

# Development Control Committee



*St Edmundsbury*  
BOROUGH COUNCIL

**Minutes** of a meeting of the **Development Control Committee** held on **Thursday 1 November 2018** at **10.00 am** at the **Conference Chamber, West Suffolk House, Western Way, Bury St Edmunds IP33 3YU**

Present: **Councillors**

**Chairman** Jim Thorndyke

**Vice Chairmen** David Roach and Andrew Smith

John Burns

Paula Fox

Carol Bull

Susan Glossop

Mike Chester

Ian Houlder

Terry Clements

David Nettleton

Jason Crooks

Julia Wakelam

Robert Everitt

55. **Apologies for Absence**

Apologies for absence were received from Councillor Peter Stevens.

56. **Substitutes**

There were no substitutes present at the meeting.

57. **Minutes**

Councillor Terry Clements made reference to Minute No 50 (Report No DEV/SE/18/035). He asked that the reference to flooding within the minute in question be strengthened to more accurately reflect the level of discussion and concern raised by the Committee on this matter.

The minutes of the meeting held on 4 October 2018 were then unanimously received by the Committee as an accurate record and were signed by the Chairman, subject to the following amendment to Minute No 50:

"The flooding risk of the site" be amended (in both cases where it appears within the Minute No 50) to read: "*The evidence and risk of flooding in the vicinity and the further impact the development could have on this*".

58. **Planning Application DC/17/0688/FUL - 46 to 47 St Andrews Street South, Bury St Edmunds (Report No: DEV/SE/18/040)**

**Planning Application - 3 storey building with basement level to comprise 16 no. residential apartments (following demolition of**

**existing buildings). As amended by revised plans and documents received on 25 September 2017, 24 May 2018, 2 July 2018, 23 July 2018 and 30 August 2018**

This application had been referred to the Development Control Committee at the request of the Ward Members (Abbeygate) and because Bury St Edmunds Town Council objected to the proposal.

The application had been originally considered by the Committee at their meeting on 5 April 2018 where Members resolved to defer the item in order to enable amendments to be made to the design of the building to address concerns regarding the basement accommodation proposed as part of the scheme.

The Committee was advised that a number of amendments had been made to the proposal which included changes to the elevational treatment of the building and significant alterations to the basement flats which had been raised and were now half-basement units. Further details had also been provided in respect of cycle parking and bin storage.

Officers were continuing to recommend that the application be approved subject to the completion of a Section 106 Agreement and conditions, as set out in Paragraph 92 of Report No DEV/SE/18/040.

Since publication of the agenda a supplementary paper had been circulated which related to the Council's standard water efficiency condition.

As part of her presentation the Senior Planning Officer made reference to:

- **The marked improvement to the basement accommodation** now proposed;
- **The lack of affordable dwellings** that were to be provided in light of it having been evidenced by the applicant that this was not viable;
- **The waste bin storage** proposed which was in line with what the Council's Waste Officers had requested; and
- Whilst **there remained no on-site parking proposed**, Officers were still of the view that on balance this was acceptable given the sustainable location of the site which already had nearby on road parking restrictions in place.

Speakers: Dr Brian Jones (on behalf of the Churchgate Area Association) spoke against the application  
Dr John Cochrane (neighbouring resident) spoke against the application  
Councillor Tom Murray (Bury St Edmunds Town Council) spoke against the application  
Mr Rob MacKay (applicant) spoke in support of the application

As part of the discussion on the application, the Chairman invited the Principal Conservation Officer to verbally elaborate on her reasoning for citing no objection to the scheme proposed.

Councillors John Burns, Terry Clements and David Nettleton all made reference to the resident parking schemes in the vicinity of the application

site and the need for this to be promoted with future residents. Councillor Clements also stressed that communication with regard to parking season tickets was something that needed to be strengthened by the Borough Council.

The Service Manager (Planning – Development) explained that use of a residents' parking scheme/parking season ticket was not something that could be conditioned as part of the planning process. However, an informative could be added to a decision notice advising of the parking provision available. The Senior Planning Officer also agreed to amend the wording of condition 18 in order to similarly make reference to the parking provision.

The Service Manager further advised that she would raise the matter of corporate communication in respect of parking with relevant colleagues outside of the meeting, as it was not something that fell within the remit of the Development Control Committee.

Councillors Susan Glossop and Jason Crooks both drew attention to Paragraph 11 of the report and the recommendation therein from the Suffolk Fire and Rescue Service with regard to providing an automatic fire sprinkler system.

The Service Manager (Planning – Development) explained that this matter would be addressed via the Building Regulations process, however, a further informative could be added to a decision notice to reflect the request made by Suffolk Fire and Rescue Service.

A number of Members remarked on the improvement the development would make to the street scene. Comments were made on the fact that the site was unlikely to be able to support future retail provision, therefore, the residential development was viewed as appropriate in the sustainable location.

Councillor David Nettleton 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 12 voting for the motion and with 2 against, it was resolved that

#### Decision

Delegated Authority be granted to Officers to **GRANT** planning permission subject to the applicant first entering into a Section 106 Agreement in respect of education, library and open space contributions.

Any such approval thereafter be **GRANTED** by Officers to also be subject to the following conditions:

- 1) The development hereby permitted shall be commenced not later than 3 years from the date of this permission.
- 2) The development hereby permitted shall be carried out in complete accordance with the details shown on the approved plans and documents.
- 3) No development shall commence until the following components to

deal with the risks associated with contamination of the site have each been submitted to and approved in writing by the Local Planning Authority:

- i) A site investigation scheme (based on the approved Preliminary Risk Assessment (PRA) within the approved Desk Study), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  - ii) The results of a site investigation based on i) and a detailed risk assessment, including a revised Conceptual Site Model (CSM).
  - iii) Based on the risk assessment in ii), an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.
- 4) No occupation of any part of the development shall take place until a verification report demonstrating the completion of works set out in the remediation strategy approved under Condition 3(iii). The long term monitoring and maintenance plan approved under Condition 3(iii) shall be updated and be implemented as approved.
  - 5) 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.
  - 6) No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.
  - 7) No development shall commence until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details.
  - 8) The use of penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.
  - 9) No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.
  - 10) No development shall commence until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The

scheme of investigation shall include an assessment of significance and research questions and:

- a. The programme and methodology of site investigation and recording
  - b. The programme for post investigation assessment
  - c. Provision to be made for analysis of the site investigation and recording
  - d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
  - e. Provision to be made for archive deposition of the analysis and records of the site investigation
  - f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
  - g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.
- 11) No buildings shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 8 and the provision made for analysis, publication and dissemination of results and archive deposition.
  - 12) All HGV and construction traffic movements to and from the site over the duration of the demolition and construction period shall be subject to a Construction and 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 or from the site other than in accordance with the routes defined in the Plan, and no equipment or materials shall be stored on the highway. The Construction and Deliveries Management Plan shall include, but not be restricted to, adequate parking of vehicles for demolition and construction site staff and visitors, means to ensure mud, water and other debris does not migrate onto the highway, times and movements of delivery vehicles including routes to and from the site and times and duration of site operation, storage of equipment and materials and location of site security fencing. 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.
  - 13) Demolition and construction works shall not take place outside of the hours of 8am to 6pm Mondays to Fridays or outside of the hours of 8am to 1pm on Saturdays. There shall be no demolition or construction works at any time on Sundays, public holidays or bank holidays.
  - 14) No work of construction above slab level shall commence until samples of the external materials and surface finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
  - 15) No works involving the installation of windows shall take place until elevation(s) to a scale of not less than 1:10 and horizontal and

vertical cross-section drawings to a scale of 1:2 fully detailing the windows to be used (including details of glazing bars, sills, heads and methods of opening and glazing) have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority all glazing shall be face puttied. The works shall be carried out in complete accordance with the approved details.

- 16) No work of construction above slab level shall commence until details of the proposed electric fob-operated pedestrian gate, motion sensor lighting and electric fob-operated rear door to improve the accessibility of the building for all users have been submitted to and approved in writing by the local planning authority. The approved measures shall be implemented prior to any of the flats being first occupied and shall thereafter be retained.
- 17) No work of construction above slab level shall commence until details of the cycle store enclosure have been submitted to and approved in writing by the Local Planning Authority. The details shall provide for a minimum of 2 cycle spaces per dwelling and the storage shall be secure from theft, damage and weather. The approved cycle storage facilities shall be provided prior to any of the flats being first occupied and shall thereafter be retained and used for no other purpose.
- 18) Not less than 3 months prior to the first occupation of any flat, details of the contents of a Residents Travel Pack shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The Travel Pack shall include details of existing permit provision schemes in the area. Within one month of the first occupation of any flat, the occupiers of each of the flats shall be provided with a Residents Travel Pack. The Residents Travel Pack shall be maintained and operated thereafter.
- 19) The areas shown on drawing no. 6405/1222 Revision D for the storage of bins shall be provided in their entirety prior to any of the flats being first occupied and shall be retained thereafter for no other purpose.
- 20) No development shall commence until details of the highway works to reinstate the footway at the existing vehicular crossover have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The details shall include the raising of kerbs, associated surfacing and drainage and the re-siting of street lighting and traffic signs from the proposed pedestrian access. The agreed works shall be carried out before the development is first occupied.
- 21) No individual dwelling hereby approved shall be occupied until the optional requirement for water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with for that dwelling.

And to include informatives in respect of:

1. Parking provision/schemes in the area; and
2. The recommendation from Suffolk Fire and Rescue Service that a sprinkler system be used.

59. **Planning Application DC/18/1220/FUL - 2 & 4 Mill Road, Haverhill  
(Report No: DEV/SE/18/041)**

**Planning Application - (i) Change of use from financial and professional services (A2) on first floor (2a and 4a) to 3no. flats (C3) with ground floor access to Mill Road; (ii) internal and external alterations**

This application was referred to the Development Control Committee following consideration by the Delegation Panel, the item had been referred to the Panel at the request of one of the Ward Members, Councillor Paula Fox (Haverhill South).

Haverhill Town Council objected to the application which was contrary to the Officer recommendation of approval, subject to conditions, as set out in Paragraph 11.1 of Report No DEV/SE/18/041.

Since publication of the agenda a supplementary paper had been circulated which related to the Council's standard water efficiency condition, as had a 'late paper' which set out further information supplied by the agent with regard to parking.

Councillor John Burns drew attention to Paragraph 9.12 of the report which made reference to "*the close proximity of bus and rail services*". Councillor Burns queried this in light of Haverhill not having a rail station within the town.

The Senior Planning Officer apologised and confirmed that the reference to rail services was an error. However, the application site was still considered to be in a sustainable town centre location.

In response to comments made by Members with regard to emergency services' access in the vicinity of the application site, the Service Manager (Planning – Development) explained that relevant emergency services would need to raise this with Suffolk County Council as Highways Authority if they had any concerns.

A number of the Committee made reference to one of the flats being slightly below space standards. The Service Manager (Planning – Development) advised that a refusal on this basis would be considered unsound by Officers and was not recommended.

Councillor Jason Crooks spoke in support of the application and stated that the change of use of the building to residential was likely to result in less demand for parking than the current occupying business required. He therefore moved that the application be approved, as per the Officer recommendation. This was duly seconded by Councillor Andrew Smith.

Upon being put to the vote and with 8 voting for the motion and with 6 against, 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 Demolition or construction works shall not take place outside 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays and at no time on Sundays, public holidays or bank holidays.
- 4 The use shall not commence until the area(s) within the site shown on Drawing No. AV/2270/5 for the purposes of secure cycle storage have been provided and thereafter those areas shall be retained and used for no other purposes.
- 5 The areas to be provided for storage of Refuse/Recycling bins as shown on Drawing No. AV/2270/5 shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.
- 6 No individual dwelling hereby approved shall be occupied until the optional requirement for water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with for that dwelling.

The meeting concluded at 11.17am

**Signed by:**

**Chairman**

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