

Development Control Committee



Forest Heath
District Council

Title:	Agenda									
Date:	Wednesday 7 January 2015									
Time:	6.00 pm									
Venue:	Council Chamber District Offices College Heath Road Mildenhall									
Full Members:	<p style="text-align: center;">Chairman Chris Barker Vice Chairman Andy Drummond</p> <table style="width: 100%; border: none;"> <tr> <td style="vertical-align: top;"><u>Conservative Members (13)</u></td> <td style="vertical-align: top;">Michael Anderson Bill Bishop John Bloodworth David Bowman Rona Burt Warwick Hirst</td> <td style="vertical-align: top;">Geoffrey Jaggard Carol Lynch Tony Simmons Eddie Stewart Tony Wheble</td> </tr> <tr> <td style="vertical-align: top;"><u>Opposition Group Members (2)</u></td> <td style="vertical-align: top;">Simon Cole</td> <td style="vertical-align: top;">Tim Huggan</td> </tr> <tr> <td style="vertical-align: top;"><u>Independent Members (2)</u></td> <td style="vertical-align: top;">Roger Dicker</td> <td style="vertical-align: top;">David Gathercole</td> </tr> </table>	<u>Conservative Members (13)</u>	Michael Anderson Bill Bishop John Bloodworth David Bowman Rona Burt Warwick Hirst	Geoffrey Jaggard Carol Lynch Tony Simmons Eddie Stewart Tony Wheble	<u>Opposition Group Members (2)</u>	Simon Cole	Tim Huggan	<u>Independent Members (2)</u>	Roger Dicker	David Gathercole
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<u>Opposition Group Members (2)</u>	Simon Cole	Tim Huggan								
<u>Independent Members (2)</u>	Roger Dicker	David Gathercole								
NO SITE VISITS ARE REQUIRED FOR THIS AGENDA										
Substitutes:	Named substitutes are not appointed									
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.									
Quorum:	Five Members									
Committee administrator:	Helen Hardinge Committee Administrator & FHDC Scrutiny Support Tel: 01638 719363 Email: helen.hardinge@westsuffolk.gov.uk									

DEVELOPMENT CONTROL COMMITTEE AGENDA NOTES

Notes

Subject to the provisions of the Local Government (Access to Information) Act 1985, all the files itemised in this Schedule, together with the consultation replies, documents and letters referred to (which form the background papers) are available for public inspection.

All applications and other matters have been considered having regard to the Human Rights Act 1998 and the rights which it guarantees.

Material Planning Considerations

1. **It must be noted that when considering planning applications (and related matters) only relevant planning considerations can be taken into account. Councillors and their Officers must adhere to this important principle which is set out in legislation and Central Government Guidance.**
2. **Material Planning Considerations include:**
 - Statutory provisions contained in Planning Acts and Statutory regulations and Planning Case Law
 - Central Government planning policy and advice as contained in Circulars and the National Planning Policy Framework (NPPF)
 - The following Planning Local Plan Documents

Forest Heath District Council	St Edmundsbury Borough Council
Forest Heath Local Plan 1995	St Edmundsbury Borough Local Plan 1998 and the Replacement St Edmundsbury Borough Local Plan 2016
The Forest Heath Core Strategy 2010, as amended by the High Court Order (2011)	St Edmundsbury Borough Council Core Strategy 2010
Emerging Policy documents	Emerging Policy documents
Joint Development Management Policies	Joint Development Management Policies
Core Strategy – Single Issue review	Vision 2031
Site Specific Allocations	

- Supplementary Planning Guidance/Documents eg. Affordable Housing SPD
- Master Plans, Development Briefs
- Site specific issues such as availability of infrastructure, density, car parking
- Environmental; effects such as effect on light, noise overlooking, effect on street scene
- The need to preserve or enhance the special character or appearance of designated Conservation Areas and protect Listed Buildings
- Previous planning decisions, including appeal decisions
- Desire to retain and promote certain uses e.g. stables in Newmarket.

3. The following are **not** Material Planning Considerations and such matters must not be taken into account when determining planning applications and related matters:
 - Moral and religious issues
 - Competition (unless in relation to adverse effects on a town centre as a whole)
 - Breach of private covenants or other private property / access rights
 - Devaluation of property
 - Protection of a private view
 - Council interests such as land ownership or contractual issues
 - Identity or motives of an applicant or occupier
4. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission shall be determined in accordance with the Development Plan (see table above) unless material planning considerations indicate otherwise.
5. A key role of the planning system is to enable the provision of homes, buildings and jobs in a way that is consistent with the principles of sustainable development. It needs to be positive in promoting competition while being protective towards the environment and amenity. The policies that underpin the planning system both nationally and locally seek to balance these aims.

Documentation Received after the Distribution of Committee Papers

Any papers, including plans and photographs, received relating to items on this Development Control Committee agenda, but which are received after the agenda has been circulated will be subject to the following arrangements:

- (a) Officers will prepare a single Committee Update Report summarising all representations that have been received up to 5pm on the **Thursday** before each Committee meeting. This report will identify each application and what representations, if any, have been received in the same way as representations are reported within the Committee report;
- (b) the Update Report will be sent out to Members by first class post and electronically by noon on the **Friday** before the Committee meeting and will be placed on the website next to the Committee report.

Any late representations received after 5pm on the **Thursday** before the Committee meeting will not be distributed but will be reported orally by officers at the meeting.

Public Speaking

Members of the public have the right to speak at the Development Control Committee, subject to certain restrictions. Further information is available on the Councils' websites.

DEVELOPMENT CONTROL COMMITTEE DECISION MAKING PROTOCOL

The Development Control Committee usually sits once a month. The meeting is open to the general public and there are opportunities for members of the public to speak to the Committee prior to the debate.

Decision Making Protocol

This protocol sets out our normal practice for decision making on development control applications at Development Control Committee. It covers those circumstances where the officer recommendation for approval or refusal is to be deferred, altered or overturned. The protocol is based on the desirability of clarity and consistency in decision making and of minimising financial and reputational risk, and requires decisions to be based on material planning considerations and that conditions meet the tests of Circular 11/95: "The Use of Conditions in Planning Permissions." This protocol recognises and accepts that, on occasions, it may be advisable or necessary to defer determination of an application or for a recommendation to be amended and consequently for conditions or refusal reasons to be added, deleted or altered in any one of the circumstances below.

- Where an application is to be deferred, to facilitate further information or negotiation or at an applicant's request.
- Where a recommendation is to be altered as the result of consultation or negotiation:
 - The presenting Officer will clearly state the condition and its reason or the refusal reason to be added/deleted/changed, together with the material planning basis for that change.
 - In making any proposal to accept the Officer recommendation, a Member will clearly state whether the amended recommendation is proposed as stated, or whether the original recommendation in the agenda papers is proposed.
- Where a Member wishes to alter a recommendation:
 - In making a proposal, the Member will clearly state the condition and its reason or the refusal reason to be added/deleted/changed, together with the material planning basis for that change.
 - In the interest of clarity and accuracy and for the minutes, the presenting officer will restate the amendment before the final vote is taken.

- Members can choose to
 - delegate the detailed wording and reason to the Head of Planning and Regulatory Services;
 - delegate the detailed wording and reason to the Head of Planning and Regulatory Services following consultation with the Chair and Vice Chair(s) of Development Control Committee.
- Where Development Control Committee wishes to overturn a recommendation and the decision is considered to be significant in terms of overall impact; harm to the planning policy framework, having sought advice from the Head of Planning and Regulatory Services and the Head of Legal and Democratic Services (or Officers attending Committee on their behalf)
 - A final decision on the application will be deferred to allow associated risks to be clarified and conditions/refusal reasons to be properly drafted.
 - An additional officer report will be prepared and presented to the next Development Control Committee detailing the likely policy, financial and reputational etc risks resultant from overturning a recommendation, and also setting out the likely conditions (with reasons) or refusal reasons. This report should follow the Council's standard risk assessment practice and content.
 - In making a decision to overturn a recommendation, Members will clearly state the material planning reason(s) why an alternative decision is being made, and which will be minuted for clarity.
- In all other cases, where Development Control Committee wishes to overturn a recommendation:
 - Members will clearly state the material planning reason(s) why an alternative decision is being made, and which will be minuted for clarity.
 - In making a proposal, the Member will clearly state the condition and its reason or the refusal reason to be added/deleted/alterd, together with the material planning basis for that change.
 - Members can choose to
 - delegate the detailed wording and reason to the Head of Planning and Regulatory Services
 - delegate the detailed wording and reason to the Head of Planning and Regulatory Services following consultation with the Chair and Vice Chair(s) of Development Control Committee

- Member Training
 - In order to ensure robust decision-making all members of Development Control Committee are required to attend annual Development Control training.

Notes

Planning Services (Development Control) maintains a catalogue of 'standard conditions' for use in determining applications and seeks to comply with Circular 11/95 "The Use of Conditions in Planning Permissions."

Members/Officers should have proper regard to probity considerations and relevant codes of conduct and best practice when considering and determining applications.

Agenda

Procedural Matters

Part 1 – Public

- 1. Apologies for Absence**
- 2. Substitutes**
- 3. Minutes** **1 - 6**

To confirm the minutes of the meeting held on 3 December 2014 (copy attached).
- 4. Planning Application DC/14/2163/FUL - Millfields, Fordham Road, Freckenham** **7 - 16**

Report No: **DEV/FH/15/001**

Construction of a three bedroom detached dwelling and single detached garage.
- 5. Urgent Business**

Such other business which, in the opinion of the Chairman, should be considered as a matter of urgency to be specified in the minutes.

Development Control Committee



Forest Heath
District Council

Minutes of a meeting of the **Development Control Committee** held on **Wednesday 3 December 2014** at **6.00 pm** at the **Council Chamber, District Offices, College Heath Road, Mildenhall, IP28 7EY**

Present: **Councillors**

Chairman Chris Barker

Michael Anderson	David Gathercole
Bill Bishop	Warwick Hirst
John Bloodworth	Rachel Hood
David Bowman	Tim Huggan
Rona Burt	Carol Lynch
Simon Cole	Bill Sadler
Roger Dicker	Eddie Stewart

1. **Apologies for Absence**

Apologies for absence were received from Councillors Andy Drummond, Geoffrey Jaggard, Tony Simmons and Tony Wheble.

2. **Substitutes**

Councillor Rachel Hood attended the meeting as substitute for Councillor Andy Drummond. Councillor Bill Sadler attended the meeting as substitute for Councillor Geoffrey Jaggard.

3. **Minutes**

The minutes of the meeting held on 5 November 2014 were unanimously accepted by the Committee as an accurate record and signed by the Chairman.

4. **Planning Application DC/14/0585/OUT - Meddler Stud, Bury Road, Kentford (Report No: DEV/FH/14/001)**

The Lawyer explained that Councillor Roger 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 Roger Dicker had been granted a dispensation to participate in the discussion, but not to participate in the voting, on this matter.

Application for the creation of a 20-box racehorse training establishment (with associated Trainer's house) and erection of up to 63 dwellings (including 19 affordable units) with associated access arrangements and open space provision (Major Development and Departure from the Development Plan).

This application had been deferred at the Development Control Committee on 5 November 2014, as Members were 'minded to refuse' planning permission, contrary to the Officer recommendation, as they were concerned that the proposal would result in:

1. Prematurity with regard to the Local Plan.
2. Adverse impact on infrastructure provision in the village.
3. Detrimental impact on the operation of the training yard, due to use of land for housing.

The Case Officer provided additional updates which had been received since the publication of the agenda papers:

1. Letter from the Planning Agent dated 1 December 2014
This letter was in response to Working Paper 7 which contained updated planning policy consultation correspondence from the Planning Service Manager. The Agent stated that there were significant unresolved objections to the emerging equine development management policies. In the Agent's opinion, these objections challenged that both policies were positively prepared, justified or consistent with National Policies. Therefore, these Policies accorded limited weight at present. The Agent also raised concern that the planning policy position had moved more towards a refusal of planning permission in that the development proposals were contrary to the Horseracing Policies contained within the adopted and emerging Local Plan. The Agent stated that there had been no material change in circumstances which could reasonably support such a dramatic shift in policy interpretation.

The Agent wished Members to be advised that the applicant considered a refusal of the application on policy grounds, to be unjustified and should the application be refused, an appeal would be lodged, with a claim for costs.

2. E-mail from racehorse trainer, Julian Poulton, dated 3 December 2014
Mr Poulton was of the opinion that Meddler Stud should be for equine use only and that no houses should be allowed to be built upon it.

The Case Officer referred to each of the proposed reasons for refusal, which were set out within Report No DEV/FH/14/001, under Section D (Prematurity), Section E (Infrastructure) and Section F (use of land for housing would be detrimental to the operation of the training yard).

The Case Officer explained that it would be difficult for the Council to defend a refusal of planning permission on these proposed reasons, given the weight of evidence demonstrating the development proposals would not be harmful in these respects and the absence of convincing evidence to the contrary.

Members were reminded of the requirements set out in the National Planning Policy Framework for the decision maker to balance the benefits of the proposed development against its dis-benefits and only where those dis-benefits would significantly and demonstrably out-weigh the benefits, should planning permission be refused.

In this case, the weight of evidence was clear that the dis-benefits of the development were significantly outweighed by the benefits of development proceeding and clearly pointed to the grant of planning permission in this case.

Therefore, Officers were recommending that outline planning permission be approved, as set out in Section I of Report No DEV/FH/14/001, subject to conditions and the completion of a S106 agreement.

Members then debated this application and it was moved by Councillor Bill Sadler, seconded by Councillor Mrs Carol Lynch, that the application be refused, contrary to the Officer recommendation, for the reasons that the proposal was contrary to the Council's existing Local Plan (Chapter 12; Policy 12.4) and the emerging Joint Development Management Policies Document (DM48 and DM49).

Officers also requested, that if Members were to refuse this application, for the detailed wording and reasons to be delegated to the Head of Planning and Growth, in consultation with the Chairman and Vice Chairman of the Development Control Committee and with the Portfolio Holder for Planning, Housing and Transport.

With the vote being unanimous, it was resolved that

Planning permission be **REFUSED, CONTRARY TO THE OFFICER RECOMMENDATION**, for the following reasons:

1. The proposal was contrary to the Council's existing Local Plan (Chapter 12; Policy 12.4) and the emerging Joint Development Management Policies Document (DM48 and DM49).
2. The detailed wording and reasons for refusal be delegated to the Head of Planning and Growth, in consultation with the Chairman and Vice Chairman of the Development Control Committee and with the Portfolio Holder for Planning, Housing and Transport.

Speakers: Mr William Gittus (Newmarket Horseman's Group) spoke against the application.
Mr Thomas Smith (agent for the applicant) spoke in support of the application.

5. **Planning Application DC/14/1985/ADV - 141/142 St Johns Close, Mildenhall (Report No: DEV/FH/14/002)**

Application for advertisement consent for the display of 3 externally illuminated fascia signs; 1 non-illuminated fascia sign; vinyl images to all glass areas on front elevation.

This application was referred to the Development Control Committee as the applicant was 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 14. of Report No DEV/FH/14/002.

With the vote being unanimous, it was resolved that

Planning permission be **GRANTED**, subject to the standard advertisement 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.
6. **Planning Application DC/14/1993/R3LA - 141/142 St Johns Close, Mildenhall (Report No: DEV/FH/14/003)**

Application for external works including renew roof covering, construction of high level cladding panels/fascia, render external walls and construction of fencing (demolition of existing canopy).

The application was referred to the Development Control Committee as the applicant was Forest Heath District Council.

No representations had been received in respect of the application and Officers were recommending that it be approved, as out in paragraph 15. of Report No DEV/FH/14/003.

With the vote being unanimous, it was resolved that

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

1. Time limit – 3 years.
2. Materials as specified on drawings.
3. Compliance with approved drawings.

7. **Urgent Business**

There were no items of Urgent Business raised.

The Meeting concluded at 6.55 pm

Signed by:

Chairman

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Forest Heath District Council

**DEVELOPMENT
CONTROL COMMITTEE**

7 JANUARY 2015

DEV/FH/15/001

Report of the Head of Planning and Growth

**PLANNING APPLICATION DC/14/2163/FUL – MILLFIELDS, FORDHAM ROAD,
FRECKENHAM**

Synopsis:

Application under the Town and Country Planning Act 1990 and the Planning (Listed Buildings and Conservation Areas) Act 1990 and associated matters.

Recommendation:

It is recommended that the Committee determine the attached application and associated matters.

CONTACT OFFICER

Case Officer: Julie Sheldrick
Tel. No: 01638 719277

Planning Application DC/14/2163/FUL

Millfields, Fordham Road, Freckenham

Date: 17 November **Expiry Date:** 12 January 2015
Registered: 2014

Case Officer: Julie Sheldrick **Recommendation:** Approve with conditions
Parish: Freckenham **Ward:** Manor

Proposal: Planning Application - construction of 3 bedroom detached dwelling and single detached garage.

Site: Millfields, Fordham Road, Freckenham

Applicant: Mr & Mrs Huggan

Background:

This application is referred to Development Control Committee because the applicant is related to an elected Member.

The application is recommended for approval.

Proposal:

1. Planning permission is sought for the erection of a three bedroom detached dwelling. It would be one-and-a-half storeys with an overall ridge height of 6.4 metres.

Application Supporting Material:

2. Information submitted with the application as follows:
 - Location and Site Plans
 - Drawings of Proposed Elevations and Floor Plans
 - Street Scene Elevation
 - Drawings of Proposed Garage
 - Contamination Report (Landmark Homecheck)
 - West Suffolk Land Contamination Questionnaire

Site Details:

3. The site is located at the western end of the village of Freckenham but outside of the defined settlement boundary. It is accessed from the B1102 (Fordham

Road) to the north and existing residential dwellings lie immediately to the east and west. The site currently comprises of a paddock that is used in conjunction with the equestrian use to the rear (south). This comprises of an American barn that accommodates 16 loose boxes and associated facilities to accommodate horses in convalescence or pre-training.

Planning History:

4. The following planning history is considered relevant to the consideration of this application:
 - F/2005/0776/FUL - Enlargement of the roof (with insertion of 3 dormer windows) to provide living accommodation within roof; erection of side and rear (East and South) extensions (approved with conditions) (Existing bungalow – Millfields)
 - F/2002/428 - change of use of the land and erection of American barn to house 16 loose boxes for horses in convalescence and pre-training (approved with conditions)

Consultations:

5. Planning Policy: Comments have been given on the current planning policy position when considering this application, with the following summary:

"In common with all residential proposals received at this time, it is advisable that you consider/balance the benefits of the 'scheme' against the adverse impacts, (in economic, environmental and/or societal terms). It has been demonstrated that there are potential societal and economic benefits to be accrued from permitting such a proposal and that although relatively modest, (as an inevitable consequence of the scale of the proposed development), it is conceivably that these outweigh the loss of 'countryside', (i.e. environmental dis-benefit), in this particular location. Further, the proposal lies in a relatively sustainable location, being on the periphery of the established settlement of Freckenham and it is not considered that the proposal would constitute an isolated new dwelling within the countryside, (that should be avoided), as envisaged by the NPPF. For these reasons and on balance, you may well find the principle of the proposal acceptable in planning policy terms"

6. Highway Authority: Recommend conditions.
7. Environmental Health: No objection. Recommend informative.

Representations:

8. Freckenham Parish Council: No objection.
9. No letters of representation have been received from local residents.

Policy: The following policies of the Forest Heath Core Strategy (2010) have been taken into account in the consideration of this application:

10. Forest Heath Core Strategy (2010):

- Policy CS1: Spatial Strategy
- Policy CS5: Design Quality and Local Distinctiveness
- Policy CS10: Sustainable Rural Communities

11. Forest Heath Local Plan (1995):

- Saved Policy 4.15: Windfall Sites
- Saved Policy 9.1: The Rural Area and New Development

12. Joint Development Management Policies (Submission Document, October 2012):

- Emerging Policy DM28 (Housing in the Countryside)

Other Planning Policy:

13. The objectives of the National Planning Policy Framework (2012) and guidance contained within National Planning Policy Guidance have been taken into consideration.

Officer Comment:

14. The issues to be considered in the determination of the application are:

- Principle of Development
- Character and Appearance of the Area
- Residential Amenity
- Highway Safety

Principle of Development:

15. The site lies outside the defined settlement boundary for Freckenham and for planning purposes is located within the 'countryside'. Policy CS1 and CS10 seek to restrict new development in the countryside unless there are exceptional circumstances, for example, affordable housing to meet a local need, replacement dwellings or dwellings required in association with an existing rural enterprise. However, when determining this application consideration must be given to recent policy changes with particular regard to the objectives of the National Planning Policy Framework (NPPF), Planning Practice Guidance and the emerging Joint Development Management Policies Local Plan document.

16. The comments provided by the policy officer identify the policy position for considering this application. The fundamental consideration is the NPPF's presumption in favour of sustainable development and para. 14 which requires planning permission to be granted unless '*any adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole*'. The three dimensions of sustainable development (social, economic and environmental) therefore need to be considered in the assessment of this application.

17. The proposed dwelling would provide some societal benefits in terms of

contributing to the Authority's housing land supply (albeit modestly) and in terms of economic benefits, future occupants of the dwelling would help support local services and amenities in Freckenham and the surrounding area. There would also be some economic benefits arising from the construction phase of the development and Officer's are satisfied that the proposal would not have a detrimental impact on the existing equestrian business at the site.

18. When considering environmental factors, the proposal would not constitute an 'isolated' new dwelling within the countryside, as referred to by the NPPF. The site lies within an existing cluster of development and within reasonable walking distance of Freckenham, a settlement that has been categorised as a 'Secondary Village', (Policy CS1), as a consequence of the basic level of amenities and services to be found within it.
19. The emerging Policy DM28 offers support for new dwellings in the 'countryside' where the site is located within a closely knit cluster of 10 or more existing dwellings adjacent to or fronting an existing highway and where the scale of development consists of infilling a small undeveloped plot by one dwelling or a pair of semi-detached dwellings. It should be noted that the Joint Development Management Policies Document has been through an Examination in Public but has not yet been adopted and as such, has some weight at this time but is not an adopted development plan policy.

Character and Appearance of the Area:

20. The site is not an isolated site in the countryside as it lies within a cluster of other residential properties and this infill development is considered in keeping with the built-up character of this part of Fordham Road. The proposed dwelling would be set back from the road by a front garden and the existing boundary hedge would be retained to soften the overall appearance of the development. The width of the proposed dwelling is comparable to the adjacent bungalow to the east (Millfields) and it would be set back from the road at a similar distance. The proposal is therefore not considered to appear dominant or intrusive within the street scene.
21. There is a range of dwelling styles and types within this part of the village and these comprise of a mix of bungalows, one-and-a-half storey and two storey dwellings. The proposed dwelling would have a hipped roof to the front with a dormer window to serve the front bedroom and a gable to the rear which incorporates a Juliet balcony to serve the rear bedroom. The immediate neighbouring properties to the east and west comprise of bungalows, however, the proposed dwelling has been designed to keep its height and bulk to a minimum so that it does not dominate these neighbouring dwellings and would be in keeping with the overall character and appearance of the area.

Residential Amenity:

22. The first floor windows to serve the bedrooms would be positioned within the front and rear elevations. A bathroom window is proposed in the west elevation but this would be obscure glass and a rooflight would be positioned in the east elevation that would provide light into the landing. This arrangement is considered acceptable to prevent any overlooking to

neighbouring properties. Furthermore, a condition could ensure that no additional windows are inserted within the side elevations as permitted development in the future.

23. The proposed dwelling would be positioned two metres from the east and west boundaries of the site. The shared access lies between the dwelling and the existing bungalow (Millfields) to the east and the proposed dwelling would be separated from the bungalow to the west (No.8) by the single storey garage that serves No.8. The spaces between the existing and proposed dwellings are considered satisfactory in terms of visual and residential amenity and Officers are satisfied that the proposal would not result in any issues of overshadowing or dominance to the detriment of residential amenity.

Highway Safety:

24. The existing access currently serves the bungalow (Millfields) and the associated equestrian use to the rear. The proposed dwelling would also share this access with a single detached garage and parking space located to the rear, which would provide adequate parking spaces within the site.
25. The proposal incorporates the repositioning of the existing gate further into the site to ensure that all vehicles can safely enter the site from the road and that they would stop to open the gate past the proposed dwelling and not adjacent to it, in contrast to the existing arrangement. This will minimise any potential noise and disturbance to future occupants of the dwelling.
26. The access into the site falls within the 30mph section of Fordham Road and the Highways Authority raises no objections to the proposal subject to conditions, which include the provision and maintenance of visibility splays.

Conclusion:

27. Overall, it is considered that the change in policy context, against which this proposal must now be considered, including the NPPF's presumption in favour of sustainable development and the identified benefits of the proposal give favourable consideration to the principle of development in this location. It is Officer's opinion that the proposed dwelling would not result in significant harm in terms of loss of countryside or have an adverse impact on the character and appearance of the area, residential amenity or highway safety.
28. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

29. It is **RECOMMENDED** that planning permission be **Approved** subject to the following conditions:
1. Time Limit – 3 years
 2. Materials as specified on drawings
 3. No additional first floor windows in east and west elevations

4. Boundary treatment to be provided prior to occupation
5. New vehicular access to be surfaced with bound material
6. Details of bin storage
7. Details of surface water drainage
8. Parking and turning area to be provided prior to occupation
9. Visibility splays to be provided and maintained
10. Construction hours limited to 08:00 – 18:00 Monday to Friday, 08:00 – 13:30 Saturdays and at no time on Sundays or Bank Holidays
11. Compliance with approved drawings

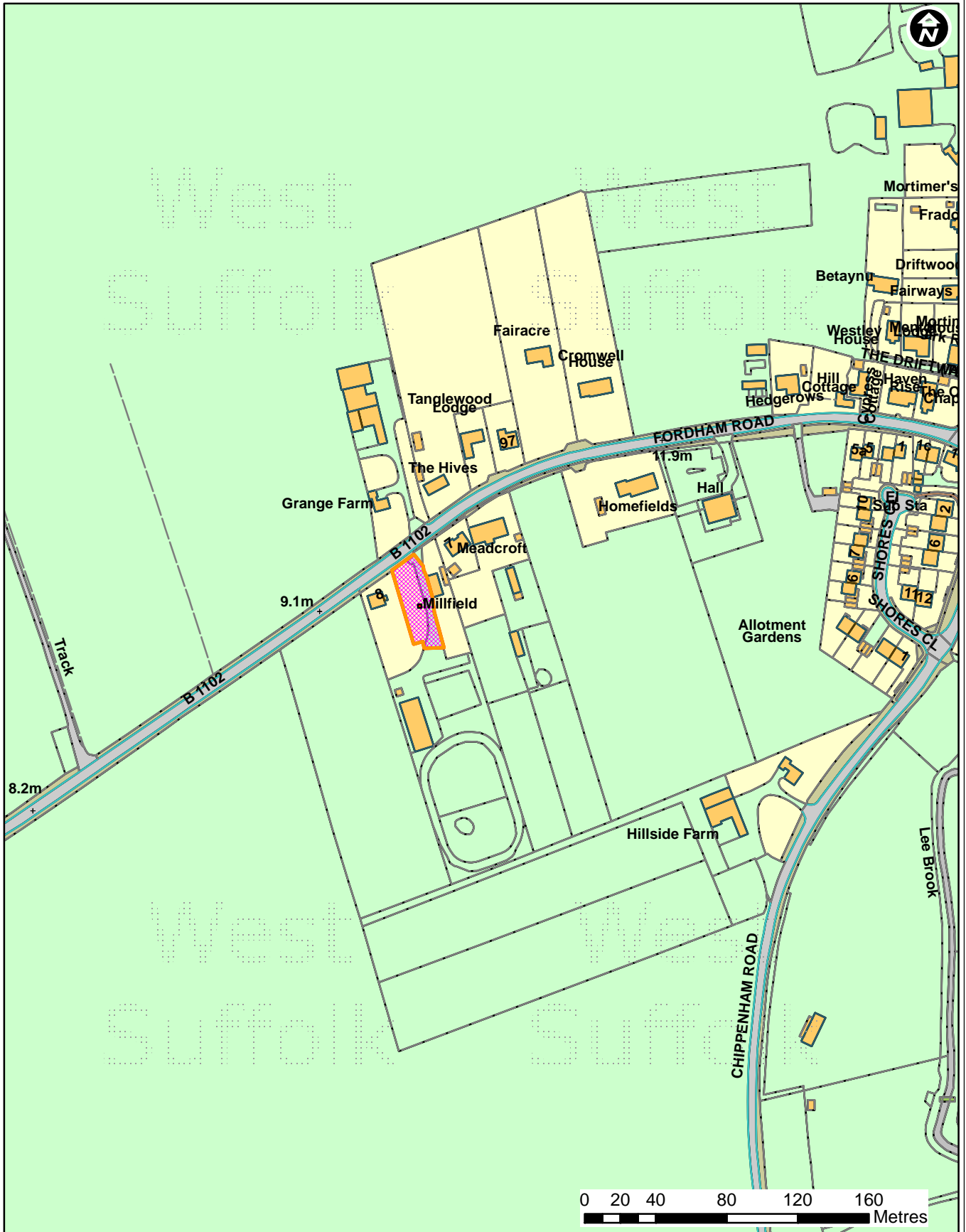
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

<http://planning.stedmundsbury.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

Alternatively, hard copies are also available to view at Planning, Planning and Regulatory Services, Forest Heath District Council, District Offices, College Heath Road, Mildenhall, Suffolk, IP28 7EY (or West Suffolk House details as applicable)

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