

Development Control Committee



Forest Heath
District Council

Minutes of a meeting of the **Development Control Committee** held on **Wednesday 1 August 2018** 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

David Bowman	Brian Harvey
Ruth Bowman J.P.	Carol Lynch
Louis Busuttill	David Palmer
Stephen Edwards	Peter Ridgwell

In attendance:

John Bloodworth	Nigel Roman
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304. **Apologies for Absence**

Apologies for absence were received from Councillors Simon Cole and Roger Dicker.

Councillors Andrew Appleby and Louise Marston were also unable to attend the meeting.

305. **Substitutes**

There were no substitutes present at the meeting.

306. **Minutes**

The minutes of the meeting held on 4 July 2018 were unanimously received as an accurate record and were signed by the Chairman.

307. **Planning Application DC/13/0660/FUL - Land at Briscoe Way, Lakenheath (Report No: DEV/FH/18/009)**

The Chairman advised that following publication of the agenda the revised NPPF was published; as a result of which it would require the Case Officer to rework the report in respect of this application and this item would therefore be **WITHDRAWN** from the agenda and would be considered at a later meeting.

308. **Planning Application DC/17/2585/FUL - Garage Sites, Downing Close, Mildenhall (Report No DEV/FH/18/010)**

Planning Application - 7no. dwellings and 25no. parking spaces (following demolition of 43no. garages)

This application was referred to the Development Control Committee as it was one of five applications across five sites, totalling 41 dwellings, which had raised issues of significant concern to local residents.

Mildenhall Parish Council and the Highways Authority objected to the proposal and Officers were recommending that the application be refused for the reasons set out in Paragraph 75 of Report No: DEV/FH/18/010.

The Principal Planning Officer advised the Committee of the following updates/corrections since publication of the agenda:

- Paragraph 34 of the report should have referred to "...**27** off-street parking places" (as opposed to 25);
- Paragraph 38 should have identified a "...shortfall of **15** places." as opposed to 19.
- Paragraph 41 should have made reference to "...all existing **rented** garages..." of which the applicant has advised totals 11;
- Lastly, attention was drawn to the supplement issued as an addendum to the agenda (following publication of the revised NPPF) and the **amended recommendations** set out therein for this report. The Officer also advised that Paragraph 63 as quoted in revised Recommendation 2 should have read **Paragraph 227**.

In his presentation the Case Officer included proposed elevations and street scenes of the development alongside photographs which illustrated the degree of layby and on-street parking which took place in Downing Close.

Whilst the benefits of the scheme (housing supply and job creation) were recognised, Officers did not consider that these outweighed the potential harmful impacts of the development these being; the overshadowing and impact on amenity, the design and appearance and the severe impact on the highway due to the shortfall of parking provision that would have to be accommodated on the highway network.

Speakers: Jean Berrigan (resident) spoke against the application
Lee Webster (applicant) spoke in support of the application

Councillor Louis Busuttil was invited to speak first by the Chairman, in his capacity as Ward Member (Great Heath) for the application. Councillor Busuttil spoke in support of the Officer recommendation for refusal and stated that, whilst he welcomed proposals for affordable housing, he considered that the development would create a severe parking/highway issue. Accordingly, he moved the recommendation for refusal and this was duly seconded by Councillor Carol Lynch.

With the vote being unanimous, it was resolved that

Decision

Planning permission be **REFUSED** for the following reasons:

1. The development would lead to a shortfall of parking provision that would have to be accommodated on the highway network. Taking into account the existing parking pressures in the area, this additional on-street parking would lead to a severe impact on the highway due to obstructive and inconsiderate parking which would affect all users including emergency service vehicles and pedestrians. On this basis the application is contrary to Joint Development Management Policies DM2 and DM22 and paragraphs 108,110 and 127 of the revised NPPF;
2. The design and layout of the scheme fails to meet the requirements of good and appropriate design as required by local policy and paragraph 227 of the NPPF. Plot 7 has a garden size that has been sacrificed to allow for the provision of off-street parking, resulting in a cramped appearance with a lack of circulation space. The presence of an electrical sub-station with a separation distance of only 4 metres from the rear elevation of the proposed dwelling further reduces the amenity levels for this dwelling. This plot performs poorly in terms of design and appearance and is contrary to the requirements of Core Strategy Policy CS5, Joint Development Management Policies DM2 and DM22, and paragraphs 124, and 127 of the revised NPPF; and
3. Due to the harmful overshadowing impact on no. 14 Downing Close, the proposal fails to accord with the design and layout requirements of Joint Development Management Policies DM2 and DM22 and paragraphs 124 and 127 of the revised NPPF with respect to the consideration of neighbouring residential amenity.

309. **Planning Application DC/17/2586/FUL - Garage Sites, Emmanuel Close, Mildenhall (Report No: DEV/FH/18/011)**

Planning Application - 11no. dwellings and 51no. parking spaces (following demolition of 70no. garages)

This application was referred to the Development Control Committee as it was one of five applications across five sites, totalling 41 dwellings, which had raised issues of significant concern to local residents.

Mildenhall Parish Council and the Highways Authority objected to the proposal and Officers were recommending that the application be refused for the reasons set out in Paragraph 78 of Report No: DEV/FH/18/011.

The Principal Planning Officer advised the Committee of the following updates/corrections since publication of the agenda:

- In respect of Paragraph 39 of the report the applicants had since indicated that they considered 25 parking spaces to be available;
- Paragraph 41 should have made reference to "*...all existing **rented** garages...*" of which the applicant has advised totals 18;

- Lastly, attention was drawn to the supplement issued as an addendum to the agenda (following publication of the revised NPPF) and the **amended recommendations** set out therein for this report.

In his presentation the Case Officer included proposed elevations and street scenes of the development alongside photographs which illustrated the degree of layby and on-street parking which took place in Emmanuel Close.

Whilst the benefits of the scheme (housing supply and job creation) were recognised, Officers did not consider that these outweighed the potential harmful impacts of the development these being; the overlooking and impact on amenity and the severe impact on the highway due to the shortfall of parking provision that would have to be accommodated on the highway network.

Speakers: Jean Berrigan (resident) spoke against the application
Luke Fairall (on behalf of agent) spoke in support of the application

Councillor Louis Busuttil was invited to speak first by the Chairman, in his capacity as Ward Member (Great Heath) for the application. Councillor Busuttil spoke in support of the Officer recommendation for refusal and stated that, whilst he welcomed proposals for affordable housing, he considered that the development would create a severe parking/highway issue. Accordingly, he moved the recommendation for refusal and this was duly seconded by Councillor David Bowman.

Councillor Ruth Bowman also spoke in support of the motion for refusal and cited specific concerns with the harmful overlooking impact that the development would cause.

With the vote being unanimous, it was resolved that

Decision

Planning permission be **REFUSED** for the following reasons:

1. The development would lead to a shortfall of parking provision that would have to be accommodated on the highway network. Taking into account the existing parking pressures in the area, this additional on-street parking would lead to a severe impact on the highway due to obstructive and inconsiderate parking which would affect all users including emergency service vehicles and pedestrians. On this basis the application is contrary to Joint Development Management Policies DM2 and DM22 and paragraphs 108,110 and 127 of the revised NPPF; and
2. Due to the harmful overlooking impact to no. 32 Emmanuel Close, the proposal fails to accord with the relevant requirements of Joint Development Management (JDM) Policies DM2 and DM22 and paragraphs 124, and 127 of the revised NPPF with respect to the consideration of neighbouring residential amenity.

310. **Planning Application DC/17/2587/FUL - Garage Sites, Newnham Close, Mildenhall (Report No: DEV/FH/18/012)**

Planning Application - 7no. dwellings and 28no. parking spaces (following demolition of 39 garages)

This application was referred to the Development Control Committee as it was one of five applications across five sites, totalling 41 dwellings, which had raised issues of significant concern to local residents.

Mildenhall Parish Council objected to the proposal and Officers were recommending that the application be approved, subject to conditions as set out in Paragraph 75 of Report No: DEV/FH/18/012.

The Principal Planning Officer drew attention to the supplement issued as an addendum to the agenda (following publication of the revised NPPF), however, this had not resulted in an amendment to the recommendations in respect of this report.

In his presentation the Case Officer included proposed elevations and street scenes of the development alongside photographs which illustrated the degree of layby and on-street parking which took place in Newnham Close.

Whilst the dis-benefits of the scheme (loss of trees and impact on the amenity of neighbouring dwellings) were recognised, Officers did not consider that these outweighed the benefits of the development these being; contribution towards housing supply, potential for job creation and enhanced local expenditure.

Furthermore, the applicant had demonstrated that the development could provide for sufficient off-street parking to ensure that there would be no detrimental impact on the highway network, hence, the Highways Authority had not objected to the scheme subject to the inclusion of relevant conditions.

Speakers: Russell Richards (resident) spoke against the application
Nicole Wright (agent) spoke in support of the application

Councillor Ruth Bowman opened the debate on the application and spoke against the proposal due to:

- i. The loss of trees proposed; and
- ii. The design and layout of the scheme which was not in keeping with the character of the surrounding area.

On balance, Councillor Bowman considered that the application should be refused, contrary to the Officer recommendation of approval, and she formally proposed this as a motion. This was duly seconded by Councillor Peter Ridgwell.

The Service Manager (Planning – Development) explained that the reasons proposed for refusal could have the relevant policy appended to them and the decision making protocol need not be invoked in this case.

Councillor Carol Lynch proposed that instead of refusing the application, that consideration of the item be deferred into order to allow a Member site visit to take place. However, this amendment failed to be seconded.

Upon putting the motion for refusal to the vote, and with 9 voting for the motion and with 1 against, it was resolved that

Decision

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

- The scale and design of plots 1 & 2 and 6 & 7 are out-of-keeping with the existing adjoining development, which results in an awkward relationship harmful to the appearance of the street scene;
- The proposal results in the loss of 4 street trees that have a public amenity value and contribute towards the character of the area. Their loss without replacement contributes to a less visually attractive street scene devoid of landscaping and is not in the interests of good design;
- The proposal is therefore contrary to Joint Development Management Policies DM2 and DM22 and paragraphs 124 & 127 of the National Planning Policy Framework (2018).

(Councillor Brian Harvey left the meeting at 6.55pm on the conclusion of this item.)

311. **Planning Application DC/17/2588/FUL - Garage Sites, Peterhouse Close, Mildenhall (Report No: DEV/FH/18/013)**

Planning Application - 8no. dwellings and 53no. parking spaces (following demolition of 61no. garages)

This application was referred to the Development Control Committee as it was one of five applications across five sites, totalling 41 dwellings, which had raised issues of significant concern to local residents.

Mildenhall Parish Council and the Highways Authority objected to the proposal and Officers were recommending that the application be refused for the reasons set out in Paragraph 71 of Report No: DEV/FH/18/013.

The Principal Planning Officer advised the Committee of the following updates/corrections since publication of the agenda:

- Paragraph 36 of the report should have referred to "...**53 parking places**" (as opposed to 23), therefore resulting in a "...*shortfall of 11 places.*" as opposed to 12.
- Attention was also drawn to the supplement issued as an addendum to the agenda (following publication of the revised NPPF) and the **amended recommendations** set out therein for this report.

In his presentation the Case Officer included proposed elevations and street scenes of the development alongside photographs which illustrated the degree of layby and on-street parking which took place in Peterhouse Close.

Whilst the benefits of the scheme (housing supply and job creation) were recognised, Officers did not consider that these outweighed the potential harmful impacts of the development these being; the overshadowing and impact on amenity and the severe impact on the highway due to the shortfall of parking provision that would have to be accommodated on the highway network.

Speakers: June Billings (resident) spoke against the application
Luke Fairall (on behalf of agent) spoke in support of the application

Councillor Louis Busuttil was invited to speak first by the Chairman, in his capacity as Ward Member (Great Heath) for the application. Councillor Busuttil spoke in support of the Officer recommendation for refusal and stated that, whilst he welcomed proposals for affordable housing, he considered that the development would create a severe parking/highway issue. Accordingly, he moved the recommendation for refusal and this was duly seconded by Councillor David Bowman.

With the vote being unanimous, it was resolved that

Decision

Planning permission be **REFUSED** for the following reasons:

1. The development would lead to a shortfall of parking provision that would have to be accommodated on the highway network. Taking into account the existing parking pressures in the area, this additional on-street parking would lead to a severe impact on the highway due to obstructive and inconsiderate parking which would affect all users including emergency service vehicles and pedestrians. On this basis the application is contrary to Joint Development Management Policies DM2 and DM22 and paragraphs 108,110 and 127 of the revised NPPF; and
2. Due to the harmful overbearing and overshadowing impact to no. 43 Peterhouse Close, the proposal fails to accord with the relevant requirements of Joint Development Management (JDM) Policies DM2 and paragraphs 124, and 127 of the revised NPPF with respect to the consideration of neighbouring residential amenity.

312. **Planning Application DC/17/2589/FUL - Garage Sites, Pembroke Close, Mildenhall (Report No: DEV/FH/18/014)**

Planning Application - 8no. dwellings and 35no. parking spaces (following demolition of 60no. garages)

This application was referred to the Development Control Committee as it was one of five applications across five sites, totalling 41 dwellings, which had raised issues of significant concern to local residents.

Mildenhall Parish Council and the Highways Authority objected to the proposal and Officers were recommending that the application be refused for the reasons set out in Paragraph 72 of Report No: DEV/FH/18/014.

The Principal Planning Officer drew attention to the supplement issued as an addendum to the agenda (following publication of the revised NPPF) and the **amended recommendations** set out therein for this report.

In his presentation the Case Officer included proposed elevations and street scenes of the development alongside photographs which illustrated the degree of layby and on-street parking which took place in Pembroke Close.

Whilst the benefits of the scheme (housing supply and job creation) were recognised, Officers did not consider that these outweighed the potential harmful impacts of the development these being; the design and appearance of the scheme and the severe impact on the highway due to the shortfall of parking provision that would have to be accommodated on the highway network.

Speakers: Ralph Shingfield (resident) spoke against the application
Nicole Wright (agent) spoke in support of the application

Councillor Louis Busuttil was invited to speak first by the Chairman, in his capacity as Ward Member (Great Heath) for the application. Councillor Busuttil spoke in support of the Officer recommendation for refusal and stated that, whilst he welcomed proposals for affordable housing, he considered that the development would create a severe parking/highway issue. Accordingly, he moved the recommendation for refusal and this was duly seconded by Councillor David Bowman.

Councillor Ruth Bowman also spoke in support of the motion for refusal and cited specific concerns with the design and layout of the scheme.

With the vote being unanimous, it was resolved that

Decision

Planning permission be **REFUSED** for the following reasons:

1. The development would lead to a shortfall of parking provision that would have to be accommodated on the highway network. Taking into account the existing parking pressures in the area, this additional on-street parking would lead to a severe impact on the highway due to obstructive and inconsiderate parking which would affect all users including emergency service vehicles and pedestrians. On this basis the application is contrary to Joint Development Management Policies DM2 and DM22 and paragraphs 108,110 and 127 of the revised NPPF; and
2. Whilst generally the design and layout of the scheme is acceptable, plots 1- 4 have garden sizes that have been sacrificed to allow for the provision of off-street parking, resulting in a cramped appearance with a lack of circulation space. These plots perform poorly in terms of design and appearance and this aspect of the scheme is contrary to the requirements of Core Strategy Policy CS5, Joint Development Management Policies DM2 and DM22, and paragraphs 124, and 127 of the revised NPPF.

The meeting concluded at 7.26 pm

Signed by:

Chairman
