

Development Control Committee



Forest Heath
District Council

Minutes of a meeting of the **Development Control Committee** held on
Wednesday 20 April 2016 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
Ruth Bowman
Louis Busuttil
Simon Cole
Stephen Edwards

Brian Harvey
Carol Lynch
Louise Marston
Peter Ridgwell

127. Apologies for Absence

There were no apologies for absence.

Councillor Andrew Appleby was also unable to attend the meeting.

128. Substitutes

There were no substitutes at the meeting.

129. Planning Application DC/14/2096/FUL - Land North of Station Road, Lakenheath (Report No DEV/FH/16/007)

Hybrid planning application DC/14/2096/FUL:

1. Full application for the creation of new vehicular access onto Station Road and entrance to a new primary school.
2. Outline application for up to 375 dwellings (including 112 affordable homes) and the provision of land for a new primary school, land for ecological mitigation and open space and associated infrastructure (as amended).

This application was referred to the Development Control Committee as it was a proposal for a 'major' development. This proposal also raised complex planning issues of national and international importance. This application had

been withdrawn at the meeting of the Committee on 2 March 2016 (a site visit had also been held on 29 February 2016) to enable appropriate consideration of a direct threat of a legal challenge which had been received from Solicitors working on behalf of Lakenheath Parish Council.

The proposals were considered to comply with the relevant policies of the National Planning Policy Framework, but the 'countryside' location of the site meant that the proposed housing development conflicted with the adopted Development Plan Policies and was considered to be a departure from the extant Development Plan.

Relevant procedures pertaining to the Environmental Impact Assessment Regulations and the Habitats Regulations were yet to be completed with respect to the planning application. These matters were in-hand and would be fully completed prior to any (potential) planning permission being issued for the proposal. The nature of these important outstanding matters would necessitate the planning application being returned to the Committee for further consideration and determination at a later date.

The planning application was reported to the Committee in advance of those matters having been fully concluded, on the basis of a request received from Suffolk County Council (February 2016). The County Council was seeking to open a new primary school facility in the village. The application site, which included proposals for a primary school site, was the County Council's 'preferred option' to deliver a new primary school facility at Lakenheath.

In order to begin work, the County Council had requested Forest Heath District Council's assistance by means of an expeditious determination of this application. If that was not possible, the County Council had requested a steer from the Committee regarding the proposed development (ie an 'of-mind' resolution), which if positive, would enable them to commit resources and start work in earnest in preparing a proposal for a new school on the site. The County Council were aware that key environmental matters remained unresolved at this time.

The report did not recommend determination of the planning application at this time, given the extent and importance of matters remaining to be resolved. The report requested the Committee considered reaching an 'of-mind' resolution in order to provide the County Council with the planning steer that they were seeking. The planning application would be returned to this Committee for further consideration and determination at a later date, following the resolution of the material planning issues which remained outstanding.

The Case Officer reported that since the publication of the agenda, Members were in receipt of a letter (which had been circulated on 19 April 2016) from CgMs, acting on behalf of Elveden Estates, who were alternative developers promoting a development within Little Eriswell. Members were advised that they should only be considering the merits of the proposal before them and, therefore, should not be influenced by the contents of this letter.

The Case Officer also drew attention to proposed amendments to the recommendation, as set out in paragraph 289. of the Officer report, as follows:

*'289. The Committee is invited to resolve that, upon its consideration of the available information, it is ~~supportive of~~ 'of mind' to **approve** the planning application ~~in principle~~ at this time and are content to provide Suffolk County Council with the steer they are seeking, subject to the Committee further considering the planning application as a whole at a later date, including consideration of:*

- i) material planning issues presently unresolved.*
- ii) the content and status of national and local planning policies at the time.*
- iii) the Heads of Terms for a S106 Agreement.*
- iv) recommended conditions.*
- v) the outcome of further consultation and representations received about the planning application, and*
- vi) any other material changes in circumstances.'*

Some Members raised concerns with regard to being asked to provide an 'of mind' resolution at this time, whilst there were extensive and important outstanding matters still to be resolved with this application. To assist Members with their deliberations, Mr Frank Stockley from Suffolk County Council, also provided a further explanation as to why the Committee were being requested to make this particular resolution, at this time. This included the requirement for Suffolk County Council to undertake time-limited surveys by the end of May 2016, which if not completed, could result in the opening of the school being delayed to September 2019. Mr Stockley also explained that even though this site still remained the County Council's 'preferred option' for the delivery of a new primary school, other sites within the village would also be revisited for their suitability.

It was moved by Councillor Simon Cole, seconded by Councillor Peter Ridgwell, that due to the extent and importance of matters remaining to be resolved in relation to this planning application, the Committee were **not** in a position to give Suffolk County Council a steer of an 'of mind' approval, at this time. This motion was then put to the vote and with 4 voting for the motion, 6 voting against the motion and with 1 abstention, the Chairman declared the motion lost.

It was then moved by Councillor David Bowman, seconded by Councillor Brian Harvey, that the recommendations contained within paragraphs 287., 289. (as amended) and 290. of the Officer report be approved.

This motion was then put to the vote and with 6 voting for the motion, 3 voting against the motion and with 2 abstentions, it was

RESOLVED:

That:-

1. The formal request for a steer on this planning application received from Suffolk County Council and progress so far made with its consideration, including those important issues discussed in the Officer report which remain outstanding, be noted.
2. That upon its consideration of the available information, the Committee is 'of mind' to approve the planning application at this time and are content to provide Suffolk County Council with the steer they are seeking, subject to the Committee further considering the planning application as a whole at a later date, including consideration of:
 - i) material planning issues presently unresolved.
 - ii) the content and status of national and local planning policies at the time.
 - iii) the Heads of Terms for a S106 Agreement.
 - iv) recommended conditions.
 - v) the outcome of further consultation and representations received about the planning application, and
 - vi) any other material changes in circumstances.
3. Notwithstanding Recommendation 2. above, the planning application be returned to the Development Control Committee for further consideration and decision in the round, following completion of the presently outstanding matters discussed in the Officer report.

Speakers: Councillor Hermione Brown, Lakenheath Parish Council spoke against the application.
Mr Simon Butler-Finbow (Agent) spoke in support of the application.

The Meeting concluded at 6.50 pm

Signed by:

Chairman
