

Development Control Committee



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Development Control Committee** held on
Thursday 4 June 2015 at **10.00 am** at the **Conference Chamber, West
Suffolk House**, Western Way, Bury St Edmunds

Present: **Councillors:**

Chairman Jim Thorndyke
Vice-Chairmen Tim Marks and Angela Rushen

Tony Brown	Ivor Mclatchy
Carol Bull	Alaric Pugh
John Burns	David Roach
Robert Everitt	Peter Stevens
Paula Fox	Julia Wakelam
Susan Glossop	Patricia Warby
Ian Houlder	

75. **Substitutes**

No substitutions were announced.

76. **Election of Chairman**

It was proposed, seconded and

RESOLVED – That Councillor Jim Thorndyke be elected Chairman of this Committee.

77. **Apologies for Absence**

No apologies for absence were received.

78. **Appointment of Vice-Chairmen**

It was proposed, seconded and

RESOLVED – That Councillors Tim Marks and Angela Rushen be elected Vice-Chairmen of this Committee.

79. **Minutes**

The minutes of the meeting held 30 April were confirmed as a correct record and signed by the Chairman.

80. **Planning Applications**

The Committee considered Reports DEV/SE/15/36 to DEV/SE/15/40. Report DEV/SE/15/35 had been withdrawn from the agenda.

RESOLVED : That

- (1) subject to the full consultation procedure, including notification to Parish Councils/Meetings and reference to the Suffolk County Council, decisions regarding applications for planning permission, listed building consent, conservation area consent and advertisement consent be made as listed below;
- (2) approved applications be subject to the conditions outlined in the written reports (DEV/SE/15/36 to DEV/SE/15/40) and any additional conditions imposed by the Committee and specified in the relevant decisions ; and
- (3) refusal reasons be based on the grounds outlined in the written reports and any reasons specified by the Committee and indicated in the relevant decisions.

81. **Planning Application DC/14/0086/FUL**

Erection of new building to include 3 no. retail units and 4 no. residential units, as amended by elevational changes received 18 December 2014, at Empire Yard, Brook Service Road, Haverhill for Mr G Edwards

This application, Report reference DEV/SE/15/35, had been withdrawn from the agenda by Officers following consultation with the Chairman.

82. **Planning Application DC/15/0454/FUL and Listed Building Application DC/15/0455/LB**

- (a) **Planning Application DC/15/0454/FUL : (i) proposed new dwelling; (ii) covered parking; (iii) vehicular access (including widening gap in the boundary wall); and (iv) associated infrastructure ; and**
- (b) **Listed Building Application DC/15/0455/LB : Partial demolition of boundary wall to widen existing gap to create vehicular access**

at land adjacent to The White House, Nethergate Street, Clare for Mr Patrick and Mrs Heidi Daniels

The Committee had visited the site of the applications on 28 May 2015.

Officers reported that Clare Town Council had been re-consulted following the submission of additional information by the applicants regarding the construction of the vehicular access. A response had been received that too short a period had been allowed for this information to be considered by the Town Council and that it was prevented by its Standing Orders from rescinding its previous decision which was to indicate support for the applications. Officers advised that if a Parish Council requested an extension to a consultation period it was usual practice to grant this if reasonable. At the request of the applicants' agent photographs were shown which indicated how paving materials and gates relating to the proposed access might look.

The following persons spoke on the applications :

- (a) Objector - Mr R D Reynolds
- (b) Applicants - Michael Hendry, agent, and Lee Frere, architect.

In discussing the proposal some Members expressed the view that whilst the principle of new building on the site may be acceptable there were concerns about the design of the proposed dwelling as it was felt to be disjunctive with its surroundings. The proposed gates were also felt to be incongruous. Additionally there were fears of potential flooding of the application site and of the threat to beech trees immediately adjacent in Nethergate Street.

Decision

Permission be refused.

83. **Planning Application DC/15/0490/FUL**

2 no. detached dwellings with double garage and new shared vehicular access, as amended by plans received 9 May 2015, at land adjacent to Sucrierie, Old Bury Road, Stanton for Mr. Kevin Bird

(Councillor Thorndyke declared a Local Non-pecuniary Interest in this item as a Member of Stanton Village Hall Management Committee whose premises adjoined the application site. He vacated the chair in favour of Councillor Mrs Rushen, one of the Vice-Chairmen. After speaking as the Ward Member Councillor Thorndyke withdrew from the meeting during the consideration of this item)

The Committee had visited the application site on 28 May 2015.

A Committee Update Report had been previously circulated after the agenda and papers for this meeting had been distributed. This provided additional comments from Stanton Parish Council and Suffolk County Council, Highways. The highways authority had recommended the imposition of an additional condition if planning permission was to be granted. This would require the prior submission and approval of the means of preventing the discharge of surface water onto the highway.

In the event of planning permission being granted Officers suggested an amendment to the proposed Condition 8 to make it clear which of the accesses to the application site was to be stopped up. A further condition to ensure that construction traffic only used the access off the Old Bury Road was also proposed by them.

The following person spoke on the application:

Ward Member - Councillor Jim Thorndyke.

In discussing the proposal some Members expressed a concern that there was potential for complaints to arise from the prospective occupiers of the proposed dwellings about activities at the village hall and associated vehicular movements during the late evening. Officers advised that Environmental Health had not expressed any concerns about potential noise nuisance. The Block Plans were indicating that a wall was proposed along the eastern edge of the site which bounded the access road to the village hall. Officers advised that a proposed Condition 4 required the details of boundary treatment to be submitted and approved and that specific consideration would be paid to this issue. The Committee indicated that the provision of an acoustic fence should be looked upon more favourably. A member suggested that tree and hedge planting would provide further screening which would ameliorate the potential problems being envisaged. Officers advised that the proposed Condition 5 would necessitate the submission of a landscaping scheme for approval and specific attention could be also be given to this consideration.

Decision

Permission be granted subject to:

- (i) the amendment of Condition 4, Details of Boundary Treatment, to make it clear that elements of acoustic fencing are to be provided along the boundaries with the village hall:
- (ii) the amendment of Condition 8 so that this reads as follows:

'The access shall be completed in all respects in accordance with Drawing No. DM02 with an entrance width of 4.5 metres and will be available for use before the development is first occupied. Thereafter it shall be retained in its approved form. At this time all other means of access on the eastern side of the application site (i.e. off the access to the village hall) shall be permanently and effectively 'stopped up' in a manner which previously shall have been approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety to ensure the approved layout is properly constructed and laid out and to avoid multiple accesses which would be detrimental to road safety.'

- (iii) the addition of a condition as follows:

'15. No development shall commence until details have been submitted to and approved in writing by the Local Planning Authority showing the

means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

Reason: It is considered necessary to impose a pre-commencement condition so that any potential safety issues can be resolved prior to construction. This will ensure the prevention of hazards caused by flowing water or ice on the highway in the interests of road safety'; and

(iv) the inclusion of a further condition as follows:

'16. During the construction phase of the development hereby approved, all construction traffic, including deliveries made to the site, shall use the access off the Old Bury Road and at no time shall the village hall access be used.

Reason: In the interests of road safety to ensure the village hall access is kept clear at all times.'

(At this point in the meeting the Vice-Chairman relinquished the Chair in favour of the Chairman)

84. Listed Building Application SE/13/0902/LB

(i) Demolition of Buildings 5, 6, 8, 9 and 11; (ii) repair exposed walls and features of retained buildings and exposed ground; and (iii) internal works to French Gothic Building to install new service core and form new office suites, as amended by details received 9 August 2013, at Gurteen & Sons Ltd., Haverhill for D Gurteen & Sons.

(Councillor Tony Brown declared a Pecuniary Interest as the applicants were a client of the business operated by him and he withdrew from the meeting during the consideration of this item)

Officers reported that Councillor Jason Crooks had written to Members of the Committee on an individual basis expressing his views on the application.

The following person spoke on the application:

Applicants - Mike Carpenter, agent.

A motion that consideration of the application be deferred until such time as consultation on the Haverhill Town Centre Masterplan had been carried out was lost.

In discussing the application further it was acknowledged by some members that the application was an integral part of the regeneration of the Town Centre and following on from the discussions which had taken place with the applicants it was important to maintain the momentum towards this objective. A member asked how definite the proposed phases involved with the redevelopment were. Officers responded by reference to the Development Principles and Feasibility Study document which, although not

forming part of the application under consideration, outlined various options for the re development of the remainder of the site and indicated that there would be further applications in the future. These applications would be the subject of further public consultation. Officers referred to the public misconception that the current application was to be deferred until after the consultation process on the Haverhill Town Centre Masterplan had been carried out and explained that the present scheme had been referred to the consultants preparing the Masterplan to obtain independent views on whether or not the proposals were in accord with the concepts to be contained in the Masterplan regarding the re-development of the centre of Haverhill. A response had been received that the proposals were in accordance with the aims of the Masterplan; it being acknowledged that the Masterplan would not contain details for the re-development of the Gurteens' site. Discussions were continuing with the applicants and involving English Heritage regarding proposals for the remaining buildings on the site. In relation to the current proposal Officers advised that the programme of works would be closely monitored and controlled through the phasing of demolition. In response to Members' questions Officers advised that the proposed phasing of works was only indicative at this stage and it may or may not be subject to change in future and that the availability of grant aid had been investigated and there were no proposals currently which were eligible. Depending on uses identified for other buildings the possibility of attracting funding would be investigated. Reference was made by a Member to the proposal by Haverhill in Bloom to incorporate artwork into the wall which formed the boundary between the Churchyard and the application site and sought an assurance that this could still be facilitated following demolition works. It was confirmed that the demolition of Building 5 would be done so as not to jeopardise the proposal to install the artwork.

Decision

Listed Building Consent be granted.

85. Prior Approval Application DC/15/0816/P14JPA

Installation of 100kWp solar photovoltaic panels at Denny Bros, Kempson Way, Bury St Edmunds for St. Edmundsbury Borough Council

This matter was required to be dealt with by the Committee because the application had been made by the Council.

Decision

As the proposal is acceptable in terms of design and appearance it be agreed that Prior Approval is not required.

86. **DC/15/0912/TCA Trees in a Conservation Area Notification**

(i) 3 no. Goat Willow (T1, T2 and T6) – fell; (ii) Birch (T3) – remove side stem and balance the canopy ; and (iii) 2 no. Thuja (T4 and T5) – fell

at Flempton House, Bury Road, Flempton for Andrew Speed

(Councillor Susan Glossop advised that she lived opposite the application site. Whilst not having a Pecuniary Interest she withdrew from the meeting during the consideration of this item to avoid any perception of pre-determination or bias.)

This application had been added to the agenda by way of a supplementary item of urgent business because of the need for it to be determined by 16 June 2015. At the time of making the application the applicant was not a Member of the Council but he had been elected subsequently on 7 May. The application, therefore, was required to be determined by the Committee.

Decision

A Tree Preservation Order be not served and the tree works be allowed to proceed.

The meeting concluded at 11.45 am.

Signed by:

Chairman
