

Development Control Committee



Minutes of a meeting of the **Development Control Committee** held on **Wednesday 18 November 2020** at **10.00 am** via Microsoft Teams

Present **Councillors**

Chair Andrew Smith

Vice Chairs Mike Chester and Jim Thorndyke

Richard Alecock

David Palmer

John Burns

David Roach

Jason Crooks

David Smith

Roger Dicker

Peter Stevens

Andy Drummond

Don Waldron

Susan Glossop

Ann Williamson

Ian Houlder

In attendance

Brian Harvey (Ward Member: Manor)

74. **Welcome**

The Chair formally commenced the meeting and jointly welcomed all present and those externally viewing the Development Control Committee.

A number of housekeeping matters and remote meeting guidance were highlighted to all.

75. **Apologies for absence**

No apologies for absence were received.

76. **Substitutes**

No substitutions were declared.

The Democratic Services Officer verbally outlined all Members of the Committee who were present, together with any attending Councillors and the names of the Officers supporting the meeting.

77. **Declarations of interest**

Members' declarations of interest are recorded under the item to which the declaration relates.

78. **Planning Application DC/20/0615/RM - Land North of Ann Suckling Road, Little Wrattling (Report No: DEV/WS/20/052)**

Reserved Matters Application -Submission of details under SE/09/1283 - the means of access, appearance, landscaping, layout and scale for the construction of 41 dwellings with associated private amenity space, means of enclosure, car parking, vehicle and access arrangement and drainage together with proposed areas of landscaping and areas of open space for a residential development known as Phase 2A

This application was referred to the Development Control Committee following a call-in from the local Ward Member Councillor Joe Mason (Haverhill North).

In addition, Haverhill Town Council objected to the application which was in conflict with the Officer's recommendation for approval subject to the receipt of an acceptable noise assessment and conditions, as set out in Paragraph 9.0 of Report No DEV/WS/20/052.

Members were advised that the application related to part of the wider North West Haverhill site, one of the two strategic growth sites for Haverhill identified in the adopted Core Strategy. It sought approval of the details for part of the second phase of residential development.

The Committee were informed that the site had been the subject of significant public engagement through the preparation and adoption of a concept statement and a masterplan. Outline planning permission was granted on 27 March 2015 for residential development, a primary school, local centre including retail and community uses, public open space, landscaping infrastructure, servicing and other associated works alongside full permission for the construction of a relief road.

The Principal Planning Officer explained that the application had initially sought approval for all the dwellings in phase two. However, during the course of the application, the dwellings in the southern half of the phase were removed and the red line was reduced in size to allow further work to take place on the southern parcel (phase 2b) to improve its character, layout and appearance before the submission of a new reserved matters application.

The remaining northern parcel (phase 2a) had, therefore, been amended to address concerns with the layout, house types, landscaping, and highways. The site included a section of highway connecting the parcel to the approved road network within phase one and a strip of land connecting to a proposed drainage basin to the south, which would serve all of phase two.

As part of her presentation the Principal Planning Officer made reference to the supplementary 'late papers' which had been circulated following publication of the agenda.

Lastly, reference was made to a separate ongoing enforcement matter in connection with the application site which, the Committee was reminded, was not a material planning consideration for the determination of the application.

Speakers: Anne & Brad Strachen (neighbouring resident objectors) spoke against the application
Councillor Joe Mason (Ward Member: Haverhill North) spoke against the application
Stuart McAdam (Applicant – Persimmon Homes) spoke in support of the application
(All parties listed did not connect to the meeting to personally address the Committee and the Democratic Services Officer read out pre-prepared submitted statements on their behalf)

Considerable debate ensued with a number of comments/questions raised by Members on: the designated green spaces, hedges and green infrastructure corridors, pedestrian access and landscaping, all of which the Principal Planning Officer responded to.

Specific discussion took place in relation to sustainability aspects such as: heating, internet access and electric vehicle charging. In response to this the Officer explained that elements such as electric vehicle charging points or specific requirements in terms of heat and power would have needed to have been secured at the time of the outline consent and could not be required under a Reserved Matters application. Broadband provision and the method of heating the dwellings would therefore not be material considerations in this case.

However, Members were assured that Officers continued to have discussions with the applicant in respect of electric vehicle charging points, the inclusion of which was being increasingly influenced by the market. The Officer stated that Persimmon has advised they will be providing charging points for dwellings with garages as a first step towards increased provision.

Questions were also raised in respect of the affordable housing provision and housing mix. The Committee were advised that the affordable housing had been secured via a S106 Agreement and assured the meeting that the layout and design in the application did not in any way prejudice the delivery of the agreed provision.

Councillor John Burns addressed the meeting and briefly referenced the history of the site and the related relief road. He then moved that the application be approved, as per the Officer recommendation. This was duly seconded by Councillor David Roach.

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

Decision

Planning permission be **GRANTED** subject to the receipt of an acceptable Noise Assessment and the following conditions:

1. Approved Plans and documents
The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.

2. Noise indoors

Prior to occupation of the proposed dwellings, the noise mitigation measures, as stated within the Environmental Impact Assessment submitted by Loven Acoustics for Phase 2A, Ref: LA/1726/02aR/ML dated 11 November 2020, shall be implemented to ensure that the internal ambient noise levels within each dwelling, with windows closed, do not exceed an LAeq (16hrs) of 35 dB(A) within bedrooms and living rooms between the hours of 07:00 to 23:00 and an LAeq (8hrs) of 30dB(A) within bedrooms between the hours of 23:00 to 07:00, in accordance with the current guideline levels within BS8233:2014 – Guidance on sound insulation and noise reduction for buildings.

3. Noise outdoors

Prior to occupation of the proposed dwellings, the noise mitigation measures, as stated within the Environmental Impact Assessment submitted by Loven Acoustics for Phase 2A Ref: LA/1726/02aR/ML dated 11 November 2020, shall be implemented to ensure that the noise level within the external amenity areas of each dwelling do not exceed an LAeq of 50 dB (A), in accordance with the current guideline levels within BS8233:2014 – Guidance on sound insulation and noise reduction for buildings.

4. Landscape condition

Notwithstanding the details previously submitted, no above ground construction shall take place until there has been submitted to and approved in writing by the Local Planning Authority a final scheme of soft landscaping for the site drawn to a scale of not less than 1:200.

The details shall include buffer planting along the northern boundary as set out in the design code and compensatory hedge planting to mitigate for the loss of Hedge H2. The landscaping details shall also include the biodiversity enhancements requested by the Suffolk Wildlife trust and set out in the Great Crested Newt Survey, the Hazel Dormouse Survey Report, the Bat Activity Survey Report and the Breeding Bird Survey.

Planting details shall also include details of on plot planting and planting within the SUDS Basin, and clearly show where existing vegetation is to be maintained/enhanced.

The 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. The approved scheme of soft landscaping works shall be implemented not later than the first planting season following 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.

5. Lighting strategy for bats

Prior to any above ground construction details of a light minimization strategy, as recommended in the submitted bat activity survey report, shall be submitted to the local planning authority and agreed in writing. The strategy shall cover the construction and post construction phases

and be based on the recommendations set out in section 5.2 of the bat activity survey report.

6. Sulphur Clover method statement
Prior to the commencement of any works in areas identified as containing Sulphur Clover in the Botanical Survey (including Sulphur Clover survey)(August 2019), full details of the method of translocation of the plants shall be submitted to the local planning authority and agreed in writing. All works must be carried out in accordance with the agreed details.
7. Reptile precautionary method statement.
All work shall be carried out in accordance with the precautionary methods of working set out in the Reptile Precautionary Method Statement.
8. Tree pit condition
Notwithstanding the tree pit details submitted with this application, prior to the installation of any tree within 2.5 metres of a highway, the full details of the proposed tree pit for that tree shall be submitted to the local planning authority and agreed in writing. All work shall be carried out in full accordance with the approved details.
9. Flood resilience measures
Prior to the commencement of the dwellings on plots 8 and 9 details of the flood resilience measures incorporated into the design of those units shall be submitted to the local planning authority and agreed in writing. The dwellings shall be completed in accordance with the agreed measures.
10. Pedestrian and cycle crossing Condition
Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority for the indicative crossing shown on drawing 041-P-140 Rev B. The scheme will include, full design, location and Safety Audit (Stage 1&2). The approved scheme shall be carried out in its entirety before the first occupation of any property and shall be retained thereafter in its approved form.
11. Refuse Condition
The areas to be provided for the presentation and storage of refuse/recycling bins as shown on drawing number 041-P-130 Rev C shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.
12. Vehicle parking condition
Prior to the occupation of any dwelling, the area(s) within the site shown on drawing 041-P-140 Rev B for the purposes of loading, unloading, manoeuvring and parking of vehicles in relation to that dwelling shall be provided. Thereafter that area(s) shall be retained and used for no other purposes.
13. Estate roads and footways Condition
Before the development is commenced, details of the estate roads and footpaths, (including carriageway and footway width/s, layout, levels, gradients, lighting, visibility splays, soft landscaping, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

79. **Planning Application DC/20/1222/HH - 31 Acacia Avenue, Bury St Edmunds (Report No: DEV/WS/20/053)**

Householder planning application - Single storey detached annexe. As amended by plans received 01 October 2020 and 06 October 2020

This application was referred to the Development Control Committee following consideration by the Delegation Panel on 3 November 2020.

It was presented to the Delegation Panel due to the objection from Bury St Edmunds Town Council which was in conflict with the Officer recommendation of approval, subject to conditions as set out in Paragraph 43 of Report No DEV/WS/20/053.

As part of his presentation the Planning Officer outlined the Permitted Development 'fallback' position and provided videos of the site by way of a virtual 'site visit'.

Speakers: John Brabrook (neighbouring resident objector) spoke against the application (*Mr Brabrook did not connect to the meeting to personally address the Committee and instead opted to have the Democratic Services Officer read out a pre-prepared submitted statement on his behalf*)
Councillor Kevin Hind (Bury St Edmunds Town Council) spoke against the application
Michaela Cooper (applicant) spoke in support of the application

During the debate a number of questions were posed with regard to the parking provision.

In response, the Planning Officer explained that whilst the scheme resulted in a technical under-provision of parking, Suffolk County Council Highways had not objected as there was on-street parking available at Acacia Avenue and they did not consider that approval of the application would lead to any material harm to highway or pedestrian safety.

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

Upon being put to the vote and with 15 voting for the motion and 1 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 three 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 use shall not commence until the area within the site shown on

Drawing No. 087-20/P/01 Rev A for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area shall be retained and used for no other purposes.

4. The extension/annex hereby permitted shall be occupied only in conjunction with and for purposes ancillary to the residential use of the existing dwelling known as 31 Acacia Avenue to which it is associated and together they shall form a single dwelling house.

80. **Planning Application DC/20/1063/HH - 60 The Street, Barton Mills
(Report No: DEV/WS/20/054)**

Householder Planning Application - (i) Garage (ii) vehicular driveway improvements

This application was referred to the Development Control Committee following consideration by the Delegation Panel on 20 October 2020.

It was presented to the Delegation Panel due to the support from the Parish Council which was in conflict with the Officer's recommendation of refusal, for the reason set out in Paragraph 41 of Report No DEV/WS/20/054.

As part of her presentation to the Committee the Planning Officer drew attention to the supplementary 'late papers' that had been issued since publication of the agenda and presented videos of the site by way of a virtual 'site visit'.

Speakers: Councillor Brian Harvey (Ward Member: Manor) spoke in support of the application
Les Belsberg (applicant) spoke in support of the application (*by way of a pre-recorded audio file*)

Councillor David Roach spoke in support of the application which he considered not to be in conflict with polices CS5, DM2, DM17 and DM24 and would not create an adverse impact on the Conservation Area.

Accordingly, he proposed that the application be approved, contrary to the Officer recommendation, and this was duly seconded by Councillor John Burns.

The Service Manager (Planning – Development) addressed the meeting and reminded the Committee that the support from the community for the proposal was not a material planning consideration.

On the basis of the reasons given by Councillor Roach for approving the application she also advised that the proposal would not be 'minded to' and the Decision Making Protocol would not be invoked in this instance.

Following which, the Planning Officer verbally outlined the conditions that could be appended to a planning permission, if granted.

(Prior to taking a vote on this item Councillor Peter Stevens raised a query with regard to the recorded vote process which the Service Manager – Democratic Services responded to.)

Upon being put to the vote and with 8 voting for the motion and 8 against, the Chair exercised his casting vote against and the motion for approval was therefore lost.

Councillor Roger Dicker then proposed that the application be refused, as per the Officer recommendation, and this was duly seconded by Councillor Don Waldron.

Upon being put to the vote and with 9 voting for the motion and 7 against it was resolved that

Decision

Planning permission be **REFUSED** for the following reason:

1. The pattern of development in this particular part of the conservation area comprises of large, detached properties that are set back from the highway with large front gardens which offer a sense of openness. This spaciousness is considered to contribute to the special character and appearance of the area. The proposed garage is considered to be a large, bulky and visually prominent addition that will compromise the open character of this part of the conservation area. The proposed garage is considered to be in material conflict with policy CS5 of the Core Strategy, policies DM2, DM17 and DM24 of the Joint Development Management Policies Document, and the advice contained within the National Planning Policy Framework which seeks to ensure that new development within conservation areas makes a positive contribution to the character and appearance of the area, by either preserving or enhancing its setting.

81. **Planning Application DC/20/1074/OUT - Proposed Dwelling, 9 Glebe Close, Ingham (Report No: DEV/WS/20/055)**

(Councillor Susan Glossop addressed the meeting as Ward Member for the application and stressed that she would keep an open mind and listen to the debate prior to voting on the item.)

Outline Planning Application (all matters reserved) - 1no. dwelling (previous application DC/19/1273/OUT)

This application was referred to the Development Control Committee following consideration by the Delegation Panel on 3 November 2020.

It was presented to the Delegation Panel following a call-in from the Ward Member (Ingham) Councillor Susan Glossop and in light of the objection from Ingham Parish Council which was in conflict with the Officer's recommendation of approval, subject to conditions as set out in Paragraph 55 of Report No DEV/WS/20/055.

As part of his presentation the Planning Officer outlined the planning history of the site and related appeal position and provided videos of the site by way of a virtual 'site visit'.

Speakers: Hannah Ellis (neighbouring resident objector) spoke against the application
Councillor Adrian Dawson (Ingham Parish Council) spoke against the application (*by way of a pre-recorded audio file*)

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

Upon being put to the vote and with 8 voting for the motion and 8 against the Chair exercised his casting vote in favour and it was resolved that

Decision

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

1. Application for the approval of the matters reserved by conditions of this permission shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun not later than whichever is the latest of the following dates:- i) The expiration of three years from the date of this permission; or ii) The expiration of two years from the final approval of the reserved matters; or, In the case of approval on different dates, the final approval of the last such matter to be approved.
2. Prior to commencement of development details of the access, appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.
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. 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.
5. 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.
6. Prior to the dwelling hereby permitted being first occupied, the vehicular accesses onto the highway for the proposed dwelling and for the donor dwelling shall both 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.
7. The use shall not commence until the areas within the site shown on the Amended Block Plan for the purposes of manoeuvring and parking of vehicles have been provided and thereafter that those areas shall be retained and used for no other purposes.

8. At the time of submission of the reserve matters application details of the areas to be provided for the cycle storage for the proposed dwelling 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.
9. No construction site machinery or plant shall be operated, noise works shall be carried out and no construction related deliveries taken at or despatched from the site except between the hours of 0800-1800 Monday to Friday, 0800-1300 Saturday and not at any time on Sundays or Bank or Public Holidays.
10. At the time of submission of the reserve matters application details of western boundary 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.
11. Prior to occupation details of biodiversity enhancement measures to be installed at the site, including details of the timescale for installation, shall be submitted to and approved in writing by the Local Planning Authority. Any such measures as may be agreed shall be installed in accordance with the agreed timescales and thereafter retained as so installed. There shall be no occupation unless and until details of the biodiversity enhancement measures to be installed have been agreed in writing by the Local Planning Authority.

The meeting concluded at 12.56pm

Signed by:

Chair
