



St Edmundsbury
BOROUGH COUNCIL

Development Control Committee

6th July 2017

Late Papers

Item 5 – DC/17/438/FUL Tartan House, Etna Road, Bury St Edmunds

List of relevant plans

Reference No	Plan Type	Date Received
4761 10 A	Location Plan	09.03.2017
4761 3 01 A	Topographic Survey	01.03.2017
4761 3 02 B	Site Layout	09.03.2017
LMF/150/17/LP02 revA	Landscaping details (amended plan)	16.05.2017
4761 3 03 A	Hotel - Proposed Ground Floor Plan	01.03.2017
4761 3 04 A	Hotel - Proposed First Floor Plan	01.03.2017
4761 03 05 A	Hotel - Proposed Second Floor Plan	01.03.2017
4761 03 06 A	Hotel - Proposed Third Floor Plans	01.03.2017
4761 3 08 A	Hotel - Proposed Elevations	01.03.2017
4761 3 07 A	Hotel - Proposed Roof Plan	01.03.2017
4761 3 20 A	Coffee Outlet Elevations and floor plan	01.03.2017
J2309-01A	Proposed Pedestrian Bridge	01.03.2017

Revised list of Conditions

1. Time

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

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

2. Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:

Reason: To define the scope and extent of this permission.

Reference No	Plan / Document Type	Date Received
4761 10 A	Location Plan	09.03.2017
4761 3 01 A	Topographic Survey	01.03.2017
4761 3 02 B	Site Layout	09.03.2017
LMF/150/17/LP02 revA	Landscaping details (amended plan)	16.05.2017
4761 3 03 A	Hotel - Proposed Ground Floor Plan	01.03.2017
4761 3 04 A	Hotel - Proposed First Floor Plan	01.03.2017
4761 03 05 A	Hotel - Proposed Second Floor Plan	01.03.2017
4761 03 06 A	Hotel - Proposed Third Floor Plans	01.03.2017
4761 3 08 A	Hotel - Proposed Elevations	01.03.2017
4761 3 07 A	Hotel - Proposed Roof Plan	01.03.2017
4761 3 20 A	Coffee Outlet Elevations and floor plan	01.03.2017
J2309-01A	Proposed Pedestrian Bridge	01.03.2017
130/2016/TS	Transport Assessment	01.03.2017
Design and Access Statement	Design and Access Statement	01.03.2017
Noise Report	Noise Report	01.03.2017
Planning Statement	Planning Statement	01.03.2017
268	Preliminary Ecological Appraisal	01.03.2017
14430GI	Ground Investigation Report	01.03.2017
130/2016/FRA	Flood Risk Assessment	01.03.2017

3. Coffee Outlet Opening Hours

The drive though coffee outlet shall be open only between the hours of 07:00- 21:00.

Reason: To safeguard neighbouring amenity in accordance with policy DM2 of the Joint Development Management Policies Documents 2015.

4. Times for Deliveries

Deliveries to and collections from the site shall take place only between the hours of 07:00-18:00.

Reason: To safeguard neighbouring amenity in accordance with policy DM2 of the Joint Development Management Policies Documents 2015.

5. Unexpected Contamination

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.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121, Environment Agency Groundwater Protection: Principles and Practice (GP3), Policy CS2 (Sustainable Development) of the Core Strategy and Policy DM14 of the Joint Development Management Policy. This condition requires matters to be agreed prior to commencement since it relates to consideration of below ground matters that require resolution prior to further development taking place, to ensure any contaminated material is satisfactorily dealt with.

6. Demolition and Construction Times

Demolition and construction works shall take place only between the hours of 07:30-19:00 Mondays to Fridays and 07:30-13:00 on Saturdays. No work shall take place on Sundays or Bank Holidays.

Reason: To safeguard neighbouring amenity in accordance with policy DM2 of the Joint Development Management Policies Documents 2015.

7. Construction Method Statement

Prior to works commencing a construction method statement be produced to and be agreed by the local planning authority. The method statement is to include the measures to control dust emissions, noise & vibration and methodology for waste recycling on site and waste disposal. The agreed method statement to be adhered to throughout the demolition and construction works.

Reason: This condition is pre-commencement to safeguard neighbouring amenity in accordance with policy DM2 of the Joint Development Management Policies Documents 2015.

8. Deliveries Management Plan

All HGV traffic movements to and from the site over the duration of the construction period shall be subject to a Deliveries Management Plan which shall be submitted to the planning authority for approval a minimum of 28 days before any deliveries of

materials commence. No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan. The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

Reason: To reduce and / or remove as far as is reasonably possible the effects of HGV traffic in sensitive areas in accordance with policy DM2 of the Joint Development Management Policies Document.

9. Arboricultural Method Statement

No development shall commence until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement should include details of the following:

- i). Measures for the protection of those trees and hedges on the application site that are to be retained,
- ii) Details of all construction measures within the 'Root Protection Area' (defined by a radius of $dbh \times 12$ where dbh is the diameter of the trunk measured at a height of 1.5m above ground level) of those trees on the application site which are to be retained specifying the position, depth, and method of construction/installation/excavation of service trenches, building foundations, hardstandings, roads and footpaths.
- iii) A schedule of proposed surgery works to be undertaken to those trees and hedges on the application site which are to be retained.

The development shall be carried out in accordance with the approved Method Statement unless the prior written consent of the Local Planning Authority is obtained for any variation.

Reason: This condition is pre-commencement to ensure that the most important and vulnerable trees are adequately protected during the period of construction.

10. Surface Water Management Plan

No development shall commence until details of a construction surface water management plan detailing how surface water and storm water will be managed on the site during construction is submitted to and agreed in writing by the local planning authority. The construction surface water management plan shall be implemented and thereafter managed and maintained in accordance with the approved plan throughout the entire construction period.

Reason: This condition is pre-commencement, to ensure the development does not cause increased pollution of the watercourse in line with the River Basin Management Plan.

11. External Materials

No above ground construction shall take place until full details of the external

materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development is satisfactory in accordance with policy DM2 of the Joint Development Management Policies Document 2015.

12. Off Site Stock Proof Fencing

Prior to the first use of the development hereby approved, stock proof fencing and gates on Ram Meadow shall be fully installed in accordance with details submitted to and agreed in writing by the local planning authority. The details shall include the precise location, design and method of installation. The location of the fencing shall be in general conformity with the details shown on the 'Indicative Fencing Location - Ram Meadow, BSE', which attaches to this consent.

Reason: In part mitigation for the loss of River Lark Corridor in this development in accordance with policy DM10 of the Joint Development Management Policy Document 2015.

13. Landscape Management Plan

Prior to the first use of the development hereby approved a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved prior to the first use of the development and managed for the lifetime of the development and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include the following elements:

- enhancement of the river channel
- detail extent and type of new planting (NB planting to be of native species)
- details of maintenance regimes
- details of any new habitat created on site
- details of treatment of site boundaries and/or buffers around water bodies
- details of management responsibilities.

Reason. To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.

14. River Chanel Enhancements

The enhancements within the River Chanel detailed in condition 13 above shall develop the proposals set out in Appendix F of the submitted Design and Access Statement that accompanies the application. The enhancements shall be fully implemented prior to the first use of the development hereby approved or in accordance with a timetable agreed in writing with the local planning authority.

Reason. To secure opportunities for the enhancement of the nature conservation value of the River Lark in part site in part mitigation for the loss of River Lark Corridor

in this development in accordance with policy DM10 of the Joint Development Management Policy Document 2015.

15. Soft Landscaping

Notwithstanding the submitted landscaping plan, full details of the soft landscaping, taking account of any need to retain planting within the highway verge, shall be submitted to the local planning authority and agreed in writing. 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.

Reason: To enhance the appearance of the development in accordance with policy DM2 of the Joint Development Management Policies Document 2015.

16. Footway

No above ground construction shall take place until details of a proposed footway from Etna Road to the northern car park and from the northern car park onto the Tesco car park taking into consideration existing road signs, surface materials and appropriate guard railing and or fencing have been submitted to and approved in writing by the Local Planning Authority. The approved footway shall be laid out and constructed in its entirety and available for use prior to the first use of the hotel hereby approved. Thereafter the footway shall be retained in its approved form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety and to provide a sustainable link for employees and visitors from the adoptable highway to the access paths shown as per the application plans and to facilitate future public access along the River Lark Corridor as part of the Green Infrastructure Strategy for Bury St Edmunds as set out in policy BV26 in part mitigation for the loss of River Lark Corridor in this development.

17. Footway

No above ground construction shall take place until details of a proposed footway and details of its connection to the existing footway network from Etna Road to the Main site entrance have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to First occupation of the property. Thereafter the footpath shall be retained in its approved form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety and to provide a sustainable link for employees and visitors from the town centre amenities to the site main entrance without conflict with vehicles.

18. Headlight Screening

No above ground construction shall take place until details of proposed vehicle headlight screening have been submitted to and approved in writing by the Local Planning Authority. The approved screening shall be laid out and constructed in its entirety prior to First use of the property and thereafter retained in its approved form.

Reason: To ensure that the access is designed and constructed to an appropriate specification to prevent vehicle headlight from distracting/dazzling vehicle users on Compiegne and made available for use at an appropriate time in the interests of highway safety.

19. Parking Provision

The use hereby approved shall not commence until the area(s) within the site shown on drawing number 4761/3-02 Rev B 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.

Reason: To ensure that sufficient space for the on-site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

20. Visibility Splays From access onto Etna Road

Before the first use of the access onto Etna Road from site, visibility splays which shall be set back 2.4m and then 43m in the direction of Compiegne Way and to the nearside of the kerb, shall be provided in accordance with details previously approved in writing by the Local Planning Authority and thereafter shall be retained in the approved form and kept clear from obstruction.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.

21. Visibility Splays from access onto Compiegne Way from Etna Road

Before the access is first used onto Compiegne Way from Etna Road, visibility splays, which shall be 43m set back 2.4m in both directions, shall be provided in accordance with details previously approved in writing by the Local Planning Authority and thereafter shall be retained in the approved form and kept clear from obstruction.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.

22. Visibility Splays onto Compiegne Way from the car park

Before the access is first used onto Compiegne Way from the application site car park visibility splays shall be provided, which shall be set back 2.4m for a distance of 70m in both directions, in accordance with details previously approved in writing by the

Local Planning Authority and thereafter shall be retained in the approved form and kept clear from obstruction.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.

23. Access Details

No part of the development shall be commenced until details of the proposed access (including the position of any gates to be erected and visibility splays provided) have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to First occupation of the property. Thereafter the access shall be retained in its approved form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

24. Bicycle Storage

The use shall not commence until the area(s) within the site for the storing of bicycles has been submitted to and approved in writing by the Local Planning Authority for the purposes parking and storing of bicycles to meet SCC parking standards, plus one space per hotel staff has been provided and thereafter that area(s) shall be retained and used for no other purposes, these spaces are required to be secure and covered.

Reason: To ensure that sufficient space for the on site parking of bicycles is provided and maintained in order to ensure the provision of adequate sustainable transport methods due to the site not providing on site staff parking.

25. Surface Water Drainage and FRA Implementation

The strategy for the disposal of surface water (dated Feb 2017, ref: 130/2016/03) and the submitted Flood Risk Assessment (FRA) shall be fully implemented in accordance with these details prior to the first use of the development hereby permitted. The strategy shall thereafter be managed and maintained in accordance with the approved strategy.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained.

26. SUDS Components

Prior to the first use of the development hereby permitted, full details of all Sustainable Urban Drainage System components and piped networks shall be submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure all flood risk assets and their owners are recorded onto the LLFA's

statutory flood risk asset register

27. Noise Barrier

Prior to the first use of the development hereby approved, an impermeable noise barrier shall be erected along the south east site boundary of the site between the drive through café and Etna Road. The barrier shall be installed in accordance with details submitted to and approved by the local planning authority. The approved barrier shall be maintained in perpetuity.

Reason: This condition is pre-commencement to safeguard neighbouring amenity in accordance with policy DM2 of the Joint Development Management Policies Documents 2015.

28. Kitchen Ventilation Systems

Prior to the first use of the development hereby approved, details of any kitchen ventilation systems, to include noise attenuation and odour control systems and details of any external plant, shall be submitted to and approved by the local planning authority. The approved systems and plant, shall be installed in full accordance with the agreed details and in respect of kitchen ventilation systems, before the commercial kitchen is brought into use.

Reason: This condition is pre-commencement to safeguard neighbouring amenity in accordance with policy DM2 of the Joint Development Management Policies Documents 2015.

29. Electric Vehicle Charging

Prior to first use of the hotel as approved under this planning permission, at least 8 electric vehicle charge points shall be provided for customer use at reasonably and practicably accessible locations within the car park. The Electric Vehicle Charge Points shall be retained thereafter.

Reason: To promote and facilitate the uptake of ultra-low emission vehicles in order to enhance local air quality in line with the National Planning Policy Framework (NPPF) paragraph 35; Policy DM2 (k) of the Joint Development Management Policies Document and Policy CS2 (E) of the Core Strategy.

30. Rapid Vehicle Charge Point

Prior to first operational use of the Coffee Outlet as approved under this planning permission, at least 1 publically available 'rapid' electric vehicle charge point shall be provided in a location within the car park to be agreed in writing with the local planning authority. The Electric Vehicle Charge Point shall be retained thereafter.

Reason: To promote and facilitate the uptake of ultra-low emission vehicles in order to enhance local air quality in line with the National Planning Policy Framework (NPPF) paragraph 35; Policy DM2 (k) of the Joint Development Management Policies Document and Policy CS2 (E) of the Core Strategy.

Further representations made

Additional comments received from 4 Etna Road reiterating concerns with highway safety and providing video footage of traffic passing the Etna Road junction on Compiegne Way. This footage was passed the Highways Officer for information.