

Development Control Committee



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Development Control Committee** held on **Thursday 2 March 2017** 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 Carol Bull and Angela Rushen

John Burns

Ian Houlder

Terry Clements

Alaric Pugh

Jason Crooks

David Roach

Robert Everitt

Peter Stevens

Paula Fox

Julia Wakelam

Susan Glossop

Patricia Warby

Substitutes attending:

Betty Mclatchy

By Invitation:

Tony Brown

294. **Apologies for Absence**

Apologies for absence were received from Councillor Ivor Mclatchy.

295. **Substitutes**

Councillor Betty Mclatchy attended the meeting as substitute for Councillor Ivor Mclatchy.

296. **Minutes**

The minutes of the meeting held on 2 February 2017 were confirmed as a correct record and were signed by the Chairman.

297. **Outline Planning Application DC/15/2151/OUT - Great Wilsey Park, Little Wratting (Report No: DEV/SE/FH/011)**

Outline Planning Application (Means of Access to be considered) - Residential development of up to 2,500 units (within Use Classes C2/C3); two primary schools; two local centres including retail, community and employment uses (with Use Classes A1/A2/A3/A4/A5, B1 and D1/D2; open space; landscaping and associated infrastructure.

This application was referred to the Development Control Committee as it was considered to have Borough-wide significance. It was the second of two strategic growth sites for Haverhill as identified in the adopted Core Strategy.

The site had been the subject of significant public engagement through the preparation and adoption of a Concept Statement and a Masterplan; the Masterplan having addressed many issues including the distribution of land uses.

The development proposal was considered to comply with the relevant policies of the development plan and the National Planning Policy Framework and was considered to be acceptable in all other material respects.

Accordingly, Officers were recommending that the application be approved, subject to the completion of a Section 106 Agreement and relevant conditions as set out in Paragraph 135 of Report No: DEV/SE/17/011. A Member site visit was held prior to the meeting.

The Principal Planning Officer – Major Projects reminded Members that the principle of development was not up for debate as a robust process had already taken place in that respect as part of the Masterplan development. He also highlighted the fact that the development site spanned three Parishes, these being; Haverhill, Little Wratting and Kedington.

As part of his presentation the Officer drew attention to the following updates/corrections:

- Paragraph 93 of the report contained an error; the sentence: "At present, the area to the *west* of the moat..." should read '**east** of the moat';
- Paragraph 94 of the report contained an error; the sentence: "The impact of development to the north *east*..." should read 'north **west**';
- The map attached at Page 83 of the agenda had been included within the papers in error, and was to be disregarded, as it showed a third access onto the development site which was not part of the application before Members;
- Reference was made to an emailed representation from resident Ian Johnson, received since publication of the agenda and which had been circulated to all Members of the Committee;
- In reference to the comments made by Kedington Parish Council, as set out in Paragraph 29 of the report, the Officer clarified that three-storey housing would be restricted in sensitive areas of the site, not over the entire development;

As part of the Officer presentation the Committee were advised that access to the Country Park was included as part of the proposed scheme before them, in order to facilitate access to this facility prior to future development coming forward for the east of the site.

Members' attention was also drawn to the footpath that was to be upgraded to a cycle path in order to provide a sustainable, improved link between Haverhill and Kedington. The path would be laid with a sealed surface and adopted by the Highways Authority.

An addition was proposed to the report's recommendation to include Delegated Authority to the Acting Head of Planning, in consultation with the Chairman of the Committee and relevant Ward Members, in order to approve a more suitable southern access point opposite Millfields Way (instead of at Chalkstone Way, as outlined in the Officer's presentation), subject to the completion of a land dedication agreement between the Borough Council and the County Council. Members were advised that the applicant was in agreement with this proposal which could be dealt with via the S106 Agreement and relevant conditions.

Speakers: Nathan Loader (resident) spoke against the application
Barbara Surridge (resident) spoke against the application
Marion Farrant (Clerk to Kedington Parish Council) spoke against the application
Colin Poole (Clerk to Haverhill Town Council) spoke against the application
Councillor Tony Brown (Ward Member) spoke against the application
Marcia Whitehead (agent) spoke in support of the application

Following questions/concerns raised by Members, the Officer responded as follows:

- Health Contribution (S106 Agreement) – The Committee were advised that the Planning Authority was only able to request contributions in line with nationally prescribed guidelines for the development. However, Members were informed that the West Suffolk Clinical Commissioning Group was in the process of looking at health services in Haverhill as a whole;
- High Speed Broadband – Would be dealt with at the detailed stage of the application;
- Air Quality – Would continue to be monitored;
- Ecology (condition) – The Planning Officer advised that landscaping for much of the site would be in place prior to the development commencing. He also assured Members that the mitigation measures to be put in place for the Hazel Dormice would apply to the whole of the site. At the request of the Committee, it was agreed that the comprehensive wording of the condition would be brought back before Members for ratification at the detailed stage of the application;
- Scheduled Monument – The Officer clarified that Historic England had raised concerns with the setting of the Scheduled Monument, not the impact to the Monument itself. However, Officers were of the opinion that this could be adequately mitigated.
- Country Park – Information was requested on the Country Park facility and the Officer agreed to provide Members of the Committee with this directly.

A number of Members made reference to the North West Haverhill Relief Road, with some suggesting that it would be more appropriate to defer this application until the relief road was in place. The Planning Officer responded to these comments at length; setting out in detail the robust, guaranteed mechanism that had been put in place to deliver the relief road. He informed

the Committee that in view of the agreed legal process that was now in place the deferment of this application could not be defended by Officers.

The Suffolk County Council Highways Officer that was present also spoke on the relief road. He further advised of capacity improvements that were planned in respect of the A1307 which would link to the relief road. He confirmed that Highways had no reason to object to the application before Members subject to the agreed mitigating measures being put in place.

Councillor Alaric Pugh spoke in support of the application and its compliance with the agreed Masterplan and moved that it be granted, as per the Officer recommendation and inclusive of the delegation in respect of the Millfields Way access element. This was duly seconded by Councillor Peter Stevens.

Councillor John Burns queried as to any potential conflict with this motion in view of Councillor Pugh being Cabinet Member for Planning and Growth, but the Business Partner (Litigation/Licensing) advised the meeting that there was no issue.

Councillor Burns then requested a recorded vote in respect of this item but it failed to be supported by four other Members.

Upon the motion being put to the vote and with 9 voting for, 3 against and with 3 abstentions, it was resolved that

Decision

Outline planning permission be **GRANTED** subject to:

1. Delegated Authority being given to the Acting Head of Planning, in consultation with the Chairman of the Committee and relevant Ward Members, in order to approve the more suitable southern access point opposite Millfields Way (instead of at Chalkstone Way), subject to the completion of a land dedication agreement between the Borough Council and the County Council;
2. The completion of a Section 106 agreement to secure (unless the Assistant Director (Planning and Regulatory) concludes a particular clause to be unlawful or considers any individual measure would be better secured by planning condition):
 - a. Policy compliant affordable housing provision (30%).
 - b. Provision of sufficient land and full build costs for the construction of two new primary schools
 - c. Secondary school contribution
 - d. Pre-school contribution
 - e. Public Open Space (provision and future maintenance)
 - f. Highways related contributions as subsequently agreed with the Highway Authority, including developer contributions and/or 'in-kind' provision as may be appropriate.
 - g. Travel Plan – matters not appropriate for inclusion as planning conditions, including payment of any financial contributions toward travel planning initiatives reasonably required.
 - h. Health contribution

- i. Provision of two local centres
 - j. Contribution towards playing pitches
 - k. Any further clauses considered necessary by the Assistant Director (Planning and Regulatory); and
3. Conditions, including (unless the Assistant Director (Planning and Regulatory) considers any of these matters need to be secured as part of the Section 106 Agreement):
- Time limit (3 years for commencement)
 - Submission of reserved matters (trigger – up to 10 years)
First submission of reserved matters to include a strategic approach to the planning of the public realm of the scheme, including (but not necessarily limited to) open spaces, strategic landscaping, strategic ecological measures, treatment of the tributary to the Stour Brook, lighting strategy, drainage, phasing, noise etc.)
 - Reserved Matters submission to generally accord with the Design and Access Statement and the illustrative parameter plans submitted with the outline planning application.
 - Materials (details to be submitted with each Reserved Matters submission that includes the erection of new buildings)
 - Water efficiency measures (compliance with the option for more stringent requirements set out by the Building Regulations)
 - Bin and cycle storage strategy (to be submitted for approval with each Reserved Matters submission that includes the erection of new buildings)
 - Public open space (strategy for future management and maintenance of all open spaces, unless provided for by the S106 Agreement)
 - Landscaping details for each phase - (including precise details of new hard and soft landscaping and management/maintenance regimes)
 - Retention and protection during construction of existing trees and hedgerows to be retained.
 - Ecology (enhancements and protection measures at the site)
 - Noise mitigation measures
 - Construction and Environmental management plan (to address specific measures set out in the Environmental Statement and Water Framework Directive, as discussed in the report)
 - Highways conditions as recommended by the Local Highway Authority
 - Means of enclosure (details to be submitted with relevant Reserved Matters submissions)
 - Noise mitigation measures in relevant phases
 - Provision of fire Hydrants
 - Waste minimisation strategy
 - Details of the surface water drainage scheme.
 - Archaeology
 - Submission of local (non strategic) open space plans with subsequent Reserved Matters submissions.
 - Details of pedestrian and cyclist links to be provided with Reserved Matters submissions.

- Travel Plan measures (matters not addressed in the S106 Agreement)
- Flood risk assessment to accompany any reserved matters submission
- Foul water condition as requested by Anglian Water Services
- Tree survey and arb report for each Reserved Matters submission containing trees, and bat reports where trees are to be felled
- Provision of facilities for charging, plug in and other ultra-low emission vehicles
- Remediation of any contamination (phase 2 survey work)
- Reptile mitigation strategy (including identification of reptile receptor sites).

Should agreement not be reached with respect to matters relating to a S106 Agreement with the applicant within a reasonable time period, the planning application be returned to the Development Control Committee for further consideration.

Councillor Paula Fox left the meeting at 11.45am during the preliminary discussion of this item and prior to the voting thereon.

On conclusion of this item at 12.44pm the Chairman adjourned the meeting for a short comfort break, at which point Councillor Frank Warby also left the meeting.

298. **Outline Planning Application DC/16/1723/OUT - Land Adjacent to the road from A14 to C629, Risby (Report No: DEV/SE/17/012)**

Outline Planning Application (Means of Access to be considered) – Parking facility for approximately 100 no. HGV's with refuelling station, shop and facilities for drivers.

This application had been referred to the Development Control Committee because it was a major application and the Parish Council objected, contrary to the Officer recommendation of approval as set out in Paragraph 54 of Report No: DEV/SE/17/012.

Furthermore, when the agenda was published the recommendation was provisional in view of Highways England having issued a Holding Direction in respect of the application.

A Member site visit was held prior to the meeting.

As part of his presentation the Principal Planning Officer drew attention to the following updates:

- Highways England had now formally removed their Holding Notice and confirmed that they had no objection to the application subject to mitigating conditions; and
- Two further conditions were to be added to those listed in the report's recommendation in respect of: badger sets and silage details.

The Officer went through each of the issues considered in determining the application; in order to explain to the Committee how Officers came to their balanced recommendation of approval.

Speakers: Councillor Susan Glossop (Ward Member*) spoke on the application. She also stressed that she would keep an open mind and listen to the debate prior to voting on the item.
(*whilst the application fell within the Ward of Barrow it was considered to impact more on the Ward of Risby, accordingly Councillor Ian Houlder had sacrificed his speaking slot to Councillor Glossop as the Ward Member for Risby)
Edward Keymer (agent) spoke in support of the application

During Councillor Glossop's speech to the Committee she asked if it would be possible to include signage, as part of the development, to direct lorries on the A14 eastbound to continue to the Westley roundabout in order to turn around and re-join the A14, therefore enabling them to leave the dual carriageway on the westbound side and reducing the amount of HGVs travelling through Risby village.

The Committee as a whole supported this proposal. The agent for the application was invited to respond to this request by the Chairman and he indicated that his applicant would be happy to work with the Planning Authority on this.

The Acting Head of Planning explained that if Members granted her Delegated Authority, in consultation with the Committee Chairman and relevant Ward Members, she could pursue this Suffolk County Council Highways via formal re-consultation on the proposal.

A number of other comments were made in respect of mitigating light pollution and litter, the Acting Head of Planning explained that these elements could be managed by additional conditions.

It was proposed by Councillor Peter Stevens that the application be granted, as per the Officer recommendation, inclusive of the additional conditions and Delegated Authority in respect of signage. This was duly seconded by Councillor Robert Everitt.

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

Decision

Outline planning permission be **GRANTED** subject to:

1. Confirmation from Highways England that an agreed signage improvement scheme for Junction 41 is in place;
2. Delegated Authority being given to the Acting Head of Planning, in consultation with the Chairman of the Committee and relevant Ward Members, to re-consult with Suffolk County Council Highways with regard to the proposed A14 eastbound signage to direct HGVs along the westbound carriageway to the development site; and

3. The following conditions:
 1. Outline permission time limit
 2. Reserved matters (appearance, landscaping, layout and scale)
 3. Contamination remediation strategy
 4. Surface water drainage (details to be submitted and agreed)
 5. Ecological mitigation (in accordance with Habitat Survey)
 6. Off-site highway works
 7. Visibility splays (provision in accordance with approved plans)
 8. Badger set mitigation
 9. Silage details
 10. Waste management
 11. Lighting details

The meeting concluded at 1.21 pm

Signed by:

Chairman
