

Forest Heath District Council

MINUTES of the **DEVELOPMENT CONTROL COMMITTEE** held at the District Offices, College Heath Road, Mildenhall on Wednesday 1 October 2014 at 6.00pm.

PRESENT:

Councillors:

C J Barker (Chairman)	W Hirst
A Drummond (Vice Chairman)	T J Huggan
M J Anderson	Mrs C F J Lynch
J M Bloodworth	W E Sadler
D W Bowman	T Simmons
S Cole	E Stewart
R Dicker	

Also in attendance:

C Ballard, Senior Planning Officer
B Heidecke, Planning Officer
J Hooley, Lawyer
P Kelly, Principal Planning Officer – Major Projects
J Sheldrick, Senior Planning Officer
M Smith, Place Shaping Manager
P White, Principal Planning Officer – Major Projects
S Wood, Head of Planning and Regulatory Services
H Hardinge, Committee Administrator & FHDC Scrutiny Support

S Bye, Highways – Suffolk County Council
I Maxwell, Assistant Education Officer - Suffolk County Council

CHAIRMAN'S ANNOUNCEMENTS

Prior to the commencement of the meeting, the Chairman asked all those present to observe a one minute silence in memory of Mrs Maureen Hills who had recently passed away.

Mrs Hills served on the District Council as a Newmarket Member from 2003 to 2007 and both she and her family were well known and respected within Newmarket's horseracing industry and the town as a whole.

During her time on the District Council Mrs Hills represented the Severals Ward on the Planning Committee alongside many of the current Development Control Committee Members.

The Chairman also then advised those present that Report No DEV14/136 'Planning Application DC/14/0585/OUT – Meddler Stud, Bury Road, Kentford' had been withdrawn from the agenda.

APOLOGIES

Apologies for absence were received from Councillors W J Bishop, Mrs R E Burt, D W Gathercole, G Jaggard and A J Wheble.

SUBSTITUTES

Councillor W E Sadler attended the meeting as substitute for Councillor W J Bishop.

148. **CONFIRMATION OF MINUTES**

The minutes of the meetings held on 27 August and 3 September 2014 were accepted by the Committee as an accurate record, with 10 voting for the motion and with 3 abstentions, and were signed by the Chairman.

At the invitation of the Chairman, the Place Shaping Manager drew attention to the minutes of 27 August 2014 and the application considered therein for Red Lodge/Herringswell (Report No DEV14/128 'Planning Application F/2013/0257/HYB (i) Land East of Red Lodge; (ii) Land South of St Christopher's Primary School, Red Lodge (Part of Phase 4a of Kings Warren); (iii) Land South of The Village Centre, Red Lodge (Part of Phase 4a Of Kings Warren); (iv) Land South East of Herringswell').

She was pleased to inform all present that the Secretary of State had recently informed the District Council that he had resolved not to recover the planning application for this own determination.

149. **PLANNING APPLICATION DC/14/1355/HH – 5 HOLLY WALK, BECK ROW (REPORT NO DEV14/134)**

Householder Planning Application – 2 no. single storey extensions to rear of property.

This application was referred to the Development Control Committee because the applicant's spouse is employed by Forest Heath District Council.

No representations had been received in respect of the application and Officers were recommending that it be approved, as set out in Paragraph 18 of Report No DEV14/134.

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

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

1. Time limit
2. Compliance with plans
3. Materials to match

150. **PLANNING APPLICATION F DC/14/0801/FUL – COBBLESTONES, 74 UPPER GREEN, HIGHAM (REPORT NO DEV14/135)**

Resubmission of DC/13/0203/FUL: retrospective application - erection of entrance gates and adjoining brick wall (altered to create a simplified design - removal of iron finials and stone ball finials).

This application was referred to the Development Control Committee due to the planning history of the site. Members had previously refused a retrospective application for the entrance gates and wall at the Committee meeting on 5 February 2014.

Subsequent alterations had been made to their appearance and these were detailed within the current application which Officers were recommending be approved, as set out in Paragraph 29 of Report No DEV14/135. Higham Parish Meeting and three local residents had continued to object.

The Senior Planning Officer read out a written statement from Councillor Mrs R E Burt, Ward Member for the application, who had been unable to attend the Development Control Committee that evening due to ill health. She objected to the application and supported the comments raised by Higham Parish Meeting and the local residents.

Councillor T Simmons proposed that the application be approved and this was duly seconded by Councillor T J Huggan, with 8 voting for the motion, 3 against and with 2 abstentions, it was resolved that:

Planning permission be **GRANTED**.

151. **PLANNING APPLICATION DC/14/0692/FUL - ANIMAL HEALTH TRUST, LANWADES PARK, KENTFORD (PARISH OF MOULTON) (REPORT NO DEV14/137)**

The Lawyer explained that Councillor R Dicker had a disclosable pecuniary interest in this matter, as he was in ownership of the Post Office Stores in Kentford. In this instance, Councillor R Dicker had been granted a dispensation to participate in the discussion, but not to participate in the voting, on this matter.

Erection of 41 dwellings (including 12 affordable units) and associated works to include highway improvements, landscaping, and one new and one relocated foul water pumping station. (Major Development and Departure from the Development Plan).

This application was referred to the Development Control Committee as the proposal raised complex planning policy issues of District-wide importance.

A Member site visit had been held prior to the meeting, Officers were recommending that planning permission be granted subject to completion of a Section 106 agreement, as set out in Paragraph 223 of Report No DEV14/137.

The Principal Planning Officer – Major Projects drew attention to Paragraph 18 of the report and the table therein that set out the other proposals for development in Kentford that had been submitted over the past two years. Members were advised that collectively 76 dwellings had been approved for the village to date.

In response to queries with regard to primary school provision, the Assistant Education Officer (Suffolk County Council) explained that Moulton Primary School was forecast to have no surplus available. However, discussions had been undertaken with the school with regard to future building expansion and they were in support of this. The Officer explained that in the short-term whilst building works were undertaken some temporary accommodation may need to be used on the school site but this was dependent upon the rate of which additional children came forward.

Councillor Dicker raised specific queries with regard to the S106 contributions in relation to pre-schools and libraries and he asked for details as to where these monies would be allocated. The Principal Planning Officer – Major Projects read out the response from the Local Education Authority which explained that the pre-school contribution would be spent on supporting and increasing the childminders in the area, none of which were currently accredited.

The Lawyer responded with regard to the libraries contribution. She explained that as part of the negotiations on the S106 the intention was to enable the libraries contribution to 'directly benefit the local community', perhaps via the mobile library service, as opposed to the monies being allocated to the nearest physical library which was within Newmarket. Councillor Dicker supported this way forward and stressed that the S106 should, where possible, be utilised to directly benefit the village and its community.

In response to questions with regard to the transport system, the Suffolk County Council Highways Officer advised the Committee on the roads, lighting and cycle path that would be adopted by the County Council.

Councillor Drummond raised concern at the lack of a pedestrian crossing and he was advised by the Highways Officer that due to the 40mph speed limit the road was not suitable for a crossing.

Councillor W Hirst proposed that the application be approved and this was duly seconded by Councillor A Drummond, with 7 voting for the motion, 1 against and with 5 abstentions, it was resolved that:

Planning permission be **GRANTED** subject to:

1. The completion of a S106 agreement to secure:
 - Affordable housing – 12 units.
 - Primary school contribution - £121,810.
 - Pre school contribution - £24,364.
 - Libraries contribution - £8,856.
 - Open space contribution – to be confirmed.

In the event that there are any substantive changes to the S106 package, then this would go back to Members for consideration.

2. And the following conditions:
 1. Time.
 2. Compliance with approved plans.
 3. Highways – details of vehicular access.
 4. Highways – details of bin storage.
 5. Highways – details of surface water drainage.
 6. Highways – details of estate roads and footpaths.
 7. Highways – details of carriageways and footways.
 8. Highways – details of car parking and manoeuvring areas, including cycle storage.
 9. Highways – visibility splays.
 10. Archaeology – investigation and post investigation assessment.
 11. Contamination – further investigative work if found.
 12. Foul water disposal details.
 13. Surface water drainage details.
 14. Construction management plan.

15. Hours of construction.
16. Details of boundary treatment.
17. Samples of materials.
18. Detailed scheme of hard and soft landscaping.
19. Tree protection.
20. Details of tree works for retained trees.
21. Detailed Arboricultural Method Statement and Tree Protection Plan.
22. Open space management plan.
23. Details of lighting.
24. Recommendations of Ecological Risk Assessment and Bat Method Statement to be implemented.
25. Provision of fire hydrants.
26. Waste minimisation and recycling strategy.

Speakers: Councillor Bill Rampling (Moulton Parish Council) spoke against the application
Ms Nikki Parsons (agent) spoke in support of the application

152. **PLANNING APPLICATION DC/14/1614/ADV – FOREST HEATH DISTRICT COUNCIL, COLLEGE HEATH ROAD, MILDENHALL (REPORT NO DEV14/138)**

Application for advertisement consent – display of 3 non-illuminated fascia signs.

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

No representations had been received in respect of the application and Officers were recommending that it be approved, as set out in Paragraph 11 of Report No DEV14/138.

The Senior Planning Officer displayed examples of the signs for the benefit of the Committee.

Councillor D W Bowman proposed that the application be approved and this was duly seconded by Councillor E Stewart, and with the vote being unanimous it was resolved that:

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

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to—
 - a. endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - b. obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - c. hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

153. **PLANNING APPLICATION DC/14/0632/OUT – LAND NORTH OF MILDENHALL ROAD, WEST ROW (REPORT NO DEV14/139)**

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 originally 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.

At the Development Control Committee meeting on 3 September 2014 Members resolved that they were 'minded to refuse' planning permission, contrary to the Officer recommendation of approval, on the grounds of pedestrian safety when travelling from the development to the village centre/amenities and facilities via the junction of Beeches Road and Mildenhall Road. Additionally, the safety of the proposed vehicular junction was highlighted as having concern.

Since the last meeting a written submission had been received from the applicant's Consulting Engineer which sought to further discuss highway safety and was attached as Working Paper 2. Officers were continuing to recommend that planning permission be granted, as set out in Paragraphs I1 and I2 of Report No DEV14/139.

The Principal Planning Officer – Major Projects also advised the Committee that since publication of the agenda a further representation had been received from Mildenhall Parish Council reiterating their objection on the basis of public safety.

Members were also advised that the applicant had earlier that day provided details of additional signage for the highway and the Officer illustrated this on the maps as part of his presentation.

Some Members continued to raise concerns with regard to the pedestrian access to/from the development and the Suffolk County Council Highways Officer responded in detail with regard to the appropriate mitigating measures.

Councillor D W Bowman proposed that the application be approved, subject to Officers continuing to work with Suffolk County Council Highways in order to look at additional traffic mitigating measures, and this was duly seconded by Councillor E Stewart.

The Place Shaping Manager explained that whilst Officers would continue to work with the County Council to see if there was anything further that could be added to the scheme, these measures could not be guaranteed and, therefore, the Committee would be voting purely on the scheme that was before them in the report.

Therefore, with the Chairman putting the motion for approval to the vote and with 8 voting for the motion, 4 against and with 1 abstention it was resolved that:

Outline planning permission be **GRANTED** subject to

1. The completion of a S106 agreement to secure:
 - Affordable housing - 7 units; contribution for 0.8 units
 - Primary school contribution – up to £85,267 (indicative)
 - Pre school contribution – up to £18,273
 - Libraries contribution – up to £5,616
 - Open space contribution – up to £135,315
 - The implementation of the complete footpath as shown on drawing no. WR – MR – 1.2 – Rev A before the first house is occupied

In the event that there are any substantive changes to the S106 package, then this will go back to Members for consideration.

2. And the following conditions:
 1. Outline time limit
 2. Reserved Matters to be agreed (appearance, scale, layout [including internal site layout of roads and ways] and landscaping)
 3. Compliance with approved plans
 4. Highways – details of proposed access
 5. Highways – details of bin storage
 6. Highways – details of surface water drainage
 7. Highways – details of carriageways and footways
 8. Highways – details of car parking and manoeuvring areas, including cycle storage
 9. Highways – details of visibility splays
 10. Highways – details of estate roads and footpaths
 11. Retain garage/ parking spaces
 12. Archaeology – investigation and post investigation assessment
 13. Contamination – Work required if contamination is discovered
 14. Development carried out in accordance with predicted energy and CO2 savings
 15. Detailed drainage details
 16. Construction management plan – to include details around hours of work, hours that generators are used, no burning, and dust management strategy
 17. Details of the Air source heat pumps noise and location to be submitted to and agreed in writing with the LPA
 18. Details of boundary treatment
 19. Samples of materials
 20. Detailed scheme of hard and soft landscaping to be agreed and implemented.
 21. Recommendations of Ayers Tree Services Tree Survey dated 8/5/2014 to be implemented
 22. Recommendations of Ecological Report to be implemented
 23. Details of ecological enhancements to be submitted to and agreed and implemented
 24. Provision of fire hydrants
 25. Details of the Sustainable Urban Drainage Strategy to be agreed and implemented.
 26. Waste minimisation and recycling strategy

Speakers: Mrs Alana Stevens (local resident) spoke against the application
Mrs Enid Armstrong (local resident) spoke against the application
Mr Peter Webster (agent for the applicant) spoke in support of the application

154. **PLANNING APPLICATION DC/14/1126/HH - MANOR HOUSE, MANOR FARM ROAD, WEST ROW (REPORT NO DEV14/140)**

Erection of a two-storey side extension.

This application was referred to the Development Control Committee at the request of the Delegation Panel.

A Member site visit had been held prior to the meeting, Officers were recommending that planning permission be granted as set out in Paragraph 17 of Report No DEV14/140.

Councillor A Drummond spoke against the application which he considered to be 'unneighbourly' and he proposed that it be deferred in order to allow the applicant to reach some form of compromise with the neighbour.

The Senior Planning Officer explained that since publication of the agenda the neighbour had submitted plans to the Council demonstrating how they could extend one of their bedrooms and incorporate the landing window, which would be slightly obscured by the applicant's extension, into that habitable room.

However, Officers were still of the opinion that as that bedroom would have two other (existing) windows in addition to the one on the current landing the neighbouring extension would still have no significant detrimental effect. Furthermore, Members were being asked to determine the application that was actually before them.

Councillor Mrs C F J Lynch made reference to the agent's offer (during his public speaking address to the Committee) of reducing the chimney in size. The Place Shaping Manager explained that this could not be conditioned as part of the resolution and Members were therefore purely to determine the scheme that was in the report.

Councillor R Dicker proposed that the application be approved and this was duly seconded by Councillor S Cole, and with 9 voting for the motion, 2 against and with 2 abstentions, it was resolved that:

Planning permission be **GRANTED** with the following conditions:

1. Time limit
2. Samples of materials to be submitted and approved
3. Construction hours to be limited
4. In accordance with approved plans

Speakers: Mr Tolly Considine (neighbour) spoke against the application
Mr Mark Cleveland (agent for the applicant) spoke in support of the application

The meeting closed at 8.15pm.