

Development Control Committee



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Development Control Committee** held on **Wednesday 3 May 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

John Burns

Terry Clements

Jason Crooks

Robert Everitt

Paula Fox

Susan Glossop

Ian Houlder

Ivor Mclatchy

Alaric Pugh

David Roach

Andrew Smith

Peter Stevens

Julia Wakelam

By Invitation:

David Nettleton

Barry Robbins

307. **Apologies for Absence**

Apologies for absence were received from Councillor Angela Rushen.

308. **Substitutes**

There were no substitutes present at the meeting.

309. **Minutes**

The minutes of the meeting held on 6 April 2017 were confirmed as a correct record and were signed by the Chairman.

310. **Planning Application DC/17/0354/HH - 5 West Road, Bury St Edmunds (Report No: DEV/SE/17/020)**

The Chairman agreed for this item to be brought forward on the agenda.

Householder Planning Application - (i) single storey side extension (ii) raising of rear lean-to roof height (iii) 2 metre high timber gate and fence to side (iv) replacement front door and 2no. replacement front windows and (v) 2no. rooflights in rear elevation

This application was referred to the Development Control Committee following consideration by the Delegation Panel; the application had been presented

before the Panel at the request of Councillor David Nettleton, one of the local Ward Members (Risbygate).

A Member site visit was held prior to the meeting. Bury St Edmunds Town Council raised no objection and Officers were recommending that the application be approved subject to conditions, as set out in Paragraph 28 of Report No: DEV/SE/17/020.

Speakers: Samantha Reed (neighbour) spoke against the application
Councillor David Nettleton (Ward Member) spoke against the application
Stephen Cope (on behalf of the applicant) spoke in support of the application

Councillor Julia Wakelam (other Ward Member for Risbygate) opened the debate and cited concerns with the application in relation to Policy DM24 and the impact on neighbours' amenity; particularly with regard to the side extension element of the development and the impact this would have on the shared access.

In light of which Councillor Wakelam proposed that the application be deferred to enable Officers to work with the applicant to seek improvements to the scheme where possible, in order to try and reduce the impact on the neighbours' amenity. This was duly seconded by Councillor Glossop who echoed the same points of concern.

Whilst some Members spoke against the proposal of deferral, a number also raised similar concerns with regard to the impact on neighbours' amenity.

Accordingly, upon being put to the vote and with 11 voting for the motion, 2 against and with 1 abstention it was resolved that

Decision

The application be **DEFERRED** in light of Members' concerns, to enable Officers to work with the applicant to seek improvements to the scheme where possible, in order to try and reduce the impact on the neighbours' amenity.

311. **Planning Application DC/16/2837/RM - Development Zones G and H, Marham Park, Tut Hill, Bury St Edmunds (Report No: DEV/SE/17/018)**

Reserved Matters Application – Submission of details under Planning Permission DC/13/0932/HYB – the means of access, appearance, landscaping, layout, parking, and scale for Development Zones G and H.

This application had been originally referred to the Development Control Committee on 6 April 2017 because it was an application for a major development and because both Bury St Edmunds Town Council and Fornham All Saints Parish Council raised objections to the scheme.

The application had been deferred from the April meeting in light of Members' concerns raised, in order to enable Officers to work with the applicant to seek improvements to the scheme where possible.

Officers had also been tasked with seeking clarity/responses on certain issues.

The Principal Planning Officer drew attention to the following elements of his report/presentation:

- Since the last meeting the applicant had submitted further plans setting out 'character areas' within the scheme which demonstrated specific design/styles of property;
- The boundary treatment had been amended on the North side of the development to extend the 1.2m brick and flint wall and to include rail fencing;
- A vehicle track and plan document had been submitted by the applicant which demonstrated both domestic and emergency vehicle access and movement;
- The Highways Officer in attendance confirmed that the Highways Authority had no concerns with regard to access to/from or around the development and that the parking provided in some areas actually exceeded the Suffolk guidelines. The Case Officer clarified that garages were able to be counted as parking spaces as the developers were providing separate storage sheds for the properties; and
- The Council's Public Health & Housing and Strategy & Enabling Officers had confirmed that they had no objections to the application.

The Case Officer also advised that, since publication of the agenda, comments had been received from the Police & Architectural Liaison Officer in response to the application, as follows:

- The conversion of car ports to garages, as per the amended plans, was approved;
- A request was made to amend the 1.8m fencing in rear gardens to 1.5m with a trellis above to further heighten the boundary;
- Additional gates were requested at the rear of the terraced properties to improve access, it was suggested that all gates were made lockable too; and
- Reservations were voiced with regard to the 1.2m high brick and flint wall on the Northern boundary which prevented natural surveillance

The Case Officer explained that the all of the Police & Architectural Liaison Officer's points had been raised with the applicant who were content to make the amendment to the fencing and additional gates; the plans for which could be managed by conditions.

However, Officers did not share the concerns with regard to the brick and flint wall and did not believe that this would cause undue harm. Officers also considered the request with regard to ensuring all gates were lockable to be unreasonable.

Accordingly, Officers were continuing to recommend that the application be approved, subject to conditions, as set out in Paragraph 35 of Report No: DEV/SE/17/018. The Case Officer also reminded Members of the conditions required to be discharged in respect of the previously granted outline

planning permission DC/13/0932/HYB, which secured all other necessary details not submitted with the reserved matters application.

Speakers: Councillor Tom Murray (Bury St Edmunds Town Council)
spoke against the application
Councillor Howard Quayle (Fornham All Saints Parish Council)
spoke against the application
Nicky Parsons (agent) spoke in support of the application

Prior to opening the debate, the Chairman offered apologies to the agent present and reminded Members to use polite language and avoid any rudeness towards the developer when discussing the application, particularly with regard to the size of the properties within the scheme, as had taken place at the last meeting.

The Chairman also reiterated the Council's Strategy & Enabling Officer's comments with regard to the development and reminded the Committee that the Borough Council had no policy in place in respect of the minimum size of domestic properties.

A number of Members stressed the importance, going forward, of ensuring the Planning Authority's policies were fit for purpose in respect of property size. Councillor John Burns also made reference to broadband provision and electrical charging points and the need for policies in respect of these elements too.

Both the Acting Head of Planning and the Service Manager (Planning – Strategy) responded in respect of ongoing policy development.

Councillor Susan Glossop raised concern with some of the Police & Architectural Liaison Officer's requests being dismissed.

Councillor Julia Wakelam apologised for any offence caused by the language she used at the April meeting and asked the Case Officer if it would be necessary to condition the cycle links to ensure that these were in place prior to occupation.

The Principal Planning Officer drew attention to Paragraph 20 of Report No: DEV/SE/17/018 which explained that the network of cycle paths had been secured by way of the hybrid/outline application previously granted by the Committee.

Councillor Peter Stevens moved 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 14 voting for the motion and with 1 abstention, it was resolved that

Decision

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

1. Development to be carried out in accordance with the approved plans and documents

2. Details of flint wall, estate railing and knee rail fence be provided concurrently with details required by condition C30 of DC/13/0932/HYB
3. Details of amended rear fencing (1.5m with trellis), additional rear gate fore plots 128-130 and staggered gates to cycleway adjacent to Plot 49 to be submitted.

312. **Planning Application DC/16/1395/FUL - Genesis Green Stud Farm, Genesis Green, Wickhambrook (Report No: DEV/SE/17/019)**

Planning Application – 4no. flats.

This application had been referred to the Development Control Committee because it represented a departure from policy.

The Case Officer advised Members that the consideration of the proposal before the Committee had been predicated on whether a number of caravans had become lawful through the passage of time; as opposed to normal requirements of evidence relating to a functional need.

Officers were recommending that the application be approved, subject to conditions as set out in Paragraph 43 of Report No: DEV/SE/17/019.

Councillor Robert Everitt raised concern with regard to the on-site klargester (sewage treatment tank). The Planning Officer clarified that the klargester was underground, away from the proposed building and would be unaffected by the development. The detail of this element would be managed via building regulations.

Councillor Julia Wakelam raised a question with regard to enforcement. The Acting Head of Planning confirmed that the site was not subject to a live enforcement investigation and the application before Members was submitted voluntarily by the applicant.

Councillor Peter Stevens moved 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 3 years from the date of this permission.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
3. Before the development hereby approved is first occupied details of the areas to be provided for the loading, unloading manoeuvring and parking of vehicles including secure 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.

4. The occupation of the dwellings hereby permitted shall be limited to a person or persons solely or mainly employed, or last employed, in the business being carried out as Genesis Green Stud Ltd, or a dependent of such person residing with him or her, or a widow or widower of such a person.
5. The 3 no caravans indicated on plan ref 1606-1 (titled Site Location – Survey Plan) received 30th June 2016 shall be removed within 6 months of the occupation of the dwellings hereby approved, and the council will be informed in writing of their removal.

(Councillor Terry Clements left the meeting at 11.30am during the preliminary discussion of this item and prior to the voting thereon.)

313. **Planning Application DC/17/0594/FUL - 1 St James Court, The Vinefields, Bury St Edmunds (Report No: DEV/SE/17/021)**

Planning Application - (i) Conversion of 3no. windows to single doors on rear elevation and, (ii) replacement of 6no. windows on side elevations.

This application had been referred to the Development Control Committee because the applicant was a member of staff employed by the Planning Authority.

The Principal Planning Officer drew attention to the supplementary information in respect of this application that had been circulated following publication of the agenda.

Officers were recommending that the application be approved subject to conditions, as set out in Paragraph 26 of Report No: DEV/SE/17/021.

Councillor Alaric Pugh moved that the application be approved, as per the Officer recommendation, and this was duly seconded by Councillor John Burns.

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 condition:

1. The development hereby permitted shall be begun not later than 3 years from the date of this permission.

314. **Planning Application DC/17/0665/LB - Lavender Barn, Bowbeck, Bardwell (Report No: DEV/SE/17/022)**

Prior to the consideration of this report Councillor Andrew Smith declared a pecuniary interest in the item, being the applicant and owner of the property in question, and left the meeting.

Application for Listed Building Consent – Replace existing external screen window and door to west elevation.

This application had been referred to the Development Control Committee because the applicant was a St Edmundsbury Borough Councillor.

Officers were recommending that the application be approved subject to conditions, as set out in Paragraph 17 of Report No: DEV/SE/17/022.

Councillor Robert Everitt made reference to Paragraph 6 of the report which stated that the consultation period for the application did not expire until 5 May 2017.

In light of this the Principal Planning Officer requested that the recommendation be amended to delegate authority to Officers to delay issuing approval of the application, if granted, until after the consultation period had concluded.

Councillor Carol Bull moved that the application be approved, as per the Officer recommendation (and inclusive of the delegation made reference to), and this was duly seconded by Councillor John Burns.

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

Decision

Subject to the expiration of the ongoing consultation period on 5 May 2017 with no additional material representation being received, the Acting Head of Planning be given Delegated Authority to issue Listed Building Consent **APPROVAL** subject to the following conditions:

1. The works to which this consent relates must be begun not later than 3 years from the date of this notice
2. The development hereby permitted shall not be carried out except in complete accordance with the details show on the approved plans and documents

The meeting concluded at 11.49 am

Signed by:

Chairman