

Forest Heath District Council

MINUTES of the **DEVELOPMENT CONTROL COMMITTEE** held at the District Offices, College Heath Road, Mildenhall on Wednesday 3 September 2014 at 6.00pm.

PRESENT:

Councillors:

C J Barker (Chairman)	W Hirst
M J Anderson	R D S Hood
J M Bloodworth	T J Huggan
D W Bowman	G Jaggard
Mrs R E Burt	Mrs C F J Lynch
S Cole	W E Sadler
R Dicker	T Simmons
D W Gathercole	A J Wheble

Councillor C Noble was also in attendance in his capacity as a Lakenheath Ward Member in order to observe proceedings in connection with the applications set out in Report Nos DEV14/129, DEV14/130 and DEV14/131.

Also in attendance:

C Ballard, Senior Planning Officer
D Beighton, Acting Development Manager
G Durrant, Principal Planning Officer – Major Projects
J Hooley, Lawyer
M Smith, Place Shaping Manager
S Wood, Head of Planning and Regulatory Services
H Hardinge, Committee Administrator & FHDC Scrutiny Support

I Maxwell, Assistant Education Officer - Suffolk County Council

APOLOGIES

Apologies for absence were received from Councillors W J Bishop, A Drummond and E Stewart.

SUBSTITUTES

Councillor R D S Hood attended the meeting as substitute for Councillor A Drummond and Councillor W E Sadler attended as substitute for W J Bishop.

109. **CONFIRMATION OF MINUTES**

The minutes of the meeting held on 6 August 2014 were unanimously accepted by the Committee as an accurate record and were signed by the Chairman.

110. **PLANNING APPLICATION F/13/3145/OUT – RABBIT HILL COVERT, STATION ROAD, LAKENHEATH (REPORT NO DEV14/129)**

Having sought advice from the Council's Lawyer, Councillor D W Gathercole declared a local non-pecuniary interest in respect of this item as he was a distant relative of the applicant and a Lakenheath Parish Councillor.

Outline application for the erection of up to 81 dwellings.

This application was referred to the Development Control Committee as it was a proposal for 'major' development and the recommendation to grant planning permission was contrary to the provisions of the extant Development Plan. The proposal also raised complex planning issues of District-wide importance. Furthermore, the applicant was an elected Member of the District Council.

The Committee was advised that the proposals were considered to comply with the relevant policies of the National Planning Policy Framework but the 'countryside' location of the site meant the proposed housing development conflicted with adopted Development Plan policies.

A Member site visit had been held prior to the meeting, Officers were recommending that outline planning permission be granted, as set out in Paragraphs 227 – 230 of Report No DEV14/129, subject no new concerns, objections or material planning issues being raised by Natural England, the Suffolk Wildlife Trust, the Council's Environmental Health Team or arising out of public consultation for the recently received noise assessment.

The Principal Planning Officer – Major Projects further advised the Committee that since publication of the agenda further representations had been received as summarised:

- A letter of objection from Lakenheath Community Primary School's Governing Body (circulated to Members under separate cover);
- A letter of objection from Cerda Planning Ltd, acting on behalf of Lakenheath Parish Council (circulated to Members under separate cover) which the Officer verbally responded to, in respect of the 'summary' points, in detail for the benefit of those present;
- A letter of objection from a local resident of Drift Road (circulated to Members under separate cover);
- A statement from the applicant's agents in support of the planning application which was read out in full to the meeting; and
- Additional comments from Suffolk County Council Highways stating the need to extend the 30mph limit already in place along Station Road in order to encompass the entrance to the proposed development. Highways had asked that this be included as part of the S106 agreement and that it be conditioned so that the relevant Road Traffic Order was in place prior to any formal Decision Notice being issued for the application. The Officer explained that the recommendation set out in Paragraph 227 would be amended to reflect this.

Lastly, the Officer drew attention to Paragraph 70 of the report and the reference therein to the former USAFE personnel dwellings at Lords Walk which had recently come onto the housing market. He explained that Officers had verified that this stock of dwellings was already counted as 'existing' housing stock and could not, therefore, be counted as a contribution towards the five year supply of housing in the District.

Councillor D W Gathercole commenced the discussion on the application and stated that whilst Lakenheath Parish Council was not opposed to development per se they wanted this to be carried out as part of a planned expansion to the village in order to enable sustainable growth; and the application before Members was not, in their opinion, sustainable.

Councillor Gathercole made particular reference to the capacity of the primary school and the grave concerns raised by the Head Teacher, in response to which Suffolk County Council's Assistant Education Officer addressed the meeting. He explained that the County Council had commissioned a contractor to source suitable sites within Lakenheath for a second primary school. Whilst the process was still in the very early stages, five potential sites had been identified.

The Head of Planning and Regulatory Services also spoke on this matter and informed Members of the ongoing work the District Council had been undertaking in partnership with the County Council (as the Local Education Authority) in order to address the strategic issue of education provision with Forest Heath, being mindful of the fact that many other schools within the District were currently at capacity irrespective of any further development.

Councillor W E Sadler made reference to the other Lakenheath applications later on the agenda and asked if it would be appropriate to consider all pending applications for the village en masse in order to establish which was most preferable. The Place Shaping Manager explained that the Council was duty bound to determine all applications formally submitted to the Council irrespective of any others that may be due. Furthermore, each application was to be determined on its own merits.

Councillor Mrs R E Burt posted a number of questions which Officers duly responded to. Following which she welcomed the 30% affordable housing the development would provide and proposed that the application be approved, as recommended by Officers and including the amendment with regard to the Road Traffic Order (30mph). This was duly seconded by Councillor W Hirst.

After further discussion, Councillor S Cole proposed an amendment that the application be approved but that the delivery of the scheme be phased in order to allow time in which for the infrastructure to be put in place. This was duly seconded by Councillor T J Huggan.

Following the Lawyer having advised on appropriate wording, the Chairman put the amendment to the vote and with 10 voting for the motion, 4 against and with 2 abstentions, it was resolved:

That subject no new concerns, objections or material planning issues being raised by Natural England, the Suffolk Wildlife Trust, the Council's Environmental Health Team or arising out of public consultation for the recently received noise assessment, outline planning permission be **GRANTED** subject to:

1. The completion of a S106 agreement to secure:
 - Affordable housing (30%)
 - Education contribution (Primary School – up to £355,560 towards build costs and up to £109,820 towards land costs)

- Pre-school contribution (up to £48,728)
 - Libraries Contribution (up to £17,496)
 - Public Open Space contribution (Formula to be included in the Agreement to secure policy complaint provision on site at reserved matters stage and appropriate off-site contribution)
 - Local Highways contribution (Footpaths and lighting works) up to £75,000.
 - Local Highways contribution (signage and extension of Station Road 30mph zone), **with no formal Decision Notice being issued prior to completion of the relevant Road Traffic Order**
 - Strategic Highway Contribution (should this be deemed compliant with CIL Regulation 122 – a proportionate contribution would be appropriate, sum to be determined)
 - SPA Recreational Impact Contribution – which may include monitoring of potential impacts from development (should this be deemed compliant with CIL Regulation 122 – sum to be determined)
 - The phasing and timing of the delivery of the scheme be negotiated for the development to ensure appropriate infrastructure is in place
 - Any further clauses considered necessary by the Head of Planning and Regulatory Services.
2. And subject to conditions, including:
- Time limit (3 years for commencement)
 - Materials (to be submitted with the Reserved Matters)
 - Sustainable construction and operation methods (further details to be approved and thereafter implemented)
 - Bin and cycle storage strategy (to be submitted for approval with the Reserved Matters and subsequently implemented)
 - Public open space (strategy for future management and maintenance)
 - Landscaping details and tree information (including precise details of new hard and soft landscaping and surveys/arboricultural information about the existing tree stock)
 - Retention and protection of existing trees and hedgerows
 - Ecology (enhancements at the site and any further survey work required)
 - Construction management plan
 - As recommended by LHA
 - Contamination & remediation (further investigations and any remediation necessary)
 - Means of enclosure (to be submitted with Reserved Matters)
 - Implementation of noise mitigation measures
 - Fire Hydrants
 - Waste minimisation and re-cycling strategy
 - Details of the surface water drainage scheme (SUDS – full details to be submitted with the Reserved Matters).
 - Any additional conditions considered necessary by the Head of Planning and Regulatory Services.
3. In the event of the Head of Planning and Regulatory Planning Services recommending alternative (reduced) Heads of Terms from those set out at Recommendation 1 above, or Natural England the RSPB, the Suffolk Wildlife Trust, Environmental Health Officers, the Parish Council or other members of the public raise objections concerns or substantive and material issues about the proposals which have not already been considered by the Committee and cannot be resolved or satisfied by the applicant, the planning application be returned to Committee for further consideration.

4. In the event the applicant declines to enter into a planning obligation to secure the Heads of Terms set out at Recommendation 1 above for reasons considered unreasonable by the Head of Planning and Regulatory Services, planning permission be refused for the following reasons:
- i) Unsustainable form of development not mitigating its impact upon, education provision (primary and pre-school), open space, sport and recreation, transport, health and libraries (contrary to the Framework and Core Strategy policy CS13 and saved Local Plan policy 10.3).
 - ii) If appropriate following further investigation; adverse cumulative impacts upon i) the highway network ii) the Special Protection Area (from increased recreational pressure) or iii) the amenity of future residents of the development from air craft noise.
 - iii) Non-compliance with affordable housing policy (contrary to Core Strategy policy CS9 and supporting SPD document).

Speakers: Mrs Emma Vincent (Head Teacher of Lakenheath Community Primary School) spoke against the application
Mr Michael Robson (Cerda Planning Ltd, acting on behalf of Lakenheath Parish Council) spoke against the application.

111. **PLANNING APPLICATION F/13/0394/OUT – LAND WEST OF ERISWELL ROAD, LAKENHEATH (REPORT NO DEV14/130)**

Councillor D W Gathercole declared a local non-pecuniary interest in respect of this item as he was a Lakenheath Parish Councillor and a member of Lakenheath Playing Fields Committee.

Outline application for the erection of up to 140 dwellings.

This application was referred to the Development Control Committee as it was a proposal for 'major' development and the recommendation to grant planning permission was contrary to the provisions of the extant Development Plan. The proposal also raised complex planning issues of District-wide importance.

The Committee was advised that the proposals were considered to comply with the relevant policies of the National Planning Policy Framework but the 'countryside' location of the site meant the proposed housing development conflicted with adopted Development Plan policies.

A Member site visit had been held prior to the meeting, Officers were recommending that outline planning permission be granted, as set out in Paragraphs 222-225 of Report No DEV14/130, subject no new concerns, objections or material planning issues being raised by Natural England, the Suffolk Wildlife Trust or the RSPB.

The Principal Planning Officer – Major Projects further advised the Committee that since publication of the agenda further representations had been received as summarised:

- A letter of objection from Lakenheath Community Primary School's Governing Body (circulated to Members under separate cover);
 - A letter of objection from Cerda Planning Ltd, acting on behalf of Lakenheath Parish Council (circulated to Members under separate cover);
- and

- A letter of objection from a local resident of Eriswell Road (circulated to Members under separate cover).

The Officer again drew attention to the former USAFE personnel dwellings at Lords Walk which had recently come onto the housing market. He reminded Members that Officers had verified that this stock of dwellings was already counted as 'existing' housing stock and could not, therefore, be counted as a contribution towards the five year supply of housing in the District.

Lastly, the Officer informed the Committee that all trees in connection with the development had been assessed and there were no issues with those earmarked for removal as they were not of superior quality.

Councillor D W Gathercole again commenced the discussion on the application and reiterated Lakenheath Parish Council's stance with regard to sustainable growth. He also stated that if this application was to be approved then the Parish would request approximately half an acre of land to be allocated to Lakenheath Cricket Pitch in order to allow for future growth and expansion of the Playing Fields.

The Lawyer explained that this would not be something that the Council could formally request as part of the planning process but the Parish Council would be at liberty to negotiate this with the developer.

Councillor A J Wheble raised specific questions with regard to the affordable housing to be provided as part of the development. The Officer explained that all developments could be subject to a viability study in this respect, which was in turn scrutinised by an independent consultant as part of a robust process. As the viability study was yet to be evidenced (given the outline nature of the application without details of the housing scheme) the recommendation was set at 30% affordable housing in line with the Council's policy, however, this would if necessary be revisited at reserved matters stage once precise details of the scheme were available and could be more fairly and accurately assessed for viability.

Councillor R D S Hood made reference to Paragraph 23 which set out the response from Suffolk County Council Archaeology and their request for the developer to record and advance understanding of the significance of any heritage asset before it was damaged or destroyed. Councillor Hood asked if this needed to be made the subject of a condition should the application be approved. The Officer explained that the archaeological request did indeed need to be included as a condition and it had been mistakenly omitted from the recommendation in Paragraph 223.

Following which, Councillor W Hirst proposed that the application be approved, as recommended by Officers, including the amendment with regard to the archaeological request and that the delivery of the scheme be phased in order to allow time in which for the infrastructure to be put in place (as per the previous application). This was duly seconded by Councillor Mrs C F J Lynch.

Following the Lawyer having advised on appropriate wording, the Chairman put the amendment to the vote and with 11 voting for the motion, 4 against and with 1 abstention, it was resolved:

That subject no new concerns, objections or material planning issues being raised by Natural England, the Suffolk Wildlife Trust, or the RSPB outline planning permission be **GRANTED** subject to:

1. The completion of a S106 agreement to secure:
 - Affordable housing (30% - up to 42 dwellings)
 - Education contribution (Primary School – up to £ £622,230 towards build costs and up to £192,185 towards land costs)
 - Education contribution – temporary arrangements (if subsequently deemed compliant with the CIL Regulations)
 - Pre-school contribution (up to £85,274)
 - Libraries Contribution (up to £30,240)
 - Public Open Space contribution (Formula to be included in the Agreement to secure policy complaint provision on site at reserved matters stage and appropriate off-site contributions)
 - Viability review opportunity at Reserved Matter submission stage.
 - Strategic Highway Contribution (should this be deemed compliant with CIL Regulation 122 – a proportionate contribution would be appropriate, sum to be determined)
 - SPA Recreational Impact Contribution – which may include monitoring of potential impacts from development (should this be deemed compliant with CIL Regulation 122 – sum to be determined)
 - The phasing and timing of the delivery of the scheme be negotiated for the development to ensure appropriate infrastructure is in place
 - Any further clauses considered necessary by the Head of Planning and Regulatory Services.

2. And subject to conditions, including:
 - Time limit (3 years for commencement)
 - Materials (details to be submitted with the Reserved Matters)
 - Sustainable design and construction (further details to be submitted for approval with the Reserved Matters submission and thereafter implemented)
 - Bin and cycle storage strategy (to be submitted for approval with the Reserved Matters and subsequently implemented)
 - Public open space and SuDS (strategy for future management and maintenance of this infrastructure)
 - Landscaping (precise details of new hard and soft landscaping)
 - Retention and protection of existing trees, shrubs and hedgerows to be retained (details to be provided with the landscaping scheme at Reserved Matter stage)
 - Ecology (strategy for achieving enhancements at the site)
 - Any reasonable conditions requested by Natural England, the Suffolk Wildlife Trust and/or the RSPB.
 - Construction management plan
 - As recommended by LHA
 - Contamination & remediation (further investigations and any remediation necessary)
 - Means of enclosure (to be submitted with Reserved Matters)
 - Noise mitigation measures.
 - Fire Hydrants
 - Waste minimisation and re-cycling strategy
 - Details of the surface water drainage scheme (SUDS – full details to be submitted with the Reserved Matters).

- Archaeology – to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed
 - Any additional conditions considered necessary by the Head of Planning and Regulatory Services.
3. In the event of the Head of Planning and Regulatory Planning Services recommending alternative (reduced) Heads of Terms from those set out at Recommendation 1 above, or Natural England the RSPB and/or the Suffolk Wildlife Trust raise objections concerns or substantive issues about the proposals which have not already been considered by the Committee, the planning application be returned to Committee for further consideration.
4. In the event the applicant declines to enter into a planning obligation to secure the Heads of Terms set out at Recommendation 1 above for reasons considered unreasonable by the Head of Planning and Regulatory Services, planning permission be refused for the following reasons:
- i) Unsustainable form of development not mitigating its impact upon, education provision (primary and pre-school), open space, sport and recreation and libraries (contrary to the Framework and Core Strategy policy CS13 and saved Local Plan policy 10.3).
 - ii) If appropriate following further investigation; adverse cumulative impacts upon, the highway network and the Special Protection Area (from increased recreational pressure)
 - iii) Non-compliance with affordable housing policy (contrary to Core Strategy policy CS9 and supporting SPD document)

Speakers: Mrs Emma Vincent (Head Teacher of Lakenheath Community Primary School) spoke against the application
Mr Michael Robson (Cerda Planning Ltd, acting on behalf of Lakenheath Parish Council) spoke against the application.
Mr Richard Tilley (agent for the applicant) spoke in support of the application.

112. PLANNING APPLICATION DC/13/0660/FUL – LAND OFF BRISCOE WAY, LAKENHEATH (REPORT NO DEV14/131)

Councillor D W Gathercole declared a local non-pecuniary interest in respect of this item as he was a Lakenheath Parish Councillor.

Detailed (full) application for the erection of 67 dwellings (including 20 affordable dwellings) together with 1500sqm of public open space.

This application was referred to the Development Control Committee as it was a proposal for 'major' development and the recommendation to grant planning permission was contrary to the provisions of the extant Development Plan. The proposal also raised complex planning issues of District-wide importance.

The Committee was advised that the proposals were considered to comply with the relevant policies of the National Planning Policy Framework but the 'countryside' location of the site meant the proposed housing development conflicted with adopted Development Plan policies.

The Committee was reminded that the application was first reported to them at their meeting on 14 May 2014 but following the receipt of late representations on behalf of Lakenheath Parish Council and Suffolk County Council the item was subsequently withdrawn from the agenda prior to consideration.

A Member site visit had been held prior to the meeting, Officers were recommending that planning permission be granted, as set out in Paragraphs 229-232 of Report No DEV14/131, subject no new concerns, objections or material planning issues being raised by Natural England, the Suffolk Wildlife Trust or the RSPB.

The Principal Planning Officer – Major Projects further advised the Committee that since publication of the agenda further representations had been received as summarised:

- A letter of objection from Lakenheath Community Primary School's Governing Body (circulated to Members under separate cover); and
- A letter of objection from Cerda Planning Ltd, acting on behalf of Lakenheath Parish Council (circulated to Members under separate cover).

The Officer again made reference to the former USAFE personnel dwellings at Lords Walk which had recently come onto the housing market. He again reminded Members that Officers had verified that this stock of dwellings was already counted as 'existing' housing stock and could not, therefore, be counted as a contribution towards the five year supply of housing in the District.

Lastly, the Officer drew attention to the recommendation set out in Paragraph 229 of the report and explained that the word "outline" needed to be removed from this (as it was a full application) and the S106 contribution towards primary school education needed to be amended to read £325,766 (as opposed to £251,090).

Councillor D W Bowman proposed that the application be approved, as recommended by Officers, including the corrections to Paragraph 229 and that the delivery of the scheme be phased in order to allow time in which for the infrastructure to be put in place (as per the previous applications). This was duly seconded by Councillor W Hirst.

Following the Lawyer having advised on appropriate wording, the Chairman put the amendment to the vote and with 11 voting for the motion, 4 against and with 1 abstention, it was resolved:

That subject no new concerns, objections or material planning issues being raised by Natural England, the Suffolk Wildlife Trust, or the RSPB planning permission be **GRANTED** subject to:

1. The completion of a S106 agreement to secure:
 - Affordable housing (30% = 20 units on site and 0.1 units by means of a developer contribution)
 - Education contribution (Primary School - £251,090)
 - Pre-school contribution (£42,637)
 - Libraries Contribution (£14,472)
 - Public Open Space contribution (Provision on site and contribution of £350,250)

- Strategic Highway Contribution (should this be deemed compliant with CIL Regulation 122 – a proportionate contribution would be appropriate, sum to be determined)
 - SPA Recreational Impact Contribution – which may include monitoring of potential impacts from development (should this be deemed compliant with CIL Regulation 122 – sum to be determined)
 - The phasing and timing of the delivery of the scheme be negotiated for the development to ensure appropriate infrastructure is in place
 - Any further clauses considered necessary by the Head of Planning and Regulatory Services.
2. Following completion of the planning obligation referred to at Recommendation 1 above, the Head of Planning and Regulatory Services be authorised to grant planning permission subject to conditions, including:
- Time limit (3 years for commencement)
 - Materials (use of those proposed)
 - Sustainable construction (further details to be approved and thereafter implemented)
 - Bin and cycle storage strategy for the affordable units (details to be approved and thereafter implemented)
 - Public open space (strategy for future management and maintenance)
 - Landscaping (precise details of new hard and soft landscaping)
 - Retention and protection of existing trees and hedgerows
 - Ecology (enhancements at the site)
 - Construction management plan
 - As recommended by LHA
 - Contamination & remediation (further investigations and any remediation necessary)
 - Means of enclosure
 - Noise mitigation
 - Fire Hydrants
 - Waste minimisation and re-cycling strategy
 - Implementation of the surface water drainage scheme.
 - Any additional conditions considered necessary by the Head of Planning and Regulatory Services.
3. In the event of the Head of Planning and Regulatory Planning Services recommending alternative (reduced) Heads of Terms from those set out at Recommendation 1 above, or Natural England the RSPB and/or the Suffolk Wildlife Trust raise objections concerns or substantive issues about the proposals which have not already been considered by the Committee, the planning application be returned to Committee for further consideration.
4. In the event the applicant declines to enter into a planning obligation to secure the Heads of Terms set out at Recommendation 1 above for reasons considered unreasonable by the Head of Planning and Regulatory Services, planning permission be refused for the following reasons:
- i) Unsustainable form of development not mitigating its impact upon, education provision (primary and pre-school), open space, sport and recreation and libraries (contrary to the Framework and Core Strategy policy CS13 and saved Local Plan policy 10.3).

- ii) If appropriate following further investigation; adverse cumulative impacts upon, the highway network and the Special Protection Area (from increased recreational pressure)
- iii) Non-compliance with affordable housing policy (contrary to Core Strategy policy CS9 and supporting SPD document)

Speakers: Mrs Emma Vincent (Head Teacher of Lakenheath Community Primary School) spoke against the application
Mr Michael Robson (Cerdea Planning Ltd, acting on behalf of Lakenheath Parish Council) spoke against the application.

Councillor D W Gathercole left the meeting at 8.27pm following the conclusion of the above item.

113. **PLANNING APPLICATION DC/14/1289/R4LA – FOREST HEATH DISTRICT COUNCIL, COLLEGE HEATH ROAD, MILDENHALL (REPORT NO DEV14/132)**

Conversion of part of office space (Class B1) to fitness gym and dance studio (Class D2).

This application was referred to the Development Control Committee due to the Local Authority's ownership of the site.

A Member site visit had been held prior to the meeting, Officers were recommending that planning permission be granted, as set out in Paragraph 22 of Report No DEV14/132.

Councillor W E Sadler proposed that the application be approved and this was duly seconded by Councillor Mrs C F J Lynch, and with the vote being unanimous it was resolved that:

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

1. Development to be implemented within 3 years.
2. Fixed plant installed shall not exceed an environmental noise limit of 30 dB (A) following the guidance of BS 4142: 1997.
3. The internal lobby and acoustic barrier shown on the layout 2086/L1 of the survey report shall be provided prior to the use becoming operational. These measures should provide at least 45 dB separation between the two areas, reducing levels of up to 75 dB (A) in the gym to no more than 30 dB (A) in the adjacent offices.
4. Noise levels of up to around 90 dB (A) inside the new facility should not exceed 30 dB (A) both outside the nearby residential dwellings and also inside the adjacent offices.
5. Vehicular and cycle parking shown on submitted plan to be available prior to use commencing.
6. Hours of operation limited to 07:00 – 22:00 Monday – Friday and 08:00 – 16:00 Saturdays.
7. Development in accordance with approved plans.

114. **PLANNING APPLICATION DC/14/0632/OUT – LAND NORTH OF MILDENHALL ROAD, WEST ROW (REPORT NO DEV14/133)**

Outline application – residential development of up to 26 dwellings with new vehicular access and creation of a new footpath link along Mildenhall Road (Major Development and Departure from the Development Plan).

This application was referred to the Development Control Committee due to its complex nature which raised District-wide planning policy issues and the Officer recommendation to grant planning permission was contrary to policies contained in the adopted Development Plan.

A Member site visit had been held prior to the meeting, Officers were recommending that planning permission be granted, as set out in Paragraph 93 of Report No DEV14/133.

115. **SUSPENSION OF STANDING ORDER 2.1**

Following the Officer's opening presentation of the West Row application, as it was nearing 9.00pm, the Lawyer asked the Committee whether they would wish to continue with the meeting, being aware of the time limits of meetings as contained within Standing Order 2.1.

If Members wished to continue then the Committee could suspend Standing Order 2.1 with regard to the specified time limits.

It was duly proposed and seconded and with 7 voting for the motion, 6 against and with 2 abstentions, it was

RESOLVED:

That Standing Order 2.1 be suspended to allow for the meeting to continue beyond 9.30pm, if needed.

116. **PLANNING APPLICATION DC/14/0632/OUT – LAND NORTH OF MILDENHALL ROAD, WEST ROW (REPORT NO DEV14/133)**

Councillor Mrs C F J Lynch commenced the discussion on this application and raised grave concerns with regard to the pedestrian access to/from the development in view of the footpath that was to be provided terminating part way along Mildenhall Road and prior to a junction.

These concerns were echoed by the majority of other Members present who considered the lack of a complete footpath to be incredibly dangerous and were astonished that Suffolk County Council Highways had raised no objection to the application.

Councillor S Cole proposed that the Committee be 'minded to refuse' the application on the basis of safety concerns with regard to the junction and access to/from the development. This was duly seconded by Councillor Mrs R E Burt.

The Lawyer advised the Committee that should the Committee be 'minded to refuse' the application contrary to the Officer recommendation then the application would be deferred to the next meeting of the Committee in order to enable Officers to prepare a risk assessment report.

Councillor R Dicker then proposed an amendment that the application be deferred in order to seek further information from Suffolk County Council Highways, with a view to a representative attending the next meeting of the Committee. This was also duly seconded by Councillor Mrs R E Burt.

Upon the amendment (for deferral) being put to the vote and with 5 voting for the motion, 9 against and with 1 abstention, the Chairman declared the motion lost.

The original motion (for 'minded to refuse') was then put to the vote and with 14 voting for the motion and with 1 abstention, it was resolved that:

Members were **MINDED TO REFUSE PERMISSION CONTRARY TO THE RECOMMENDATION** on the grounds of safety concerns with regard to the junction and access to/from the development.

The application was therefore **DEFERRED** to enable Officers to prepare a risk assessment report and appropriate formal reasons for refusal for consideration by Members at the next Committee where a Suffolk County Council Highways Officer would be invited to attend.

Speakers: Councillor John Barker (Mildenhall Parish Council) spoke against the application.
Mr Peter Webster (agent for the applicant) spoke in support of the application.

The meeting closed at 8.58pm.