

Development Control Committee

Minutes of a meeting of the **Development Control Committee** held on **Wednesday 4 September 2019** at **10.00 am** in the **Conference Chamber, West Suffolk House, Western Way, Bury St Edmunds IP33 3YU**

Present: **Councillors**

Chair Andrew Smith

Vice Chair Jim Thorndyke

Carol Bull

Susan Glossop

John Burns

Diane Hind

Terry Clements

Ian Houlder

Jason Crooks

David Palmer

Roger Dicker

David Roach

Andy Drummond

Don Waldron

David Gathercole

Ann Williamson

In attendance:

Trevor Beckwith - Substitute Ward Member for Eastgate

Beccy Hopfensperger – Ward Member for The Fornhams & Great Barton

26. Apologies for Absence

Apologies for absence were received from Councillors Mike Chester, David Smith and Peter Stevens.

27. Substitutes

The following substitutions were declared:

Councillor Terry Clements substituting for Councillor Mike Chester

Councillor Diane Hind substituting for Councillor David Smith

Councillor Carol Bull substituting for Councillor Peter Stevens

28. Minutes

The minutes of the meeting held on 7 August 2019 were confirmed as a correct record and signed by the Chair.

29. Planning Application DC/18/2477/FUL - Land at Brickfield Stud, Exning Road, Newmarket (Report No: DEV/WS/19/015)

Planning Application - 79 no. dwellings, a new vehicle access from Exning Road and public open space, together with associated external works including parking and landscaping

This application had been referred to the Development Control Committee because the recommendation was both contrary to the Development Plan and the views of Newmarket Town Council.

A Member site visit was held prior to the meeting.

Supplementary 'Late Papers' had been circulated following publication of the agenda, which set out the fully worded conditions and gave further details with regard to the Newmarket Neighbourhood Plan which had reached examination stage.

Officers were recommending that the application be approved, subject to the conditions as set out in the Late Papers.

The Principal Planning Officer made reference to the following corrections to the report:

- The primary school contribution set out in Paragraphs 91 and 112 should have read £351,648 (18 x £19,536 per place), as confirmed by Suffolk County Council and as made reference to in the Late Papers.
- The tenure split of dwellings as listed in Paragraph 22 was incorrect; with the correct information being listed in Paragraph 88.

Speakers: James Lay (public objector) spoke against the application
Councillor Rachel Hood (Mayor, Newmarket Town Council) spoke against the application
Neil Farnsworth (applicant) spoke in support of the application

(Prior to opening the debate, the Chair reminded Members to speak clearly into the microphones in order to allow the densely populated Public Gallery to hear all that was said.)

Councillor Andy Drummond advised the meeting that he had taken part in Newmarket Town Council's consideration of the application in February 2019 when they resolved to oppose the scheme. Furthermore, he had been quoted in the local press following the Town Council's meeting. However, Councillor Drummond stressed that he would keep an open mind and listen to the debate prior to voting on the item.

A number of questions/comments were made with regard to the emerging Site Allocations Local Plan (SALP) and the application site being related to the horseracing industry.

In response, the Service Manager (Planning – Development) explained that the SALP was at a very advanced stage in the plan preparation process and the Inspectorate had, subject to agreed modifications, declared it sound. The SALP was due to be presented to West Suffolk's Full Council meeting on 19 September 2019, seeking adoption. Therefore, the emerging plan was considered to have almost full weight in the planning balance of the proposal.

The Service Manager also drew Members' attention to the very clear statement in the National Planning Policy Framework (NPPF) with regard to the weight to be attached to emerging plans that were at an advanced stage

of preparation, without unresolved objections and the degree of consistency of the plan with the NPPF.

Further debate continued with the Committee posing other questions which were responded to by the Principal Planning Officer as follows:

Refuse – The location of refuse bins was illustrated to Members on a plan of the site;

Highways – the Officer reiterated that Suffolk County Council Highways Authority did not consider the scheme to have a severe impact on the highway network;

Current use of site – the Committee was advised that there were currently a very small number of horses on the application site which Officers understood were not in connection with the horseracing industry; and

Flooding – Members were informed that it may be necessary to re-word the condition in relation to Floods and Water, in liaison with Anglian Water, in order to reflect the required phasing of the development.

Councillor David Roach proposed that consideration of the application be deferred until such time as the Site Allocations Local Plan (SALP) for West Suffolk was formally adopted by the Authority. This was duly seconded by Councillor Don Waldron.

Councillor John Burns raised concern at the lack of response from Suffolk County Council Highways Authority with regard to the garage sizes proposed for the development and asked if this could be picked up as part of the deferral of the application. Both proposer and seconder of the motion were happy for this to be incorporated.

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

Decision

Consideration of the application be **DEFERRED** until such time as the Site Allocations Local Plan (SALP) for West Suffolk was formally adopted by the Authority and to allow additional time for Officers to seek a response from Suffolk County Council Highways Authority in respect of the garage sizes proposed within the scheme.

(Councillor Roger Dicker joined the meeting at 10.09am during the Principal Planning Officer's presentation of this item. Following his arrival the Lawyer advising the meeting informed Councillor Dicker that the Officer had informed the Committee during his absence of the inaccuracy in Paragraph 22 of the report; and drew attention to the correct figures in Paragraph 88. Following which, the Solicitor advised Councillor Dicker that he was able to take part in the discussion and voting thereon.)

(On conclusion of this item the Chair invited any members of the public at the back of the Public Gallery, who were struggling to hear, to move forward to the available seats on the front row.)

30. **Planning Application DC/19/0224/FUL - Land NE Haverhill, Wilsey Road, Little Wratting (Report No: DEV/WS/19/016)**

Planning Application - Planning Application - Provision of temporary holding area for storage of materials and machinery associated with the construction of Great Wilsey Park, including the siting of a portacabin to accommodate welfare facilities

This application was referred to the Development Control Committee as a result of call-in by a Ward Member (Haverhill East).

The Committee was advised that the North-East Haverhill Great Wilsey Park site was granted outline planning permission for a development of 2,500 homes and associated development under Planning Application DC/15/2151/OUT.

Redrow Homes Limited were to deliver the first phases of the development and the compound and access sought in the scheme before Members were proposed to facilitate the construction work associated with those phases.

The application had been submitted at this juncture to ensure that construction infrastructure was in place ready to support the delivery of the development.

Members were informed that a separate application relating to a proposed construction access from Chalkstone Way (Planning Application DC/19/0225/FUL) was also being considered by the Local Planning Authority.

However, the determination of the development before the Committee would not in any way prejudice the ongoing consideration of the separate Chalkstone Way application.

A Member site visit was held prior to the meeting.

Supplementary 'Late Papers' had been circulated following publication of the agenda, which set out the fully worded conditions and outlined an update from Suffolk County Council Flood and Water Management.

Officers were recommending that the application be approved, subject to the conditions as set out in the Late Papers.

As part of her presentation the Principal Planning Officer made reference to the Permitted Development 'fall-back' position which applied to the development proposed with the exception of the new access from Haverhill Road.

She also drew attention to the amendments that had been made during the course of the application to address issues raised by Suffolk County Council Highways Authority.

In light of the mitigation that could be secured by way of conditions, in respect of matters such as landscaping and amenity, this had been considered favourably in the planning balance of the recommendation.

Speakers: Councillor John Burns (Mayor, Haverhill Town Council) read out a statement on behalf of the Town Council
Councillor John Burns (Ward Member: Haverhill East) spoke on the application
Chris Gatland (applicant) spoke in support of the application

During the debate a number of questions/comments were raised by the Committee which the Officer responded to as follows:

Construction Workers – it was confirmed that no-one would be living on site;
Buffer Zone – the agreed area of proposed green infrastructure ‘buffer zone’ as part of the previously approved application remained valid and was unconnected to the scheme before Members;

Housing – Members were advised that the first phases of the development to be delivered by Redrow, and to which this application related, concerned the first 900 homes only; and

Speed Limit and Visibility Splays – this had been stipulated by Suffolk County Council Highways Authority who were satisfied with the amended proposals.

Further discussion also took place with regard to water supply, particularly in relation to what would be required to facilitate the vehicles’ wheel washing process. Some concern was raised that water provision could result in increased vehicle movements to/from the compound.

The Chair invited the applicant to respond directly in relation to this matter and he advised Members that a permanent water supply was to be provided during construction, thereby meaning there would be no vehicle movements taking place in connection with water provision.

Councillor David Roach asked if it would be possible to condition the application to enable a review to be taken in two years’ time in light of the highways concerns raised by some Members.

The Principal Planning Officer explained that in view of Suffolk County Council Highways Authority not having raised any concerns in respect of the application, as it now stood, it was not considered reasonable to enforce a review of this nature.

Councillor Ian Houlder proposed that the application be approved, as per the Officer recommendation, and this was duly seconded by Councillor David Gathercole.

Upon being put to the vote and with 11 voting for the motion, 3 against and with 2 abstentions 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. The development hereby approved is required in association with the carrying out of the adjacent North East Haverhill Development as approved under DC/15/2151/OUT. The development hereby approved shall therefore only be used in connection with and for the duration of the operations being carried out on that adjacent site within development parcels A1, A2, A3, A5, A6, A7, A16 and their associated infrastructure, as shown on the land use parameter plans approved under DC/15/2151/OUT.
4. On the completion of the associated works within development parcels A1, A2, A3, A5, A6, A7, A16 and their associated infrastructure as approved under DC/15/2151/OUT, or when the site is no longer required for its purpose as set out in condition 3 above, or on the expiry of ten years from the date of this consent, whichever is the sooner, all buildings, structures, works, plant or machinery on the site shall be removed and the land reinstated in accordance with a scheme, that shall previously have been submitted to and agreed in writing with the local planning authority. The scheme shall include a breakdown of all reinstatement works and associated planting and a timescale for the implementation of those works.
5. Before the construction compound is first used, details shall be submitted to and approved in writing by the Local Planning Authority showing the means to remove the access and reinstate the highway including (but not limited to); drainage, verge, footway, kerbing & channel, carriageway and all services & utilities.
The approved scheme shall be carried out in its entirety with the approval and agreement of the Highway Authority within 3 months of the occupation of the 1000th dwelling approved under DC/15/2151/OUT or when the compound is no longer required in connection with the development of the adjacent land, whichever is the sooner.
6. Prior to the first use of the development hereby approved, a scheme of soft landscaping for the site drawn to a scale of not less than 1:200 shall be submitted to and approved in writing by the Local Planning Authority. The soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities; and a timescale for implementation. The approved scheme of soft landscaping works shall be implemented in accordance with the timescale agreed with the Local Planning Authority. Any planting removed, dying or becoming seriously damaged or diseased for the duration the life of the development 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.
7. Prior to the commencement of the development of development approved by this planning permission a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, shall be submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:
 1. A site investigation scheme, based on the Geo-Environmental Phase 1 Desk Study carried out previously for the site, to provide information

for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

8. No infiltration of surface water drainage into the ground, at the Great Wisley Park site, is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.
9. Piling using 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.
10. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The applicant shall submit a detailed design based on the Drainage Strategy by Royal Haskoning DHV (Drawing ref:- PB8301-RHD-CE-SW-DR-D-0500 Rev P05 and dated 10/05/2019) and will demonstrate that surface water run-off generated by the development will be limited to 2.5l/s up to and including the critical 100 year+CC storm.
11. No development shall commence until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.
12. Prior to commencement of development, including any works of demolition, a Construction Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i) The parking of vehicles of site operatives and visitors
 - ii) Loading and unloading of plant and materials
 - iii) Site set-up including arrangements for the storage of plant and materials used in constructing the development and the provision of temporary offices, plant and machinery
 - iv) The erection and maintenance of security hoarding including external safety and information signage, interpretation boards, decorative displays and facilities for public viewing, where appropriate
 - v) Wheel washing facilities

- vi) Measures to control the emission of dust and dirt during construction
 - vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
 - viii) Hours of construction operations including times for deliveries and the removal of excavated materials and waste
 - ix) Noise method statements and noise levels for each construction activity including piling and excavation operations
 - x) Access and protection measures around the construction site for pedestrians, cyclists and other road users including arrangements for diversions during the construction period and for the provision of associated directional signage relating thereto.
13. Before the development is commenced details of the areas to be provided for the loading, unloading, manoeuvring and parking of vehicles and holding/waiting for construction delivery vehicles, 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.
14. Before the development is commenced details of the areas to be provided for the secure, covered cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall include design of the cycle store and safe routes to/from the store to the welfare facilities and highway, and 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.
15. Before the development is commenced details of the areas to be provided for storage and presentation of Refuse/Recycling bins and associated waste collection strategy 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 for no other purpose.
16. No other part of the development shall be commenced until the new vehicular access has been laid out and completed in all respects in accordance with Drawing No PB8301-RHD-CE-SW-DR-D-0102 Rev P03 and has been made available for use.
Thereafter the access shall be retained in the specified form. (See Note 1)
- Reason: To ensure that the access is designed and constructed to an appropriate specification and is brought into use before any other part of the development is commenced in the interests of highway safety.
- NOTE 1 (to be included as an informative on the decision notice):
The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding

- arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.
17. Before the access is first used visibility splays shall be provided as shown on Drawing No. PB8301-RHD-CE-SW-DR-D-0102 Rev P03 and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.
 18. Before the development is commenced details shall be submitted to and approved in writing by the County Planning Authority showing the means to prevent the discharge of surface water, mud and other debris from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.
 19. Prior to the access being constructed any ditch beneath the proposed access shall be piped or bridged in accordance with details which previously shall have been submitted to and approved in writing by the Local Planning Authority and shall be retained thereafter in its approved form. (See Note 2).
NOTE 2 (To be included as an informative on the decision notice):
The proposal may require works being carried out to / in an ordinary watercourse / the piping of a ditch.
As the proposal requires work affecting an ordinary watercourse, including a ditch, whether temporary or permanent, then consent will be required from Suffolk County Council's Flood and Water Management team before those works can commence. Application forms are available from the SCC website:
<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/working-on-a-watercourse/>
Applications for consent may take up to 8 weeks to determine and will incur an additional fee.
 20. Prior to the construction access and compound hereby permitted being first occupied, the access onto the A143 shall be properly surfaced with a bound material for a minimum distance of 20 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority. (See Note 1 above)
 21. Before the construction compound is first used, details of the internal accesses roads and footpaths, (including access gates, layout, levels, gradients, lighting, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.
 22. No development shall take place within the area indicated [the whole site] 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.
23. No building 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 22 and the provision made for analysis, publication and dissemination of results and archive deposition.

(On conclusion of this item the Chair permitted a short comfort break.)

31. Planning Application DC/19/1146/FUL - Land off Crown Lane, Crown Lane, Ixworth (Report No: DEV/WS/19/017)

Planning Application - Access road to serve residential development comprising 77 no dwellings - (resubmission of DC/17/0339/FUL)

This application was referred to the Development Control Committee in August 2019 as it related to a major planning application and the Parish Council objected to the scheme.

The Committee resolved at that meeting to defer consideration of the application in order seek clarification/further information in respect of a number of matters, namely; the related Masterplan, the road layout, emergency access, the impact on the tree belt and the purpose of Condition 21.

A Member site visit was held prior to the August meeting. Officers were continuing to recommend approval, subject to conditions, as set out in Paragraph 68 of Working Paper 1 with the addition to Condition 21 as per Paragraph 18 of Report No DEV/WS/19/017.

The Principal Planning Officer drew attention to each of the matters Members raised at the last meeting and for which she had sought additional information, as set out in the report before the Committee.

Speakers: Sara Hopkins (landowner) spoke in support of the application
 Councillor Ben Lord (Chairman, Ixworth & Ixworth Thorpe Parish Council) spoke against the application
 Daniel White (applicant, Persimmon Homes) spoke in support of the application

Councillor Jason Crooks moved that the application be approved, as per the Officer recommendation and this was duly seconded by Councillor Jim Thorndyke.

Upon being put to the vote and with 11 voting for the motion, 3 against and with 2 abstentions 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 No development shall take place on site 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. Timetable for the site investigation to be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.
- 4 The access road shall not be brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 3 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
- 5 Prior to commencement of development, including any works of demolition, a Construction Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i) The parking of vehicles of site operatives and visitors
 - ii) Loading and unloading of plant and materials
 - iii) Site set-up including arrangements for the storage of plant and materials used in constructing the development and the provision of temporary offices, plant and machinery

- iv) The erection and maintenance of security hoarding including external safety and information signage, interpretation boards, decorative displays and facilities for public viewing, where appropriate
 - v) Wheel washing facilities
 - vi) Measures to control the emission of dust and dirt during construction
 - vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
 - viii) Hours of construction operations including times for deliveries and the removal of excavated materials and waste
 - ix) Noise method statements and noise levels for each construction activity including piling and excavation operations
 - x) Access and protection measures around the construction site for pedestrians, cyclists and other road users including arrangements for diversions during the construction period and for the provision of associated directional signage relating thereto.
- 6 Prior to commencement of development an Arboricultural Method Statement (including any demolition, groundworks and site clearance) shall be 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 agreed in writing by the Local Planning Authority.
- 7 Prior to commencement of development a scheme for the protection during construction of the trees on the site, in accordance with BS 5837:2012 - Trees in relation to construction - Recommendations, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures contained within the scheme shall be implemented prior to commencement of any development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.
- 8 No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the

development, has been submitted to and approved in writing by the local planning authority. The applicant shall submit a detailed design based on the Drainage Strategy & Appendices by GH Bullard (ref:- 280/2016/FRA Rev P12 & dated March 2019) and will demonstrate that surface water run-off generated up to and including the critical 100 year +CC storm will not exceed the run-off from the existing site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. Details of which will include:

1. Details of further infiltration testing on site in accordance with BRE 365 to verify the permeability of the site (trial pits to be located where soakaways are proposed and repeated runs for each trial hole). Borehole records should also be submitted in support of soakage testing.

2. Infiltration devices should be no more than 2m deep and will have at least 1.2m of unsaturated ground between base of the device and the groundwater table.

3. Dimensioned plans illustrating all aspects of the surface water drainage scheme including location and size of infiltration devices and the conveyance network. A statement on the amount of impermeable area served by each soakaway should also be illustrated on the plans and should be cross referenceable with associated soakaway calculations.

4. Full modelling results (or similar method) to demonstrate that runoff from the Northern Spine Rd will be limited to 2l/s and the Southern Spine Rd to 5l/s for all events up to the 100yr+cc event. Infiltration devices will be adequately sized to contain the critical 100yr+CC event for the catchment area they serve. Each device should be designed using the nearest tested infiltration rate to which they are located. A suitable factor of safety should be applied to the infiltration rate during design.

5. Infiltration devices will have a half drain time of less than 24hours.

6. Modelling of conveyance networks showing no above ground flooding in 1 in 30 year event, plus any potential volumes of above ground flooding during the 1 in 100 year rainfall + CC.

7. Infiltration devices shall only be used where they do not pose a threat to groundwater. Only clean water will be disposed of by infiltration devices due to the site being inside an Source Protection Zone. Demonstration of adequate treatment stages for water quality control shall be submitted - SuDS features should demonstrate betterment to water quality, especially if discharging towards a watercourse or aquifer.

8. Topographic plans shall be submitted depicting safe exceedance flow paths in case of a blockage within the main SW system and/or flows in excess of a 1 in 100 year rainfall event. These flow paths will demonstrate that the risks to people and property are kept to a minimum.

9. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime. Details of the management arrangements for the SuDS basins shall be included together with details of the access and egress points.

10. Arrangements to enable any Surface water drainage within any private properties to be accessible and maintained including information and advice on responsibilities to be supplied to future owners.
- 9 No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:
- a. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
 - i. Temporary drainage systems
 - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
 - iii. Measures for managing any on or offsite flood risk associated with construction
- 10 Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time on Sundays, public holidays or bank holidays.
- 11 No development above ground level shall take place until details of any boundary fences / structures in respect of the access road and SuDS have been submitted to and approved in writing by the Local Planning Authority. The details shall specify the siting, design, height and materials of the screen walls/fences to be constructed or erected and/or the species, spacing and height of hedging to be retained and / or planted together with a programme of implementation. Any planting removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by soft landscaping of similar size and species to those originally required to be planted. The works shall be completed prior to first use/occupation in accordance with the approved details.
- 12 All ecological measures and/or works shall be carried out in accordance with the Best Practice Measures contained in The Ecological Report prepared by Wild Frontier Ecology dated February 2017 and Ecological Report Addendum letter prepared by Wild Frontier Ecology dated 12 October 2018 as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.
- 13 Site clearance, removal of hedgerows, trees, shrubs, other vegetation and habitats, or works to or demolition of buildings or structures that may be used by breeding birds or bats, shall be overseen on site by an ecological clerk of works, on-site ecologist or other appropriately competent person at the written approval from the Council. A site attendance record shall be maintained by the applicant which shall contain name and purpose of the visit and shall be available for inspection at 24 hours' notice.
- 14 Prior to first use of the road, a "lighting design strategy for biodiversity" shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- i) Identify those areas/features on site that are particularly sensitive for and that are likely to be disturbed by lighting;
- ii) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) to demonstrate that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. No other external lighting be installed without prior consent from the Local Planning Authority.

- 15 Prior to commencement of the development hereby approved, details of the implementation, maintenance and management of the drainage system adjacent to the access road shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with Section 11 of the approved FRA prepared by GH Bullard, dated March 2019 and shall include the following details:-

- (i) the body responsible for the management and maintenance of the system;
- (ii) cyclical maintenance;
- (iii) inspections; and
- (iv) remedial actions

The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

- 16 The gradient of the access road shall not be steeper than 1 in 20 throughout its length.

- 17 No other part of the development shall be commenced until the new vehicular access road has been laid out and completed in all respects in accordance with Drawing Nos 215-E-201 Rev D & 215-E-200 Rev D and has been made available for use. Thereafter the access shall be retained in the specified form.

- 18 Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of discharge of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

- 19 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 Local 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.

- 20 All HGV traffic movements to and from the site over the duration of the construction period shall be subject to a Construction Management Plan which shall be submitted to the Local Planning Authority for approval a minimum of 28 days before any deliveries of materials commence.

The site is adjacent to a school via a narrow adopted road and the A1088. The site crosses an adopted highway that must remain open to all traffic and care should be taken not to introduce mud and detritus onto the highway.

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.

The plan should contain amongst other usual remediation, the parking location of construction vehicles and method of control and removal of mud control onto the highway.

- 21 Before the access is first used visibility splays shall be provided as shown on Drawing Nos 215-E-201 Rev D & 215-E-200 Rev D and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.
- 22 Prior to commencement of development a scheme for the provision of fire hydrants within the application site shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied or brought into use until the fire hydrants have been provided in accordance with the approved scheme. Thereafter the hydrants shall be retained in their approved form unless the prior written consent of the Local Planning Authority is obtained for any variation.

(On conclusion of this item the Chair again invited any members of the public at the back of the Public Gallery, who were struggling to hear, to move forward to the available seats on the front row.)

32. Planning Application DC/18/0382/FUL - Cornhill Walk, Brentgovel Street, Bury St Edmunds (Report No: DEV/WS/19/018)

Planning Application - Demolition and redevelopment of the Cornhill Walk Shopping Centre to provide mixed use development comprising (i) 1,541sq.m (Use Class A1/D2) at the ground floor (ii) 48 no. residential units (Use Class C3) to three upper floors including parking, bin storage, access and other associated works as amended by plans received 13th December 2018, 27th March 2019 and 5th July 2019

Prior to the Officer undertaking her presentation, Councillor Diane Hind advised the meeting that she had taken part in Bury St Edmunds Town Council's consideration of the application when they resolved to oppose the scheme. However, Councillor Hind stressed that she would keep an open mind and listen to the debate prior to voting on the item.

This application was originally referred to the (now dissolved) St Edmundsbury Borough Council's Development Control Committee in March 2019 at the request of one of the Ward Members (Eastgate).

In addition, Bury St Edmunds Town Council had raised objections together with a number of other third parties.

The Committee resolved at the March meeting to defer consideration of the application in order to enable further consideration of the issues raised by

Members in respect of the scale/design/mass of the building, its impact on amenity and the inclusion of the retail units and a 24 hour gym.

A Member site visit was held prior to the meeting. Officers were continuing to recommend that the application be approved, subject to the completion of a Section 106 Agreement and conditions.

The Senior Planning Officer outlined the amendments that had been made to the scheme since the deferral of the application.

Members were also advised that since publication of the agenda a further 13 objections had been received in respect of the application together with a petition opposing the development signed by 613 people.

Speakers: Paul Scarlett (agent representing Wells Street Association, Orchard Street residents and neighbouring objector Mr Ashley) spoke against the application
Roderick Rees (on behalf of the Bury St Edmunds Society) spoke against the application
Councillor Nicola Iannelli-Popham (Bury St Edmunds Town Council) spoke against the application
Councillor Trevor Beckwith (on behalf of Ward Member (Eastgate) Councillor Cliff Waterman) spoke against the application
Keiran Rushe (agent) spoke in support of the application

(During his address to the meeting Paul Scarlett attempted to display supporting visual aids; the Chair interjected and advised that the use of visual aids was not permitted by the Council within their public speaking policy and asked that they be put down. Furthermore, following the objectors' speeches the applicant came forward from the public gallery and interrupted the meeting objecting to some of the earlier statements made. He was advised by the Chair to take his seat and that any further outbursts of that nature would result in him being asked to leave the Conference Chamber.)

Considerable debate then ensued by the Committee with Members continuing to raise a number of the same concerns as were raised at the meeting in March.

The Senior Planning Officer responded to questions relating to; the commercial units, the electric charging provision, access for disabled users (as covered under Building Regulations) and the noise assessment provided in respect of the gym.

The Service Manager (Planning – Development) addressed the meeting in respect of questions posed with regard to the ownership of the site. She confirmed that small areas on the fringe of the development were owned by Suffolk County Council and West Suffolk Council; hence, the application would have always been referred to the Committee for determination. However, Members were reminded that ownership was not a material planning consideration.

The Principal Conservation Officer was also invited to speak by the Chair in relation to her consultation response and to expand on her reasoning for supporting the application.

Councillor Diane Hind proposed that the application be refused, contrary to the Officer recommendation, due to:

1. The size/massing of the building;
2. The overbearing/domineering impact the development would have on both the character of the area and on residential amenity;
3. The lack of enhancement that the development would provide to the Conservation Area; and
4. The impact the increased vehicle movements would have on the traffic network.

This was duly seconded by Councillor Andy Drummond.

The Service Manager (Planning – Development) explained that in light of Suffolk County Council Highways Authority not having raised an objection to the scheme she would not recommend the inclusion of reason 4 for refusal in respect of the traffic network.

The Committee was further advised of the policies that could be appended to reasons 1 – 3 and informed that, if reason 4 was removed, Officers would not consider it necessary to invoke the Decision Making Protocol and a Risk Assessment would not be required.

Accordingly, Councillors Hind and Drummond (as proposer and seconder of the motion) agreed to remove reason 4.

Therefore, upon being put to the vote and with 14 voting for the motion and 2 against, it was resolved that

Decision

Planning permission be **REFUSED, CONTRARY TO THE OFFICER RECOMMENDATION OF APPROVAL**, for the following reasons:

1. The size/massing of the building;
2. The overbearing/domineering impact the development would have on both the character of the area and on residential amenity; and
3. The lack of enhancement that the development would provide to the Conservation Area.

(Following the Committee meeting and in consultation with the Chair it was agreed necessary to insert a further reason for refusal in the Decision Notice, given the lack of a completed S106 agreement, as follows:

"In the absence of a signed Section 106 Agreement, the proposed development fails to secure the appropriate infrastructure requirements including education, early years provision, libraries and affordable housing on the site. These developer contributions are necessary to make the development acceptable in planning terms and without which the scheme is considered unsustainable. The proposal is therefore contrary to policies CS5 and CS14 of the St. Edmundsbury Core Strategy (2010), Forest Heath District Council and St Edmundsbury Borough Council Joint Affordable Housing Supplementary Planning Document (2013) and the objectives of the National

Planning Policy Framework (2019) that seek to deliver sustainable development".)

(On conclusion of this item, and Part A of the agenda, the Chair permitted an interval before proceeding with Part B of the agenda at 2.00pm.)

33. **Planning Application DC/19/1426/FUL - Unit 3, Haverhill Retail Park, Haverhil (Report No: DEV/WS/19/019)**

(Councillor John Burns declared a local non-pecuniary interest in this item given that he was the owner of an existing gym in Haverhill. He would remain in the meeting and take part in the debate and voting thereon.)

Planning Application - (i) Change of use from Class A1 (retail) to Class D2 (gymnasium) (ii) minor external alterations to provide new entrance to front elevation

This application was referred to the Development Control Committee following consideration by the Delegation Panel and in light of the objection by Haverhill Town Council.

Officers were recommending that the application be approved, subject to conditions as set out in Paragraph 31 of Report No DEV/WS/19/019.

Speaker: Jonathan Wadcock (agent) spoke in support of the application

Councillor John Burns asked if it would be possible to retain the Class A1 (retail) alongside adding the Class D2 (gymnasium) in respect of the unit, in order to not restrict any potential future use of the premises.

The Service Manager (Planning – Development) explained that it was not lawful to do so, however, a future planning application could be submitted at any point to revert the change of use.

A number of comments were made with regard to Condition 3 which stipulated the requirement for a Travel Plan. Whilst this condition had been recommended by Suffolk County Council Highways Authority and was considered reasonable by Officers, the Senior Planning Officer advised the Committee that the wording of the condition would be amended in order for the Travel Plan to just relate to the unit in question and not the whole retail park, due to the modest scale of the scheme seeking determination.

Councillor Andy Drummond proposed that the application be approved, as per the Officer recommendation and inclusive of the amendment to Condition 3, and this was duly seconded by Councillor Susan Glossop.

Upon being put to the vote and with 15 voting for the motion and with 1 abstention, 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. Prior to first occupation of the development, details of the travel arrangements to and from the site for employees in the form of a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. This Plan shall include appointment of a suitably qualified travel plan coordinator, a commitment to monitor the Plan annually for a period of 5 years, with the monitoring report submitted to the Local Authority, and a suitable marketing strategy to ensure all employees are engaged in the process. The site shall not be occupied until the Travel Plan has been agreed. The approved Travel Plan shall be implemented and adhered to thereafter.

34. **Planning Application DC/18/1712/FUL - Bridgelands Farm, Newmarket Road, Cowlinge (Report No: DEV/WS/19/020) **AGENDA ITEM WITHDRAWN****

The Chair advised that this item had been **WITHDRAWN** from the agenda and would be considered at a future meeting of the Development Control Committee.

35. **Planning Application DC/18/1822/FUL - Norish, Northern Way, Bury St Edmunds (Report No: DEV/WS/19/021) **AGENDA ITEM WITHDRAWN****

The Chair advised that this item had been **WITHDRAWN** from the agenda and would be considered at a future meeting of the Development Control Committee.

36. **Planning Application DC/18/2152/FUL - Thripskin Farm, High Street, Thelnetham (Report No: DEV/WS/19/022)**

Planning Application - Provision of 1 no. agricultural worker's dwelling including conversion of existing single storey outbuilding (following demolition of existing pole barn and shed); change of use of agricultural land to garden. As amended by plans received on 6th and 20th December 2018

This application was originally referred to the Development Control Committee in August 2019, alongside its related Listed Building Consent application, following consideration by the Delegation Panel.

At the meeting in August Members resolved to grant Listed Building Consent and were also minded to approve planning permission, which was contrary to the Officer recommendation of refusal.

Accordingly, Officers had produced a Risk Assessment report for consideration by the Committee together with a detailed application appraisal from the Council's appointed countryside consultants Kernon.

A Member site visit was held prior to the August meeting.

Officers were continuing to recommend refusal for the reason set out in Paragraph 29 of Report No DEV/WS/19/022.

However, if Members continued to be minded to grant planning permission Officers had included a list of conditions at Paragraph 28. Specific attention was drawn to Condition 2; Officers had concerns that the applicant would be unable to comply with this condition, hence, their recommendation to refuse the application.

Speakers: Councillor Carol Bull (Ward Member: Barningham) spoke on the application on behalf of the applicants
Paul Nunn (applicant) spoke in support of the application

During the debate Councillor Bull spoke in support of the application and highlighted that granting approval would protect and enhance the countryside and rural economy; and a number of other Members equally shared this view.

Councillor Andy Drummond proposed that the application be approved, contrary to the Officer recommendation of refusal, and this was duly seconded by Councillor John Burns.

Upon being put to the vote and with 11 voting for the motion and with 5 against, it was resolved that

Decision

Planning permission be **GRANTED, CONTRARY TO THE OFFICER RECOMMENDATION OF REFUSAL**, 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 occupation of the dwelling hereby permitted shall be limited to a person solely or mainly employed, or last employed, in the locality in agriculture as defined in Section 336(1) of the Town and Country Planning Act 1990, or in forestry or a dependent of such person residing with him or her, or a widow or widower of such a person.
3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
4. No development above ground level shall take place until a scheme of soft landscaping for the site drawn to a scale of not less than 1:200, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include accurate indications of the position, species, girth, canopy spread and height of all existing trees and hedgerows on and adjacent to the site and details of any to be retained, together with measures for their protection during the course of development. Any retained trees removed, dying or becoming seriously damaged or diseased within five years of commencement 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. The works shall be

completed in accordance with the approved plans and in accordance with a timetable to be agreed with the Local Planning Authority.

5. No development above ground level shall take place until details of the treatment of the boundaries of the site have been submitted to and approved in writing by the Local Planning Authority. The details shall specify the siting, design, height and materials of the screen walls/fences to be constructed or erected and/or the species, spacing and height of hedging to be retained and / or planted together with a programme of implementation. Any planting removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by soft landscaping of similar size and species to those originally required to be planted. The works shall be completed prior to first use/occupation in accordance with the approved details.
6. 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.
7. All ecological measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.
8. The dwelling shall not be occupied until the areas within the site shown on drawing no. 5642 101A for the purposes of manoeuvring and parking of vehicles has been provided and thereafter those areas shall be retained and used for no other purposes.
9. Prior to the dwelling hereby permitted being first occupied, the vehicular access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.
10. The mitigation measures outlined in the Flood Risk Assessment shall be implemented in full prior to the first occupation of the dwelling unless otherwise agreed by the local planning authority.
11. The dwelling hereby approved shall not 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 and evidence of compliance has been obtained.
12. Prior to first occupation, all dwellings with off street parking shall be provided with an operational electric vehicle charge point at reasonably and practicably accessible locations, with an electric supply to the charge point capable of providing a 7kW charge.

37. Planning Application DC/19/1243/FUL - Wangford Woods, Access Road from A1065 to Wangford Warren, Wangford (Report No: DEV/WS/19/023)

Planning Application - To provide A11 mitigation land comprising of (i) Topsoil stripping to a depth of approx. 300mm to be taken from

bare earth (126 hectares) (ii) Topsoil to be spread evenly across scrub area (99 hectares) resulting in approx. 400mm land raise (iii) Installation of predator-proof fencing

This application was referred to the Development Control Committee as it related to a major planning application and Brandon Town Council objected to the scheme.

Officers were recommending that the application be approved, subject to conditions as set out in Paragraph 50 of Report No DEV/WS/19/023.

Councillor David Palmer proposed that the application be approved, as per the Officer recommendation, and this was duly seconded by Councillor Terry Clements.

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 No groundworks shall take place 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. Confirmation of the means by which ecological mitigation methodologies will minimise impacts on archaeological remains
 - b. The programme and methodology of site investigation and recording
 - c. The programme for post investigation assessment
 - d. Provision to be made for analysis of the site investigation and recording
 - e. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - f. Provision to be made for archive deposition of the analysis and records of the site investigation
 - g. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
 - h. 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.
- 4 Within six months of the site investigation, post investigation assessment should be 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 3

and the provision made for analysis, publication and dissemination of results and archive deposition.

5. Prior to commencement of development details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) shall be submitted to and agreed in writing by the Local Planning Authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:
 - a. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
 - i. Temporary drainage systems
 - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
 - iii. Measures for managing any on or offsite flood risk associated with construction.

(Councillor Ian Houlder left the meeting on conclusion of this item.)

38. Planning Application DC/19/1117/FUL - Land Adjacent to High Trees, The Park, Great Barton (Report No: DEV/WS/19/024)

Planning Application - (i) 1no. dwelling (ii) detached double garage and (iii) creation of a shared access

This application was referred to the Development Control Committee following consideration by the Delegation Panel; having been called in by Ward Member (The Fornhams and Great Barton) Councillor Beccy Hopfensperger.

A Member site visit was held prior to the meeting. The Parish Council supported the application, however, a number of objections had been received from third parties.

Officers were recommending that the application be approved, subject to conditions as set out in Paragraph 55 of Report No DEV/WS/19/024.

As part of her presentation the Senior Planning Officer drew attention to the following amendments:

- The scheme had been amended to allow the proposed dwelling to use the existing access, therefore, '(iii) creation of a shared access' was to be removed from the application's description; and
- Two additional conditions were to be added in respect of:
 - i. Removal of Permitted Development rights in respect of renewable energy and solar panels
 - ii. Removal of Permitted Development rights with regard to extensions and outbuildings

Speakers: Terry Wright (neighbouring objector) – with the agreement of the Chair a pre-prepared statement against the application was read out by Councillor Beccy Hopfensperger on behalf of Mr Wright, who was unable to attend the meeting

Councillor Beccy Hopfensperger (Ward Member: The Fornhams and Great Barton) spoke against the application
Lara Turner (agent) spoke in support of the application

Considerable debate took place by the Committee with a number of Members voicing concern at the loss of trees and the potential harm the development could cause to the trees being retained.

In response to which, the Chair invited the Council's Arboriculture Officer to respond and further elaborate on his comments as set out in Paragraph 9 of the report.

Members raised other points with regard to the ownership of the access, the adjacent flint wall and the overhead power lines on the site. All of which the Service Manager (Planning – Development) advised were separate matters to be dealt with outside of the planning process and were not material planning considerations.

Councillor Susan Glossop proposed that the application be refused, contrary to the Officer recommendation, due to the detrimental impact it would have on the character of the area. This was duly seconded by Councillor Jason Crooks.

Upon being put to the vote and with 8 voting for the motion, 6 against and with 1 abstention it was resolved that

Decision

Planning permission be **REFUSED, CONTRARY TO THE OFFICER RECOMMENDATION OF APPROVAL**, due to the detrimental impact it would have on the character of the area.

(Councillor Terry Clements left the meeting on conclusion of this item.)

39. **Planning Application DC/19/1046/FUL - Kentford Lodge, Herringswell Road, Kentford (Report No: DEV/WS/19/025)**

Planning Application - Installation of 6 x 2 Tonne Underground LPG Tanks including pipework network serving 60 properties (Retrospective)

This application was referred to the Development Control Committee following consideration by the Delegation Panel; having been called-in by Ward Member (Kentford and Moulton) Councillor Roger Dicker.

A Member site visit was held prior to the meeting.

The Parish Council, Ward Member and the one third party representation received all supported the application, which was contrary to the Officer recommendation of refusal for the reason set out at Paragraph 26 of Report No DEV/WS/19/025.

Councillor Dicker spoke in support of the retrospective application and made reference to the disruption and damage that would be caused if the applicant was forced to remove the underground tanks which were in situ.

The Service Manager (Planning – Development) advised Members that the potential for enforcement action and subsequent disruption to residents was not a material consideration in the determination of the application.

In addition, in response to further comments made by the Committee, the Service Manager assured Members that no error had been made on the part of the Planning Authority in respect of the application. However, she could investigate further and report back to Members directly should they wish; whilst being mindful that this was also not a material planning consideration.

Councillor Andy Drummond proposed that the application be approved, contrary to the Officer recommendation, as it was not considered to be so detrimental to the character and amenity of the area, and this was duly seconded by Councillor David Gathercole.

Councillor Jim Thorndyke asked if the approval could be conditioned to ensure some form of landscaping/screening was put in place and the proposer and seconder endorsed the inclusion of this in their motion.

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

Decision

Planning permission be **GRANTED, CONTRARY TO THE OFFICER RECOMMENDATION OF REFUSAL**, as it was not considered to be so detrimental to the character and amenity of the area, subject to the following conditions:

1. Compliance with plans
2. Landscaping/screening scheme to be agreed

The meeting concluded at 3.53pm

Signed by:

Chair
