

# Development Control Committee

**Minutes** of a meeting of the **Development Control Committee** held on **Wednesday 6 July 2022** 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

Andy Neal

Jason Crooks

David Palmer

Roger Dicker

David Roach

Andy Drummond

David Smith

Susan Glossop

Peter Stevens

Ian Houlder

**In attendance**

Robert Everitt (Ward Member: Minden, attending on behalf of neighbouring Ward Members of Abbeygate)

Sara Mildmay-White (Ward Member: Rougham)

Don Waldron (Ward Member: The Rows)

249. **Apologies for absence**

No apologies for absence were received.

250. **Substitutes**

No substitutions were declared.

251. **Minutes**

The minutes of the meeting held on 1 June 2022 were confirmed as a correct record, with 14 voting for the motion and with 2 abstentions, and were signed by the Chair.

252. **Declarations of interest**

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

253. **Planning Application DC/20/0614/RM - Land NW of Haverhill, Anne Sucklings Lane, Little Wratting (DEV/WS/22/022)**

*(Councillors John Burns and David Smith each declared a non-pecuniary interest in this item in light of the fact that they had attended Haverhill Town Council's meeting when the Town Council considered the application.*

*However, both Councillors stressed that they would keep an open mind and listen to the debate prior to voting on the item.)*

**Application for Reserved Matters pursuant to hybrid planning permission SE/09/1283 for Infrastructure comprising of: the internal estate roads, drainage, POS, landscaping, and allotments for Land at North West Haverhill**

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

Members were advised that the application was part of the wider northwest Haverhill site, which was one of the two strategic growth sites for Haverhill identified in the adopted Core Strategy. The application before the Committee sought approval of the details for the infrastructure for phases two to six of the site which already has outline planning permission.

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

A number of changes had been made during the course of the application which were highlighted as part of the presentation to the meeting.

Since publication of the agenda four further representations had been received objecting to the application, all of which referenced matters covered in previous objections contained within the report.

A Member site visit was held prior to the meeting.

Attention was drawn to the supplementary 'late papers' issued in respect of the application and which set out a corrected map.

The Principal Planning Officer also highlighted the following errors in Report No DEV/WS/22/022:

- Paragraph 8.30 which inaccurately referenced a 3-metre footway; that should have read 2-metre; and
- Condition B2 from the outline permission had been mistakenly omitted from the list in Paragraph 8.98.

Officers were recommending that the application be approved, subject to conditions as set out in Paragraph 9.0 of the report, inclusive of the following amendments:

1. Revisions to the wording of Conditions 4, 9 and 11; and
2. Corrections to some plan reference numbers in Condition 1.

Speakers: Michael Ford (resident objector, also representing a number of other local residents) spoke against the application  
Councillor Jo Mason (Ward Member: Haverhill North) spoke against the application  
Isaac Jolly (applicant) spoke in support of the application  
*(Councillor Mason was not in attendance to personally address the Committee and, instead, the Democratic Services Officer read out a pre-prepared statement on his behalf.)*

Considerable debate took place on the application with a number of Members voicing highways related concerns, particularly in relation to the access to the development via Ann Suckling Road.

Councillor John Burns made specific reference to the Haverhill UK Disability Action Group who had raised detailed objections to the scheme based on the difficulty that those with disabilities would have in manoeuvring around the site due to the lack of dropped kerbs, slopes etc.

The Principal Planning Officer assured Members that the Disability Action Group had been consulted in connection with the application and this would be continued as part of the ongoing discussions in relation to the open space elements of the scheme.

The Committee were also reminded that highway capacity and the highways mitigation, as requested by Suffolk County Council Highways Authority, had been secured as part of the outline application and it was not possible to revisit this under a Reserved Matters application.

Councillor Peter Stevens then proposed that consideration of the application be deferred in order to allow Officers to seek further advice on the highways concerns raised. This was duly seconded by Councillor Andy Drummond.

Discussion continued and Councillor Burns asked if it would be possible to further amend Condition No 9 in order to enable the internal loop road connecting to Farrant Road to be completed and open to traffic before the first use of the connection to Ann Suckling Road. This would ensure that the traffic arising from the development was balanced on the existing road network and would alleviate a number of the concerns raised.

The Principal Planning Officer agreed that it could be possible to amend the condition in this way, subject to consultation with the developer and the Local Highways Authority – in terms of reasonableness and necessity.

In light of this suggestion Councillors Stevens and Drummond confirmed to the Chair the withdrawal of their motion for deferral.

Accordingly, Councillor Ian Houlder then proposed that the application be approved as per the Officer recommendation, inclusive of the amendments outlined during the presentation and the further revision proposed by Councillor Burns. This was duly seconded by Councillor Mike Chester.

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

## Decision

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

### **1. Approved Plans**

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

### **2. Action required in accordance with ecological appraisal recommendations**

All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the following reports as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

- Updated Ecological Walkover Survey of Phases 2 to 6 and the Relief Road at Haverhill (James Blake Associates, 25th March 22, revised 9th June 2022)
- Preliminary Ecological Appraisal of Phases 2-6 (JBA, January 2019)
- Phase 1 Habitat Survey Of Relief Road (JBA, February 2018)
- Botanical Survey (Including Sulphur Clover Survey) of Phases 2 – 6 and Relief Road (August 2019)
- Sulphur Clover Translocation and Working Method Statement for Phases 2 – 6 (James Blake Associates, February 2022)
- Water Vole (*Arvicola amphibius*) Habitat Assessment – Haverhill Relief Road (30th October 2020)
- Hazel Dormouse Survey Report of Phases 2- 6 (JBA, December 2019)
- Reptile Survey of Phases 2 – 6 and relief Road (JBA, June 2019)
- Breeding Bird Survey of Phases 2 – 6 and Relief Road (JBA, October 2019)
- Hedgerow Survey of Phases 2 – 6 and Relief Road (JBA, August 2019)
- Wintering Bird Survey of Phases 2- 6 and relief Road (JBA, February 2020)
- Great crested Newt eDNA Survey of Phases 2 -6 (JBA, June 2019)
- Bat Activity Survey Report of Phases 2 - 6 and Relief Road (JBA, October 2019)
- Badger Survey of Phases 2-6 and Relief Road (JBA (2019b)
- Haverhill Ecology Mitigation Requirements JBA 18-351\_ECO 23, RevB 21\_06\_22 (James Blake Associates

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.”

### **3. Construction Environmental Management Plan for Biodiversity – pre-commencement**

Prior to the commencement of development or any clearance works taking place, 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.
- i) Containment, control and removal of any Invasive non-native species present on site

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"

#### **4. Hazel Dormouse, Water Vole, Badger and Great Crested Newt Method Statement – pre commencement**

Prior to the installation of the lighting a Hazel Dormouse, Water Vole, Badger and Great Crested Newt Method Statement shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to the above listed protected species during the construction phase.

The method statement for Hazel Dormouse must include the following:

- Checks for dormouse nests prior to works. This should include checks for aerial nests in above ground vegetation from April to October inclusive and ground level checks for hibernation nests from October to April inclusive. Progressive clearance of vegetation towards retained habitats.
- Ecological supervision of vegetation clearance on site.
- Works must stop if evidence of dormouse is found.

The measures and/works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

#### **5. Skylark mitigation strategy – prior to commencement**

Prior to the commencement of development or any clearance works taking place, a Skylark Mitigation Strategy shall be submitted to and approved by the local planning authority to compensate the loss of any Skylark territories. This shall include provision of the evidenced number of Skylark nest plots, to be secured by legal agreement or a condition of any consent, in nearby agricultural land, prior to commencement.

The content of the Skylark Mitigation Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed Skylark plots;
- b) detailed methodology for the Skylark plots following Agri-Environment Scheme option: 'AB4 Skylark Plots';
- c) locations of the Skylark plots by appropriate maps and/or plans;
- d) persons responsible for implementing the compensation measure.

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

## **6. Ecological Design Strategy – prior to commencement**

No development shall take place until an ecological design strategy (EDS) addressing the specific ecological mitigation, compensation and enhancements for the site infrastructure application (DC/20/0614/RM) has been submitted to and approved in writing by the local planning authority, before or concurrent with the Landscape Ecology and Management Plan. This should include bats, birds, Hazel Dormouse, Reptiles, Sulphur Clover, Hedgehogs, retained habitats (trees, scrub, hedgerows and associated ground flora) and habitat creation (woodland, wildflower meadows, scrub, SuDS and associated/adjacent habitats).

The EDS shall include the following.

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.

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

## **7. Bat hop-over details and wildlife sensitive lighting scheme – prior to commencement.**

Prior to the commencement of the development 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.

The lighting information shall be shown concurrently with the detailed bat hop planting proposed to demonstrate how together these elements will create the necessary dark corridors.

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. Time limit of development before further surveys are required**

If the infrastructure development hereby approved does not commence within two years from the date of the planning consent, the approved ecological mitigation measures secured through condition shall be reviewed and, where necessary, amended and updated.

The review shall be informed by further ecological surveys commissioned to:

- i. establish if there have been any changes in the presence and/or abundance of the existing habitats and protected and priority species and
- ii. identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved

scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of the site infrastructure phase. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

**9. Connection to Ann Suckling Road**

Notwithstanding the details indicated on the approved plans, prior to the commencement of the construction of the connection between the development and Ann Suckling Road, the final details of that connection shall be submitted to the local planning authority and agreed in writing. These details will include (but not be limited to) the final form and location of raised tables, the manner in which pedestrians and cyclists connect between the development and the existing highway network, and any changes in the geometry or priority at the point of connection.

All work shall be completed in accordance with the approved details, and the internal loop road connecting to Farrant Road, shall be completed to at least binder course level and open to traffic, before the first use of the connection to Ann Suckling Road.

**10. Access Strategy – prior to the commencement of the road.**

Prior to the commencement of the approved road, an access strategy setting out an appropriate network of dropped kerbs across the site to facilitate access for all shall be submitted to the local planning authority and agreed in writing.

**11. Bus gate details – prior to the construction of the connection to Howe Road**

Notwithstanding the details indicated on the approved plans, prior to the construction of the connection to Howe Road, the final details of the connection between the development and Howe Road, which shall include a 'bus gate' to prevent access by vehicles other than buses, shall be submitted to the local planning authority and agreed in writing. These details will include precise details of the construction, operation and future management/enforcement of the gate and much ensure that appropriate east/west connectivity for pedestrians and cyclists within the site is maintained.

All work shall be completed in accordance with the approved details before the first use of the road connecting the development site to Howe Road.

**12. Street furniture and natural play features – prior to installation.**

Prior to the installation of any street furniture or natural play items including but not limited to bins, benches and picnic tables, boulders and logs, full details of the street furniture shall be submitted to the local planning authority and agreed in writing. The details shall include an appropriate number of wheelchair accessible items to ensure the site can be enjoyed by all. All items shall be installed in accordance with the agreed details.

**13. Allotments – prior to their commencement**

Prior to the commencement of the allotments details of the final specification including layout out, fencing and gates including gated access to the parking and services will be submitted to the local planning authority and agreed in writing.

All works shall be completed in accordance with the approved details.

#### **14. Play areas – Full details and specifications prior to installation of NEAP and LEAP**

Notwithstanding the information on the submitted plans, prior to the installation of the NEAP, LEAP and outdoor Gym Equipment, the final specifications for those areas and all equipment within them shall be submitted to the local planning authority and agreed in writing.

This information must include as a minimum:

- Fencing and gate specifications, including full details of the MUGA enclosure;
- Details of all surfacing within the playable space;
- Details of the surfacing under the outdoor gym equipment;
- Details of play and gym equipment.
- Details of any ancillary items associated with the playable spaces such as seating and signage.

#### **15. Tree Root Guard details - prior to installation**

Prior to the installation of the street trees the full details of the proposed root guards that tree shall be submitted to the local planning authority and agreed in writing. All work shall be carried out in full accordance with the approved details.

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

#### **254. Planning Application DC/19/2347/FUL - Land East of Russet Drive Bilberry Close and Parsley Close, Manor Wood, Red Lodge (Report No: DEV/WS/22/023)**

*(Councillor Roger Dicker declared a non-pecuniary interest in this item in light of the fact that he owned and occupied a property within Red Lodge village. However, Councillor Dicker stressed that he would keep an open mind and listen to the debate prior to voting on the item.)*

#### **Planning Application - 141 no. dwellings and associated infrastructure including roads, parking, sustainable drainage, pumping station and public open space, as amended.**

This application was referred to the Development Control Committee as the proposals were for 'major' development and the Parish Council objected to the scheme.

Furthermore, part of the site (the woodland public open space) was situated outside of the limits of the Local Plan allocation and beyond the settlement boundaries of the village.

Officers were recommending that the application be approved, subject to conditions as set out in Paragraph 274 of Report No DEV/WS/22/023.

The Principal Planning Officer highlighted that the recommendation before the Committee was subject to Delegated Authority being given to the Director (Planning and Growth) to resolve the items listed as i) – iv) in Paragraph 274.

The Principal Planning Officer also highlighted the following errors in the report:

- Paragraph 174 referred to Lakenheath Wastewater Treatment Works, and it should have read Tuddenham;
- Paragraph 217's reference to Phase A should be entirely disregarded; and
- The S106 contributions in Paragraph 274 (iv) were listed inaccurately in respect of primary education, secondary education and health care plus a contribution towards libraries had been mistakenly omitted.

Speaker: Kath Slater (agent) spoke in support of the application *(Red Lodge Parish Council had also registered to speak but had indicated that they would be unable to attend the meeting in person and intended submit a written statement to be read out. The Chair asked the Democratic Services Officer to verbally update the meeting on the current position, the Officer advised that she had her email account open before her and no further communication had been received from the Parish Clerk since their initial request to register.)*

Councillor Andy Drummond opened the debate and addressed the meeting in his capacity as Suffolk County Councillor for Red Lodge. He noted that the applicant's strategy having changed, meaning they no longer proposed to provide Calor gas as a fuel source to serve their proposed development, thereby meaning the roads in the scheme could be adopted by the Highways Authority if constructed to an adoptable standard. Councillor Drummond therefore posed the question as to why there was no contribution to highways improvements listed (in particular a TRO relating to parking restrictions) in the S106 Agreement and he asked if the Planning Authority could request that Suffolk County Council Highways reconsider this matter, particularly in view of the Parish Council's objection largely relating to highways concerns.

Councillor Brian Harvey highlighted the emergency access that had been put in place for the Yellow Land South parcel, part of which ran through the application site, and stressed the importance of ensuring that this access was not restricted over the application site during construction.

The Principal Planning Officer suggested that an additional condition could be added to require a Construction Management Strategy which would set out how the existing emergency access route would be maintained throughout construction of the scheme.

Councillor Andy Neal made reference to the libraries contribution within the S106, as referenced earlier in the meeting, and queried why part of this would go to Newmarket library. He argued that children from Red Lodge mainly attended high school in Mildenhall at the hub site and therefore suggested that Mildenhall library would be more appropriate.

The Officer confirmed that the S106 libraries contribution benefited from some flexibility therefore there was nothing to restrict Suffolk County Council from spending this at Mildenhall, as opposed to Newmarket, if they wished.

Councillor Roger Dicker spoke on the application at length and referred to the planning history of some of the historical Red Lodge largescale developments. He supported both Councillor Drummond's and Councillor Neal's suggestions in relation to highways and libraries.

Councillor Dicker also voiced some concern at the number of matters that needed to be delegated to the Director to resolve and suggested that the delegation was carried out in consultation with the Chair, Vice Chairs and Ward Members. The Principal Planning Officer confirmed that this could certainly be done.

Following specific questions in relation to the Stone Curlew the Officer explained the reasons as to why the surveys that were undertaken were considered robust.

Subject to further discussions being undertaken with the Highways Authority in relation to the matter he raised, Councillor Drummond was content to propose 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 6 voting for the motion, 8 against and with 2 abstentions the Chair declared the motion lost.

The debate continued with other Members voicing reservations at the appropriateness of Thistle Way being used for access to the development in light of the extensive on street parking that took place there.

Accordingly, Councillor David Roach proposed that consideration of the application be deferred to enable:

1. Further progression of the items listed as (i) – (iv) in Paragraph 274 of the report;
2. A site visit to take place; and
3. Conversations to be undertaken with the Highways Authority in respect of the Thistle Way access, which was currently heavily parked on by residents, and the methodology (Construction Management Strategy) for ensuring the existing emergency access route is maintained on the application site during construction

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

Consideration of the application be **DEFERRED** to enable:

1. Further progression of the items listed as (i) – (iv) in Paragraph 274 of the report;
2. A site visit to take place; and
3. Conversations to be undertaken with the Highways Authority in respect of the Thistle Way access, which was currently heavily parked on by residents, and the methodology (Construction Management Strategy) for ensuring the existing emergency access route is maintained on the application site during construction.

255. **Planning Application DC/22/0364/FUL and Listed Building Consent DC/22/0365/LB - The Deanery, 3 The Great Churchyard, Bury St Edmunds (Report No: DEV/WS/22/024)**

*(Councillors Mike Chester and Andrew Smith declared non-pecuniary interests in this item in light of the fact that they were members of the congregation of their Parish Churches which came under the St Edmundsbury and Ipswich Diocese as did the application site, they therefore asked that this be noted in the interests of transparency.*

*Councillor Peter Stevens also declared a non-pecuniary interest in this item in light of the fact that he had been invited to view the building in question prior to the scheduled site visit, he therefore asked that this also be noted in the interests of transparency.)*

**Planning application - a. single storey extension to north wing; b. alterations to garage and addition of garden/woodshed; c. provision of bicycle storage (following removal of shed); d. external window and door alterations; e. electric charging points; f. provision of call point on south pedestrian gate; g. gratings over window areas; h. associated landscaping; i. relocation of amenity space for west wing; j. installation of flue liners and cowls**

**Application for listed building consent - External alterations to include; a. single storey extension to north wing to include partial demolition of rear wall and window; b. external door and window alterations to include replacement and reinstatement of window and doors to rear elevation; c. provision of gratings to basement window areas; Internal alterations involving remodelling of internal layouts to include; demolition of staircase to main entrance hall to allow for large dining area; b. partial relocation of modified staircase from main entrance hall to new stairwell within existing laundry room; c. demolition of internal partition between existing bedroom one and two; d. provision of new attic staircase; e. upgrading of thermal elements to existing attic accommodation together with provision of shower room; f. upgrading of internal doors to half hour fire resistance; g. renewal of services to include electrics, heating and plumbing together with other modifications**

These applications were referred to the Development Control Committee following consideration by the Delegation Panel.

Officers were recommending that the planning application be approved, subject to conditions as set out in Paragraph 93 of Report No DEV/WS/22/024.

However, Officers were also recommending that the application for Listed Building Consent be refused for the reason outlined in Paragraph 94 of the report. This recommendation was in conflict with the view of Bury St Edmunds Town Council who supported the proposal.

A Member site visit was held prior to the meeting, in addition, as part of her presentation the Planning Officer also showed videos of the interior of the site.

Speakers: Dr Jackie Hall (St Edmundsbury Fabric Advisory Committee) spoke in support of the application

Councillor Robert Everitt (Adjacent Ward Member: Minden, speaking on behalf of the Ward Members for Abbeygate) spoke in support of the application

The Very Reverend Joe Hawes (applicant) spoke in support of the application

*(Dr Hall was not in attendance to personally address the Committee and, instead, the Democratic Services Officer played a pre-recorded audio file on her behalf.)*

In view of the two separate recommendations the Chair proposed that Members first consider the planning application and take a vote on that element prior to considering the Listed Building Consent.

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

Upon being put to the vote and with 15 voting for the motion and with 1 abstention it was resolved that

#### Decision

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

1. 001A Time Limit - Detailed
2. 14FP Approved Plans
3. Later Approved Details

Considerable discussion then took place on the application for Listed Building Consent. Whilst some Members recognised the significant weight that had to be attributed to the conservation concerns raised and Historic England's objection, other Members highlighted the fact that the staircase was not an original feature.

The Council's Senior Conservation Officer was in attendance and was invited by the Chair to further elaborate on her reasons for recommending refusal.

Councillor David Roach proposed that the application be approved, contrary to the Officer recommendation, as in his view the level of public benefit from the proposed works would outweigh the degree of harm caused due to the staircase not being an original feature. This was duly seconded by Councillor Andy Drummond.

The Service Manager (Planning – Development) advised the meeting that if Members were minded to approve the application, contrary to the Officer recommendation, then in light of the objections from statutory consultees and the Council's statutory duties relating to listed buildings, the Decision Making Protocol would be invoked and a risk assessment would be produced for further consideration by the Committee at a future date.

Accordingly, upon being put to the vote and with 8 voting for the motion and 8 against, it was resolved on the Chair's casting vote that

#### Decision

Members be **MINDED TO APPROVE, CONTRARY TO THE OFFICER RECOMMENDATION**, the application for Listed Building Consent as the level of public benefit from the proposed works would outweigh the degree of harm caused, due to the staircase not being an original feature.

*(On conclusion of this item the Chair permitted a further short comfort break, during which Councillor Ian Houlder left the meeting at 2.09pm.)*

256. **Planning Application DC/22/0172/FUL - Land adjacent to 1 and 2, Park Garden, West Row (Report No: DEV/WS/22/025)**

**Planning application - six dwellings with access, parking and associated site work**

This application was originally referred to the Development Control Committee on 1 June 2022 following consideration by the Delegation Panel. West Row Parish Council objected to the scheme on highway safety grounds.

Ward Member (The Rows) Councillor Don Waldron had also raised queries with regard to the commencement of a previous permission and subsequent fallback position.

The application was subsequently deferred by the Committee to enable a Member site visit to take place and to provide further clarification on highway related matters, which was set out in Report No DEV/WS/22/025 for consideration.

Officers were continuing to recommend that the application be approved, subject to conditions as set out in Paragraph 21 of the report.

Speakers: Sarah Carter (neighbouring objector, on behalf of the residents of Park Gardens) spoke against the application  
Councillor Don Waldron (Ward Member: The Rows) spoke on the application  
Gavin Wells (applicant) spoke in support of the application  
*(Sarah Carter was not in attendance to personally address the Committee and, instead, the Democratic Services Officer read out a pre-prepared statement on her behalf.)*

Councillor Mike Chester proposed that the application be approved, as per the Officer recommendation. This was duly seconded by Councillor John Burns.

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 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 Before the dwelling at plot 4 hereby permitted is first occupied/brought into use, the first floor bathroom window in the south elevation shall be fitted with obscure glass to Pilkington glass level 4 privacy or an equivalent standard and shall consist only of non-operable fixed lights up to 1.70m from floor level and shall be retained in such form in perpetuity.
- 4 The Construction Management Statement already submitted with the application shall be adhered to throughout the construction period (except from the superseded domestic waste collection paragraph).
- 5 No construction HGV movements, loading and unloading of vehicles or deliveries shall be taken or despatched outside the hours of 08:00 - 18:00 Mondays to Friday and 08:00 - 13.00 on Saturdays and no deliveries shall be taken or despatched on Sundays and Bank Holidays unless agreed in writing with the Local Planning Authority.
- 6 Demolition or construction works shall not take place outside 8:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time on Sundays, public holidays or bank holidays.
- 7 All construction lighting installations to be provided at the site, including those within the car parking areas, service yards and security, shall be positioned so as not to cause unacceptable glare to the residential properties in the vicinity of the site.
- 8 All planting comprised in the approved details of landscaping detailed on drawing no P-2021-014-1 Rev A 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.
- 9 Prior to occupation the biodiversity enhancement measures shown in the approved plans shall be installed in their entirety and be retained in the approved form thereafter.
- 10 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.
- 11 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.
- 12 Prior to occupation each dwelling hereby approved shall be fitted with a domestic sprinkler systems and shall be maintained fully functional thereafter.
- 13 Prior to first use of the development hereby permitted, the area(s) within the site shown on drawing No. JP-2021-014-1 Rev.A 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.
- 14 All HGV and construction traffic movements to and from the site over

the duration of the construction period shall be subject to a Construction and Deliveries Management Plan which shall be submitted to the planning authority for approval a minimum of 28 days before any deliveries of materials commence.

No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan.

The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

- 15 Prior to the occupation of any of the dwellings hereby approved a waste collections strategy shall be submitted to and approved in writing by the local planning authority. Details shall be submitted to and approved by the local planning authority as to how the operation of the waste collection strategy will be secured in perpetuity. The dwellings hereby approved shall be occupied in accordance with the waste strategy thereafter unless agreed in writing otherwise.

*(Councillor Andy Neal left the meeting at 2.37pm on conclusion of this item.)*

**257. Planning Application DC/22/0021/HH - The Croft, Mildenhall Road, Barton Mills (Report No: DEV/WS/22/026)**

**Householder planning application - a. two storey front extension; b. two storey side and rear extension; c. conversion and extension of existing garage to habitable space; d. single storey side extension to existing garage (following demolition of existing flat roofed garage); e. roof alterations to existing link extension; f. two bay cartlodge with room above**

This application was referred to the Development Control Committee following consideration by the Delegation Panel. It was referred to the Delegation Panel at the request of Ward Member (Manor) Councillor Brian Harvey.

Barton Mills Parish Council had confirmed their support for the proposal which was in conflict with the Officer's recommendation of refusal, for the reason set out in Paragraph 36 of Report No DEV/WS/026.

A Member site visit was held prior to the meeting, in addition, as part of her presentation the Planning Officer also showed videos of the site.

The Officer also outlined the planning history of the site as it had been omitted from the report and advised Members that the Planning Authority had requested that elements of the scheme be rethought to alleviate some of their concerns, however, the application had not been amended in any way.

Speaker: Heather Marsh (applicant) spoke in support of the application *(Mrs Marsh was not in attendance to personally address the Committee and, instead, the Democratic Services Officer played a pre-recorded audio file on her behalf.)*

A number of Members voiced support for the application with reference being made to the large plot, the limited visibility of the property and the fact that the proposed location of the cartlodge avoided the mature trees.

Councillor Brian (Ward Member for the application: Manor) spoke in support of the scheme. He proposed that the application be approved, contrary to the Officer recommendation, as he considered that it did not harm the character and appearance of the existing dwelling. This was duly seconded by Councillor Carol Bull.

At the invitation of the Chair, the Planning Officer verbally outlined the conditions that could be appended to a permission if Members were minded to approve the application.

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

#### Decision

Planning permission be **GRANTED, CONTRARY 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. The development hereby permitted shall be constructed entirely of the materials detailed on the submitted application form.

258. **Planning Application DC/21/1780/HH - Place Farm, Clay Cottage, Ipswich Road, Rougham (Report No: DEV/WS/22/027)**

**Householder planning application - two storey side extension with repositioning of existing solar panels**

This application was referred to the Development Control Committee following consideration by the Delegation Panel. It was referred to the Delegation Panel at the request of Ward Member (Rougham) Councillor Sara Mildmay-White.

Officers were recommending that the application be refused for the reason set out in Paragraph 32 of Report No DEV/WS/22/027.

The Planning Officer advised Members that since publication of the agenda Rushbrooke with Rougham Parish Council had confirmed that they did not object to the application.

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

Speakers: Councillor Sara Mildmay-White (Ward Member: Rougham) spoke in support of the application  
Michaela Teagle (applicant) spoke in support of the application

*(Mrs Teagle was not in attendance to personally address the Committee and, instead, the Democratic Services Officer played a pre-recorded audio file on her behalf.)*

Councillor Andy Drummond spoke in support of the scheme. He proposed that the application be approved, contrary to the Officer recommendation, as he considered that it did not harm the character and appearance of the existing dwelling. This was duly seconded by Councillor David Roach.

At the invitation of the Chair, the Planning Officer verbally outlined the conditions that could be appended to a permission if Members were minded to approve the application.

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

Decision

Planning permission be **GRANTED, CONTRARY TO THE OFFICER RECOMMENDATION** 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.

The meeting concluded at 3.35pm

**Signed by:**

**Chair**

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