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. Development shall be carried out in accordance with the approved plans.

193. **Planning Application DC/21/0687/FUL - 102 Church Road, West Row (Report No: DEV/WS/21/044)**

Planning application - one dwelling and alterations to existing access following demolition of existing garage/office and containers

This application was referred to the Development Control Committee following consideration by the Delegation Panel and in light of West Row Parish Council not having objected to the proposal, which was in conflict with the Officer's recommendation of refusal for the reason set out in Paragraph 32 of Report No DEV/WS/21/044.

As part of her presentation the Planning Officer showed videos of the site by way of a virtual 'site visit'.

Members were advised that a late representation in support of the scheme was received following publication of the agenda, the contents of which were verbally summarised for the Committee.

Councillor Roger Dicker proposed that the application be refused, as per the Officer recommendation and this was duly seconded by Councillor Brian Harvey.

Upon being put to the vote and with 3 voting for the motion, 11 against and with 1 abstention the Chair declared the motion lost.

The debate continued with some Members voicing support for the application which they considered would be an improvement to the existing containers currently on site.

Accordingly, Councillor Jim Thorndyke proposed that the application be approved, contrary to the Officer recommendation, as he did not consider that the proposal would have a dominant/overbearing or adverse effect on the street scene. This was duly seconded by Councillor James Lay.

The Service Manager (Planning – Development) explained that as the reasons cited for approval were reasonable and subjective the Decision Making Protocol would not be invoked.

The Planning Officer then verbally outlined conditions that could be appended to a planning permission.

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

Decision

Planning permission be **GRANTED, CONTARY TO THE OFFICER RECOMMENDATION**, 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, unless otherwise stated.
3. 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.
4. 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.

5. The site preparation and construction works, including road works, shall be carried out between the hours of: 08:00 to 18:00 Mondays to Fridays 08:00 - 13.30 Saturdays And at no times during Sundays or Bank Holidays without the prior written consent of the Local Planning Authority. Planning and Growth, West Suffolk Council, West Suffolk House, Western Way, Bury St Edmunds, Suffolk, IP33 3YU
6. 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.
7. The new vehicular access shall be laid out and completed in accordance with Drawing No. P- 6147- 04; and with a minimum entrance width of 4.1 metres and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.
8. Prior to the dwelling hereby permitted being first occupied, the vehicular access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.
9. The areas to be provided for storage of Refuse/Recycling bins as shown on Drawing No.P- 6147- 04 shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.
- 10.No above ground development shall take place until details of the areas to be provided for the loading, unloading, manoeuvring, parking of vehicles, including secure cycle storage, have been 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.
- 11.The use shall not commence until the area within the site shown on Drawing No. P-6147- 04 for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area shall be retained and used for no other purposes.
- 12.Before the access is first used visibility splays shall be provided as shown on Drawing No. P- 6147- 04 with an X dimension of 2.4 metres and a Y dimension of 43 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 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.

The meeting concluded at 1.35pm

Signed by:

Chair

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Development Control Committee

1 December 2021

Planning Application DC/21/1562/FUL – 6 and 7 The Village, Rushbrooke

Date registered:	13 August 2021	Expiry date:	8 October 2021 EOT till 3 December 2021
Case officer:	Jo-Anne Rasmussen	Recommendation:	Approve application
Parish:	Rushbrooke With Rougham	Ward:	Rougham
Proposal:	Planning application - a. subdivision of existing single dwelling in to 2 dwellings; b. single storey rear extensions to both dwellings		
Site:	6 and 7 The Village, Rushbrooke, IP30 0ER		
Applicant:	Browne		

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:

Jo-Anne Rasmussen

Email: Jo-Anne.Rasmussen@westsuffolk.gov.uk

Telephone: 01284 757609

Background:

This application is referred to the Development Control Committee as it is a departure from the Development Plan. The application is recommended for APPROVAL.

Proposal:

1. The application seeks permission to convert the existing property from one dwelling into two separate residential dwellings. A single-storey rear extension is also proposed.
2. The Design and Access Statement states that the house was originally built and used as two separate dwellings, however in the mid-20th century the property was converted to form one large dwelling. The property has remained in residential use.
3. The extension to the rear of the site would have a mono pitch roof with a ridge height of 3.5 metres and eaves of 2.2 metres. The extension has a depth of 1.7 metres and width of 13.1 metres, extending across both cottages.

Site details:

4. The site is located within the village of Rushbrooke which is predominantly made up of housing associated with the adjacent estate / farm. The dwellings in the vicinity are of mixed age, design and size. Whilst the dwellings to the east of the site are relatively modern, they are Grade II listed, as is the pump house. The properties immediately adjacent to the site are of a similar age and design to the cottage on the application site, being early 20th century, thatched, two-storey workers cottages, set within generous plots.
5. The site is on land classified as countryside for planning policy purposes.

Planning history:

6. None.

Consultations:

7. Public Health And Housing

No objections; rooms for sleeping must comply with Part X of the Housing Act 1985. Floor area of room must be 9.3m² or more for two people and 6.5 m² or more for one person. Floor area to be excluded where the ceiling is less than 1.52m high.

8. Environment Team

No objections; given that the application is for the subdivision of an existing residential property back to its original 2 dwellings on an established

residential location, we have no objection to the proposals and no comments on contaminated land or air quality.

9. Conservation Officer

No objection - the proposed works do not affect a listed building or a non-designated heritage asset and are not located within a conservation area.

10. Suffolk County Council Highways

No Objections

11. Suffolk Fire Service

No Objections

12. Natural England

No comments received.

Representations:

13. Parish Council – no comments received

14. No letters of representation received.

Policy:

15. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.

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

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM5 Development in the Countryside
- Policy DM11 Protected Species
- Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM15 Listed Buildings
- Policy DM20 Archaeology
- Policy DM22 Residential Design

Policy DM24 Alterations or Extensions to Dwellings, including Self Contained annexes and Development within the Curtilage
Policy DM27 Housing in the Countryside

Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy
Core Strategy Policy CS2 - Sustainable Development
Core Strategy Policy CS3 - Design and Local Distinctiveness
Core Strategy Policy CS4 - Settlement Hierarchy and Identity
Core Strategy Policy CS13 - Rural Areas

Vision Policy RV1 - Presumption in favour of Sustainable Development

Other planning policy:

17. National Planning Policy Framework (NPPF)

The NPPF was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2021 NPPF that full weight can be attached to them in the decision making process.

Officer comment:

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

- **Principle of the development**
 - **Subdivision of the dwelling**
 - **Rear extension**
- **Form and character**
- **Highway safety**
- **Biodiversity**
- **Impact upon the setting of a listed building**

Principle of the Development

- **Subdivision and creation of a new dwelling**

19. Decisions on planning applications are required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 to be made in accordance with development plans unless there are material considerations that indicate otherwise.

20. Paragraph 80 of the NPPF states that planning policies and decisions should avoid the development of isolated homes in the countryside unless '(d) the

development would involve the subdivision of an existing residential building.’ In this case the application would involve the subdivision of one property into two separate dwellings and as such would comply with the aims of the NPPF. This is a significant material consideration.

21. The proposed development to convert the existing dwelling from one large dwelling to two smaller dwellings would effectively result in a new dwelling being created in a countryside location.
22. Policy DM5 sets out the circumstances where development in the countryside is appropriate. New dwellings in the countryside are restricted to prevent unsustainable and inappropriate forms of development. National and local policies therefore broadly aim to direct development to locations which are both sustainable and will not result in the loss of unspoiled rural landscapes. Policies CS13 and CS4 also aim to resist housing outside of the settlement boundary. The proposal does not meet the provisions of DM27 as it is not within a cluster for the purposes of this policy.
23. Whilst the local planning policies identified do not support the proposed development which weighs against the proposal, significant weight must be given to the NPPF as a material consideration, which specifically supports the subdivision of a dwelling in the countryside. As such it is considered that the proposal would be in accordance with the aims of the NPPF and this material consideration, noting that it post-dates the Joint Development Management policies and Core Strategy, is considered sufficient to outweigh the harm arising from the conflict with the local plan policies.

- **Rear extension**

24. Policy DM24 states that extensions to dwellings will be permitted provided that they 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 plot.
25. The proposed extension is modest in size and given the large amenity space that each dwelling would have, it would not result in an overdevelopment of either plot. The design, scale and materials are considered to be appropriate and respectful of the character of the existing dwelling and the surrounding built form. As such it is considered the proposal would comply with policy DM24.

Form and character

26. The property was originally built as two dwellings and this is apparent in its architectural characteristics which mirror the neighbouring semi-detached properties. The proposed sub-division of the dwelling would therefore result in a pair of semi-detached dwellings in-keeping with the form and character of the locality and the original design of the property. Policy DM2 looks for

development to respect the characteristics of the locality and given the above it is considered that the proposal would comply with the aims of policy DM2.

Highway safety

27. Parking is provided for the dwellings in a communal parking area adjacent to the site. The Local Highways Authority have not objected and it is therefore considered the proposal would not result in a negative impact upon highway safety and accords with policy DM2 in this respect.

Neighbour amenity

28. Windows for the property are existing and overlook the front and rear amenity space of the property. The distance to neighbouring properties is sufficient to ensure the development would not result in overlooking or loss of privacy to the occupiers of the neighbouring dwellings.

29. The proposed rear extension is modest in its size and scale and given the distance to the neighbouring properties it is not considered it would result in any adverse impact. As such it is considered that the proposed subdivision and extension would comply with the aims of policy DM2. The plans indicate a low post and rail fence between the properties. This is a modest feature to demarcate boundaries, and its provision is not considered a requirement of the proposal, so no conditional control for this is necessary.

Biodiversity

30. Given the proposed development would involve minimal external changes to an existing dwelling and the small scale rear extension would be within an existing residential curtilage, it is not considered the proposal would have a negative impact upon any protected species and is therefore compliant with policies DM10 and DM11. Biodiversity enhancement is recommended in accordance with Policy DM12.

Impact upon the adjacent listed building

31. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing a listed building or its setting or any features of special architectural or historic interest which it possesses.

32. Policy DM15 states that proposals to alter, extend or change the use of a listed building will be permitted where they can (i) demonstrate a clear understanding of the significance of the building and/or its setting, alongside an assessment of the potential impact of the proposal on that significance; (ii) are not detrimental to the building's character or any architectural, archaeological, artistic or historic features that contribute towards its special

interest; (iii) are of an appropriate scale, form, height, massing, and design which respects the existing building and its setting.

33. The site is adjacent to a listed building, the proposal involves minimal external changes and a small rear extension, the existing residential use of the property would remain unchanged. As such it is not considered the proposal would have a detrimental impact upon the listed buildings or their settings. The Conservation officer has stated the proposed works do not affect the setting of any listed buildings or non-designated heritage assets. As such the proposal is considered to comply with policies DM15 and DM16.

Other Matters

34. It is considered reasonable to require compliance with the enhanced standards within the building regulations in relation to water efficiency. Notwithstanding the fact that this is the change of use of an existing structure, given the increased water demands arising from its use as two dwellings, this is considered reasonable and can be secured by condition, in accordance with DM7.

Conclusion:

35. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions be made in accordance with development plans unless there are material considerations that indicate otherwise. The proposal would result in a new dwelling in the countryside, which is contrary to DM5. However, significant weight must be given to para 80(d) of the NPPF which specifically supports the subdivision of a dwelling in the countryside. No material harm has been identified in terms of the development having a detrimental impact upon ecology, adjacent listed buildings or highways. Further the proposal would be reinstating the property back to a semi-detached dwelling which would be more in-keeping with the traditional character of the property and the form and character of the village. As such it is considered that the proposal would be in accordance with the aims of the NPPF, specifically paragraph 80, and this material consideration, noting that it post-dates the Joint Development Management policies and Core Strategy, is considered sufficient to outweigh the harm noted from the conflict with the local plan policies. The application can therefore be supported in this instance.

Recommendation:

36. The press notice for this proposal does not expire until 10 December, therefore, this recommendation is subject to there being no new material representations being received before the expiration of this statutory publicity.

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

- 1 The development hereby permitted shall be begun not later than three 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, unless otherwise stated below:

Reference number	Plan type	Date received
1270-02	Ex elevations & floor plans	28 July 2021
1270-04	Proposed block plan	13 August 2021
1270-05	Proposed floor plans	28 July 2021
1270-06	Proposed elevations	28 July 2021
1270-01	Topographic survey	28 July 2021

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

- 3 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.

Reason: To secure biodiversity enhancements commensurate with the scale of the development, in accordance with policies DM11 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 4 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.

Reason: To ensure that the proposal meets with the requirements of sustainability, in accordance with policy DM7 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies. The higher standards for implementation of water efficiency measures set out in the Building Regulations are only activated if they are also a requirement of a planning condition attached to a planning permission.

- 5 No development above slab level shall take place until details of the materials for the new extension 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.

Reason: To safeguard the character and appearance of the area, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/21/1562/FUL](#)

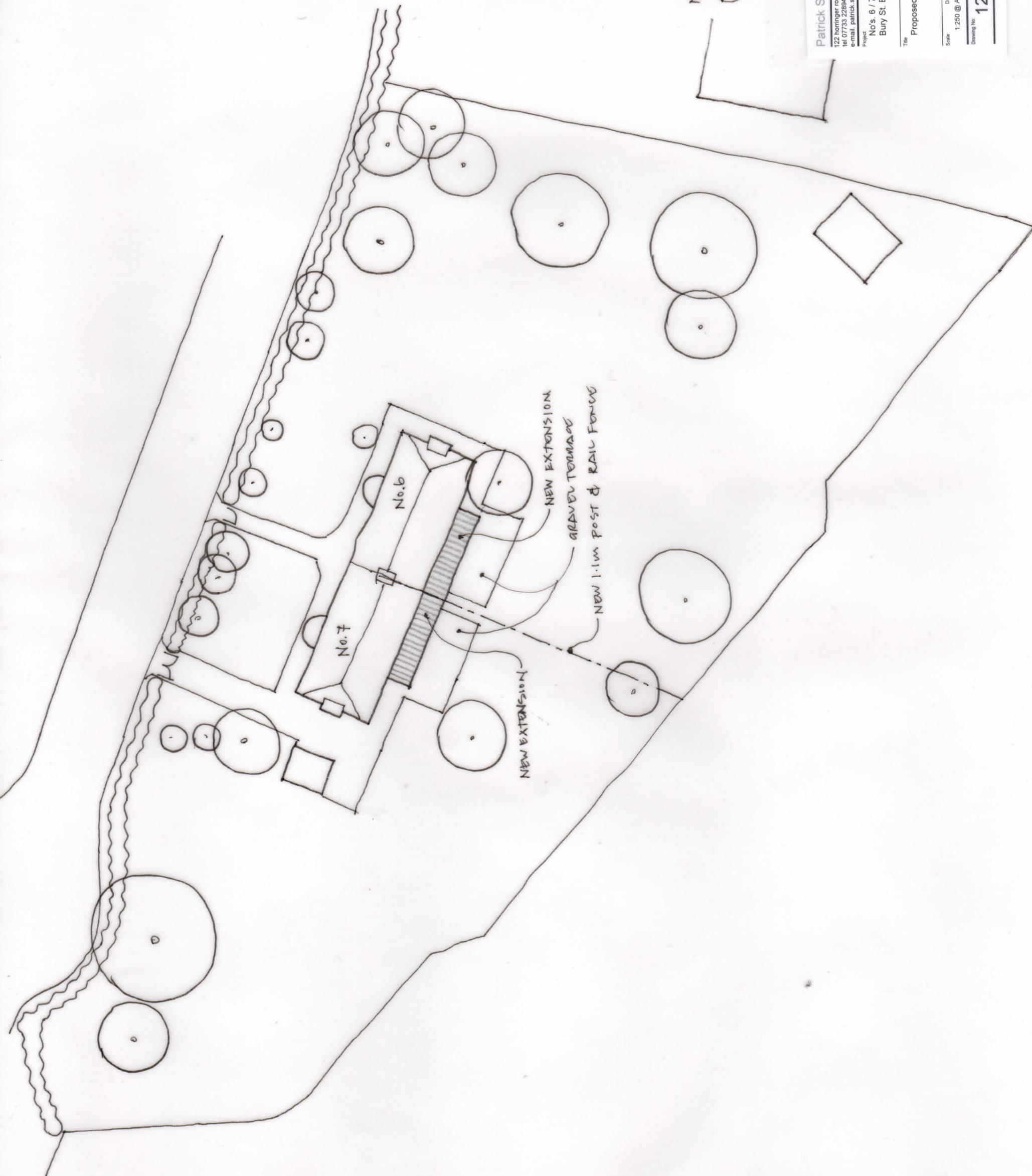
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DC/21/1562/FUL – 6 and 7 The Village, Rushbrooke



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Development Control Committee 1 December 2021

Planning Application DC/21/1961/ADV – 36 High Street, Haverhill

Date registered:	28 September 2021	Expiry date:	23 November 2021 (EOT 8 December 2021)
Case officer:	Savannah Cobbold	Recommendation:	Approve application
Parish:	Haverhill Town Council	Ward:	Haverhill Central
Proposal:	Advertisement Application - a. one internally illuminated fascia sign b. one internally illuminated projecting sign c. one edge illuminated window poster display sign		
Site:	36 High Street, Haverhill, CB9 8AR		
Applicant:	Sarah Dellow		

Synopsis:

Application under The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

Recommendation:

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

CONTACT CASE OFFICER:

Savannah Cobbold

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Telephone: 07971 534117

Background:

The application is referred to the Development Control Committee as 36 High Street, Haverhill is a West Suffolk Council owned building. The application is recommended for APPROVAL and the Town Council provide a neutral stance.

Proposal:

1. The application seeks advertisement consent for the provision of one internally illuminated fascia sign, one internally illuminated projecting sign and one edge illuminated window poster display sign. The signs are to be displayed in association with the newly granted use at 36 High Street which was approved under DC/21/0676/FUL and allowed for the change of use from financial services to hot food takeaway.

Application supporting material:

- Location and block plan
- Signage details

Site details:

2. The application site is located within the settlement boundary for Haverhill, fronting onto High Street. The site comprises a unit which has recently been converted to accommodate a hot food takeaway. The building is situated within the town centre boundary and primary shopping area for Haverhill.

Planning history:

3.

Reference	Proposal	Status	Decision date
DC/21/0676/FUL	Planning application - a. change of use from financial services (class E(c)) to a hot food takeaway (Sui Generis) b. external extraction and ventilation system to the rear c. redecoration of shop frontage	Application Granted	24 June 2021

Consultations:

Suffolk County Council Highways

4. No objections subject to a condition relating to maximum level of luminance.

Representations:

5. Haverhill Town Council: The Town Council have no comments or objections to this application.
6. No further representations have been received from third parties.

Policy:

7. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.
8. The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy 2010 & Vision 2031 have been taken into account in the consideration of this application:
9. Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM38 Shop Fronts and Advertisements

Core Strategy Policy CS3 - Design and Local Distinctiveness

Other planning policy:

10. National Planning Policy Framework (NPPF)
11. The NPPF was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2021 NPPF that full weight can be attached to them in the decision making process.

Officer comment:

12. The issues to be considered in the determination of the application are:
 - Principle of Development
 - Public safety/amenity

13. The advertisement regulations set out the considerations of advertisement proposals being the effects on public safety and amenity.
14. The proposed advert has been assessed in line with the National Planning Policy Framework (2021) paragraph 136 which states that the quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.
15. The proposed signage is to be used in conjunction with the new premises which had permission granted under DC/21/0676/FUL to allow the use of the building to accommodate a hot food takeaway, Papa Johns. The signage incorporates a fascia sign, hanging sign and window decorations.
16. The site is outside of the Haverhill town centre Conservation Area, and not otherwise visible in longer views into, out of, or through the Conservation Area.
17. Policy DM38 seeks to ensure that new advertisement proposals do not adversely affect amenity and public safety. The proposed signage is located on the front elevation of the building, facing the High Street. The area is characterised by various commercial units serving different purposes, such as food, restaurants and shops. Other premises along the High Street benefit from internally illuminated signage, such as Glasswells, The Works and more recently at 65 High Street. The proposal is considered to represent a scheme which would be in-keeping with the design, appearance and scale of the building on which it is sited. Taking this into consideration, the proposed signage will not adversely impact the amenity of the surrounding area.
18. DM38 also seeks to protect public safety. The proposed signage is located on the principal elevation of the building. Given the location of the building and nature of the immediate area, the signage is considered not to affect the amenity of residents or the area or public safety. Schemes of advertisement of a similar nature feature along High Street. Taking this into consideration, it is not considered to have any impact to the wider amenity.
19. Given the nature of the site and the level of illumination proposed, it is considered a condition restricting the maximum level of luminance will be necessary in this case, and this approach is supported by Suffolk County Council as Highways Authority. Controlling the level of illumination would allow for the avoidance of discomfort or glare for both pedestrians and motorists.

Conclusion:

20. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies, the advertisement regulations and the National Planning Policy Framework.

Recommendation:

21.It is recommended that advertisement consent be **APPROVED** subject to the following conditions, plus the standard advertisement conditions:

1. Compliance with plans

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

Drawing No.	Plan type	Date received
20119-01	Location and block plan	28 September 2021
Haverhill-J24864	Signage plan	28 September 2021
	Application form	28 September 2021

2. Maximum level of luminance

The maximum luminance from the fascia sign and the projecting sign shall not exceed 800 candela/m² each.

Reason: In the interests of highway safety and in order to avoid disability or discomfort glare for either pedestrians or motorists, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

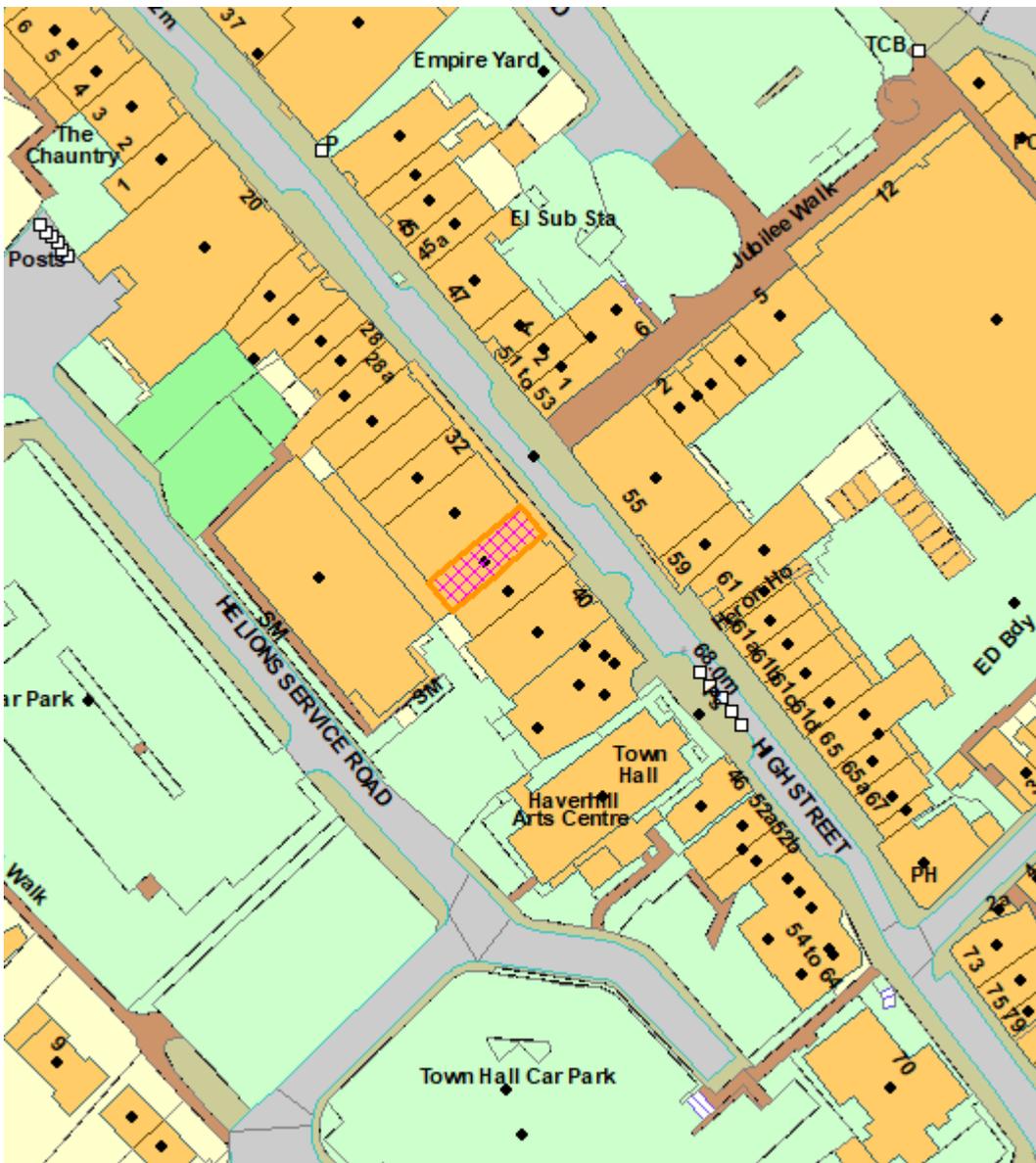
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/21/1961/ADV](https://www.westsuffolk.gov.uk/DC/21/1961/ADV)

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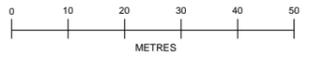
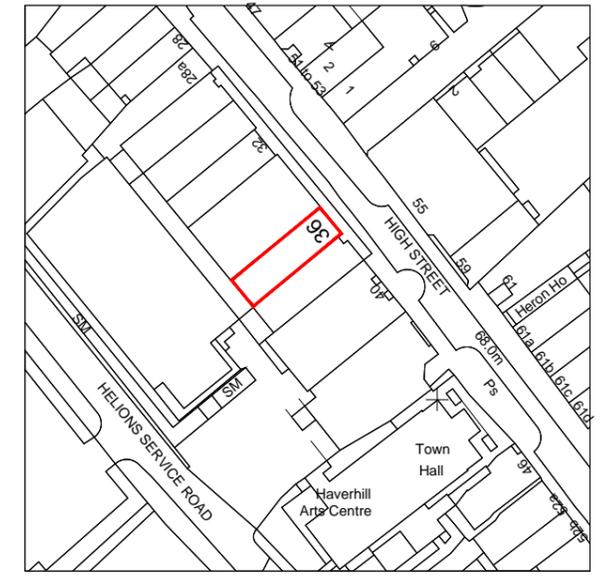
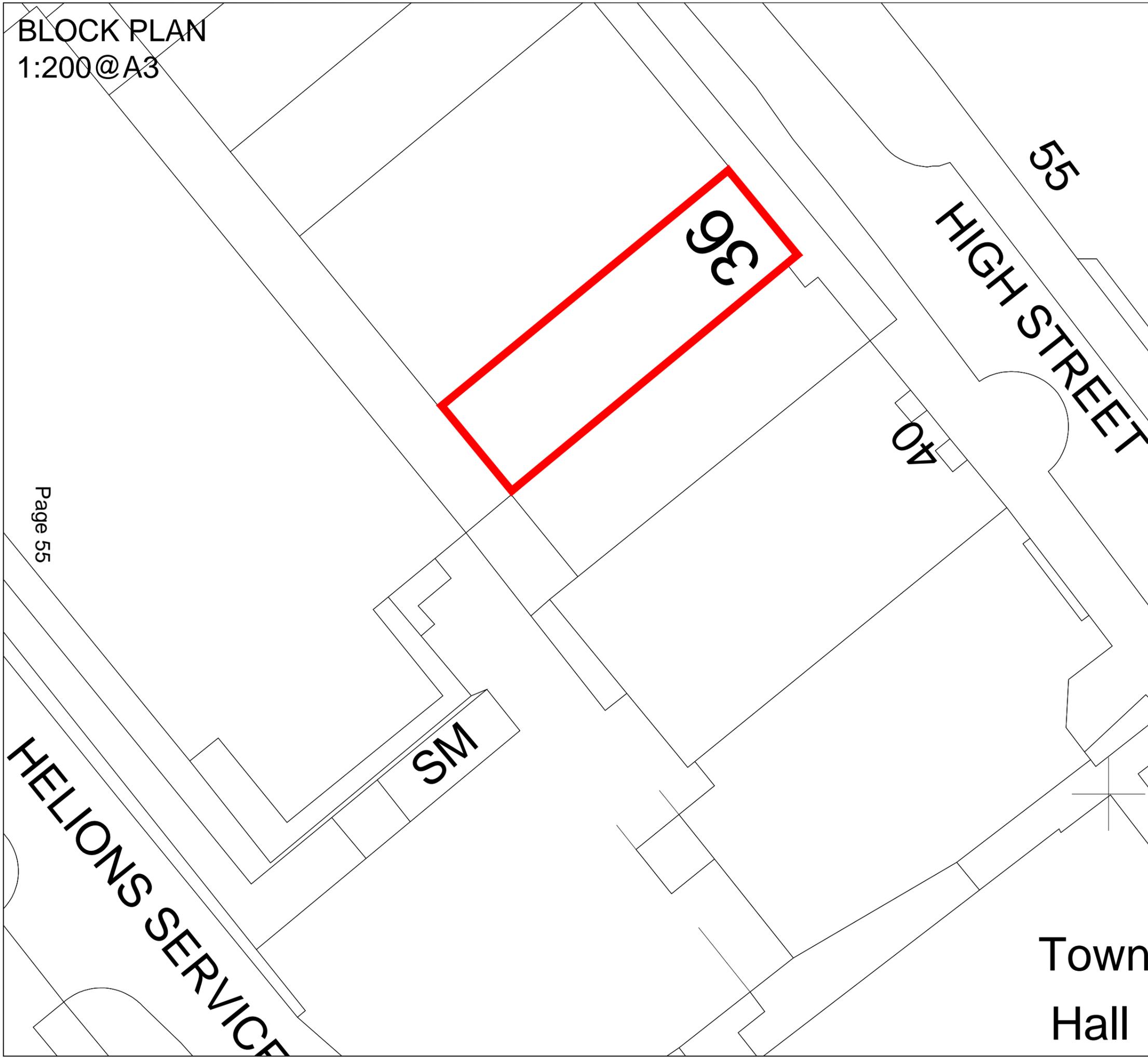


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BLOCK PLAN
1:200@A3



LOCATION PLAN
1:1250@A3



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HELIONS SERVICE

**Town
Hall**

REV	AMENDMENT	DATE	CHKD
MA DESIGN MARTIN ANTHONY DESIGN LIMITED			
CLIENT			
PROJECT 36 HIGH STREET HAVERHILL SUFFOLK CB9 8AR			
DRAWING TITLE LOCATION & BLOCK PLAN			
SCALE 1:1250@A3 1:200@A3	DRAWN BY MAS	CHECKED -	DATE DEC'20
TO BE PRINTED ON A3 AT 100% OR NO SCALING			
DRAWING NUMBER 20119-01		REVISION -	

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