

EXTRACT FROM MINUTES of the **DEVELOPMENT CONTROL COMMITTEE** held at the District Offices, College Heath Road, Mildenhall on **Wednesday 3 September 2014 at 6.00pm.**

111. PLANNING APPLICATION F/13/0394/OUT – LAND WEST OF ERISWELL ROAD, LAKENHEATH (REPORT NO DEV14/130)

Councillor D W Gathercole declared a local non-pecuniary interest in respect of this item as he was a Lakenheath Parish Councillor and a member of Lakenheath Playing Fields Committee.

Outline application for the erection of up to 140 dwellings.

This application was referred to the Development Control Committee as it was a proposal for 'major' development and the recommendation to grant planning permission was contrary to the provisions of the extant Development Plan. The proposal also raised complex planning issues of District-wide importance.

The Committee was advised that the proposals were considered to comply with the relevant policies of the National Planning Policy Framework but the 'countryside' location of the site meant the proposed housing development conflicted with adopted Development Plan policies.

A Member site visit had been held prior to the meeting, Officers were recommending that outline planning permission be granted, as set out in Paragraphs 222-225 of Report No DEV14/130, subject no new concerns, objections or material planning issues being raised by Natural England, the Suffolk Wildlife Trust or the RSPB.

The Principal Planning Officer – Major Projects further advised the Committee that since publication of the agenda further representations had been received as summarised:

- A letter of objection from Lakenheath Community Primary School's Governing Body (circulated to Members under separate cover);
- A letter of objection from Cerda Planning Ltd, acting on behalf of Lakenheath Parish Council (circulated to Members under separate cover); and
- A letter of objection from a local resident of Eriswell Road (circulated to Members under separate cover).

The Officer again drew attention to the former USAFE personnel dwellings at Lords Walk which had recently come onto the housing market. He reminded Members that Officers had verified that this stock of dwellings was already counted as 'existing' housing stock and could not, therefore, be counted as a contribution towards the five year supply of housing in the District.

Lastly, the Officer informed the Committee that all trees in connection with the development had been assessed and there were no issues with those earmarked for removal as they were not of superior quality.

Councillor D W Gathercole again commenced the discussion on the application and reiterated Lakenheath Parish Council's stance with regard to sustainable growth. He also stated that if this application was to be approved then the Parish would request approximately half an acre of land to be allocated to Lakenheath Cricket Pitch in order to allow for future growth and expansion of the Playing Fields.

The Lawyer explained that this would not be something that the Council could formally request as part of the planning process but the Parish Council would be at liberty to negotiate this with the developer.

Councillor A J Wheble raised specific questions with regard to the affordable housing to be provided as part of the development. The Officer explained that all developments could be subject to a viability study in this respect, which was in turn scrutinised by an independent consultant as part of a robust process. As the viability study was yet to be evidenced (given the outline nature of the application without details of the housing scheme) the recommendation was set at 30% affordable housing in line with the Council's policy, however, this would if necessary be revisited at reserved matters stage once precise details of the scheme were available and could be more fairly and accurately assessed for viability.

Councillor R D S Hood made reference to Paragraph 23 which set out the response from Suffolk County Council Archaeology and their request for the developer to record and advance understanding of the significance of any heritage asset before it was damaged or destroyed. Councillor Hood asked if this needed to be made the subject of a condition should the application be approved. The Officer explained that the archaeological request did indeed need to be included as a condition and it had been mistakenly omitted from the recommendation in Paragraph 223.

Following which, Councillor W Hirst proposed that the application be approved, as recommended by Officers, including the amendment with regard to the archaeological request and that the delivery of the scheme be phased in order to allow time in which for the infrastructure to be put in place (as per the previous application). This was duly seconded by Councillor Mrs C F J Lynch.

Following the Lawyer having advised on appropriate wording, the Chairman put the amendment to the vote and with 11 voting for the motion, 4 against and with 1 abstention, it was resolved:

That subject no new concerns, objections or material planning issues being raised by Natural England, the Suffolk Wildlife Trust, or the RSPB outline planning permission be **GRANTED** subject to:

1. The completion of a S106 agreement to secure:
 - Affordable housing (30% - up to 42 dwellings)
 - Education contribution (Primary School – up to £ £622,230 towards build costs and up to £192,185 towards land costs)
 - Education contribution – temporary arrangements (if subsequently deemed compliant with the CIL Regulations)
 - Pre-school contribution (up to £85,274)

- Libraries Contribution (up to £30,240)
- Public Open Space contribution (Formula to be included in the Agreement to secure policy complaint provision on site at reserved matters stage and appropriate off-site contributions)
- Viability review opportunity at Reserved Matter submission stage.
- Strategic Highway Contribution (should this be deemed compliant with CIL Regulation 122 – a proportionate contribution would be appropriate, sum to be determined)
- SPA Recreational Impact Contribution – which may include monitoring of potential impacts from development (should this be deemed compliant with CIL Regulation 122 – sum to be determined)
- The phasing and timing of the delivery of the scheme be negotiated for the development to ensure appropriate infrastructure is in place
- Any further clauses considered necessary by the Head of Planning and Regulatory Services.

2. And subject to conditions, including:

- Time limit (3 years for commencement)
- Materials (details to be submitted with the Reserved Matters)
- Sustainable design and construction (further details to be submitted for approval with the Reserved Matters submission and thereafter implemented)
- Bin and cycle storage strategy (to be submitted for approval with the Reserved Matters and subsequently implemented)
- Public open space and SuDS (strategy for future management and maintenance of this infrastructure)
- Landscaping (precise details of new hard and soft landscaping)
- Retention and protection of existing trees, shrubs and hedgerows to be retained (details to be provided with the landscaping scheme at Reserved Matter stage)
- Ecology (strategy for achieving enhancements at the site)
- Any reasonable conditions requested by Natural England, the Suffolk Wildlife Trust and/or the RSPB.
- Construction management plan
- As recommended by LHA
- Contamination & remediation (further investigations and any remediation necessary)
- Means of enclosure (to be submitted with Reserved Matters)
- Noise mitigation measures.
- Fire Hydrants
- Waste minimisation and re-cycling strategy
- Details of the surface water drainage scheme (SUDS – full details to be submitted with the Reserved Matters).
- Archaeology – to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed
- Any additional conditions considered necessary by the Head of Planning and Regulatory Services.

3. In the event of the Head of Planning and Regulatory Planning Services recommending alternative (reduced) Heads of Terms from those set out at Recommendation 1 above, or Natural England the RSPB and/or the Suffolk Wildlife Trust raise objections concerns or substantive issues about the proposals

which have not already been considered by the Committee, the planning application be returned to Committee for further consideration.

4. In the event the applicant declines to enter into a planning obligation to secure the Heads of Terms set out at Recommendation 1 above for reasons considered unreasonable by the Head of Planning and Regulatory Services, planning permission be refused for the following reasons:

i) Unsustainable form of development not mitigating its impact upon, education provision (primary and pre-school), open space, sport and recreation and libraries (contrary to the Framework and Core Strategy policy CS13 and saved Local Plan policy 10.3).

ii) If appropriate following further investigation; adverse cumulative impacts upon, the highway network and the Special Protection Area (from increased recreational pressure)

iii) Non-compliance with affordable housing policy (contrary to Core Strategy policy CS9 and supporting SPD document)

Speakers:

Mrs Emma Vincent (Head Teacher of Lakenheath Community Primary School) spoke against the application

Mr Michael Robson (Cerda Planning Ltd, acting on behalf of Lakenheath Parish Council) spoke against the application.

Mr Richard Tilley (agent for the applicant) spoke in support of the application.