

Development Control Committee

Minutes of a meeting of the **Development Control Committee** held on **Wednesday 3 August 2022 at 10.00 am** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present **Councillors**

Chair Andrew Smith

Vice Chair Mike Chester and Jim Thorndyke

Richard Alecock

Andy Neal

Carol Bull

Sara Mildmay-White

John Burns

David Palmer

Jason Crooks

David Roach

Andy Drummond

David Smith

Susan Glossop

Peter Stevens

Ian Houlder

In attendance

Nick Clarke (Ward Member: Clare, Hundon and Kedington)

Joe Mason (Ward Member: Haverhill North)

259. **Chair's Announcement**

The Chair welcomed all present to the Development Control Committee and highlighted the fact that the meeting was due to be operated in two parts, as indicated on the agenda.

Members were also reminded that some of the details of the scheme in respect of the HMP Highpoint application were restricted by the Ministry of Justice, but which had been made available to Committee Members. If Members wished to discuss the content of the restricted papers during consideration of the application the Committee would need to formally resolve to exclude any attending press/public to enable those matters to be debated in private. On conclusion, the press/public would be readmitted to the room.

260. **Apologies for absence**

Apologies for absence were received from Councillors Roger Dicker and Brian Harvey.

261. **Substitutes**

The following substitutions were declared:

Councillor Richard Alecock substituting for Councillor Roger Dicker; and Councillor Sara Mildmay-White substituting for Councillor Brian Harvey.

262. **Minutes**

The minutes of the meeting held on 6 July 2022 were confirmed as a correct record, with 15 voting for the motion and with 1 abstention, and were signed by the Chair subject to the following amendments:

257. **Planning Application DC/22/0021/HH - The Croft, Mildenhall Road, Barton Mills (Report No: DEV/WS/22/026)**

Councillor Brian Harvey had mistakenly had his surname omitted from the above Minute No.

255. **Planning Application DC/22/0364/FUL and Listed Building Consent DC/22/0365/LB - The Deanery, 3 The Great Churchyard, Bury St Edmunds (Report No: DEV/WS/22/024)**

Councillors Mike Chester and Andrew Smith declared non-pecuniary interests in this item in light of the fact that they were members of the ~~congregation~~ *Parochial Church Councils* of their Parish Churches which came under the St Edmundsbury and Ipswich Diocese as did the application site, they therefore asked that this be noted in the interests of transparency.

263. **Declarations of interest**

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

264. **Planning Application DC/20/0614/RM - Land NW of Haverhill, Anne Suckling Road, Little Wratting (Report No: DEV/WS/22/028)**

(Councillors John Burns and David Smith each declared a non-pecuniary interest in this item in light of the fact that they had attended Haverhill Town Council's meeting when the Town Council considered the application. However, both Councillors stressed that they would keep an open mind and listen to the debate prior to voting on the item.)

Application for Reserved Matters pursuant to hybrid planning permission SE/09/1283 for Infrastructure comprising of: the internal estate roads, drainage, POS, landscaping, and allotments for Land at North West Haverhill

This application was originally referred to the Development Control Committee on 6 July 2022 following a call-in from the local Ward Member (Councillor Joe Mason – Haverhill North). Haverhill Town Council also objected to the application.

At the July meeting the Committee resolved to approve the application subject to the inclusion of an addition to Condition 9 requiring the internal loop road to be completed prior to the connection with Ann Suckling Road being made.

Officers advised that a provision relating to the phasing of the infrastructure could be added but that the advice of the Local Highway Authority would need

to be sought to ensure it was a reasonable condition that was necessary to make the development acceptable in planning terms.

Following the July meeting Officers sought the advice of Highways Officers in relation to the proposed condition and an alternative phasing plan put forward by the applicant, which had been circulated with the agenda papers for the Committee's reference.

A Member site visit was held prior to the July Committee meeting.

Officers were continuing to recommend that the application be approved, subject to conditions as set out in Paragraph 10.1 of Report No DEV/WS/22/028, inclusive of the amendments to Condition Nos 8, 10 and 12 as outlined in the supplementary late papers.

Since publication of the August Committee agenda one further representation had been received objecting to the application, which the Principal Planning Officer summarised for the Committee.

Speakers: Michael Ford (resident objector, also representing a number of other local residents) spoke against the application
Councillor Jo Mason (Ward Member: Haverhill North) spoke against the application
Isaac Jolly (applicant) spoke in support of the application

Councillor John Burns commenced the debate and made reference to the long-standing planning history of the related relief road.

Two Suffolk County Council Highways Authority Officers were in attendance and were invited by the Chair to address the meeting on highways matters and to respond to the related questions posed by Members.

Councillor Jim Thorndyke made reference to Condition No 12 (set out in the late papers) and asked if the wording could be strengthened from that currently set out. Councillor Burns spoke in favour of this amendment too and the Principal Planning Officer agreed to amend the wording accordingly.

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

Upon being put to the vote and with the 15 voting for the motion and with 1 abstention it was resolved that

Decision

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

1. Approved Plans

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

2. Phasing

The development shall be carried out in strict accordance with the phasing plan submitted July 22 drawing number 039 E-SK125 rev A and the accompanying explanatory text set out in the letter dated 19.07.2022.

3. Action required in accordance with ecological appraisal recommendations

All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the following reports as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

- Updated Ecological Walkover Survey of Phases 2 to 6 and the Relief Road at Haverhill (James Blake Associates, 25th March 22, revised 9th June 2022)
- Preliminary Ecological Appraisal of Phases 2-6 (JBA, January 2019)
- Phase 1 Habitat Survey Of Relief Road (JBA, February 2018)
- Botanical Survey (Including Sulphur Clover Survey) of Phases 2 – 6 and Relief Road (August 2019)
- Sulphur Clover Translocation and Working Method Statement for Phases 2 – 6 (James Blake Associates, February 2022)
- Water Vole (*Arvicola amphibius*) Habitat Assessment – Haverhill Relief Road (30th October 2020)
- Hazel Dormouse Survey Report of Phases 2- 6 (JBA, December 2019)
- Reptile Survey of Phases 2 – 6 and relief Road (JBA, June 2019)
- Breeding Bird Survey of Phases 2 – 6 and Relief Road (JBA, October 2019)
- Hedgerow Survey of Phases 2 – 6 and Relief Road (JBA, August 2019)
- Wintering Bird Survey of Phases 2- 6 and relief Road (JBA, February 2020)
- Great crested Newt eDNA Survey of Phases 2 -6 (JBA, June 2019)
- Bat Activity Survey Report of Phases 2 - 6 and Relief Road (JBA, October 2019)
- Badger Survey of Phases 2-6 and Relief Road (JBA (2019b)
- Haverhill Ecology Mitigation Requirements JBA 18-351_ECO 23, RevB 21_06_22 (James Blake Associates

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.”

4. Construction Environmental Management Plan for Biodiversity – pre-commencement

Prior to the commencement of development or any clearance works taking place, 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.
- i) Containment, control and removal of any Invasive non-native species present on site

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”

5. Hazel Dormouse, Water Vole, Badger and Great Crested Newt Method Statement – pre commencement

Prior to the commencement of development or any clearance works taking place a Hazel Dormouse, Water Vole, Badger and Great Crested Newt Method Statement shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to the above listed protected species during the construction phase.

The method statement for Hazel Dormouse must include the following:

- Checks for dormouse nests prior to works. This should include checks for aerial nests in above ground vegetation from April to October inclusive and ground level checks for hibernation nests from October to April inclusive. Progressive clearance of vegetation towards retained habitats.
- Ecological supervision of vegetation clearance on site.
- Works must stop if evidence of dormouse is found.

The measures and/works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

6. Skylark mitigation strategy – prior to commencement

Prior to the commencement of development or any clearance works taking place, a Skylark Mitigation Strategy shall be submitted to and approved by the local planning authority to compensate the loss of any Skylark territories. This shall include provision of the evidenced number of Skylark nest plots, to be secured by legal agreement or a condition of any consent, in nearby agricultural land, prior to commencement.

The content of the Skylark Mitigation Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed Skylark plots;
- b) detailed methodology for the Skylark plots following Agri-Environment Scheme option: ‘AB4 Skylark Plots’;
- c) locations of the Skylark plots by appropriate maps and/or plans;
- d) persons responsible for implementing the compensation measure.

The Skylark Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained for a minimum period of 10 years.

7. Ecological Design Strategy – prior to commencement

No development shall take place until an ecological design strategy (EDS) addressing the specific ecological mitigation, compensation and enhancements for the site infrastructure application (DC/20/0614/RM) has been submitted to and approved in writing by the local planning

authority, before or concurrent with the Landscape Ecology and Management Plan. This should include bats, birds, Hazel Dormouse, Reptiles, Sulphur Clover, Hedgehogs, retained habitats (trees, scrub, hedgerows and associated ground flora) and habitat creation (woodland, wildflower meadows, scrub, SuDS and associated/adjacent habitats).

The EDS shall include the following.

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.

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

8. Bat hop-over details and wildlife sensitive lighting scheme – prior to commencement.

Prior to installation of the lighting, 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.

The lighting information shall be shown concurrently with the detailed bat hop planting proposed to demonstrate how together these elements will create the necessary dark corridors.

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.

9. Time limit of development before further surveys are required

If the infrastructure development hereby approved does not commence within two years from the date of the planning consent, the approved ecological mitigation measures secured through condition shall be reviewed and, where necessary, amended and updated.

The review shall be informed by further ecological surveys commissioned to:

- i. establish if there have been any changes in the presence and/or abundance of the existing habitats and protected and priority species and
- ii. identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of the site infrastructure phase.

Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

10. Connection to Ann Suckling Road – prior to the commencement of the road.

Notwithstanding the details indicated on the approved plans, prior to the construction of the connection to Ann Suckling Road, the final details of the connection between the development and Ann Suckling Road shall be submitted to the local planning authority and agreed in writing. These details will include (but not be limited to) the final form and location of raised tables, the manner in which pedestrians and cyclists connect between the development and the existing highway network, and any changes in the geometry or priority at the point of connection.

All work shall be completed in accordance with the approved details before the first use of the road connecting the development site to Ann Suckling Road.

11. Access Strategy – prior to the commencement of the road.

Prior to the commencement of the approved road, an access strategy setting out an appropriate network of dropped kerbs across the site to facilitate access for all shall be submitted the local planning authority and agreed in writing.

12. Bus gate details - prior to the commencement of the connection

Notwithstanding the details indicated on the approved plans, prior to the construction of the connection to Howe Road, the final details of the connection between the development and Howe Road, which shall include a 'bus gate' to prevent access by vehicles other than buses, shall be submitted to the local planning authority and agreed in writing. These details will include precise details of the construction, operation and future management/enforcement of the gate and must ensure that appropriate east/west connectivity for pedestrians and cyclists within the site is maintained.

All work shall be completed in accordance with the approved details before the first use of the road connecting the development site to Howe Road.

13. Street furniture and natural play features – prior to installation.

Prior to the installation of any street furniture or natural play items including but not limited to bins, benches and picnic tables, boulders and logs, full details of the street furniture shall be submitted to the local planning authority and agreed in writing. The details shall include an appropriate number of wheelchair accessible items to ensure the site can be enjoyed by all. All items shall be installed in accordance with the agreed details.

14. Allotments – prior to their commencement

Prior to the commencement of the allotments details of the final specification including layout out, fencing and gates including gated access to the parking and services will be submitted to the local planning authority and agreed in writing.

All works shall be completed in accordance with the approved details.

15. Play areas – Full details and specifications prior to installation of NEAP and LEAP

Notwithstanding the information on the submitted plans, prior to the installation of the NEAP, LEAP and outdoor Gym Equipment, the final

specifications for those areas and all equipment within them shall be submitted to the local planning authority and agreed in writing.

This information must include as a minimum:

- Fencing and gate specifications, including full details of the MUGA enclosure;
- Details of all surfacing within the playable space;
- Details of the surfacing under the outdoor gym equipment;
- Details of play and gym equipment.
- Details of any ancillary items associated with the playable spaces such as seating and signage.

16. Tree Root Guard details - prior to installation

Prior to the installation of the street trees the full details of the proposed root guards that tree shall be submitted to the local planning authority and agreed in writing. All work shall be carried out in full accordance with the approved details.

265. Planning Application DC/19/2347/FUL - Land East of Russet Drive Bilberry Close and Parsley Close, Manor Wood, Red Lodge (Report No: DEV/WS/22/029)

Planning Application - 141 no. dwellings and associated infrastructure including roads, parking, sustainable drainage, pumping station and public open space, as amended.

This application was originally referred to the Development Control Committee on 6 July 2022 as the proposals were for 'major' development and the Parish Council objected to the scheme.

Furthermore, part of the site (the woodland public open space) was situated outside of the limits of the Local Plan allocation and beyond the settlement boundaries of the village.

At the July meeting the Committee resolved to defer consideration of the application in order to seek clarification and/or information in relation to the following matters:

1. To carry out a visit to the site;
2. To enable discussions between the applicant and Highway Authority with regard to ensuring the main road and foot/cycleways were designed to adoptable standards to conclude and the outcome reported to the Committee via amended plans (if amended plans are necessary);
3. To clarify the approach to maintaining secondary emergency vehicle access to serve the existing development to the South of the application site (the planning permission for that development made provision for emergency vehicle access through the application site);
4. To seek clarity from the Highways Authority at Suffolk County Council about whether there was a need to provide for formal parking restrictions along the existing Thistle Way approach into the application site and/or the new spine road to be provided as part of the development to deter inappropriate on-street parking. The Committee also requested information about whether there was sufficient parking available for residents with dwellings located along Thistle Way; and
5. To agree a more appropriate boundary treatment strategy to the eastern site boundary.

Report No DEV/WS/22/029 set out a response in relation to the above matters and a Member site visit was held prior to the meeting.

Officers were continuing to recommend that the application be approved, subject to:

- i. A positive (subsequent) 'Appropriate Assessment' of the project to accord with the strict provisions of Regulation 63 of the Habitats Regulations;
- ii. Completion of a S106 Agreement; and
- iii. Conditions as set out in Paragraph 274 of the report, yet subject to a number of varied amendments as outlined during the Officer's presentation and inclusive of two additional conditions (details of the fencing to the east boundary and precluding vehicular access onto the public open spaces).

All of the above were to be resolved to the satisfaction of the Director (Planning and Growth) in consultation with the Chair and Vice Chairs of the Committee and Ward Members.

Speakers: Shazia Shujah (Clerk – Red Lodge Parish Council) spoke in support of the application
Kath Slater (agent) spoke in support of the application
(The Parish Council Clerk was not in attendance to personally address the Committee and, instead, the Democratic Services Officer read out a pre-prepared statement on her behalf.)

Councillor Andy Drummond questioned why the application was before Committee for determination in light of the Parish Council now having withdrawn their objection to the scheme. The Service Manager (Planning – Development) explained that as the application had been deferred by the Committee at their meeting in July in order to seek further information on specific matters, it was therefore only right and appropriate that the matter was brought back before Members.

Two Suffolk County Council Highways Authority Officers were in attendance and were invited by the Chair to address the meeting on highways matters and to respond to the related questions posed by Members; which largely referred to the Traffic Regulation Order process.

The Principal Planning Officer – Major Projects also responded to other questions raised by the Committee in relation to the management of the woodland area and any required tree removal.

Councillor Drummond then addressed the meeting in his capacity as Suffolk County Councillor for Red Lodge and spoke in support of the scheme and the progress made since the deferral of the application in July. He confirmed that he had been in liaison with the relevant Council department in respect of the necessary enforcement that would be required to support any future related Traffic Regulation Orders.

Councillor John Burns voiced extreme dissatisfaction with the Civil Parking Enforcement operated by West Suffolk Council in Haverhill, which Councillor Peter Stevens (as the relevant Cabinet Member) took exception to.

The Chair pointed out that matters relating to Civil Parking Enforcement in Haverhill were not material to the consideration of the application and asked Councillor Burns to moderate his comments which he did, whilst maintaining reservations in relation to Haverhill specifically.

Councillor Drummond then proposed that the application be approved as per the Officer recommendation inclusive of the amendments/additions referenced earlier in the meeting and subject to the caveats as outlined by the Officer. This was duly seconded by Councillor Peter Stevens.

Upon being put to the vote and with 11 voting for the motion and with 5 against, it was resolved that

Decision

Following (to the satisfaction of the Director (Planning and Growth) in consultation with the Chair and Vice Chairs of the Committee and Ward Members):

- i) A positive (subsequent) 'Appropriate Assessment' of the project to accord with the strict provisions of Regulation 63 of the Habitats Regulations; and
- ii) Completion of a Planning Obligation (or equivalent) under S106 of the Town and Country Planning Act to secure:
 - Affordable housing provision (30%)
 - Public Open Space provision and maintenance (unless forming separate planning conditions)
 - Contribution towards primary education (£676,764)
 - Contribution towards secondary (£573,367) and sixth form (£142,650) education
 - Developer funding to be used towards student travel to their place of secondary education (£138,575)
 - Developer contributions towards pre-school education (£266,604)
 - Developer contributions towards real time passenger information boards at bus stops serving the development (£30,000)
 - Developer contributions towards health care capacity in the vicinity of the site (£81,200)
 - Developer contributions towards off-site provision of play equipment (£220,155)
 - Libraries contribution (£30,456) to be used to serve the development
 - Developer contributions for the making and implementation of a RTO at the access of the development and into Thistle Way, as appropriate

The Director (Planning and Growth) be authorised to grant planning permission subject to conditions, including (with Development Plan policy references to be added to the reasons for the conditions):

1. The development hereby permitted shall be commenced no later than 3 years from the date of this permission.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
3. The development shall be carried out and constructed with the external building materials illustrated and annotated on drawing number 14798-006k.
4. The development hereby approved shall be constructed in accordance with (at least) the measures set out in the applicants document 'Energy Statement' (dated May 2022) prepared by AES Sustainability Consultants Ltd.
5. No individual dwelling hereby approved shall be occupied until the optional requirement for wholesome water consumption (110 litres use per person per day) in Part G2, Regulation 36 of the Building Regulations (2016) and has been complied with for that dwelling.
6. The areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins as shown on Drawing No. 14798-011 Rev K shall be provided in their entirety before the dwelling or dwellings to which it relates is first brought into use and shall thereafter be retained and used for no other purpose.
7. The approved scheme of soft landscaping works, as illustrated on drawing numbers [numbers to be inserted] shall be implemented not later than the first planting season following commencement of the development (or otherwise in accordance with a phased delivery plan to be agreed in advance 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.
8. Prior to the commencement of development a scheme and timetable for the implementation of the approved scheme of hard landscaping shall be submitted to the Local Planning Authority for approval in writing. Thereafter the approved scheme of hard landscaping for the development, as illustrated on drawing numbers [drawing numbers to be inserted] shall be carried out full in accordance with the approved details and the approved scheme/timetabling for implementation.
9. Prior to the commencement of development a details of proposed arrangements for the future management and maintenance of the main and incidental public open spaces (excluding privately owned dwelling curtilages and adopted highway infrastructure), areas of soft landscaping and areas of hard landscaping (including emptying of dog bins and footpaths, including those within the woodland public open space) shall be submitted to the Local planning Authority for approval in writing. Thereafter the development shall be managed and maintained fully in accordance with the approved details following first occupation of the development.
10. Prior to commencement of development a woodland work plan method statement shall be submitted to the Local Planning Authority for approval in writing. The 'work plan' shall include full details of routine maintenance and management regimes of the wooded area within the application site, including for its boundary treatments and shall include

details of barriers or other measures to be provided strategically around its edges to prevent or avoid uncontrolled vehicular access.

11. Prior to commencement of development a scheme for the protection during construction of the trees on and adjacent to the site, in accordance with BS 5837:2012 - 'Trees in relation to construction - Recommendations', shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures contained with the scheme shall be implemented prior to commencement of any development, site works or clearance in accordance with the approved details and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.
12. Prior to commencement of development a written Ecological Protection and Enhancement Strategy shall be submitted to the Local Planning Authority for approval in writing. The written strategy shall demonstrate either i) compliance with or implementation of all recommendations set out within the "Ecological Appraisal" (Aspect Ecology) dated February 2021 and drawing numbers [to be inserted] or, ii) alternative suitable measures. Thereafter, the approved strategy shall be fully implemented and/or adhered to in accordance with a timetable and/or trigger points agreed as part of the written strategy.
13. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i). the parking, and manoeuvring of vehicles of site personnel, operatives and visitors
 - ii). loading and unloading of plant and materials (including deliveries)
 - iii). a deliveries management plan (to include routing of delivery vehicles and measures for resolving complaints)
 - iv). storage of plant and materials used in constructing the development (including any site office/s)
 - v). provision and use of wheel washing facilities and additional measures to prevent mud and other debris from the site being deposited onto the highway via construction, delivery and other site related vehicles.
 - vi). measures to control the emission of dust and dirt during construction
 - vii). a scheme for recycling/disposing of waste resulting from construction works (including any excavated soil). There shall be no burning on site of waste materials.
 - viii). hours of operation for construction activities, including concrete pour, operation of generators, traffic movements for deliveries and waste disposal. The Local Planning Authority shall be provided with three days' notice prior to any extended concrete pour taking place

outside the agreed hours of construction, to allow for express agreement that the works can proceed.

ix). lighting scheme, if any, for the construction site and any compounds (including within and outside hours of operation and construction).

x) details of haul routes on and (if appropriate) off the highway network

xi). surface water management plan detailing how surface water and storm water will be managed on the site during construction.

xii). The erection and maintenance of any security hoarding including decorative displays and/or developer livery and facilities for public viewing where appropriate.

xiii) Identification of areas of the site to be fenced off to prevent ground disturbance/compaction or storage of materials in these areas.

xiv) Details of measures to mitigate/suppress noise disturbance from external plant and machinery (including, for example, construction vehicles, compressors and pneumatic percussive tools).

xv) Noise management responsibilities and measures

xvi) Monitoring and review procedures and mechanisms

xvii) Complaints response procedures

xviii) Community liaison procedures

xix) Either 1) details of measures to maintain secondary emergency vehicle access that is required to be provided and maintained from the Thistle Way adopted highway, through the application site to the existing housing development to the south during the construction phase/s of the development or 2) details of alternative/replacement measures for emergency vehicle access that shall be implemented before the existing access arrangements are temporarily stopped up (should the need for stopping up arise).

14. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details.
15. The new estate road junction with Thistle Way as shown on Drawing No. 14798-015 Rev G inclusive of cleared land within the visibility splays to this junction must be formed prior to any other works commencing or delivery of any materials to the site (with the exception of any materials delivered for the purpose of constructing the new estate road and its junctions).
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. Development shall only take place in accordance with the approved estate road phasing and completion plan.
17. No individual dwelling shall be occupied until the areas within the site shown on Drawing No. 14798-009 Rev K for the purposes of loading, unloading, manoeuvring and parking of vehicles have been provided for that individual dwelling and thereafter those areas shall be retained, maintained and used for no other purposes.
18. No individual dwelling shall be occupied until the areas within the site shown on Drawing No. 14798-009 Rev K for the purposes of cycle

- storage have been provided for that individual dwelling and thereafter the areas shall be retained, maintained and used for no other purposes.
19. The garage parking spaces for each dwelling shall be made available for use prior to the occupation of the dwelling to which they relate and shall thereafter be retained for vehicle parking purposes. Notwithstanding the provisions of Article 3, Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development shall be carried out in such a position as to preclude vehicular access to those car parking spaces.
 20. No development shall take place to construct any of the hereby approved dwellings until a Residential Travel Plan, including monitoring and amendment provisions and a timetable for its implementation, has been submitted to and approved in writing by the local planning authority. Thereafter such approved arrangements shall be implemented before the any of the dwellings are first occupied and shall thereafter be adhered to.
 21. No development approved by this planning permission shall commence until the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
 - i) A site investigation scheme,
 - ii) The results of a site investigation based on i) and a detailed risk assessment, including a revised Conceptual Site Model (CSM),
 - iii) Based on the risk assessment in ii), a remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions.
 22. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works as set out in the remediation strategy is submitted to and approved, in writing, by the Local Planning Authority.
 23. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
 24. Prior to the first occupation of any individual flat or dwelling within the development, the approved boundary treatment for that individual flat or dwelling (as illustrated on approved drawing number [number to be inserted]) shall have been fully provided.
 25. Prior to their first occupation, all individual dwellings with off street parking provision shall be provided with an operational electric vehicle charge point (or equivalent infrastructure to be adapted by the car user) at reasonably and practicably accessible locations, with an electric supply to the charge point capable of providing a 7kW charge.
 26. Notwithstanding the provisions of Part 2, Class A of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no gates,

fences, walls or other means of enclosure shall be erected around or within the public open spaces nor adjacent to the outer site boundaries (with the exception of any private garden/curtilage areas which abut or are adjacent to the outer site boundaries)

27. None of the hereby approved dwellings shall be occupied 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.
28. No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment [Ref:- R0004 Issue J by Blyth and Blyth and dated 27 October 2020] and Drainage Strategy [Drawing ref:- SK191002-1 Rev P8 & SK191002-2 Rev P9 by Blyth and Blyth and dated 3rd October 2020] has been submitted to and approved in writing by the local planning authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. Details to be submitted include:-
 - I. Further infiltration testing on site in accordance with BRE 365 to verify the permeability of the site (trial pits to be located where soakaways are proposed and repeated runs for each trial hole). The use of infiltration as the means of drainage will be taken forward only if the infiltration rates and groundwater levels show it to be possible. Borehole records should also be submitted in support of soakage testing.
 - II. Applicant shall submit dimensioned plans illustrating all aspects of the surface water drainage scheme including location and size of soakaways and the conveyance network. A statement on the amount of impermeable area served by each soakaway should also be illustrated on the plans and should be cross referenceable with associated soakaway calculations.
 - III. SCC require modelling results (or similar method) to demonstrate that the soakaways have been adequately sized to contain the 100yr+CC event for the catchment area they serve. Each soakaway should be designed using the nearest tested infiltration rate to which they are located. A suitable factor of safety should be applied to the infiltration rate during design.
 - IV. Infiltration devices will only dispose of clean water due to the site area overlying a Source Protection Zone. Demonstration of adequate treatment stages for water quality control shall be submitted.
 - V. Infiltration devices should be no more than 2m deep and will have at least 1.2m of unsaturated ground between base of the device and the groundwater table. If individual soakaways are being used they will be at least 5m away from any foundation (dependent on whether structured chalk is present).
 - VI. Soakaways will have a half drain time of less than 24hours.
 - VII. Any conveyance networks in the 1 in 30 event show no flooding above ground.

- VIII. Details of any exceedance volumes during the 1 in 100 year rainfall + CC and their routes should be submitted on the drainage plans. These flow paths will demonstrate that the risks to people and property are kept to a minimum. There shall be no offsite flows.
29. The dwellings hereby permitted shall not be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.
 30. The public open spaces (and other similar spaces) identified and approved as part of this planning permission (including as part of condition 31 below) shall thereafter be retained and maintained with public access and made available for public use in perpetuity.
 31. Prior to the commencement of development a plan identifying all areas of public open space (including areas of incidental open space but excluding any adopted highway verges and private garden/curtilages) shall be submitted to the Local Planning Authority for approval in writing. The public open space plan shall also be accompanied by a Delivery Plan detailing how and when each of the areas of public open space identified on the plan will be delivered and made available for public use. Thereafter the development shall be carried out in accordance with the approved Open space delivery plan.
 32. Prior to commencement of development (and notwithstanding the details submitted with the planning application) details of the display content of the woodland interpretation boards shall be submitted to the Local Planning Authority for approval in writing. Thereafter the interpretation boards with the agreed display content shall be installed at agreed locations within the application site at the same time or prior to the woodland public open space is made available for public use, in accordance with the details approved as part of condition 31 of this planning permission.
 33. Not less than 3 months prior to the occupation of the first dwelling, the contents of an 'SPA Recreational Impact Avoidance and Hedgehog Information Strategy' shall be submitted to and approved in writing by the Local Planning Authority. The Strategy document shall include:
 - i) samples of information leaflets and maps of all public dog walking and other public recreational routes within Red Lodge (with the exception of those that lead into the Breckland SPA or other sensitive areas) which are to be provided to the first residents of the dwellings, and
 - ii) details of the 'hedgehog corridor' provision (and other ecology enhancement measures) provided within the application site and examples of how the residents can maintain and enhance these measures (and make other ecology enhancements) within their plots, and
 - iii) A timetable for the implementation of the measures included at i) and ii) above.The RIAS shall thereafter be implemented in accordance with the approved details and timetable.
 34. Prior to the installation of any street lighting within the application site a 'Lighting for Ecology' Strategy shall be submitted to and approved in writing by the local planning authority. The strategy shall identify i) which parts of the site (and any areas abutting the site) are

ecologically sensitive to artificial lighting and ii) how the provision of external lighting at these locations will avoid disturbance to the ecological interests of these areas.

35. Prior to the construction of any utilities plant/infrastructure at the application site, details of any enclosure/s (including any gates) to be provided to secure the plant/infrastructure shall be submitted to the Local Planning Authority for approval in writing. Thereafter the development shall only be carried out in accordance with the approved details.

(On conclusion of this item the Chair permitted a short comfort break, during which Councillor Andy Drummond left the meeting at 12.30pm.)

266. **Planning Application DC/21/2418/FUL - HMP Highpoint (South), Haverhill Road, Stradishall (Report No: DEV/WS/22/030)**

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

Councillor Smith further advised, in the interests of transparency, that his wife was currently employed by a firm sub-contracted by HMP Highpoint. The Lawyer informed the meeting that advice had been sought from the Council's Monitoring Officer who confirmed that this was not an interest which needed to be declared.)

Planning Application - Construction of 3 x 4 storey houseblocks, new pharmacy, property store, healthcare, education/ vocational training, kitchen, commercial workshop and laundry buildings, 3 x MUGA1s and running track, extension to gatehouse and gym within the secure perimeter fence, together with additional car parking, a new off-site property store, landscaping and external lighting.

The application was referred to the Development Control Committee as the proposals are for 'major' development and Little Thurlow Parish Council had objected to the proposal.

A Member site visit was held prior to the meeting. At that site visit a question was asked with regard to bats. The Principal Planning Officer – Major Projects advised that the ecology survey that had been undertaken did not detect bats and the site was deemed as having "low to moderate bat suitability".

The Committee was further advised that since publication of the agenda a further representation had been received from Suffolk Constabulary which referred to Paragraphs 127 and 128 of Report No DEV/WS/22/030. The Constabulary's Business Liaison Manager asked that it be clarified to Members that whilst it was not appropriate for additional Police funding to be secured from this specific development proposal via the planning system, this did not in any way prejudice any other future proposal where funding could be sought.

Officers were recommending that the application be approved subject to conditions as set out in Paragraph 171 of the report and inclusive of a further

three additional conditions as requested by the Highways Authority (as referenced in Paragraph 24 of the report and subject to the wording being agreed to the satisfaction of the Director (Planning and Growth), in consultation with the Chair and Vice Chairs of the Committee and Ward Members).

Speakers: Owner of Broxted Estate (neighbouring objector) spoke against the application
Councillor Nick Clarke (Ward Member: Claire, Hundon & Kedington) spoke against the application
Charlotte Tucker (agent) spoke in support of the application
(The owner of Broxted Estate was not in attendance to personally address the Committee and, instead, the Democratic Services Officer read out a pre-prepared statement on their behalf.)

Councillor Peter Stevens addressed the meeting in his capacity as adjacent Ward Member (Withersfield) and raised concerns principally in relation to the impact of the security lighting and highways matters.

In respect of the lighting, the Principal Planning Officer – Major Projects drew attention to the conditions proposed in relation to this matter, which he suggested were appropriate to mitigate any concerns. He also suggested, in order to reduce any potential opportunity for glare, that an additional condition could be added to impose glass treatment to the two upper floors of the houseblocks.

A number of Members made reference to the request voiced by the Broxted Estate owner for the existing outer perimeter fence to the South to be significantly improved. The Officer drew attention to photographs of the fencing in question and explained that it would serve no planning purpose to request that this was improved/replaced as it simply marked a boundary; the general public were able to freely access the land either side.

Considerable further discussion took place specifically with regard to highways concerns relating to the A143, lack of complete footpath and pedestrian crossing, plus the desire for a speed restriction to be put in place.

A Suffolk County Council Highways Authority Officer was in attendance and was invited by the Chair to address the meeting on highways matters and to respond to the related questions posed by Members.

The Principal Planning Officer – Major Projects explained that the Highways Authority withdrew their initial objection to the scheme as the additional evidence submitted by the applicant demonstrated that the proposal would not exacerbate existing highways related issues in the area. It was therefore neither appropriate or reasonable for these issues to be mitigated by the application seeking determination.

The Service Manager (Planning – Development) explained that Ward Members should seek to progress their highways related concerns directly with Suffolk County Council outside of the planning process.

Councillor Andy Neal proposed that consideration of the application be deferred in order to allow additional time in which to seek clarification on highways related concerns. This was duly seconded by Councillor Peter Stevens.

However, upon being put to the vote and with 6 voting for the motion and 9 against, the Chair declared the motion lost.

Councillor David Roach then moved that the application be approved, as per the Officer recommendation and inclusive of the additional conditions in respect of highways and glazing, this was duly seconded by Councillor Sara Mildmay-White.

Upon being put to the vote and with 8 voting for the motion, 4 against and with 3 abstentions, it was resolved that

Decision

Planning permission be **GRANTED** subject to the following conditions, (the final wording of which to be agreed to the satisfaction of the Director (Planning and Growth) in consultation with the Chair and Vice Chairs of the Committee and Ward Members):

1. The development hereby permitted shall be commenced no later than 3 years from the date of this permission.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
3. No development above slab level shall take place until details of the external materials to be used on the three 'T-60' accommodation blocks have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
4. 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 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 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.
5. No removal of hedgerows, trees or shrubs, brambles, ivy and other climbing plants shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on

site. Any such written confirmation should be submitted to the local planning authority

6. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority (LPA). Thereafter the development shall be carried out and constructed fully in accordance with the approved details.

7. No development shall commence until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the LPA. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

8. 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.

9. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

i). the parking, and manoeuvring of vehicles of site personnel, operatives and visitors

ii). loading and unloading of plant and materials (including deliveries)

iii). a deliveries management plan (to include routing of delivery vehicles and measures for resolving complaints)

iv). storage of plant and materials used in constructing the development (including any site office/s)

v). provision and use of wheel washing facilities and additional measures to prevent mud and other debris from the site being deposited onto the highway via construction, delivery and other site related vehicles, including a strategy for remedy of this should it occur.

vi). measures to control the emission of dust and dirt during construction.

vii). a scheme for recycling/disposing of waste resulting from construction works (including any excavated soil). There shall be no burning on site of waste materials.

viii). hours of operation for construction activities, including concrete pour, operation of generators, traffic movements for deliveries and waste disposal. The Local Planning Authority shall be provided with three days' notice prior to any extended concrete pour taking place outside the agreed hours of construction, to allow for express agreement that the works can proceed.

ix). lighting scheme, if any, for the construction site and any compounds (including within and outside hours of operation and construction).

x) details of haul routes on and off the highway network

xi) Identification of areas of the site to be fenced off to prevent ground disturbance/compaction or storage of materials in these areas.

xii) Details of measures to mitigate/suppress noise disturbance from external plant and machinery (including, for example, construction vehicles, compressors and pneumatic percussive tools).

xiii) Noise management responsibilities and measures

xiv) Monitoring and review procedures and mechanisms

xv) Complaints response procedures

xvii) Community liaison procedures

10). 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

vi. The development shall achieve BREEAM Excellent or Outstanding standard. This shall be evidenced by a BREEAM certificate upon completion. The development shall achieve a Final BREEAM Excellent or Outstanding rating in accordance with the requirements of the relevant BREEAM scheme. A copy of the project's Final Certificate shall be submitted to the local planning authority within 6 months (maximum) following completion of the development.

11. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the following reports as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

- Ecological Appraisal and Biodiversity Audit (Bioscan, December 2021)

- HM Prison Highpoint – Addendum Information for BNG Assessment (Bioscan, 17 March 2022)

- HM Prison Highpoint – Addendum Reptile Information (Bioscan, 17 March 2022)

- HM Prison Highpoint – Response to Place Services (reptiles and botanical survey of mitigation land) (Bioscan, 27th May 2022)

- HM Prison Highpoint – Addendum PEA for Compound Access Road (Bioscan, 9th June 2022)

This shall 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.

12. No development shall take place until an ecological design strategy (EDS) addressing the mitigation, compensation and enhancement of the existing retained grassland and for birds, bats and reptiles, has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following.

a) Purpose and conservation objectives for the proposed works.

b) Review of site potential and constraints.

c) Detailed design(s) and/or working method(s) to achieve stated objectives.

d) Extent and location/area of proposed works on appropriate scale maps and plans.

e) Type and source of materials to be used where appropriate, e.g. native species of local provenance,

- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.”

13. Prior to the commencement of development, full details of the proposed lighting scheme for the approved development (including but not limited to lighting of the car park and new pedestrian link from the car park to the prison entrance) together with details of new CCTV cameras to be installed as part of the re-development shall be submitted to the Local Planning Authority for approval in writing. Thereafter the development shall be carried out fully in accordance with the approved details.

14. Prior to the installation of any new lighting at the site (including during construction) 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 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.

15. Prior to first occupation, details of the Part L compliance a BRUKL documentation shall be submitted to and approved in writing by the Local Planning Authority. Details shall include information on ventilation, lighting, heating and cooling and unregulated loads. Any areas in which the proposed energy strategy might conflict with other requirements set out in the Development Plan should be identified and proposals for resolving this conflict outlined.

16. 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.

17. 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.

18. No development approved by this planning permission shall commence until the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- i) A site investigation scheme,
- ii) The results of a site investigation based on i) and a detailed risk assessment, including a revised Conceptual Site Model (CSM),

iii) Based on the risk assessment in ii), a remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions.

19. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works as set out in the remediation strategy is submitted to and approved, in writing, by the Local Planning Authority.

20. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

21. Details of the location/s and specification of any new plant or machinery to be installed or provided within the application site shall be submitted to the local planning authority for approval in writing prior to being installed or otherwise provided at the site. These details shall include noise information including demonstration that the noise generated by the plant or machinery would be 5db or more below night-time background levels measured at the nearest sensitive receptors. Only the approved plant or machinery (including any noise mitigation or other noise reducing/sound proofing measures as may be required) shall be installed at the site in the locations approved by the local planning authority.

22. Precise improvements to Steeple Chase/Lancaster Way highways to be agreed in writing and thereafter implemented.

23. Photographic condition survey of the Steeple Chase/Lancaster Way highways (and any repairs carried out to the highway after development constructed)

24. Timing of the provision of the new car park.

25. Treatment of glazing to the upper two floors of the T blocks where those windows face towards external site boundaries

(On conclusion of this item and Part A of the meeting, the Chair permitted a short interval before commencing Part B of the meeting. During the interval Councillor Jason Crooks left the meeting at 2.27pm.)

267. **Applications DC/22/0609/HH & DC/22/0610/LB - Smallwood Farm House, Smallwood Green, Bradfield St George (Report No: DEV/WS/22/031)**

Householder planning application - Installation of solar panels to rear roof of central barn

Application for Listed Building Consent - Installation of solar panels to rear roof of central barn

The applications were referred to the Development Control Committee following consideration by the Delegation Panel, having been called-in to the Panel by Ward Member (Rougham) Councillor Sara Mildmay-White.

In addition, the Parish Council had voiced support for both applications which was contrary to the Officer's recommendations of refusal, for the reason set out in Paragraph 33 of Report No DEV/WS/22/031; subject to a minor amendment to reflect that the power generated by the solar panels would have modest public benefit.

The Committee's attention was drawn to Paragraph 30 of the report where it incorrectly stated that the solar panels would be situated on the Eastern facing roof slope, when the elevation in question was actually facing West.

Following the Officer's presentation the Lawyer advising the meeting addressed the Committee and confirmed that whilst it had been verbally stated in the presentation that Ward Member Councillor Sara Mildmay-White "supported the application", she had not in fact made a statement to this effect and had purely requested that the application be called-in to Delegation Panel.

Speakers: Councillor Sara Mildmay-White (Ward Member: Rougham) spoke on the application
Philip Doe (applicant) spoke in support of the application

A number of Members voiced support for the applications, in response the Service Manager (Planning – Development) explained that as the proposal was contrary to the NPPF and policy, together with the duty Planning Authorities had in respect of listed buildings, any contrary recommendation would invoke the Decision Making Protocol and a Risk Assessment would be produced for further consideration by the Committee.

Councillor Peter Stevens therefore proposed that the applications be approved, contrary to the Officer recommendation, as the benefits of the proposal would outweigh the harm; furthermore, he considered that the alternative proposal (supported and suggested by the Planning Authority) of relocating the solar panels to the grounds of the property would cause more harm than being situated on the roof. This was duly seconded by Councillor Andy Neal.

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

Decision

Members be **MINDED TO APPROVE THE APPLICATIONS, CONTRARY TO THE OFFICER RECOMMENDATION**, as the benefits of the proposal would outweigh the harm; furthermore, the alternative proposal (supported and suggested by the Planning Authority) of relocating the solar panels to the grounds of the property would cause more harm than being situated on the roof.

268. **Planning Application DC/22/0746/FUL - Land adjacent Roseway, Bury Road, Stanton (Report No: DEV/WS/22/032)**

Planning application - one dwelling above garages with integral staircase

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

It was referred to the Delegation Panel as Stanton Parish Council did not object to the proposal which was contrary to the Officers' recommendation of refusal for the reasons set out in Paragraph 42 of Report No DEV/WS/22/032.

As part of the Officer's presentation attention was drawn to the extant permission which applied to the site.

Speaker: Councillor Jim Thorndyke (Ward Member: Stanton) spoke on the application

A number of the Committee referenced other similar nearby developments, in response the Service Manager (Planning – Development) reminded Members of the need to determine each application on its own merits.

Councillor Ian Houlder voiced reservations with the design of the proposal and proposed that the application be refused as per the Officer recommendation. This was duly seconded by Councillor Susan Glossop.

Upon being put to the vote and with 12 voting for the motion and with 2 against, it was resolved that

Decision

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

1. Policy DM5 (Development in the countryside) sets out forms of development that will be permitted in the countryside (affordable, rural workers dwellings, replacement dwellings and infill where there is a cluster of 10 or more existing dwellings).
Policy DM27 permits dwellings in the rural area subject to certain criteria, amongst which are a requirement for dwellings to be proposed adjacent to or fronting an existing highway. In this regard, therefore, conflict with DM27 is identified. The dwelling is proposed above a garage, in a location where a single storey garage structure was previously proposed. However, the position of the proposed dwelling is set back behind those dwellings at the front, away from the road frontage in a way that does not comply with the requirement for it to be within a 'frontage' and 'adjacent to or fronting a road'.
In this case the dwelling is proposed back from the road, behind the extant dwellings on the frontage and it does not therefore comply with the provisions of DM27. As a consequence of this, conflict is also identified with the requirements of Policies DM5 and CS1.
2. The NPPF states development should be "visually attractive as a result of good architecture, layout and appropriate and effective landscaping", should be "sympathetic to local character history, including the surrounding built environment and landscape setting" and maintain a strong sense of place... building types and materials to create attractive, welcoming and distinctive places to live". It further states "Development that is not well designed should be refused.

Local policies in DM2 and DM22 further support these principles, as does DM27. It is considered that the proposal with its lack of fenestration, high eaves line and blank rear elevation, along with its scale, would have a hostile and intrusive impact within this location to the rear of the consented properties, and as a result is considered to be discordant and out of context. On the basis of its design therefore it should not be supported. The proposal also fails the requirements of DM27 in that it must be 'commensurate with the scale and character of existing dwellings', proposing as it does an otherwise unusual built form, of an overtly suburban character, materially at odds with the prevailing character. The proposal would be visible within the streetscene, assisted by the clearance of the site and the removal of the trees and landscaped boundary along the north boundary with the neighbouring property, Oaklands. Taken together these factors lead to a conclusion that the proposal is not considered to be 'well designed'. As a consequence the proposal is considered harmful to the character and appearance of the area, and contrary to the provisions of policies DM2, DM22 and DM27.

(On conclusion of this item Councillor Ian Houlder left the meeting at 3.27pm.)

269. **Planning Application DC/22/0686/FUL - Land at Chardale, Dale Road, Stanton (Report No: DEV/WS/22/033)**

Planning application - one dwelling and cart lodge

This application was referred to the Development Control Committee as it was a departure from the Development Plan.

As part of the Officer's presentation attention was drawn to the extant permission which applied to the site.

Officers were recommending that the application be approved subject to conditions as set out in Paragraph 35 of Report No DEV/WS/22/033.

Councillor John Burns proposed that the application be approved as per the Officer recommendation. This was duly seconded by Councillor Jim Thorndyke.

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

Decision

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

- 1 The development hereby permitted shall be begun not later than 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 No development above slab level shall take place until details of the

- exterior materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 4 Before the access is first used visibility splays shall be provided as shown on Drawing No. 2292/LO(-)01B with an X dimension of 2.4 metres and a Y dimension of 42 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.
 - 5 The areas to be provided for the storage and presentation of refuse and recycling bins as shown on Drawing No. 2292/LO(-)01B shall be provided in their entirety before the development is brought into use and shall be retained thereafter for no other purpose.
 - 6 The use shall not commence until the area(s) within the site shown on Drawing No. 2292/LO(-)01B for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.
 - 7 Before the development is commenced details of electric vehicle charging infrastructure 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.
 - 8 Before the development is commenced details of the areas to be provided for the secure, covered and lit cycle storage 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.
 - 9 Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway including any system to dispose of the water. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.
 - 10 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 / Public Holidays without the prior written consent of the Local Planning Authority.
 - 11 The dwelling(s) hereby approved shall not be occupied until the optional requirement for water consumption (110 litres use per person per day) in part G of the Building Regulations has been complied with and evidence of compliance has been obtained.
 - 12 Prior to commencement of development a scheme for the protection

during construction of the TPO/156(1991) Walnut tree on site, in accordance with BS5837:2012 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures contained with the scheme shall be implemented prior to commencement of any development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.

- 13 Unless otherwise agreed in writing with the Local Planning Authority, except for that part which must be removed to permit the construction of the vehicular access in accordance with the conditions of this permission, the existing roadside hedge shall be retained at a height no lower than that which shall first have been agreed in writing with the Local Planning Authority. Where necessary, within 12 months of the access being brought into use, hedging of species to match that on the frontage of the site shall be planted at the rear of the visibility splays. Any of the existing new hedge removed without such consent, dying, being severely damaged or becoming seriously diseased within five years of the access being first brought into use shall be replaced during the first available planting season with planting of a size and species which shall have previously been agreed in writing by the Local Planning Authority.
- 14 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.
- 15 The building envelope, glazing and ventilation of the dwelling shall be constructed so as to provide appropriate sound attenuation against noise. The acoustic insulation of the dwelling units within the proposed development shall be such to ensure noise does not exceed an LAeq (16hrs) of 35dB (A) within bedrooms and living rooms between 07:00 and 23:00hrs and an LAeq (8hrs) of 30dB(A) within bedrooms and living rooms between 23:00 and 07:00hrs. The noise levels specified in this condition shall be achieved with the windows closed and other means of ventilation provided.

The meeting concluded at 3.32 pm

Signed by:

Chair
