Development Control Committee

St Edmundsbury BOROUGH COUNCIL

Minutes of a meeting of the **Development Control Committee** held on **Thursday 3 March 2016** at **10.00 am** at the **Conference Chamber, West Suffolk House,** Western Way, Bury St Edmunds, IP33 3YU

Present: **Councillors**

Chairman Jim Thorndyke
Vice Chairman Angela Rushen

John Burns
Carol Bull
Tony Brown
Terry Clements
Paula Fox
Susan Glossop
Alaric Pugh
David Roach
Julia Wakelam
Patricia Warby

Substitutes attending:
Frank Warby

By Invitation:
Diane Hind (for Item 180)
David Nettleton (for Item 182)

174. **Apologies for Absence**

Apologies for absence were received from Councillors Robert Everitt, Ian Houlder, Ivor Mclatchy and Peter Stevens.

175. **Substitutes**

The following substitution was announced:

Councillor Frank Warby for Ivor Mclatchy.

176. **Minutes**

The minutes of the meeting held on 4 February 2016 were confirmed as correct record and signed by the Chairman.

177. **Planning Applications**

The Committee considered Reports DEV/SE/16/18 to DEV/SE/16/22 (previously circulated).

RESOLVED – That:

(1) subject to the full consultation procedure, including notification to Parish Councils/Meetings and reference to Suffolk County Council, decisions regarding applications for planning permission, listed building consent, conservation area consent and approval to carry out works to trees covered by a preservation order be made as listed below.

(2) approved applications be subject to the conditions outlined in the written reports (DEV/SE/16/18 to DEV/SE/16/22) 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.

178. **Planning Applications: DC/15/1752/FUL, DC/15/1753/FUL, DC/15/1754/FUL, DC/15/1757/FUL, DC/15/1758/FUL, DC/15/1759/FUL, DC/15/1760/FUL, and DC/15/1761/FUL**

(i) Planning Application DC/15/1752/FUL – Retention of modification and change of use of former agricultural building to part offices (Class B1 (a)) and part storage (Class B8) (Building B).

(ii) Planning Application DC/15/1753/FUL – Retention of modification and change of use of former agricultural building to storage (Class B8) (Building C).

(iii) Planning Application DC/15/1754/FUL – Retention of modification and change of use of former agricultural building to storage (Class B8) (Building D).

(iv) Planning Application DC/15/1757/FUL - Part retention of replacement building (former agricultural building demolished) to be used for Class B1 (a) offices or B1(b) research or B1(c) industrial or B8 storage (Building E) (WITHDRAWN).

(v) Planning Application DC/15/1758/FUL – Retention of modification and change of use of former agricultural building to Class B1(a) offices or B1(b) research or B1(c) industrial or B8 storage or sui generis use (Building F).

(vi) Planning Application DC/15/1759/FUL – Retention of change of use of former agricultural land to use for open storage, Class B8, for caravans and motor homes (10 max.), horse boxes (5 max.) and containers (20 (max.).

(vii) Planning Application DC/15/1760/FUL – Retention of modification and change of use of former agricultural building to Class B8, storage use (Building I).

(viii) Planning Application DC/15/1761/FUL – Retention of modification and change of use of former agricultural building to Class B8 storage (Building J).
at Larks Pool Farm, Mill Road, Fornham St. Genevieve for C J Volkert Ltd.

These planning applications were presented to the Development Control Committee following consideration by the Delegation Panel. These had originally been referred to the Delegation Panel as the Officer recommendations for approval were contrary to the Parish Council's response in raising concern to these applications.

The Committee had visited the site on 25 February 2016.

The Committee was advised that Planning Application DC/15/1757/FUL had been withdrawn by the Applicant prior to the meeting and, therefore, consideration was no longer required.

The following persons spoke on this application:
(a) Objectors - Mark Aston and Colin Hilder
(b) Applicant - Leslie Short (Agent)

In discussing the applications, Members noted the views of the speakers and acknowledged that this was a complicated site with regard to the extensive enforcement history and also with the ongoing enforcement investigations into the present unauthorised uses, which had led to the submission of these applications.

Some Members also raised concerns with regard to the operations within the site, the impact of the traffic movements to/from the site, the impact on the local highway and the impact on the pedestrian footpath. In relation to the transport issues, the Case Officer explained that a Transport Statement had been submitted by the Applicant and the Highways Authority did not wish to restrict the granting of planning permission as it was considered that the access was suitable and that the development would have no impact on highway safety. Therefore, the Highways Authority were not recommending that any conditions be imposed.

It was the general conclusion of both Officers and Members that these applications would assist with ensuring that the site was regularised and monitored.

Decision:

Permission be granted in respect of planning applications DC/15/1754/FUL, DC/15/1758/FUL,DC/15/1760/FUL, DC/15/1761/FUL, DC/15/1752/FUL, DC/15/1753/FUL and DC/15/1759/FUL.

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

179. **Hybrid Planning Application DC/15/2277/HYB**

(i) Full application for 23 affordable dwellings with associated open space, landscaping and parking served by existing access from Stanningfield Road and demolition of existing sheltered housing units; and

(ii) Outline application for up to 35 dwellings served by continuation of access of full application.

at Erskine Lodge and land adjoining Stanningfield Road, Great Whelnetham for Havebury Housing Partnership

(Councillor Frank Warby declared a pecuniary interest as a Member of the Havebury Housing Partnership Board and withdrew from the meeting for the consideration of this item).

(Councillor Patsy Warby declared a local non-pecuniary interest and remained within the meeting for the consideration of this item).

This application was referred to the Development Control Committee as it was a 'major development' and the Officer recommendation to grant planning permission was contrary to the views of the Parish Council.

The Committee had visited the site on 25 February 2016.

The Case Officer firstly reported on the following corrections to the report:

(a) *Paragraph 3.- First sentence;* the word *'social'*, be replaced with the word *'affordable'*, therefore now reading:

> *'3. The 23 dwellings proposed in phase 1 are all proposed as 'affordable housing' and all for* ***affordable*** *rent.'*

(b) *Paragraph 6.* – The Case Officer explained that the original date for the public consultation period had now expired. However, given the size, health impact and the securing within the S106 agreement of a health contribution, the decision had been taken to consult specifically with the NHS Trust, which had been extended to 11 March 2016. This period of extended consultation had been noted by the public, who also considered that they should have an extended time to submit further representations. Therefore, to ensure fairness, the overall public consultation period had also been extended to 11 March 2016.

(c) *Paragraph 147(i).* – reference to paragraph *'227.'* should actually be paragraph *'145.'*, therefore now reading:

> *'147. That, in the event of one or more of the following arising;*
>
> *(i) the Head of Planning and Growth recommending alternative (reduced) Heads of Terms from those set out in paragraph* ***145.*** *above on the grounds of adverse development viability, or'*

The Case Officer then reported and summarised the further representations which had been received since the publication of the agenda papers:

(a) *Great Whelnetham Parish Council*

- Maintained their objections to the planning application.
- The scale of the development proposed was too large for the village and represented over two phases, approximately an increase of 10% of its population. The existing infrastructure would be unable to cope with this increase. There was no need to site such a large development at this location.
- It was premature to grant 35 homes on phase 2.
- The adoption by the Local Planning Authority of the Development Brief in December 2015, which proposed a total of 60 homes, had ignored local feedback and had not been agreed by residents and was contrary to the Development Policies within the Brief.
- The proposals were contrary to the adopted Local Plan policies.
- Proposals for two-storey flats, maisonettes and houses on the elevated development site was inappropriate and did not preserve or enhance the Conservation Area, where the development site was located. Family dwellings, rather than flats and maisonettes were needed locally.
- The height of the proposals were out of character with the setting and would lead to a loss of privacy and amenity to existing adjoining dwellings. The raised position of the development site, in relation to adjourning homes, exacerbated this.
- The Parish Council did not accept the traffic data and conclusions relied upon. The existing Stanningfield Road/A134 junction was already prone to long delays and this situation would be exacerbated by the introduction of additional cars from the new development.
- Unless some traffic calming measures were introduced at this new location, pedestrians and drivers would become more unsafe.
- The proposed car parking was inadequate.
- The development proposals represented a flood risk. Surface water drainage was already inadequate and this issue would be exacerbated by the additional homes.

(b) *Local residents*

(i) Post Office and Village Stores

- Main concern was privacy and boundary treatment between the site and their property and were concerned that the area was currently exposed with no treatment on the boundary.

- Seeking clarification about the boundary treatment, along that boundary.

(ii) Local resident

- Approved of the proposals and commented upon the bus stop improvements which the Highways Authority were requesting as a financial contribution within the S106 agreement. The general public wanted the present arrangements to remain, as the bus operators, when consulted several years ago, said that if official bus stops were provided, then the bus would only stop at those locations. Therefore this would deny the public easy on/off access to buses closer to their homes. Bearing in mind that the majority of users of the bus service were elderly, this would not be practical for them. Therefore, requested for the Council and the Highways Authority to make no changes in respect of the bus stops.

(iii) Local resident (living near to the site)

- Referred to traffic and highways and impact on the area and his property.

- Difference in levels between the two sites and that Erskine Lodge itself was currently single storey. Expressed concern about replacing Erskine Lodge with two storey dwellings.

- Privacy and loss of light to his house and garden.

- Not clear about what type of fencing would be erected on the boundary.

- Existing vegetation on the boundary was not sufficient to provide privacy.

- Owing to the sloping nature of the boundary, referred to the impact on the retaining wall in back garden of his site, which could be damaged once activity commenced.

- Questioned the adequacy of the solutions to encourage new residents out of their cars and onto the bus service.

- As the site was designated as a Conservation Area questioned how this area could be developed in the way being proposed.

The Chairman expressed concerns that the Committee had only been provided with a summary of further extensive representations and also referred to the consultation period having been extended to 11 March 2016. Therefore, the Chairman asked the Committee if they were still prepared to determine this application or whether it should be deferred until the consultation period had expired, to allow for all representations to be properly considered.

The Case Officer also informed the Committee that taking into account the period of extended public consultation to 11 March 2016, it was also being

proposed for an additional recommendation (iv) under paragraph 144. to read:

'144. That subject to:

'(iv) there being no new material planning issues raised during the outstanding period of public consultation.'

The Case Officer explained that if new material planning issues were raised during the period of outstanding consultation, which had not been considered by Members as part of their debate, or as part of the Committee report, then this application would be brought back to the Committee accordingly, for further consideration.

Decision:

That the determination of this application be deferred, to allow for any further representations to be received and considered, following the extension of the consultation period to 11 March 2016.

180. **Outline Application (All matters reserved) DC/15/2245/OUT**

7no. dwellings, at land between 4 and 8 Norfolk Road, Bury St Edmunds, for Mr John George.

(Councillor Julia Wakelam declared a pecuniary interest as she had pre-determined the application by the submission of an objection as a resident of Northgate Avenue and as the Member for the adjoining Ward. She withdrew from the meeting for the consideration of this item).

This application was presented to the Development Control Committee following consideration by the Delegation Panel, at the request of the Ward Member. Bury Town Council had made no objections to the proposal, based on the plans received.

The Committee had visited the site on 25 February 2016.

The following persons spoke on this application:

(a)	Objector	-	Jeff Paine
(b)	Ward Member	-	Councillor Diane Hind
(c)	Applicant	-	Richard Sykes-Popham (Agent)

In discussing the application, Members noted the views of the objector and the Ward Member with regard to parking issues/traffic congestion in Norfolk Road, overdevelopment and the levels/gradients within the site and the possible effect this could have on existing properties.

Decision:

Outline permission be granted.

181. **Planning Application DC/15/1915/FUL**

(i) Change of use of land to horse stud farm
(ii) Proposed Stables, Barn, Office, Yard, Horse Walker and Lunge Ring
(iii) Associated landscaping and access road as amended by plans and details received 16 December 2016
at Pattles Grove, Chedburgh Road, Whepstead for Pattles Grove Stud Ltd.

The Committee were advised that this application had been withdrawn from the agenda.

182. **House Holder Application DC/15/2503/HH**

Installation of external wall insulation to the front and rear elevations (re-submission of Planning Application DC/15/1343/HH), at 27 Springfield Avenue, Bury St Edmunds for Mr Oliver Ingwall King.

This application was referred to the Development Control Committee as it was made by a contracted employee of St Edmundsbury Borough Council.

The following persons spoke on this application:

(a) Ward Member - Councillor David Nettleton
(b) Applicant - Oliver Ingwall King

In discussing the application, it was the view of Members that this application should be supported, as they considered it was an innovative way of undertaking wall insulation on a property of this type, where due to its small size, it was not practical to insulate walls internally. Members also considered that this proposal would not cause a detrimental impact upon the appearance of adjoining properties or within the area, as a whole.

Decision:

Permission be granted, contrary to the Officer recommendation of refusal, as Members considered that there was sufficient justification for the proposal.

The Meeting concluded at 12.35 pm

Signed by:

Chairman