

Development Control Committee



Forest Heath
District Council

Minutes of a meeting of the **Development Control Committee** held on
Wednesday 4 October 2017 at **6.00 pm** at the **Council Chamber, District
Offices**, College Heath Road, Mildenhall IP28 7EY

Present: **Councillors**

Chairman Rona Burt

Vice Chairman Chris Barker

Andrew Appleby	Stephen Edwards
David Bowman	Brian Harvey
Louis Busuttil	Carol Lynch
Simon Cole	David Palmer
Roger Dicker	Peter Ridgwell

260. **Apologies for Absence**

Apologies for absence were received from Councillors Ruth Bowman and Louise Marston.

261. **Substitutes**

There were no substitutes present at the meeting.

262. **Minutes**

The minutes of the meeting held on 6 September 2017 were unanimously received as a correct record and were signed by the Chairman.

263. **Planning Application DC/17/0717/FUL - Land at Beck Lodge Farm, St Johns Street, Beck Row (Report No: DEV/FH/17035)**

Planning Application - 12 no. dwellings with associated access, open space, storage and parking facilities

This application was referred to the Development Control Committee because it was a Major Development and it was considered to represent a departure from the development plan.

The proposal sought full planning permission for 12 dwellings (3 of which would be affordable), a mix of 2, 3 and 4 bed, single storey and two storey. It formed part of site SA11 (D) within the site allocations local plan document

proposed submission version, so is proposed to be allocated for residential development.

The Parish Council supported the scheme and no third party representations have been received.

As set out in Paragraphs 29 – 31 of the report, there were material considerations that carried sufficient weight to indicate that the principle of development as a departure from normal planning policy, in this case, was acceptable. The remaining detail of the development was considered to be acceptable and in compliance with relevant development plan policies and the NPPF.

Accordingly Officers were recommending that the application be conditionally approved, following completion of a Section 106 agreement, and subject to the conditions set out in Paragraph 72 of Report No DEV/FH/17/035.

Members were advised of the history of the site, in that an application for a denser scheme for up to 24 dwellings was approved in March 2016.

The Principal Planning Officer explained that a small area of open space was provided on site, but this would fall short of the SPD policy requirement. Comments had not been received from the Council's parks team in relation to the onsite provision and whether any off site commuted sum may be required in lieu of any on site shortfall. This, however, could be resolved and secured through the S106 as necessary.

In light of the unresolved open space matter, an amendment to the recommendation was proposed; that Delegated Authority be given to the Assistant Director of Planning and Regulatory Services in consultation with the Chairman of the Development Control Committee to resolve any necessary on and off site open space provision. If the matter was not resolved, it would come back before Members for further consideration.

Furthermore an additional condition was proposed; to secure a landscape management plan.

Councillor David Bowman drew attention to Paragraph 62 of the report which made reference to the site's catchment school being West Row Community Primary School. Councillor Bowman queried whether this was an error and should be Beck Row Primary Academy. The Principal Planning Officer explained that she was presenting the report on behalf of the Case Officer and she would clarify this matter with him.

Councillor Bowman then moved that the application be approved as per the Officer recommendation and inclusive of the additional recommendation re open space and the additional condition for landscaping, this was duly seconded by Councillor Louis Busuttil.

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

Decision

Planning permission be **GRANTED** subject to:

1. The completion of a S106 legal agreement to provide affordable housing, an affordable housing contribution, primary school contribution, preschool contribution;
2. The following conditions:
 - i. 3 year time limit
 - ii. Compliance with approved plans.
 - iii. Archaeology – investigation and post investigation assessment.
 - iv. Contamination – further investigative work if found.
 - v. Foul water disposal details.
 - vi. Surface water drainage details: SuDs management plan.
 - vii. Construction management plan.
 - viii. Details of boundary treatment.
 - ix. Samples of materials.
 - x. Detailed scheme of hard and soft landscaping.
 - xi. Tree protection.
 - xii. Details of tree works for retained trees.
 - xiii. Detailed Arboricultural Method Statement and Tree Protection Plan.
 - xiv. Recommendations of Ecological Appraisal and Reptile Survey to be implemented.
 - xv. Provision of fire hydrants.
 - xvi. Waste minimisation and recycling strategy.
 - xvii. Details of access
 - xviii. Parking/manoeuvring to be provided prior to occupation
 - xix. Ecological mitigation
 - xx. Water consumption;
 - xxi. Landscape management plan; and
3. Delegated Authority be given to the Assistant Director of Planning and Regulatory Services in consultation with the Chairman of the Development Control Committee to resolve any necessary on and off site open space provision. If the matter was not resolved, it would come back before Members for further consideration.

264. **Planning Application DC/17/1356/FUL - Old Harris Farm House, Harris Farm, Burnt Fen Turnpike, Burnt Fen (Report No: DEV/FH/17/036)**

Planning Application - 1no. Agricultural storage barn

This application was referred to the Development Control Committee because the applicant was related to a Forest Heath District Councillor.

Officers were recommending that the application be approved subject to conditions, as set out in Paragraph 18 of Report No DEV/FH/17/036.

The Planning Officer drew attention to Paragraph 4 of the report and the reference therein to the consultation response received from Burnt Fen Internal Drainage Board.

The Officer explained that since the agenda was published the Council had undertaken further discussions with the Drainage Board who did not object to the application as the new discharges from the development would require the prior consent of the Board, in addition to the planning permission. Accordingly, an additional condition was to be added to the recommendation to reflect this.

Councillor Simon Cole moved that the application be approved as per the Officer recommendation, inclusive of the additional condition re the Drainage Board consent, and this was duly seconded by Councillor David Bowman.

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

Decision

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

1. 01A Time Limit Detailed
2. 14FP Approved Plans
3. Scheme for the provision and implementation of surface water discharge (including run-off rates) to be submitted and agreed

265. **Planning Application DC/17/1277/HH - 23 Mill View, Gazeley (Report No: DEV/FH/17/037)**

Householder Planning Application - (i) Construction of new roof to provide space for first floor accommodation (ii) new porch

This application was referred to the Development Control Committee in the interest of transparency because the applicant was a staff member.

Officers were recommending that the application be approved subject to conditions, as set out in Paragraph 15 of Report No DEV/FH/17/037.

The Chairman spoke as Ward Member for the application and explained that neither she or the Parish Council had raised objections to the proposal.

Councillor David Bowman moved that the application be approved, as per the Officer recommendation, and this was duly seconded by Councillor Carol Lynch.

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

Decision

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

1. 01A Time Limit Detailed
2. 14FP Approved Plans

266. **Planning Application DC/17/1211/HH - Hill House, 2 Falmouth Avenue, Newmarket (Report No: DEV/FH/17/038)**

Planning Application - Extension to the existing garage, garden and bin store to form a store and 4 bay open cartlodge

This application was referred to the Development Control Committee following consideration by the Delegation Panel, where concerns were raised regarding the legitimate use of the site.

A Member site visit was held prior to the meeting. Officers were recommending that the application be approved subject to conditions, as set out in Paragraph 29 of Report No DEV/FH/17/038.

The Planning Officer explained that Newmarket Town Council had raised objections to the proposal as made reference to in Paragraph 11. Furthermore, since publication of the agenda the Town Council had sent further correspondence to the Planning Authority reiterating their objection.

With regard to the trees that were to be removed to accommodate the scheme, the Case Officer advised Members that they were not in a conservation area or protected in anyway; meaning they could be removed by the owners at any time irrespective of the planning application. Members were also assured that the Council's Tree Officer had not raised any objections to their removal, subject to the inclusion of a relevant condition.

Councillor David Bowman moved that the application be approved, as per the Officer's recommendation, and this was duly seconded by Councillor Simon Cole.

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

Decision

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

1. 01A – 3 year time limit
2. 14FP – Accordance with approved plans
3. Construction hours only between 08:00 and 18:00 Mon-Fri and 08:00 to 13:30 Sat
4. Parking and manoeuvring area retained
5. Tree protection measures to be agreed and implemented

The meeting concluded at 6.29 pm

Signed by:

Chairman