

Development Control Committee

Minutes of a meeting of the **Development Control Committee** held on **Wednesday 3 November 2021** at **10.00 am** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present

Councillors

Chair Andrew Smith

Vice Chairs Mike Chester and Jim Thorndyke

Carol Bull

Ian Houlder

John Burns

James Lay

Jason Crooks

Andy Neal

Roger Dicker

David Roach

Susan Glossop

David Smith

Brian Harvey

Peter Stevens

In attendance

Nick Clarke (Ward Member: Clare, Hundon & Kedington)

185. **Welcome**

The Chair formally commenced the meeting, welcomed all present to the Development Control Committee and reminded Members that a short post-Committee discussion session would be undertaken on close of the meeting.

It was also highlighted that an engineer was present in the Conference Chamber in order to carry out monitoring of the audio visual system.

186. **Apologies for absence**

Apologies for absence were received from Councillors Richard Alecock, Andy Drummond and David Palmer.

187. **Substitutes**

The following substitutions were declared:

Councillor Andy Neal substituting for Councillor Richard Alecock; and Councillor James Lay substituting for Councillor Andy Drummond.

188. **Minutes**

The minutes of the meeting held on 6 October 2021 were confirmed as a correct record, with 14 voting for the motion and with 1 abstention, and were signed by the Chair.

189. **Declarations of interest**

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

190. **Planning Application DC/21/0152/HYB - Land South of Burwell Road, Exning (Report No: DEV/WS/21/041)**

(Councillor Roger Dicker asked that it be noted, in the interests of transparency, that he was acquainted with the landowner purely by way of the individual in question being a patron at the shop/Post Office he operated in Kenford.)

Hybrid Planning Application - A. Full planning for 205 dwellings, garages, new vehicular accesses, pedestrian/cycle accesses, landscaping and associated open space and B. Outline planning - early years education facility

This application was originally referred to the Development Control Committee in September as the Officer's recommendation of approval was contrary to the view of Exning Parish Council.

The Senior Planning Officer had advised that the site in question was allocated in the Site Allocations Local Plan (SALP) 2019 under Policy SA12(a) which was adopted in September 2019. This site was known in the SALP document as Land South of Burwell Road and West of Queens View. Policy SA12(a) of the SALP 2019 document sets out that 15 hectares of land is allocated for residential development, with an indicative capacity of 205 dwellings.

At the September meeting of the Committee Members resolved to defer consideration of the application in order to allow Officers additional time in which to work with the applicant to address some of the concerns raised by the Committee relating to:

- The wider highways concerns and impact;
- The conflict with the landscape buffer and perceived overdevelopment; and
- To allow the applicant and Officers to engage with Exning Parish Council.

Following the September Committee amended plans had been submitted by the applicant revising the width of the landscape buffer along the western boundary, the inclusion of a permissive footpath to the south and relocation of a substation. Additional information was also provided in relation to off-site cycle routes into the centre of Exning.

As part of her presentation to the meeting the Senior Planning Officer went through the changes made to the application in detail. She also advised that the applicants had met with Exning Parish Council and had undertaken extensive local engagement.

Attention was drawn to the supplementary 'late papers' which set out a technical note submitted by the Highways Authority in relation to the application.

Members were also informed that an additional representation had been received from 26 Glebe Close after the late papers had been issued; the Senior Planning Officer read this out in full to the meeting.

Officers were continuing to recommend that the application be approved subject to the completion of a Section 106 Agreement Heads of Terms and conditions, as set out in Paragraph 83 of Report No DEV/WS/21/041, with the addition of a further plan to be added to condition 2 which had been omitted from the list.

Speakers: Dr Jean Whitaker (local resident) spoke against the application
Councillor Terry Wood (Chair of Exning Parish Council) spoke against the application
Darren Cogman (agent) spoke in support of the application
(Dr Whitaker did not attend the meeting to personally address the Committee and instead the Democratic Services Officer read out a pre-prepared statement on her behalf.)

Councillor James Lay raised specific concerns in relation to the wider, long-term highways impact the application could have on the roads into neighbouring Burwell and Newmarket.

He also stressed the need to ensure that effective dialog took place between all local authorities concerned in respect of applications that were sited on county and district boundaries. In response, the Senior Planning Officer assured the Committee that the consultation between Suffolk County Council, Cambridgeshire County Council, East Cambridgeshire District Council and West Suffolk Council in relation to the application in question and the original allocation in the SALP had been very extensive.

Considerable discussion took place on the application, with Members posing a number of questions to the Case Officer who responded in respect of:

- Electric charging points – a condition was listed to ensure charging points were provided at all properties;
- Sustainable Drainage System (SuDS) – the SuDS proposed was considered acceptable and could be controlled by way of conditions;
- Cycle routes – had been looked at extensively; and
- Education – the proposed scheme would allow an increase in much needed School and Early Years places, which would mitigate the impact of the additional pupils arising from the proposed development.

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

Upon being put to the vote and with 10 voting for the motion, 3 against and with 2 abstentions it was resolved that

Decision

Planning permission be **GRANTED** subject to:

A Section 106 Agreement Heads of Terms:

DC/21/0153/FUL – Land South of Burwell Road, Exning – S106 Heads of Terms			
Item	Detail	Provision	Contribution
Affordable Housing	On-site dwellings and off-site contribution	30% Mix - 40 rented & 21 shared ownership 0.5commuted sum	£51,708
Education	Early Years Primary School Secondary School Sixth Form	-	£389,652 £846,132 £832,125 £166,425
Library	Enhancement of local provision	-	£44,280
Open Space	Off-site contribution to improve existing facilities	-	£60,000
Travel Plan	Monitoring and engagement process	Travel Plan Evaluation and Support Contribution	£1,000 per annum - from first occupation for a minimum of five years, or one year after occupation of the final dwelling (whichever is the longest duration).
NHS	Health care capacity	-	£123,200
Cross Boundary Cycle Link – Burwell to Exning	Off-site cross boundary cycle link contribution required as set out in SALP.	-	£162,430

And the following conditions:

IN RESPECT OF THE FULL PLANNING APPLICATION FOR 205 DWELLINGS AND ASSOCIATED INFRASTRUCTURE:

- 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 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 No building shall be occupied or otherwise used 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 details of the strategy for the disposal of surface water on the site shall be submitted to and approved in writing by the Local Planning Authority.
- 6 Prior to commencement of development details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site shall be 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.
- 7 Within 28 days of practical completion of the last dwelling or unit, a surface water drainage verification report shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.
- 8 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:-

1. Temporary drainage systems

2. Measures for managing pollution / water quality and protecting controlled waters and watercourses

3. Measures for managing any on or offsite flood risk associated with construction.

- 9 Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.
- 10 Prior to construction above damp proof course a Phasing Plan setting out the details of the phasing of the development shall be submitted to, and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in complete accordance with the approved Phasing Plan.
- 11 No occupation of dwellings approved by this permission shall occur until the agreed scheme for improvement and/or extension of the existing sewage system has been completed.
- 12 No other part of the development hereby permitted shall be commenced until the new vehicular access complete with footways and cycleways has been laid out and completed in broad accordance with drawing number 203-20 0101 P1. Thereafter the access shall be retained thereafter in its approved form.
- 13 No part of the development shall be commenced until details of the proposed access link into Glebe Drive and Mallard Way have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to any occupation of dwellings accessed from these roads. Thereafter the access shall be retained in its approved form. The details shall show how the two cycle links will safely link to each other giving cyclists a safe and sustainable link.
- 14 Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing, lighting, traffic calming and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.
- 15 No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least base course level or better, in accordance with the approved details except with the written agreement of the Local Planning Authority.
- 16 No development shall be commenced until an estate road phasing and completion plan has been submitted to and approved in writing by the local planning authority. The estate road phasing and completion plan shall set out the development phases and the standards of construction that the estate roads serving each phase of the development will be completed to and maintained at.
- 17 Before the development hereby permitted is commenced a

Construction Management Plan and Statement shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan. The Construction Management Plan shall include the following matters:

- a) parking and turning for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) piling techniques
- d) storage of plant and materials
- e) provision and use of wheel washing facilities
- f) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works
- g) site working and delivery times
- h) a communications plan to inform local residents of the program of works
- i) provision of boundary hoarding and lighting
- j) details of proposed means of dust suppression
- k) details of measures to prevent mud from vehicles leaving the site during construction
- l) haul routes for construction traffic on the highway network and
- m) monitoring and review mechanisms.
- n) Details of deliveries times to the site during construction phase.
- o) pre and post construction photographic survey of the adopted highway off Burwell Road
- p. The erection and maintenance of security hoarding including external safety and information signage, interpretation boards, decorative displays and facilities for public viewing, where appropriate
- q. Measures to control the emission of dust and dirt during construction
- r. A scheme for recycling/disposing of waste resulting from demolition and construction works
- s. Hours of construction operations including times for deliveries and the removal of excavated materials and waste
- t. Noise method statements and noise levels for each construction activity including piling and excavation operations
- u. 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.
- v. monitoring and auditing facilities
- w. complaints response procedures and community liaison procedures

18 The dwellings hereby permitted shall not be occupied until the area(s) within the site shown on drawing numbers 203-20 0101 P1 and 203-20 0102 P1 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.

19 The areas to be provided for the storage and presentation of refuse and recycling bins shall be implemented in its entirety before the dwellings are occupied and shall be retained thereafter for no other purpose.

20 Before the new 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 (X dimension) and a distance of 215 metres in a direction towards the village of Burwell and 43m in the direction of Exning village centre, along the edge of the metalled carriageway from the centre of the access (Y dimension) [or tangential to the nearside edge of the metalled carriageway, whichever is the more onerous]. 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 to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

- 21 The development hereby permitted shall not be first occupied until cycle storage details have been submitted to and approved in writing by the Local Planning Authority. Thereafter these facilities shall be retained in accordance with the approved details and continue to be available for use unless the prior written consent of the Local Planning Authority is obtained for any variation to the approved details.
- 22 Before any dwelling is first occupied, a cycle signing and lighting strategy should be submitted to and approved in writing by the Local Planning Authority and Highway Authority which include:
 - a) signing strategy to and from the site to local amenities
 - b) types of signs to be provided
 - c) location of signs and posts
 - d) methodology of lighting the routes.
- 23 All ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained in the Updated Ecology Report (Wild Frontier Ecology, September 2020) and Landscape and Ecological Management and Maintenance Plan (James Blake Associates, Nov 2020) for Phase 2 as already submitted with the planning application and agreed in principle with the local planning authority prior to determination, unless otherwise agreed in writing. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.
- 24 Prior to commencement of development (including demolition, ground works, vegetation clearance) a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:
 - a. Risk assessment of potentially damaging construction activities
 - b. Identification of "biodiversity protection zones"
 - c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
 - d. The location and timing of sensitive works to avoid harm to biodiversity features
 - e. The times during construction when specialist ecologists need to be present on site to oversee works

f. Responsible persons and lines of communication

g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person

h. Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

25 Prior to development commencing above ground level, a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

a) Purpose and conservation objectives for the proposed enhancement measures;

b) detailed designs to achieve stated objectives;

c) locations of proposed enhancement measures by appropriate maps and plans;

d) persons responsible for implementing the enhancement measures;

e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter."

26 Prior to occupation, a "lighting design strategy for biodiversity" shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

a. Identify those areas/features on site that are particularly sensitive for bats and that are likely to be disturbed by lighting;

b. 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.

27 Prior to development commencing, a Farmland Bird Mitigation Strategy shall be submitted to and approved by the local planning authority to compensate the loss or displacement of any Farmland Bird territories identified as lost or displaced. This shall include provision of offsite compensation measures to be secured by legal agreement, in nearby agricultural land, prior to commencement.

The content of the Farmland Bird Mitigation Strategy shall include the following:

a) Purpose and conservation objectives for the proposed compensation measure e.g. Skylark nest plots;

b) detailed methodology for the compensation measures e.g. Skylark nest plots must follow Agri-Environment Scheme option: 'AB4 Skylark Plots';

c) locations of the compensation measures by appropriate maps and/or plans;

d) persons responsible for implementing the compensation measure.

The Farmland Bird Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained for a minimum period of 10 years.

28 Prior to occupation, on site measures to avoid impacts from the development alone to the Stour and Orwell Estuaries SPA and Ramsar site shall be submitted to, and be approved in writing by, the local planning authority prior occupation of the development.

The content of the of the onsite measures will be in line with the approved Habitats Regulations Assessment and shall include the following:

- a) Purpose and conservation objectives for the proposed measures;
- b) Detailed designs of the interpretation board to promote circular dog walking routes within 3km of at least 2.7km¹ in length;
- c) Timetable for implementation demonstrating that measures are aligned with any proposed phasing of development;
- d) Locations of proposed interpretation boards by appropriate maps and plans; and
- e) details of initial aftercare and long-term maintenance.

The measures shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

29 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.

30 No development above ground level shall take place until, a landscape and ecological management plan (LEMP) has been submitted to and be approved in writing by the Local Planning Authority. The LEMP shall include the following:

- a. Description and evaluation of features to be managed
- b. Ecological trends and constraints on site that might influence management
- c. Aims and objectives of management
- d. Appropriate management options for achieving aims and objectives
- e. Prescriptions for management actions
- f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
- g. Details of the body or organization responsible for implementation of the plan
- h. Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning

biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

- 31 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.

All boundary treatments shall include hedgehog highway gaps.

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.

- 32 No development above ground level shall take place until a Public Open Space (POS) Management Plan has been submitted to and approved in writing by the Local Planning Authority. The POS shall be implemented in accordance with the approved POS Management Plan prior to each phasing and retained thereafter in perpetuity.

- 33 No development above ground floor slab level of any part of the development hereby permitted shall take place until the travel arrangements to and from the site for residents of the dwellings, in the form of a revised Travel Plan in accordance with the mitigation measures identified in the submitted Transport Assessment (dated October 2020), Interim Residential Travel Plan (dated October 2020) and Technical Note [DATED] shall be submitted for the approval in writing by the local planning authority in consultation with the highway authority. This Travel Plan must contain the following:

- o Baseline travel data based upon the information provided in the Transport Assessment, with suitable measures, objectives and targets identified to reduce the vehicular trips made by residents across the whole development, with suitable remedial measures identified to be implemented if these objectives and targets are not met
- o Appointment of Travel Plan Coordinator to implement the Travel Plan in full and clearly identify their contact details in the Travel Plan
- o A commitment to monitor the vehicular trips generated by the residents using traffic counters and resident questionnaires and submit a revised (or Full) Travel Plan one year after occupation of the first dwelling
- o A further commitment to monitor the Travel Plan annually on each anniversary of the approval of the Full Travel Plan and provide the outcome in a revised Travel Plan to be submitted to and approved in writing by the Local Planning Authority for a minimum of five years, or one year after occupation of the final dwelling (whichever is the longest duration) using the same methodology as the baseline monitoring
- o A suitable marketing strategy to ensure that all residents on the site are engaged in the Travel Plan process
- o A Travel Plan budget that covers the full implementation of the Travel Plan

- o A copy of a residents travel pack that includes a multi-modal voucher to incentivise residents to use sustainable travel in the local area

No dwelling within the site shall be occupied until the Travel Plan has been agreed. The approved Travel Plan measures shall be implemented in accordance with a timetable that shall be included in the Travel Plan and shall thereafter adhered to in accordance with the approved Travel Plan.

- 34 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.
- 35 The site preparation and construction works including deliveries to the site and the removal of excavated materials and waste from the site shall not take place outside the hours of 8am to 6pm hours Mondays to Fridays and 8am to 1:30pm hours on Saturdays and at no time on Sundays, public holidays or bank holidays.
- 36 No plant or equipment associated with the development shall be installed until details thereof have first been submitted to and approved in writing by the Local Planning Authority. The details shall include specifications of the design, location and screening of the proposed plant or equipment. The plant or equipment shall be installed in complete accordance with the approved details before being first brought into use. Following installation the plant or equipment shall be retained in accordance with the approved details unless the prior written consent of the Local Planning Authority is obtained for any variation of the approved details or specifications.
- 37 No generators shall be used in external areas on the site shall be used outside of the hours of 8am to 6pm on Monday to Friday and 8am to 1:30pm Saturdays and at any time on Sundays, Bank or Public Holidays.
- 38 No floodlights or other means of external lighting shall be erected on the site until details have been submitted to and agreed in writing by the Local Planning Authority. Such details shall include the position, height and illumination levels of all lighting.
- 39 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.
- 40 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.
- 41 The development hereby approved shall be carried out in accordance with the approved Sustainability Statement and achieve a reduction of CO2 emissions by at least 14%.
- 42 No development above slab level shall take place until samples/details of the facing and roofing materials have be submitted to and approved in writing by the Local Planning Authority. The development shall be

carried out in accordance with the approved details.

IN RESPECT OF THE OUTLINE PLANNING APPLICATION FOR EARLY YEARS FACILITY:

- 43 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.
- 44 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.
- 45 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
- 46 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.
- 47 No building shall be occupied or otherwise used 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 48 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
- 48 Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority (LPA). The scheme shall be in

accordance with the approved FRA and include:

- a. Dimensioned plans and drawings of the surface water drainage scheme;
- b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
- d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
- e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year rainfall event including climate change, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- f. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- g. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.
- h. 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: 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

The scheme shall be fully implemented as approved.

49 Within 28 days of practical completion of the Early Years Facility, a Sustainable Drainage System (SuDS) verification report shall be submitted to the LPA, detailing that the SuDS have been inspected, have been built and function in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks have been submitted, in an approved form, to and approved in writing by the LPA for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

50 All ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained in the Updated Ecology Report (Wild Frontier Ecology, September 2020) and

Landscape and Ecological Management and Maintenance Plan (James Blake Associates, Nov 2020) for Phase 2 as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

51 Concurrent with the first reserved matters application(s) A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

i) Risk assessment of potentially damaging construction activities.

j) Identification of "biodiversity protection zones".

k) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).

l) The location and timing of sensitive works to avoid harm to biodiversity features.

m) The times during construction when specialist ecologists need to be present on site to oversee works.

n) Responsible persons and lines of communication.

o) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

p) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

52 Concurrent with the first reserved matters application(s), a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

f) Purpose and conservation objectives for the proposed enhancement measures;

g) detailed designs to achieve stated objectives;

h) locations of proposed enhancement measures by appropriate maps and plans;

i) persons responsible for implementing the enhancement measures;

j) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

53 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.
- 54 Prior to first operational use of the site, at least 15% of car parking spaces shall be equipped with working electric vehicle charge points, which shall be provided for staff and/or visitor use at locations reasonably accessible from car parking spaces. The Electric Vehicle Charge Points shall be retained thereafter and maintained in an operational condition.
- 55 The site preparation and construction works including deliveries to the site and the removal of excavated materials and waste from the site shall not take place outside the hours of 8am to 6pm hours Mondays to Fridays and 8am to 1:30pm hours on Saturdays and at no time on Sundays, public holidays or bank holidays.
- 56 No plant or equipment associated with the development shall be installed until details thereof have first been submitted to and approved in writing by the Local Planning Authority. The details shall include specifications of the design, location and screening of the proposed plant or equipment. The plant or equipment shall be installed in complete accordance with the approved details before being first brought into use. Following installation the plant or equipment shall be retained in accordance with the approved details unless the prior written consent of the Local Planning Authority is obtained for any variation of the approved details or specifications.
- 57 No floodlights or other means of external lighting shall be erected on the site until details have been submitted to and agreed in writing by the Local Planning Authority. Such details shall include the position, height and illumination levels of all lighting.
- 58 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.
- 59 No development above slab level shall take place until samples/details of the facing and roofing material have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 60 The opening hours of the Early Years Facility hereby approved shall be restricted to the following hours:
8am-6pm Monday to Friday
The premises shall not be open at any time on Saturdays, Sundays, Bank or Public Holidays
- 61 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 as amended (or any Order revoking and re-

enacting that Order) and the Town and Country Planning (General Permitted Development) Order 2015, as amended, the use shall be only as an Early Years Facility and for no other purpose.

191. **Planning Application DC/21/0315/FUL - Little Court, Haverhill Road, Little Wratting (Report No: DEV/WS/21/042)**

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

Councillors John Burns, David Roach and Susan Glossop asked that it be noted, in the interests of transparency, that they were aware of the applicant by way of their involvement with the ONE Haverhill Partnership.

Lastly, it was acknowledged that the applicant had forwarded supporting documentation directly to all Members of the Committee in advance of the meeting.)

Planning Application - Specialist dementia care village for up to 120 residents, including: 20 x 6 bedroom apartments provided within five buildings; central amenity building containing shop, restaurant, pub, communal hall, offices and staff accommodation; club/hobby rooms; treatment/counselling rooms; vehicle and cycle parking; landscaping proposals and associated works

This application was referred to the Development Control Committee as a result of it being called-in by the Ward Member (Withersfield) Councillor Peter Stevens.

The development was also in conflict with the main spatial policies relating to this type of development and was therefore considered to be a departure from the Development Plan.

Furthermore, Haverhill Town Council had raised objections to the proposal which was in conflict with the Officer's recommendation of approval, subject to the completion of a Section 106 Agreement and conditions as set out in Paragraph 10.0 of Report No DEV/WS/21/042, with the addition of four further plans to be added to condition 2 which had been omitted from the list.

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

Members were also advised that since publication of the agenda two additional representations had been received; one from District Councillor Pat Hanlon (Ward: Haverhill East) largely citing highway safety concerns and a further one from Haverhill Town Council querying the need for the proposed facility in the local area.

Attention was drawn to Paragraph 9.70 of the report and an inaccuracy therein, where the following sentence should have read:

*"...and it is considered that the scheme will **NOT** result in significant landscape and/or visual harm".*

Lastly, Members were advised that whilst the County Council had requested a contribution towards libraries, given the nature of the development it was extremely unlikely that residents of the proposed scheme would access local public libraries. In light of which, it was Officers' view that this request was unlikely to be CIL compliant and further evidence and justification on this point would be sought from the County Council if it was to be included within the S106.

Speaker: Richard Sykes-Popham (agent) spoke in support of the application

Councillor David Smith addressed the meeting and raised concern at the site in question in view of it being outside the settlement boundary and in the countryside. He also highlighted the significant impact the facility could have on health provision in the local area.

A number of Members referenced the car parking provision and questioned whether it was adequate in view of the very limited public transport operating in the area. In response, the Principal Planning Officer drew attention to the fact that the Care Home would operate a private mini bus in order to transport staff to/from the site and Suffolk County Council Highways had raised no objection in this regard.

Councillor John Burns similarly spoke on his concerns with regard to the proposed site and lack of public transport provision. He also criticised the level of contribution requested by NHS West Suffolk Clinical Commissioning Group (CCG) in view of all the residents of the proposed facility having high dependency/complex health needs.

Other Councillors remarked on the appropriateness of the proposed location, which they considered best suited a self-contained facility such as this, where residents would not be actively engaging with the local community.

In response to a question as to whether West Suffolk residents could be prioritised for the facility the Principal Planning Officer explained that it was not possible to control this via the planning process, noting that the proposal was for a private business.

Councillor Peter Stevens asked if the Decision Making Protocol would be invoked if a proposal was made to refuse the application contrary to the Officer recommendation. The Service Manager (Planning – Development) explained that she would be unable to answer that question unless a proposal was made with clear reasons for her to consider.

Councillor David Roach proposed that the application be approved, as per the Officer recommendation, and this was duly seconded by Councillor Peter Stevens.

Upon being put to the vote and with 12 voting for the motion and 3 against, it was resolved that

Decision

Planning permission be **GRANTED** subject to:

- 1.) The completion of a S106 agreement to secure the following (subject to meeting the CIL Reg 122 tests):
 - NHS contribution
 - Libraries contribution (if evidenced and agreed by the lpa)
 - Financial contribution as directed by the highways authority in respect of off-site highways, public rights of way and public transport improvements.

In the event that there are any substantive changes to the S106 package, then this will go back to the Chair of the Development Control Committee to determine whether it is necessary to bring the proposals back before the Committee.

2.) The following conditions:

1. Time

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

2. Approved plans

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

3. Specialist dementia care use

The development hereby approved shall only be used as a specialist dementia care village as described in section 2 of the submitted planning statement. The development site shall not be subdivided and shall not operate as any other type of care facility.

4. Archaeology – pre commencement

No development shall take place within the 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.

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.

5. Archaeology – pre occupation

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

6. Sustainability – compliance

The development hereby approved shall be carried out in accordance with the measures set out in the sustainability appraisal and the associated energy strategy.

7. Electric vehicle charging - pre commencement

Prior to the commencement of development full details of the electric vehicle and cycle charging facilities to be provided on site for staff and visitors shall be submitted to the local planning authority and approved in writing.

8. Materials – prior to construction

No construction using visible facing or roofing materials take place until details of those facing and roofing materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

9. Levels

Prior to the commencement of development, details of the existing and proposed ground levels, finished floor levels and the position and depth of all services to be laid, constructed or installed (including drains, cables, pipes, sewers and soakaways). Where this information is not available the site plan shall be marked up to show all routes available for this use and those areas not marked in this way shall be excluded from this use.

10. Public Right of way - pre-commencement

Prior to the commencement of any development, details of measures to protect the adjacent public right of way and amenity of users of the public right of way during construction shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the measures shall be put in place and retained in accordance with the approved details.

11. Construction surface water drainage management plan – pre commencement.

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 LPA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include: 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

12. Surface water drainage – compliance

The strategy for the disposal of surface water (Cannon Consulting, dated: Aug 2021 ref: ZA921-PL-SK-300 Rev P07) and the Flood Risk Assessment (Cannon Consulting, dated: Feb 2021, ref: CCE/ZA921/FRA-03) shall be implemented as approved in writing by the local planning authority (LPA).

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

13. Suds components – within 28 days of practical completion.

Within 28 days of practical completion of the last dwelling or unit, surface water drainage verification report shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

14. Soft and hard landscaping – pre commencement

No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard, soft and boundary treatment landscaping works for the site, which shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows in the surrounding area. A specification of soft landscaping, including proposed trees, plants and seed mixes must be included. The specification should be in line with British Standards and include details of planting works such as preparation, implementation, materials (i.e. soils and mulch), any protection measures that will be put in place (i.e. rabbit guards) and any management regimes (including watering schedules) to support establishment. This should be accompanied by a schedule, with details of quantity, species and size/type (bare root, container etc). Hard landscape details such as surface materials and boundary treatments must also be included.

15. Soft landscaping for amenity – pre commencement

No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority details of the planting proposed between the development and the adjacent neighbouring dwelling known as Little Court to create a landscape buffer to filter views from the development towards the dwelling.

16. Arboricultural method statement – pre commencement

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:

- a) Measures for the protection of those trees and hedges on the application site that are to be retained,
- b) 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,
- c) A schedule of proposed surgery works to be undertaken to those trees and hedges on the application site which are to be retained.

17. Tree and hedge removal

No trees or hedgerow removal shall take place other than as approved in the arboricultural method statement required by condition 16 above.

18. Landscape management Plan – pre above ground construction

No development above ground level shall take place until a landscape management plan, including long term design objectives, management

responsibilities and maintenance schedules and periods for all soft landscape areas (other than small privately owned domestic gardens) together with a timetable for the implementation of the landscape management plan, has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out in accordance with the approved details and timetable.

19. Vegetation Clearance – pre and during construction.

Notwithstanding the approved details or any details submitted in compliance with the requirements of any other conditions imposed upon this grant of planning permission, there shall be no clearance of any existing vegetation upon the site or other site clearance works during the bird nesting season (March - September inclusive), without the written agreement of the local planning authority following the submission of survey information, undertaken by a competent ecologist to assess the nesting bird activity on site during this period.

20. Ecological mitigation and enhancement measures

All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (Green Willows Associates, May 2021, v:001 as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g., an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

21. Biodiversity Enhancement Strategy- prior to occupation

A Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter."

22. Sensitive lighting design scheme for wildlife and amenity– prior to installation of external lighting

A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority prior to the installation of any external lighting including security lights or temporary lighting during construction. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

The scheme shall also ensure a lighting environment of low district brightness at residential properties.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

23. Construction management plan – pre commencement

Before the development hereby permitted is commenced a comprehensive Construction and Site Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan. The Construction Management Plan shall include the following matters:

- A) site set-up and general arrangements for storing plant (including cranes), materials, machinery and equipment, offices and other facilities and contractors vehicle parking, loading, unloading and vehicle turning areas.
- B) Specific details of parking and turning for vehicles of site personnel, operatives and visitors
- C) Specific details of loading and unloading of plant and materials
- D) piling techniques
- E) storage of plant and materials
- F) provision and use of wheel washing facilities
- G) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works
- H) site working and delivery times
- I) a communications plan to inform local residents of the program of works
- J) provision of boundary hoarding and lighting
- K) details of proposed means of dust suppression
- L) details of measures to prevent mud from vehicles leaving the site during construction
- M) haul routes for construction traffic on the highway network and
- N) monitoring and review mechanisms.
- O) Details of deliveries times to the site during construction phase.
- P) noise method statements and noise levels for each construction activity including any piling and excavation operations.
- Q) dust, dirt and vibration method statements and arrangements.
- R) site lighting.

24. New Access – before commencement of other development

No other part of the development hereby permitted shall be commenced until the new access has been laid out and completed in all respects in accordance with drawing no. ZA921-PL-DR-001 P09 with an entrance width of 7 metres for a distance of 15 metres measured from the nearside edge of the metalled carriageway. Thereafter it shall be retained in its approved form.

25. Car parking – pre-above ground

Before any above ground construction is commenced details of the areas and infrastructure to be provided for the loading, unloading, manoeuvring and parking of vehicles including powered two-wheeled vehicles and electric vehicle charging points 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.

26. On site turning -pre commencement

Before the development is commenced details showing an adequate car turning space within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out before occupation and shall be retained thereafter and used for no other purpose.

27. Car parking management plan – pre- above ground construction

Prior to the development being first brought into use, a Car Parking Management Plan shall be submitted to and approved in writing by the local planning authority. It shall include the following:

- Details of car parking allocation and distribution (paying particular attention to staff turnover);
- Details of the management of car parking allocation and distribution – consideration for visitor parking is paramount. Details on how this will be managed should be included in the CPMP (i.e. booking system for visits);
- Methods to ensure there is no on-street car parking;
- A scheme for the provision and parking of cycles; and,
- Monitoring required of the Car Parking Management Plan to be submitted to and approved in writing in accordance with a timeframe to be agreed by the local planning authority.

The Car Parking Management Plan shall be fully implemented before the development is first occupied or brought into use, in accordance with a timeframe agreed by the Local Planning Authority, and thereafter retained for this purpose.

28. Offsite highways work – pre commencement

No part of the development shall be commenced until full details of the proposed off-site highways works on the A143 to improve pedestrian and cycle connectivity and details of the pedestrian and cycle access into the site, have been submitted to the local planning authority and agreed in writing.

The works, which shall be based on the details set out in the submitted transport note 2 and the associated drawings shall be completed in full before the development comes into use.

29. Visibility – pre first use

Before the access is first used visibility splays shall be provided as shown on Drawing No. ZA921-PL-DR-001 P09 with an X dimension of 2.4 metres and a Y dimension of 215 metres [tangential to the nearside edge of the carriageway] 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 to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

30. Provision of mini-bus

Prior to the development being first brought into use, details of the use and management of the Mini-Bus shall be submitted to and approved in writing by the local planning authority. The provision of the mini-bus shall be fully implemented before the development is first occupied or brought into use, in accordance with a timeframe agreed by the Local Planning Authority, and thereafter retained for this purpose.

31. Travel Plan – prior to first use

Notwithstanding the submitted travel plan, prior to the approved development coming into use final details of the travel arrangements to and from the site, in the form of a Travel Plan, including monitoring provisions, shall be submitted to and approved in writing by the Local Planning Authority. The approved arrangements shall be implemented in accordance with the Travel Plan and thereafter adhered to.

32. Construction hours – during development

The hours of demolition, site preparation and construction operations including deliveries to the site and the removal of excavated materials and waste from the site shall be limited to 08:00 to 18:00 hours on Mondays to Fridays and 08:00 to 13:00 hours on Saturdays. No demolition, site preparation or construction activities shall take place at the development site on Sundays, Bank or Public Holidays.

33. Plant and equipment – prior to installation

No plant or equipment, including air handling plant, extract ventilation systems, fans and compressors, used in conjunction with the proposed care village, shall be installed until full details have first been submitted to, and approved in writing, by the Local Planning Authority. The details shall include the design, location, screening and any sound attenuation measures to be implemented. The plant or equipment shall be installed in complete accordance with the approved details and shall thereafter be retained in the approved form unless the prior written agreement of the Local Planning Authority is given for the variation of any of the approved details or specifications.

34. Odour control – before first use

Before the care village is first brought into use, provision shall be made for the control of odours arising from any cooking processes, in accordance with details that shall first have been submitted to, and approved in writing, by the Local Planning Authority. Thereafter, all measures shall be retained in the approved form unless the prior written agreement of the Local Planning Authority is obtained for any variation to the approved details or specification.

35. Delivery times – during operation

Commercial deliveries to the care village shall be restricted to between 08:00 and 18:00 hours on Mondays to Saturdays only. No commercial deliveries to the site shall take place on Sundays, Bank or Public Holidays.

36. Fire hydrants

No development shall commence until a scheme for the provision of fire hydrants within the application site have been 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 permitted short comfort break before continuing with the rest of the agenda.)

192. **Planning Application DC/21/0614/FUL - The Cold Store, The Street, Stradishall (Report No: DEV/WS/21/043)**

Planning application - change of use of agricultural storage building to (class B8) storage and distribution as amended by plans received 25th August 2021 specifying a new access driveway

This application was referred to the Development Control Committee following consideration by the Delegation Panel.

Furthermore, the Parish Council had submitted objections to the proposal which was in conflict with the Officer's recommendation of approval, subject to conditions as set out in Paragraph 30 of Report No DEV/WS/21/043.

Attention was drawn to the 'late papers' that had been circulated supplementary to the agenda and which contained the correct site plan for the application.

As part of her presentation to the meeting the Senior Planning Officer highlighted the changes that had been made to the scheme over the life of the application, principally in relation to the new access driveway proposed.

Speakers: Darron McRandal (neighbouring objector) spoke against the application
Councillor Nick Clarke (Ward Member: Clare, Hundon & Kedington) spoke on the application

Considerable debate took place on the application with Members posing a number of questions which the Case Officer responded to as follows:

- External lighting – would be controlled by condition;
- The bund – was to protect visual amenity and was not to mitigate noise; and it was not considered reasonable to require an acoustic fence to be constructed;
- Road construction – the Committee were advised as to the reasoning for the six-month period allowed for construction; and
- Local Plan – the site had been submitted as part of the Local Plan process for housing.

In response to the additional conditions suggested by Councillor Clarke under the public speaking part of the meeting, the Senior Planning Officer explained that fire suppression measures such as a sprinkler system would be covered by the Building Regulations process and couldn't be applied to a planning permission. Secondly, it would not meet the test of reasonableness to require the applicant to replace the windows referenced, as part of a planning permission.

Councillor David Roach proposed that the application be refused, contrary to the Officer recommendation, due to the proposal being retrospective in nature and not being an appropriate use of a former agricultural building. This was duly seconded by Councillor Andy Neal.

The Service Manager (Planning – Development) explained that she cautioned use of both refusal reasons given and reminded the Committee that retrospective applications were to be determined in the same way as non-retrospective proposals. Furthermore, there were specific policies which

related to the re-use of redundant agricultural buildings and the scheme seeking determination was considered to be in accordance with those.

Therefore, if Members were minded to refuse the application contrary to the Officer's recommendation the Decision Making Protocol would be invoked and a risk assessment would be produced for future consideration by the Committee.

Accordingly, Councillors Roach and Neal withdrew their proposal to refuse the application.

Councillor Roger Dicker then proposed that the application be approved, as per the Officer recommendation. This was duly seconded by Councillor Peter Stevens.

Upon being put to the vote and with 11 voting for the motion and 4 against, it was resolved that

Decision

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

1. Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:30 hours on Saturdays and at no time on Sundays, public holidays or bank holidays.
2. Prior to commencement of the access driveway, including any works of demolition, a Dust Management Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The strategy shall be implemented and maintained in accordance with the approved details.
3. No lorry or HGV movements, loading and unloading of vehicles or deliveries shall be taken or despatched outside the hours of 08:00 - 17:00 Mondays to Fridays and no deliveries shall be taken or despatched on Saturdays, Sundays and Bank Holidays unless agreed in writing with the Local Planning Authority.
4. The new access driveway as shown on plan no. 21.070.K0001 C received 25th August 2021 shall be installed in its entirety within 6 months of the date of this decision. After which all deliveries and dispatch operations, including collections, shall only take place on this access from the new rear access door shown on plan no. 21.070.K0003 A received 25th August 2021.
5. All audible alarms to all doors and vehicles kept on site, including fork-lift trucks requiring audible alarms shall be fitted with broadband (white noise) alarms or broadband (white noise) reversing alarms respectively, within 3 months of the date of this permission and retained as such.
6. A Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority within 6 months of the date of this decision.
The content of the Biodiversity Enhancement Strategy shall include the following:
 - a) Purpose and conservation objectives for the proposed enhancement measures;
 - b) detailed designs to achieve stated objectives;

- c) locations of proposed enhancement measures by appropriate maps and plans;
 - d) persons responsible for implementing the enhancement measures;
 - e) details of initial aftercare and long-term maintenance (where relevant).
- The works shall be implemented in accordance with the approved details within 6 months of the planning application decision date and shall be retained in that manner thereafter.
7. Prior to any lighting being installed on site a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.
All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.
 8. Within 6 months of the date of the decision a soft landscaping scheme (detailing the grass mix and planting on the bund, trees on the western side of the bund along with the line of trees around the access ramp as shown on drawing number 21.070.K0001_C) 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. The approved scheme of soft landscaping works shall be implemented not later than the first planting season following commencement of the access road (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.
 9. Development shall be carried out in accordance with the approved plans.

193. **Planning Application DC/21/0687/FUL - 102 Church Road, West Row (Report No: DEV/WS/21/044)**

Planning application - one dwelling and alterations to existing access following demolition of existing garage/office and containers

This application was referred to the Development Control Committee following consideration by the Delegation Panel and in light of West Row Parish Council not having objected to the proposal, which was in conflict with the Officer's recommendation of refusal for the reason set out in Paragraph 32 of Report No DEV/WS/21/044.

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

Members were advised that a late representation in support of the scheme was received following publication of the agenda, the contents of which were verbally summarised for the Committee.

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

Upon being put to the vote and with 3 voting for the motion, 11 against and with 1 abstention the Chair declared the motion lost.

The debate continued with some Members voicing support for the application which they considered would be an improvement to the existing containers currently on site.

Accordingly, Councillor Jim Thorndyke proposed that the application be approved, contrary to the Officer recommendation, as he did not consider that the proposal would have a dominant/overbearing or adverse effect on the street scene. This was duly seconded by Councillor James Lay.

The Service Manager (Planning – Development) explained that as the reasons cited for approval were reasonable and subjective the Decision Making Protocol would not be invoked.

The Planning Officer then verbally outlined conditions that could be appended to a planning permission.

Upon being put to the vote and with 14 voting for the motion and with 1 abstention, it was resolved that

Decision

Planning permission be **GRANTED, CONTARY TO THE OFFICER RECOMMENDATION**, 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, unless otherwise stated.
3. 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.
4. 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.

5. The site preparation and construction works, including road works, shall be carried out between the hours of: 08:00 to 18:00 Mondays to Fridays 08:00 - 13.30 Saturdays And at no times during Sundays or Bank Holidays without the prior written consent of the Local Planning Authority. Planning and Growth, West Suffolk Council, West Suffolk House, Western Way, Bury St Edmunds, Suffolk, IP33 3YU
6. The dwelling(s) 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.
7. The new vehicular access shall be laid out and completed in accordance with Drawing No. P- 6147- 04; and with a minimum entrance width of 4.1 metres and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.
8. 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.
9. The areas to be provided for storage of Refuse/Recycling bins as shown on Drawing No.P- 6147- 04 shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.
- 10.No above ground development shall take place until details of the areas to be provided for the loading, unloading, manoeuvring, parking of vehicles, including secure cycle storage, have been 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.
- 11.The use shall not commence until the area within the site shown on Drawing No. P-6147- 04 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.
- 12.Before the access is first used visibility splays shall be provided as shown on Drawing No. P- 6147- 04 with an X dimension of 2.4 metres and a Y dimension of 43 metres in each direction 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.

The meeting concluded at 1.35pm

Signed by:

Chair
