

Development Control Committee



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Development Control Committee** held on
Thursday 5 February 2015 at **10.00 am** at the **Conference Chamber,**
West Suffolk House, Western Way, Bury St Edmunds

Present: **Councillors**

Chairman Jim Thorndyke

Vice-Chairmen Stefan Oliver and Angela Rushen

Trevor Beckwith

Robert Clifton-Brown

Robert Everitt

Phillip French

Tim Marks

Sara Mildmay-White

Alaric Pugh

Peter Stevens

Julia Wakelam

Patricia Warby

Dorothy Whittaker

Substitutes attending:

Dave Ray

David Nettleton

By Invitation:

Tony Brown

(for Item 46)

Sarah Stamp

(for Item 41)

37. **Apologies for Absence**

Apologies for absence were received from Councillors Ms Byrne and Houlder.

38. **Substitutes**

The following substitution was declared :

Councillor Ray for Councillor Houlder.

Councillor Nettleton had been appointed as a temporary substitute for Councillor Ms. Byrne under Rule 4.1.4 of the Council's Rules of Procedure.

39. **Minutes**

The minutes of the meeting held 8 January 2015 were confirmed as a correct record and signed by the Chairman.

40. **Planning Applications**

The Committee considered Reports DEV/SE/15/13 to DEV/SE/15/18 (previously circulated) outlining the planning history of each site and containing full details of each application, including all consultation replies. Report DEV/SE/15/19 was withdrawn at the request of Officers.

RESOLVED: That

- (1) subject to the full consultation procedure, including notifications to Parish Councils/Meetings and reference to the Suffolk County Council, decisions regarding applications for planning permission, listed building consent, conservation area consent and advertisement consent be made as indicated below;
- (2) approved applications be subject to the conditions outlined in the written reports (DEV/SE/15/13 to DEV/SE/15/18) and any additional conditions imposed by the Committee and specified in the relevant decisions; and
- (3) refusal reasons be based on the grounds outlined in the written reports and any reasons specified by the Committee and indicated in the relevant decisions.

41. **Planning Application DC/14/1667/FUL**

**Change of use of woodland to Gypsy/Traveller Site consisting of 5 pitches at land south of Rougham Hill, Rougham Hill, Bury St Edmunds for Mr Kevin Delaney.
Report No: DEV/SE/15/13**

(Councillors Beckwith and Nettleton declared Local Non-Pecuniary Interests as Members of Suffolk County Council who were owners of the application site. Both Councillors remained within the meeting.)

Officers reported on the following matters which had arisen since the agenda and papers for the meeting had been distributed:

- (i) the applicant's agent had confirmed that in the absence of a mains sewer it was proposed that the applicant would install a private sewage treatment works. The initial consultation response from the Environment Agency had advised that the application site was not considered to be at High Risk of flooding and therefore, if planning permission was to be granted, the submission of details should be required by condition;
- (ii) the receipt of an additional letter of support for the application; and
- (iii) the receipt of written representations from the Norfolk and Suffolk Gypsy Roma and Traveller Services in support of the application.

Officers identified three main issues for the Committee in relation to the application: the impact of the proposal on the landscape, the basis of need put forward by the applicant and the policy implications of the application.

The following persons spoke on the application:

- | | | | |
|-----|-------------------------|---|---------------------------|
| (a) | Objector | - | Adrian Williams; |
| (b) | Supporter | - | Father Mark Hackerson; |
| (c) | Town Council | - | Councillor Cliff Hind; |
| (d) | One of the Ward Members | - | Councillor Mrs Stamp; and |
| (e) | Applicant's Agent | - | Michael Hargreaves. |

In relation to the impact of the proposal on the landscape the Committee noted that the application site of 0.44 hectares was within an area of plantation woodland with mature trees along the southern and eastern boundaries. The land involved had been acquired by the former West Suffolk County Council in 1960. In 1974 the area had been planted with oak trees and designated a community woodland and a public amenity to commemorate the joining together of East and West Suffolk County Councils as part of Local Government reorganisation. An inscribed stone monument had been sited in the wood to commemorate the event. The proposal would involve the removal of 50% of the trees within the application site although those which bordered the pathway which traversed the site would be retained. The woodland had not received a high level of management over the years and it was suggested that this had given rise to a perception that it was of poor quality.

With regard to the basis of need put forward it was acknowledged that the applicant and his extended family had been living in Bury St Edmunds for the past four years. The applicant was currently occupying an unauthorised site off Compiegne Way on the basis of a toleration agreement whereby he would be allowed to stay until the process in respect of the current planning application had been concluded plus one calendar month.

The planning policy issues were referred to in the written report and the Committee noted that the application site was within the designated South East Bury St Edmunds Strategic Site which allocated 74.9 hectares of land for development. This development was to be guided by a Master Plan which was in the process of being prepared by the developers. It was anticipated that a draft of the Master Plan would be submitted during the Summer. Included in the brief for the Master Plan was an expectation that a site be included for a Gypsy/Traveller site, if there was a need at the time of development, although no specific location for this had been formally identified.

In discussing the application some members were of the view that it was premature and if permitted it would pre-empt the preparation of the South East Bury St Edmunds Strategic Site Master Plan. A motion that consideration be deferred until such time as the preparation of the Master Plan had been advanced was lost. A motion that planning permission be granted subject to the imposition of an additional condition requiring the retention of the stone monument was also lost. The majority of members were of the view that the application was unacceptable in landscape terms because of the loss of the

trees involved and that it was contrary to policies listed in the report and a motion that planning permission be refused on these grounds was carried.

Decision:

Permission be refused and the Head of Planning and Growth, in consultation with the Chairman, be authorised to approve the wording of the reasons for refusal to be included in the Decision Notice.

(At this point the meeting was adjourned to allow members a comfort break)

42. **Planning Application DC/14/1813/FUL**

**11 no. two bedroom flats and 4 no. one bedroom flats together with associated car parking and external works (re-submission), as amended by plans received on 19 December 2014 revising the position and the roof form of the proposed building, at Block C, Burton End, Haverhill for Prime Crest Homes Ltd.
Report No: DEV/SE/15/14**

A Committee Update Report had been previously circulated after the agenda and papers for the meeting had been distributed. Officers reported on a further response from Haverhill Town Council in which it objected to the proposal on grounds of over development, insufficient car parking provision, flood risk potential and safety considerations relating to the vehicular access from Burton End.

The following person spoke on the application:

Applicant's agent - Charles Nash

The Committee was of the view that the design of the proposal building was too ambitious, inappropriate in scale and lacked quality and respect for the locality. Furthermore, additional landscaping was warranted to screen any development from neighbouring properties.

Decision:

Permission be refused.

43. **Planning Application DC/14/1273/FUL**

**2 no. two storey dwellings, 1 no. single storey dwelling and 2 no. one and half storey dwellings with alterations to existing access (demolition of existing dwelling) at 111 Westley Road, Bury St Edmunds for Tiller Properties Ltd.
Report No: DEV/SE/15/15**

(Councillor Oliver declared a Local Non-Pecuniary interest as Chairman of Bury St Edmunds Town Council and remained within the meeting)

A Committee Update Report had been previously circulated after the agenda and papers for this meeting had been distributed.

Officers reported on the following matters which had arisen subsequently:

- (i) the applicant's agent had submitted amended plans in respect of Plot 5 along with a sunlight/shading analysis with seasonal projections;
- (ii) receipt of a consultation response from Bury St Edmunds Town Council confirming its objection to the proposal; and
- (iii) receipt of three further letters of objection from local residents.

The following persons spoke on the application:

- (a) Objector - Richard Hall;
- (b) Town Council - Councillor Cliff Hind; and
- (c) Applicant's agent - Paul Scarlett.

The Committee noted the concerns about the overshadowing the proposed one and half storey dwelling in Plot 5 could cause to the property of 23 Minden Drive. Members enquired whether it would be possible to switch house types so that the proposed bungalow would be sited on Plot 5. Officers advised that the proposed dwelling on Plot 4 was also one and half storeys and that the bungalow proposed had been included on Plot 3 which was the smallest in area. It was not practical therefore to make changes. In response to members' questions officers advised that the existing dwelling proposed for demolition was not considered to be a Heritage Asset and therefore not worthy of retention. Trees at the site had been assessed and the service of a Tree Preservation Order could not be justified. In relation to objections that the application constituted overdevelopment Officers advised that by the ratio of 20 dwellings per hectare the development would be of low density.

Decision:

Permission be granted.

44. **Planning Application DC/14/1172/FUL**

Conversion and extension of vacant public house building to accommodate an A1 retail unit (270 sq.metres) and 11 residential units (5 x one bed flats and 6 x two bed flats) with associated parking and landscaping at Bell Hotel, 9 High Street, Haverhill for S2 Estates Ltd.

Report No: DEV/SE/15/16

(Councillor Pugh declared a Local Non-Pecuniary interest as he was leading on the Town Centre Master Plan project and remained in the meeting.)

Officers reported on matters which had arisen after the agenda and papers for the meeting had been distributed as follows:

- (i) a letter received signed by 33 businesses in the town expressing support for the application; and

- (ii) the views of Haverhill Town Council (these were to be reported to the meeting by Councillor Nettleton as substitute for Councillor Ms Byrne).

Councillor Nettleton reported on the objections of the Town Council to the proposal and officers responded as follows:

- (a) the agent had suggested that residential development did not contribute to the vitality and vibrancy of the High Street. The Town Council had responded by stating that the lease of the ground floor retail unit would make such a contribution. Officers further commented that the suggestion was also not borne out by the Portas Review and experience in other town centres;
- (b) the Town Council had commented that the development of the flats was not the problem but the access difficulties they raised. The agent was attempting to conflate these separate issues. Officers advised that the provision of a rear access was an option for the applicants but the local planning authority could not compel them to withdraw the proposed on-street parking arrangement;
- (c) the Town Council did not accept the agent's suggestion that there were poor transport links and sustainable transport options in view of the central position of the site and its proximity to the bus station. Officers further commented that as with market towns in rural areas most people were reliant on cars;
- (d) the agent's contention that the description on Town Centre Master Plan was misleading was not accepted by the Town Council who acknowledged that consultation on the document was underway. Officers added that a draft of the Master Plan would be available in the Summer with possible adoption in the Autumn;
- (e) in response to the agent's claim about rights of access the Town Council had drawn attention to the situation that there would be no resident parking permits which would allow residents of the flats to gain access to the site within the restricted hours. This would also apply to construction traffic. Officers did not dispute this situation since the highway restrictions were already in place; and
- (f) the Town Council was suggesting that a planning condition be imposed requiring the applicants to comply with all highway restrictions during the construction phase. Officers advised that such a condition would be ultra vires and therefore could not be imposed.

Officers further advised that whilst a rear access was not proposed by the current application access to the rear of the site could be facilitated by existing means, particularly if land to the rear of the building was to be developed in the future. In the Officers' view the parking arrangements proposed by the application would not prejudice pedestrianisation.

The Committee acknowledged that in view of the semi-derelict condition of the building a decision was needed at the present time.

Decision:

Permission be granted.

(At this point Councillors Beckwith and French left the meeting and did not return.)

45. **Planning Application DC/14/2262/FUL**

**Change of use and conversion of Church Hall to 3 no. dwellings (Class C3) at Old Independent Church, Meeting Walk, Haverhill for Old Independent United Reformed Church.
Report No: DEV/SE/15/17**

Officers reported that the applicant's agent had submitted a sectional floor level plan indicating the extent of obscured glazing proposed as a result of the alterations that were anticipated to be made to the first floor balcony. As a consequence officers suggested an amendment to Condition 5 by the addition of the following 'and details of the exact amount of obscured glazing to be provided and those relating to floor levels to be submitted and approved'. Additionally a further Condition 6 was suggested 'Details of the re-siting of gravestones be submitted and agreed'

The following persons spoke on the application:

- (a) Objector - Anna Hughes; and
- (b) Applicant's agent - Cliff Patten

Decision:

Permission be granted subject to the amendment of Condition 5 and the addition of Condition 6 as detailed above.

(Councillor Pugh requested it be recorded that he abstained from voting on the above. At this point Councillor Clifton-Brown left the meeting and did not return.)

46. **Planning Application DC/14/1780/FUL**

**(i) Internal and external alterations; and (ii) construction of a new entrance pavilion at Old Independent Church, Meeting Walk, Haverhill for Old Independent United Reformed Church
Report No: DEV/SE/15/18**

A Committee Update Report had been previously circulated after the agenda and papers for the meeting had been distributed.

The following persons spoke on the application:

- (a) One of the Ward Members - Councillor Brown; and
- (b) Applicant's agent - Cliff Patten.

Officers advised that options for using the existing entrance to the building had been investigated but were impractical because of the differing floor levels. The proposed porch addition was therefore the only alternative. Whilst this was modern in appearance it would be subservient to the main building and set back from the front façade. It would be difficult to replicate the Victorian style of architecture contained in the church building.

Decision:

Permission be granted.

(Councillor Nettleton requested that it be recorded that he voted against this decision)

47. **Listed Building Application SE/13/0902/LB**

(i) Demolition of Buildings 5, 6, 8, 9 and 11; (ii) repair exposed walls and features of retained buildings and exposed ground ; and (iii) internal works to French Gothic Building to install new service core and form new suites, as amended by details received on 9 August 2013, at Gurteen & Sons Ltd, High Street, Haverhill for D Gurteen & Sons.

Report No: DEV/SE/15/19

This item had been withdrawn from the agenda at the request of Officers.

The meeting concluded at 1.35pm

Signed by:

Chairman
