

Development Control Committee



Minutes of a meeting of the **Development Control Committee** held on **Wednesday 7 July 2021** at **10.00 am** in the The Apex, Charter Square, Bury St Edmunds, Suffolk, IP33 3FD

Present **Councillors**

Chair Andrew Smith

Vice Chairs Mike Chester and Jim Thorndyke

Carol Bull

Andy Neal

John Burns

David Palmer

Roger Dicker

David Roach

Andy Drummond

David Smith

Susan Glossop

Peter Stevens

Brian Harvey

In attendance

Elaine McManus (Ward Member: Haverhill North)

147. Welcome

The Chair welcomed all present to the Development Control Committee and a number of housekeeping matters and guidance were highlighted to all.

The Committee was advised that it had not been possible for the minutes of the last meeting on 23 June 2021 to be appended due to the short stretch of time between the two meetings. These would therefore be included on the agenda for the subsequent meeting on 4 August 2021.

Lastly, the Chair informed Members that if Stage 4 of the Government's road map was implemented on 19 July 2021 then the intention would be for the Committee's August meeting to be held at West Suffolk House.

148. Apologies for absence

Apologies for absence were received from Councillors Richard Alecock, Jason Crooks and Ian Houlder.

149. Substitutes

The following substitutions were declared:

Councillor Andy Neal substituting for Councillor Richard Alecock; and Councillor Brian Harvey substituting for Councillor Ian Houlder

150. Declarations of interest

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

151. Planning Application DC/21/0110/RM - Land NW of Haverhill, Ann Suckling Road, Little Wrating (Report No: DEV/WS/21/022)

(Councillors John Burns and David Smith each declared a non-pecuniary interest in this item in light of the fact that they had taken part in Haverhill Town Council's consideration of the application. However, they stressed that they would keep an open mind and listen to the debate prior to voting on the item.)

Reserved matters application - submission of details under outline planning permission SE/09/1283 - the means of access, appearance, landscaping, layout and scale for the construction of 127 dwellings, together with associated private amenity space, means of enclosure, car parking, vehicle and access arrangements together with proposed areas of landscaping and areas of open space for a phase of residential development known as phase 2b as amended by plans received 14.5.21 increasing number of units to 129 and amendments to access, layout, scale, appearance and landscaping as summarised in covering letter dated 14.5.21

This application was referred to the Development Control Committee following call-in from Ward Member (Haverhill North) Councillor Joe Mason. In addition, the Town Council had voiced objections to the application.

The Principal Planning Officer explained that the application was part of the wider North West Haverhill site which was one of two strategic growth sites for Haverhill identified in the adopted Core Strategy. The application before the Committee sought approval of the details for part of the second phase of residential development.

Members were advised that the site had previously been the subject of a significant public engagement process through the preparation and adoption of a concept statement and 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 Officer clarified that phase 2 of the strategic site fell within two broad character areas defined in the approved Design Code; Wrating Gardens to the North (the character area for phase 1) and Boyton Place to the South which incorporated the local centre and was envisaged as being more contemporary in appearance.

The Southern part of phase 2 (known as phase 2b) was initially submitted with the Northern parcel in Planning Application DC/16/0215/RM. However, it

was withdrawn from that application to enable further work to take place to improve its character, layout and appearance.

Attention was drawn to the supplementary 'late papers' which had been circulated after the agenda had been published and which set out the proposed conditions in detail. The Principal Planning Officer made reference to an error within the papers where it inaccurately referenced 127 dwellings, which had been increased to 129 units via amended plans.

Lastly, the Committee was informed that three further late public representations had been received since circulation of the late papers. The Officer read out a summary of the objections contained therein, all of which covered topics which had been previously covered by earlier representations and which were referenced within Report No DEV/WS/21/022.

Officers were recommending that the application be approved, subject to conditions as set out in the supplementary late papers.

Speakers: Brad Strachan (neighbouring objector and on behalf of fellow neighbouring objectors) spoke against the application
Councillor Elaine McManus (Haverhill Town Council) spoke against the application
Stuart McAdam (agent) spoke in support of the application

Councillor John Burns opened the debate and spoke at length on the detailed history of the site. He voiced concerns on the lack of infrastructure and questioned the sustainability of the development.

His primary objection related to the 4 storey flat roofed units which he argued were an overdevelopment, out of keeping and would be intrusively visible by the majority of the town due to the elevation of the application site.

Councillor David Smith also addressed the meeting and echoed many of the points made by Councillor Burns. His largest concern was also the 4 storey units and the visual impact they would have.

Councillor Peter Stevens stressed that the site was former rolling countryside and therefore the design of the roof blocks was important to mitigate the visual impact. He also raised concern about wider cumulative traffic impacts of the development.

The Principal Planning Officer responded to these and other questions/comments as follows:

- The cumulative highways impact was considered at outline stage of the application;
- The level of parking per unit and for visitors complied with parking standards;
- The density of the scheme was established at outline stage of the application;
- Green space was secured as part of the Section 106; and
- Design Out Crime had been included within the scheme seeking approval.

Councillor John Burns queried the number of electric charging points to be included which he considered to be insufficient. Accordingly, he proposed that the application be deferred in order to allow Officers additional time in which to work with the applicant to address some of the concerns raised by the Committee; principally relating to the 4 storey units, the density and electric charging point provision.

Councillor David Roach sought clarity of the process in respect of outline/reserved matters applications and continued to voice concern at the density of the scheme. He stated that he felt unable to support a deferral motion.

Councillor Mike Chester then duly seconded the motion for deferral.

Councillor Andy Drummond raised a query as to the motion proposed and the Chair clarified that whilst Councillor Roach did not second the motion for deferral he did not propose an alternative motion.

Accordingly, upon being put to the vote and with 7 voting for the motion, 6 against and with 1 abstention it was resolved that

Decision

Consideration of the application be **DEFERRED** in order to allow Officers additional time in which to work with the applicant to address some of the concerns raised by the Committee; principally relating to the 4 storey units, the density and electric charging point provision.

(Councillor Roger Dicker joined the meeting at 10.10am during the Case Officer's presentation of this item, accordingly he was advised by the Chair that he would be unable to take part in the vote on this application.)

152. **Planning Application DC/21/0623/FUL - Hillcrest Nursery, Barningham Road, Stanton (Report No: DEV/WS/21/023)**

(Councillor Jim Thorndyke declared a non-pecuniary interest in this item in light of the fact that he was acquainted with the applicant. However, he stressed that he would keep an open mind and listen to the debate prior to voting on the item.)

Planning application - one temporary static caravan for a period of three years

This application was referred to the Development Control Committee following consideration by the Delegation Panel and in view of the fact that the Parish Council did not object to the proposal which was in conflict with the Officers' recommendation of refusal, for the reasons set out in Paragraph 53 of Report No DEV/WS/21/023.

As part of her presentation the Planning Officer showed videos of the site by way of a virtual 'site visit'.

Attention was drawn to Paragraph 19 of the report which inaccurately stated that there were three housing settlement boundaries within Stanton, when there were actually four.

Speakers: Councillor Jim Thorndyke (Ward Member: Stanton) spoke on the application
Jonny Rankin (agent) spoke in support of the application

In response to queries concerning the definition of a 'key worker' under Policy DM5, the Service Manager (Planning – Development) gave further explanation.

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

Upon being put to the vote and with 11 voting for the motion and 3 against, it was resolved that

Decision

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

1. The St Edmundsbury Core Strategy (2010) via CS13 states that development outside of housing settlements, defined in policies CS1 and CS4, will be strictly controlled, with residential development outside of the settlement boundaries being resisted. The Joint Development Management Policies Document (2015) further supports both the NPPF and Core Strategy through policies DM5 and DM27. DM5 states that areas designated as countryside will be protected from unsustainable development and policy DM27 sets out the strict circumstances where dwellings will be permitted outside of settlement boundaries. The site falls outside of any designated settlement boundaries, showing a dwelling in the form of a static caravan. The proposed dwelling does not front a highway or form an infill within a continuous built up frontage, nor will it form a close knit cluster of 10 or more dwellings. Policy DM26 is not relevant as the dwelling is not for an agricultural, forestry or commercial equine essential worker. The proposal does not therefore meet the provisions of any of these policies and there are no material considerations, including the applicant's suggestions that the proposal be time limited and personal, that outweigh this very significant conflict with the Development Plan.
2. Policies DM2 and DM22 of the Joint Development Management Policies Document and the NPPF attach great importance to good design, expecting new developments to be visually attractive, responding to local character and reinforcing local distinctiveness. Furthermore, policies CS2 and CS3 of the Core Strategy state that a high quality, sustainable environment will be achieved by conserving and, wherever possible, enhancing the character and quality of local landscapes, making a positive contribution to local distinctiveness, character, townscape and the setting of settlements, and understanding the local context and how the development will enhance the area. The paddock where the residential static caravan is proposed, to the north of

Hillcrest Nursery, is a rural setting with open countryside to its north boundary. The introduction of a dwelling in this location will have an urbanising impact, resulting in the material and harmful erosion of the countryside. The proposal is therefore contrary to the provisions of policies CS2 and CS3 of the Core Strategy, policies DM2 and DM22 of the Joint Development Management Policies Document and the National Planning Policy Framework 2019.

153. **Planning Application DC/21/0618/VAR - The Old Pumping Station, Lower Road, Hundon (Report No: DEV/WS/21/024)**

Planning application - Variation of conditions 2, 3, 8, 9, 10 12, 13 and 17 of DC/20/0227/VAR to allow alternative drainage and the submission of details for the construction of a. three dwellings and associated garages; b. pedestrian link to public footpath; c. alterations to existing access

This application was referred to the Development Control Committee because the application was contrary to the Development Plan and was recommended for approval, subject to conditions as set out in Paragraph 50 of Report No DEV/WS/21/024.

The Senior Planning Officer explained that planning permission was granted under DC/19/1817/FUL for three dwellings at the Development Control Committee on 8 January 2020. The principle of development had therefore been established.

This was followed by a subsequent planning permission that sought to vary conditions No 2 (approved plans) and No 11 (soft landscaping) of DC/19/1817/FUL.

As part of her presentation the Officer explained that the applicant had requested that the proposed wording of condition No 8 be slightly amended from that which was set out in the report to aid clarity.

Speaker: Michael Hendry (agent) spoke in support of the application
(Mr Hendry did not attend the meeting to personally address the Committee and instead the Democratic Services Officer read out a pre-prepared submitted statement on his behalf.)

Councillor David Roach proposed that the application be approved, as per the Officers' recommendation, and this was duly seconded by Councillor Andy Drummond.

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 three years from the date planning permission DC/19/1817/FUL, 9 January

- 2023.
- 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 occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works as set out in the remediation strategy is submitted to and approved, in writing by the Local Planning Authority.
 - 4 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.
 - 5 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.
 - 6 Demolition or construction works shall not take place outside 8:00am hours to 6:00pm hours Mondays to Fridays and 8:00am hours to 1:30pm hours on Saturdays and at no time on Sundays, public holidays or bank holidays.
 - 7 The development hereby approved shall be carried out in complete accordance with the approved Construction Method Statement received on 3 December 2020, unless otherwise agreed in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period.
 - 8 The strategy for the disposal of surface water (Drainage Strategy Parts 1, 2, 3 & 4 Dated: Sep 2020 Ref: 14761 Rev B) and the Flood Risk Assessment (FRA) (Flood Risk Assessment Parts 1 & 2 Dated: Jul 2020 Ref: 14761) shall be fully implemented prior to first occupation or an alternative scheme as approved in writing by the Local Planning Authority. The strategy shall thereafter be managed and maintained in accordance with the approved strategy.
 - 9 Prior to commencement of development, the approved tree protection measures contained within the Arboricultural Method Statement (dated 25 November 2020 Ref: JBA 19/146 AR02 by James Blake Associates), shall be implemented in full 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.
 - 10 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

- 11 Local Planning Authority gives written consent for any variation.
- 12 The biodiversity enhancement measures contained in the Biodiversity Enhancement Measures for Development (dated January 2021 by Skilled Ecology) shall be installed prior to first occupation and thereafter retained as so installed.
- 12 The development hereby permitted shall be constructed entirely of the materials detailed on the submitted plan / drawing No.(s) - 18033-50.
- 13 The means to prevent the discharge of surface water from the development onto the highway as set out in the approved drainage strategy (Drainage Strategy Parts 1, 2, 3 & 4 Dated: Sep 2020 Ref: 14761 Rev B) shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.
- 14 The dwelling(s) hereby approved shall not be occupied until the 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.
- 15 The new vehicular access shall be laid out and completed in all respects in accordance with Drawing No 18033-08 Rev B and made available for use prior to occupation. It shall be retained thereafter in its approved form.
- 16 Prior to first use of the development hereby permitted, the existing access onto the site shall be properly surfaced with a bound impervious material for a minimum distance of 10 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the Local Planning Authority.
- 17 Before the access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point and a distance of 120metres to the northwest and 43metres to the southeast metres in each direction along the edge of the metalled carriageway from the centre of the access. Notwithstanding the provisions of Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking and re-enacting that Order) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the area of the visibility splays.
- 18 Prior to first use of the development hereby permitted, the area(s) within the site shown on drawing No. 18033-08 Rev B for the purpose of loading, unloading, manoeuvring and parking of vehicles shall be provided. Thereafter the area(s) shall be retained and used for no other purpose.

(On conclusion of this item the Chair permitted a short comfort break before reconvening and continuing with the meeting.)

154. Planning Application DC/21/0946/CLP - West Suffolk House, Western Way, Bury St Edmunds (Report No: DEV/WS/21/025)

Application for a certificate of lawfulness for proposed use or development - extension to the existing sub-station building, reconfiguration of associated footpath and motorbike parking spaces

This application was referred to the Development Control Committee because West Suffolk Council was the applicant.

The Planning Officer explained that the provision of a battery storage area was also originally included. However, this was intended to be installed on the existing car parking area of the site and this parking was required by condition on the substantive approval for West Suffolk House to be retained, meaning the battery storage element could not be classed as 'permitted development' under the relevant regulations.

As a consequence, the battery storage area was removed from the proposal and Officers were therefore recommending that a Certificate of Lawful Development was granted, as per the recommendation in Paragraph 14 of Report No DEV/WS/21/025.

Councillor John Burns proposed that the Officers' recommendation be accepted and this was duly seconded by Councillor Andy Neal.

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

Decision

A Certificate of Lawful Development be **GRANTED**.

The meeting concluded at 12.24pm

Signed by:

Chair

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