

Development Control Committee

Minutes of a meeting of the **Development Control Committee** held on **Wednesday 4 October 2023** 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 Jon London and Phil Wittam

Carol Bull

Sara Mildmay-White

Mike Chester

Lora-Jane Miller-Jones

Roger Dicker

Andy Neal

Susan Glossop

David Smith

Diane Hind

Jim Thorndyke

Rachel Hood

Don Waldron

Ian Houlder

379. **Apologies for absence**

Apologies for absence were received from Councillor Mick Bradshaw.

380. **Substitutes**

The following substitution was declared:

Councillor Don Waldron substituting for Councillor Mick Bradshaw.

381. **Minutes**

The minutes of the meeting held on 6 September 2023 were confirmed as a correct record and signed by the Chair.

382. **Declarations of interest**

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

383. **Planning Application DC/23/0895/FUL - Little Moseleys, The Green, Fornham All Saints (Report No: DEV/WS/23/029)**

Planning application - four dwellings with associated car parking and access

The application was referred to the Development Control Committee because it represented a departure from the Development Plan given the site was outside of the settlement boundary.

Furthermore, the Parish Council had objected to the scheme which was in conflict with the Officer recommendation of approval, subject to conditions as set out in Paragraph 79 of Report No DEV/WS/23/029.

The Principal Planning Officer informed the Committee that outline planning permission was granted on the application site in July 2017 for four dwellings, following the demolition of an agricultural workshop, with all matters reserved and subject to a number of conditions. Reserved matters were granted in January 2021.

Since the grant of outline permission, the site had been cleared and the agricultural workshop demolished. Whilst the application had been submitted on the basis that the previous permission had expired, there was a reasonable likelihood that the earlier permission was extant.

Speaker: Chris Wilkie (agent) spoke in support of the application

Councillor Susan Glossop remarked on the parking that often took place along the highway by the entrance to the application site.

Councillor Jon London commended the applicant for seeking permission in this way irrespective of the previous permission in place for the site. He 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 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. Notwithstanding the material details shown on the approved plans, no development above slab level shall take place until details of the proposed roof tiles and feature cladding 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. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with the approved Written Scheme of Investigation. Prior to any investigation taking place a competent person or persons/organisation shall be nominated 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. 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. Prior to first occupation the area within the site shown on drawing number 16 1508 02 Rev C for the purposes of providing safe pedestrian access through the site has been provided in accordance with the details submitted and shall be retained and used for no other purposes.
 7. Prior to first use of the development hereby permitted, the area(s) within the site shown on drawing No 20 1508 010 REV D 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.
 8. The areas to be provided for storage of Refuse/Recycling bins as shown on the Drawing No. 20 1508 010 REV D shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.
 9. Prior to any works above slab level details of a bin presentation area outside of the gate into the site shall be submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of any of the dwellings hereby approved the access and turning area for refuse collection vehicles shall be constructed to accommodate a 32 tonne refuse vehicle and the bin presentation area shall be installed in accordance with the details approved and retained as such thereafter.
 10. Before occupation details of biodiversity enhancement measures to include where bird boxes, bat bricks or boxes and hedgehog gap 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. 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.
 11. 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. All planting comprised in the approved details of landscaping shall be carried out in the first planting season following the commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.
 12. 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.

13. Before the dwelling at plot 3 hereby permitted is first occupied, the first-floor window within the gable end projection shall be fitted with obscure glass to Pilkington glass level 4 privacy or an equivalent standard and shall be non-openable up to 1.7m above floor level and shall be retained in such form in perpetuity.
14. Any site preparation, construction works and ancillary activities, including access road works and deliveries to / collections from the site in connection with the development shall only be carried out between the hours of:
08:00 to 18:00 Mondays to Fridays
08:00 to 13.00 Saturdays
And at no times during Sundays or Bank / Public Holidays without the prior written consent of the Local Planning Authority.
15. The building envelope, glazing and ventilation of the residential dwellings hereby permitted shall be constructed so as to provide appropriate sound attenuation against external noise. The acoustic insulation of the dwellings unit 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 as appropriate ranging from background to rapid / purge ventilation to prevent overheating in accordance with the Acoustics & Noise Consultants (ANC) and Institute of Acoustics (IoA) 'Acoustics Ventilation and Overheating Residential Design Guide', January 2020.
16. Any external artificial lighting at the development hereby approved shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals Guidance Note 9/19 'Domestic exterior lighting: getting it right!'. Lighting should be minimised and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Note.

384. Planning Application DC/23/0719/FUL - Chels, 51A Bury Road, Newmarket (Report No: DEV/WS/23/030)

(Councillor Rachel Hood declared a disclosable pecuniary interest in this item and advised that as she had made a personal representation in respect of the application she had sought the Monitoring Officer's advice and would be withdrawing from the meeting during the Committee's consideration of the application.)

Planning application - change of use of existing residential swimming pool to be used by swim school (sui generis)

This application was originally referred to the Development Control Committee on 6 September 2023 following consideration by the Delegation Panel on 1 August 2023.

At that meeting Members resolved to defer the consideration of the application in order to allow a site visit to take place, which was subsequently scheduled for 2 October 2023.

Newmarket Town Council objected based on their suggested conditions not being applied to the application.

Officers were recommending that the application be approved, subject to conditions as set out in Paragraph 46 of Report No DEV/WS/23/030, inclusive of an amendment to the wording of condition No. 5 to reflect that the application was retrospective.

The Planning Officer informed the Committee that a late representation had been received from the Jockey Club who stated that they did not object to the scheme subject to three additional conditions being applied:

- i. Wednesday is the only day of the week when lessons are allowed to take place before 1pm (in this case between 9.30am and 11am);
- ii. Classes on Wednesday mornings are restricted to three swimmers, as per the applicant's supporting statement which also says that "most attendees are siblings that come in one car";
- iii. All vehicles park within the site and not on the private access road or Bury Road.

However, Members were advised that it would not be possible to include iii. as parking on the private access road and/or Bury Road could not be conditioned as part of the application.

Speakers: Tim Merrell (on behalf of Patricia Merrell, neighbouring objector) spoke against the application
Nicola Dale (neighbouring objector) spoke against the application
Calum Gawthrope (founder/owner of CG Swim School and user of the pool) spoke in support of the application
Councillor Sue Perry (Ward Member: Newmarket East) spoke against the application
Stephen Redhead (applicant) spoke in support of the application
(Councillor Perry was not present at the meeting in order to address the Committee, instead the Democratic Services Officer read out a pre-prepared statement on her behalf)

(On conclusion of the public speaking Councillor Hood left the meeting, following her earlier declaration of interest.)

Considerable discussion took place on the application and the private access road. Councillor Jon London asked if it would be possible to restrict pedestrian access to the swimming pool in order to prevent users parking on the private road.

The Service Manager (Planning – Development) explained that use of the private road was a civil matter and was not a Material Planning Consideration. Furthermore, it would not be possible to restrict pedestrian access to the swimming pool as it would preclude those opting to walk there as their mode of transport.

Councillor Lora-Jane Miller-Jones queried the wording in Condition 4 in respect of the restrictions over the number of people permitted on the site at any one time. She asked if it could be clarified that the restrictions only applied to those taking part in the lessons and not accompanying parents/carers. The Service Manager (Planning – Development) suggested that an informative could be attended to a permission to provide clarification.

Councillor Andy Neal posed questions in respect of the rules and regulations required to operate a facility that accommodated swimmers with special educational needs and disabilities. The Service Manager (Planning – Development) explained that this was not a Material Planning Consideration and did not form part of the application before the Committee.

A number of comments were made over the parking provision, which some Members considered to be inadequate despite Suffolk County Council Highways being satisfied with the proposal.

Councillor Don Waldron proposed that the application be refused, contrary to the Officer recommendation, due to the impact the parking arrangements would have on neighbours' amenity. This was duly seconded by Councillor Andy Neal.

The Service Manager (Planning – Development) explained that the Decision Making Protocol would not need to be invoked and the motion for refusal would not be 'minded to' and not subject to the production of a Risk Assessment.

Accordingly, upon being put to the vote and with 6 voting for the motion, 6 against and with 3 abstentions, it was resolved on the Chair's casting vote that

Decision

Planning permission be **REFUSED, CONTRARY TO THE OFFICER RECOMMENDATION**, for the following reason:

Policy DM2 requires all development to not adversely affect the amenities of adjacent areas. This supports the requirements of the NPPF that seek to ensure a high standard of amenity for existing and future users as well as the provisions of Policy NKT5 which seeks to prevent businesses at home where they do not respect the nature of the part of the neighbourhood area in which they are located, or which would result in an unacceptable level of visits and activities which would detract from the amenity of the immediate locality.

The pool building and the site in general is closely related to a number of off site residential dwellings, accessed from a private drive and the use of the site as a commercial swimming school is considered to have an adverse impact upon the amenities of nearby residential dwellings by reason of the disturbance associated with comings and goings of vehicles and customers. The harm associated with such impact is significant and it is not considered that the use of conditions would adequately mitigate for the impacts arising from the proposed use of the site which is located in such close proximity to off site dwellings.

The proposal therefore fails to comply with the requirements of Policy DM2, nor with the provisions of Para. 130 of the NPPF or the requirements of Policy NKT5 of the Newmarket Neighbourhood Plan.

(On conclusion of this item the Chair permitted a short comfort break, during which Councillor Rachel Hood rejoined the meeting.)

**385. Planning Application DC/23/0229/FUL - 9 Tasman Road, Haverhill
(Report No: DEV/WS/23/031)**

Planning application - change of use from residential (C3) to residential children's home (C2)

This application was originally referred to the Development Control Committee on 6 September 2023 following consideration by the Delegation Panel.

At the September meeting the Committee resolved that it was 'minded to refuse' the application based on the adverse impacts upon amenity arising from the modest extent of outdoor amenity space at the property, and on the basis of the impacts upon highway safety.

Accordingly, the Decision Making Protocol was invoked, requiring a risk assessment to be produced which set out the potential risks that might arise should planning permission be approved contrary to Officer recommendation.

A Member site visit was held prior to the September meeting.

Attention was drawn to the supplementary 'late paper' that was issued after publication of the agenda and which set out clarification in respect of the red line of the application site.

The Planning Officer also advised Members that one further neighbour objection had been received since the late papers were issued; which largely reiterated the points/comments raised in previous representations.

A letter had also been received from the owners of the property; who explained the current number of vehicles accommodated at the premises and highlighted the fact that a number of children had grown up in the household.

Lastly, it was highlighted to the meeting that the premises could operate as a House in Multiple Occupation (HMO) for up to six residents without planning permission being required.

Officers were continuing to recommend that planning permission be granted, subject to the conditions set out in Paragraph 37 of Report No DEV/WS/23/031.

Speaker: John Edwards (neighbouring resident objector, speaking on behalf of himself and other fellow residents in Tasman Road) spoke against the application
Jo Capuano (applicant) spoke in support of the application

(Ms Capuano was not present at the meeting in order to address the Committee, instead the Democratic Services Officer read out a pre-prepared statement on her behalf)

Some questions were posed on the operation of the proposed children's home and if the occupants would be from the local area. The Service Manager (Planning – Development) explained that this was not a Material Planning Consideration and did not form part of the application before the Committee.

Councillor David Smith referenced the importance and the benefits of inter-generational contact.

Councillor Rachel Hood drew attention to the number of resident concerns and the views of the Town Council and Ward Member; in light of which she stated that she would abstain from the vote on this item.

Councillor Sara Mildmay-White proposed that the application be approved, as per the Officer recommendation. This was duly seconded by Councillor Carol Bull.

Upon being put to the vote and with 11 voting for the motion, 2 against and with 3 abstentions it was resolved that

Decision

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

1. Time limit

The development hereby permitted shall be commenced no later than 3 years from the date of this permission.

2. Compliance with 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. Parking and manoeuvring

The use shall not commence until the area(s) within the site shown on Drawing No. Drawing No. PA103 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.

4. Cycle storage

Prior to the first use of the dwelling as a children's home, 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.

5. EV charging

Prior to the first use of the dwelling as a children's home, 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.

6. Refuse/recycling bins

Prior to the first use of the dwelling as a children's home, details of the areas to be provided for the presentation of refuse and recycling bins 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 for no other purpose.

7. Number of children

At no time shall more than four children be in residence at the premises.

8. Staff members

At no time shall more than three members of staff be present at the site.

386. Planning Application DC/22/1774/FUL - Land South and West of 9 to 12, Bridewell Lane, Bury St Edmunds (Report No: DEV/WS/23/032)

The Chair informed the meeting that this item had been withdrawn from the agenda.

387. Planning Application DC/23/0664/RM - Hereward House, 2A Hereward Avenue, Mildenhall (Report No: DEV/WS/23/033)

Reserved matters application - a. submission of details under DC/21/1950/OUT appearance, landscaping, layout and scale for plot 3 b. including details reserved by conditions 8 (cycle storage), 13 (biodiversity enhancement), 14 (hard and soft landscaping) and 15 (landscape management plan) of DC/21/1950/OUT

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

Mildenhall Town Council had voiced support for the application which was in conflict with the Officer's recommendation for refusal, for the reasons set out in Paragraph 56 of Report No DEV/WS/23/033.

Members were advised that outline planning permission (all matters reserved) was granted on 7 September 2022 for residential development, comprising two detached dwellings on two separate plots. The application before the Committee considered development on one of those plots.

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

Speakers: Councillor Ian Shipp (Ward Member: Mildenhall Kingsway and Market) spoke in support of the application
Craig Farrow (agent) spoke in support of the application
(Councillor Shipp was not present at the meeting in order to address the Committee, instead the Democratic Services Officer read out a pre-prepared statement on his behalf)

Councillor Lora-Jane Miller-Jones highlighted specific concerns with the insufficient information that had been submitted with the application in relation to the ecological context of the site, particularly noting the absence of surveys relating to bats and the potential impact of the proposed development on neighbouring trees.

Councillor Carol Bull asked if these elements could be conditioned, however, the Service Manager (Planning – Development) explained that the outstanding matters related to the suitability of the scheme and Officers therefore considered it necessary to have this information prior to determination.

The Planning Officer confirmed that extended discussions and negotiations had taken place with the agent in order to seek the information requested. However, Officers were advised that the applicant wished for the scheme to be assessed and determined. Hence, it came before the Committee with the Officer recommendation of refusal.

Councillor Diane Hind proposed that the application be refused, as per the Officer recommendation. This was duly second by Councillor Miller-Jones.

Councillor Andy Neal spoke in support of the application and proposed that the application be approved, contrary to the Officer recommendation, subject to receipt of the outstanding surveys and information.

The Chair advised Councillor Neal that there was already a motion on the table which would need to be voted on (unless withdrawn) prior to any alternative motion being taken.

Councillors Phil Wittam and Rachel Hood asked if the application could be deferred in order to allow a site visit to take place and to enable the applicant to have additional time in which to submit the required information.

The Chair again reminded the meeting that there was already a motion on the table which had been seconded.

Upon putting the motion to the vote and with 10 voting for the motion, 5 against and with 1 abstention it was resolved that

Decision

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

1. Policy CS5 of the Core Strategy seeks to ensure that development reinforces local distinctiveness and has regard to local character, whilst Policies DM2 and DM22 require development to recognise and address the key features, characteristics, landscape character, local distinctiveness and special qualities of the area, including that the residential amenity of nearby properties is not adversely affected. The application proposes a 1.5 storey dwelling, measuring 7.0 metres in total height, extended along the western boundary shared with 2 North Place which contains an in-built garage area. The western flank therefore appears overbearing and extends approximately 15 metres,

within 2.7 metres of the western boundary. The dwelling also sits further north into the plot. Previously, the indicative layout illustrated a western (side) elevation that extended 7 metres, situated 4.4 metres from the boundary at a considerably lower overall height.

The building, together with its increased scale, length and orientation to 2 North Place to the west will result in material harm to the residential amenity of the aforementioned dwelling thus proving to be contrary to Policy CS5 of the Core Strategy and Policy DM2 and DM22 of the Joint Development Management Policies Document.

2. Policy DM11 seeks to prevent development that would have an adverse effect on protected species. Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 states that:

“Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.”

The Duty applies to all public authorities in England and Wales, including all local authorities. Conserving biodiversity includes restoring and enhancing species and populations and habitats, as well as protecting them.

The National Planning Policy Framework (NPPF, 2023) states that “the planning system should contribute to and enhance the natural and local environment by... protecting and enhancing ...sites of biodiversity or geological value...” and “minimising impacts on and providing net gains for biodiversity ...” (paragraph 174).

Insufficient information has been submitted in relation to the ecological context of the site, particularly noting the absence of surveys relating to bats. Officers are therefore not content that there will be no adverse ecological impacts to bat habitats as a result of the proposed development and it is therefore not in accordance with policies DM11 and DM12, as well as the NERC Act and relevant paragraphs within the NPPF.

3. Policy DM13 states development will be permitted where it will not have an unacceptable adverse impact on the character of the landscape, landscape features, wildlife, or amenity value.

The application contains insufficient information in assessing the potential impact of the proposed development on neighbouring trees bordering the site, by virtue of the increased size of the proposed development relative to the indicative details considered at the outline stage and the lack of updated information submitted in relation to arboricultural impacts.

The proposal as such would be contrary to the provisions of Policy DM2, Policy DM13 of the Joint Development Management Policies Document (2015), Policy CS5 of the Forest Heath Core Strategy (2010) and the National Planning Policy Framework which seeks to preserve important landscape characteristics which make a significant contribution to the character and appearance of the area.

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

388. **Planning Application DC/22/2228/FUL - Land off Friday Street, West Row (Report No: DEV/WS/23/034)**

(Councillor Mike Chester declared, in the interests of openness and transparency, that he had been briefly acquainted with the applicant for this item, some years ago during his former career. However, this would have no bearing on his consideration of the application.)

Planning application - 10 dwellings with associated access and garages (following demolition of existing dwellings) as amended by plans received 28 April 2023

The application was referred to the Development Control Committee as it represented a departure from the Development Plan, as part of the site was situated within designated countryside.

West Row Parish Council had not objected to the proposal. Officers were recommending that it be approved, subject to conditions as set out in Paragraph 90 of Report No DEV/WS/23/034.

Councillor Don Waldron opened the debate as one of the Ward Members (The Rows) for the application. He advised the meeting that the access for the proposal was on a bend and that there were often instances of flooding in that area of the village.

In response to queries from Members in respect of the lack of affordable housing in the scheme, the Service Manager (Planning – Development) explained that whilst the application was for 10 dwellings, because there was already 3 properties on the site, which were to be demolished, the scheme only added a net total of 7 properties; therefore meaning this did not trigger the requirement for affordable housing to be provided.

Councillor Sara Mildmay-White voiced disappointment that three bungalows were to be demolished and none of the new properties proposed to be built were single-storey.

Councillor Diane Hind asked specific questions in relation to boundary treatment and the Planning Officer suggested that an additional condition was added to request these details.

Councillor Mike Chester proposed that the application be approved, as per the Officer recommendation and inclusive of the additional condition regarding boundary treatment. This was duly seconded by Councillor Sara Mildmay-White.

Upon being put to the vote and with 13 voting for the motion, 2 against and with 1 abstention it was resolved that

Decision

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

- 1 The development hereby permitted shall be begun not later than 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 shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:
 - a. The programme and methodology of site investigation and recording
 - b. The programme for post investigation assessment
 - c. Provision to be made for analysis of the site investigation and recording
 - d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - e. Provision to be made for archive deposition of the analysis and records of the site investigation
 - f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
 - g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.
 - 4 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.
 - 5 No development above ground level shall take place until details of a hard landscaping scheme for the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels and contours showing earthworks and mounding; surfacing materials; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulations areas; hard surfacing materials; minor artefacts and structures (for example furniture, play equipment, refuse and/or other storage units, signs, lighting and similar features); proposed and existing functional services above and below ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features); retained historic landscape features and proposals for restoration where relevant. The scheme shall be implemented prior to the occupation of any part of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority).
 - 6 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.
- 7 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.
 - 8 During construction of the development hereby permitted, any trees within or near to the site shall be protected in accordance with the requirements of BS 5837 (2012) 'Trees in Relation to Design, Demolition and Construction'. The protection measures shall be implemented prior to any below ground works and shall be retained for the entire period of the duration of any work at the site, in connection with the development hereby permitted.
 - 9 The building envelope, glazing and ventilation of the dwellings hereby permitted shall be constructed so as to provide appropriate sound attenuation against noise. The acoustic insulation of the dwellings 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 as necessary ranging from background to rapid / purge ventilation to prevent overheating in accordance with the Acoustics & Noise Consultants (ANC) and Institute of Acoustics (IoA) 'Acoustics Ventilation and Overheating Residential Design Guide', (AVO Guide), January 2020.
 - 10 Prior to commencement of the development hereby approved, including any site preparation or demolition, a Construction Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i) The parking of vehicles of site operatives and visitors
 - ii) Loading and unloading of plant and materials
 - iii) Site set-up including arrangements for the storage of plant and materials used in constructing the development and the provision of temporary offices, plant and machinery
 - iv) The erection and maintenance of security hoarding including external safety and information signage, interpretation boards, decorative displays and facilities for public viewing, where appropriate
 - v) Wheel washing facilities
 - vi) Measures to control the emission of dust and dirt during the demolition and construction phases

- vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
 - viii) Hours of demolition and construction operations including times for deliveries and the removal of excavated materials and waste
 - ix) Noise method statements and noise levels for each demolition and construction activity including piling and excavation operations
 - x) Access and protection measures around the development site for pedestrians, cyclists and other road users including arrangements for diversions during the demolition and construction periods and for the provision of associated directional signage relating thereto.
- 11 Any site preparation, demolition, construction works and ancillary activities, including access road works and deliveries to / collections from the site in connection with the development shall only be carried out between the hours of:
08:00 to 18:00 Mondays to Fridays
08:00 to 13.00 Saturdays
And at no times during Sundays or Bank / Public Holidays without the prior written consent of the Local Planning Authority.
- 12 Any external artificial lighting at the development hereby approved shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals (ILP) Guidance Note 9/19 'Domestic exterior lighting: getting it right!'. Lighting should be minimised, and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Note.
- 13 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.
- 14 Before the access is first used, vehicular visibility splays shall be provided as shown on Drawing No. 01/01 Rev. April 2023 with an X dimension of 2.4 metres and a Y dimension of 48 metres 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.
- 15 No other part of the development hereby permitted shall be commenced until the new vehicular access has been laid out and completed in all respects in accordance with Drawing No. 01/01 Rev. April 2023; with an entrance width of 5.5 metres for a junction-type access. Thereafter, it shall be retained in its approved form. Prior to the new access being brought into use, all other means of vehicular access into the site from Friday Street shall be effectively stopped up and closed in complete accordance with a scheme which shall have been submitted to and approved in writing by the local planning authority.
- 16 The use shall not commence until the infrastructure within the site shown on Drawing No. 01/01 Rev. April 2023 for the purposes of preventing surface water falling onto the highway and it being

- discharged appropriately within the site has been provided and thereafter the infrastructure shall be retained, maintained, and used for no other purposes.
- 17 Before the development is commenced, details of a new footway within the site off Friday Street as indicatively shown on Drawing No. 01/01 Rev. April 2023 shall be submitted to and approved in writing by the Local Planning Authority. The footway shall be laid out and constructed to base course before the development is first occupied and fully completed prior to the occupation of the fifth dwelling hereby approved in accordance with the approved scheme. The footway shall be retained thereafter in its approved form.
- 18 The use shall not commence until the area(s) within the site shown on Drawing No's. 01/01 Rev. April 2023 and 01/06 Rev. April 2023 for the purposes of manoeuvring and parking of vehicles including electric vehicle charging infrastructure has been provided and thereafter that area(s) shall be retained and used for no other purposes.
- 19 The use shall not commence until the area(s) within the site shown on Drawing No. 01/01 Rev. April 2023 for the purposes of secure cycle storage has been provided and thereafter the area(s) shall be retained, maintained, and used for no other purposes.
- 20 The areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins as shown on Drawing No. 01/01 Rev. April 2023 shall be provided in their entirety before the development is brought into use and shall be retained thereafter for no other purpose.
- 21 Before the development hereby permitted is commenced, a Construction 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) Parking and turning for vehicles of site personnel, operatives and visitors;
b) Loading and unloading of plant and materials;
c) Piling techniques (if applicable);
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;
m) Monitoring and review mechanisms and;
n) Details of deliveries times to the site during construction phase.
Reason: To ensure the satisfactory development of the site and to protect
- 22 No part of the development shall be commenced until a photographic condition survey of the highway fronting and near to the site has been

- submitted to and approved in writing by the Local Planning Authority.
- 23 The strategy for the disposal of surface water (dated 30th May 2023, ref: 3036 FRA & DS REV A) and the Flood Risk Assessment (FRA) (dated 30th May 2023, ref:3036 FRA & DS REV A) 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.
- 24 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.
- 25 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.
- 26 Prior to commencement of development 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:
- a. A site investigation scheme,
 - b. The results of a site investigation based on i) and a detailed risk assessment, including a revised Conceptual Site Model (CSM),
 - c. 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.
- 27 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.
- 28 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.

- 29 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Assessment (DWA Ecology, September 2022) 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.
- 30 Prior to the commencement of development, any works which will impact the breeding / resting place of bats, shall not in any circumstances commence unless the local planning authority has been provided with either:
- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
 - b) evidence of site registration supplied by an individual registered to use a Bat Mitigation Class Licence; or
 - c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.
- 31 Prior to any works above slab 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 prior to occupation and shall be retained in that manner thereafter.
- 32 Prior to first occupation, 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 (e.g. 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.
- 33 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.
- 34 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order amending, revoking or re-enacting that Order), no windows, dormer windows, roof lights or openings of any other kind, other than those expressly authorised by this permission shall be constructed at first floor level or above in the southern elevations of plots 6,7,8 & 10 elevation(s) and western elevation of Plot 1.
- 35 No development above ground level shall take place until a scheme for the provision and implementation of water, energy and resource efficiency measures during the construction and occupational phases of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the construction and occupancy of the development. The scheme shall be constructed in accordance with the approved details and the measures provided and made available for use in accordance with the approved timetable.
- 36 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.

The meeting concluded at 1.07pm

Signed by:

Chair
