



Forest Heath
District Council

DEV/FH/18/012

Development Control Committee 1 August 2018

Planning Application DC/17/2587/FUL – Garage Areas, Newnham Close, Mildenhall

Date Registered: 15.12.2017 **Expiry Date:** 09.02.2018 (EOT until 22.12.2018)

Case Officer: Gary Hancox **Recommendation:** Approve

Parish: Mildenhall (EMAIL) **Ward:** Great Heath

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

Site: Garage Areas, Newnham Close, Mildenhall

Applicant: Mr Lee Webster - Flagship Housing Developments Ltd

Synopsis:

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

Recommendation:

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

CONTACT CASE OFFICER:

Gary Hancox
Email: gary.hancox@westsuffolk.gov.uk
Telephone: 01638 719258

Background:

The application comes before the Development Control Committee as it one of five applications across five sites totalling 41 dwellings raising issues of significant concern to local residents.

Mildenhall Parish Council object to the proposal and the application is recommended for APPROVAL.

1. This application is one of five similar applications submitted concurrently by Flagship Housing Group for the development of 41 affordable dwellings. The sites currently contain lock-up garages and generally, these garages are underused and in a poor state of repair. The applications seek their complete demolition and replacement with new dwellings and additional parking spaces. The applicants comment that;

'Over the past few years the demand for garages in some locations has fallen and there are now numerous vacant garages across the sites, some in poor condition. Flagship is therefore looking at alternative nearby sites where parking can be provided that is likely to be better used. The proposed redevelopment provides an opportunity to enhance the appearance of the area, and to build more affordable homes for local people.'

2. The proposed housing at Mildenhall will be 100% affordable, and will be owned and maintained by Flagship Housing Group. The application sites are located within the built-up area of Mildenhall. The combined site area is approximately 1ha.

Proposal:

3. This application proposes 7 new dwellings and 28 parking spaces across 3 closely related sites. The dwellings comprise one 1 bed bungalow and six 2 bed houses.

Application Supporting Material:

4. The following plans and documents have been submitted with this application:
 - Plans, elevations and layout drawings
 - Parking Surveys and reports
 - Ecology survey
 - Tree survey and AIA's
 - Site Investigation reports
 - Acoustic design statement
 - Design and access statement
 - Planning statement

Site Details:

5. Newnham Close is located off College Heath Road to the south of Great Heath Primary School and close to the Forest Heath District Council offices. The area comprises ex-local authority 2 storey terrace houses. The application covers 3 small sites containing a total of 39 single storey brick built lock-up garages. All the sites are surrounded by existing development.

Planning History:

6. None recent.

Consultations:

7. Public Health and Housing – no objection.
8. Environment Team – No objection subject to appropriate conditions.
9. Planning Policy - The sites are located inside the settlement boundary on previously developed land. The provision of 41 additional affordable dwellings will contribute to the supply of housing in the area, and if offered by the applicants and appropriately secured this will address a local housing need. Suitable mitigation measures are being put in place to manage the impacts of local noise from RAF Mildenhall on local residents, and also to improve local outdoor spaces, to protect the Breckland SPA and the habitats of proximate protected species from recreational impacts arising from the developments proposed.
10. The fundamental SCC Highway objection should be addressed in order for the applications to comply with policies DM45 and DM46. If additional evidence is supplied that satisfactorily addresses the present strong SCC Highways objection, then an updated policy position may be provided.
11. Strategic Housing - supports the above application for the redevelopment of the garage sites at Emmanuel Close, Mildenhall as it will help to satisfy a local housing need, make better use of an underused site and will help create a safer environment.
12. SCC Highways – No objection to amended plans, subject to conditions.
13. MOD (Noise) – No objection. Recommend appropriate conditions to ensure adequate amenity inside the dwellings.
14. Police Architectural Liaison Officer – make various comments on improving the security of the dwellings having regard to the principles of 'Secured by Design'.
15. Natural England – No objection. Based on the plans submitted, Natural England considers that the proposed developments, alone and in-combination, are not likely to have significant adverse impacts on Breckland Special Protection Area (SPA), Breckland Forest Site of Special Scientific Interest (SSSI) and Breckland Farmland SSSI and therefore has no objection to any of the applications. However we draw your attention to our comments regarding the need for appropriate onsite and strategic green infrastructure to protect the forest elements of Breckland SPA from cumulative recreational impacts.
16. No direct effects have been identified, and likely significant effects from disturbance and other urban edge effects from construction and occupation of dwellings can be ruled out for the plan alone and in-combination with other developments. There are unlikely to be recreational effects arising from the developments alone.

17. In relation to in-combination recreational effects, a proportionate contribution to improvements to local greenspace in the vicinity of the sites would be sufficient to avoid and reduce recreation pressure such that there will be no adverse effect on the integrity of the SPA, cumulatively with other projects and plans.
18. SCC Planning Obligations – request contributions towards enhanced Pre-school and Primary provision based on the cumulative impact of development across five application sites.

Representations:

19. Mildenhall Parish Council – Object.

- Over development of the area
- Removing of the original parking areas and replacing with less parking bays which will make the parking worse (Members noted that the public were parking on pavements) With the proposed increase in houses it was deemed that parking allowances were insufficient
- Access for Emergency vehicles will still be limited
- No allowance for the elderly to park near to where they live.
- No allowance for extra wide parking bays for disabled with wheel chairs or parents with prams.
- Some garages are too small for some modern cars.

20. Local residents – 18 individual letters of objection received

- Loss of privacy (to nos.2 and 28 Newnham Close)
- Aggravate an existing parking problem
- The parking survey does not reflect the severity of the parking problems in the area. The proposed 105 spaces will only cover existing need.
- Parking during evenings and weekends is a big problem
- Access for ambulance and fire services is unsafe due to congestion
- Water utilities need updating
- Increased population will promote poor security and criminality
- Garages currently available to rent close to houses, alternative garages will be too far away to use
- Other land available to build on
- Additional traffic will cause safety issues for local residents

21. (Note: the above is only a summary of the key objections to the development from local residents. The full objections can be viewed on the Council's website.)

Policy:

22. The following policies of the Joint Development Management Policies Document and the Forest Heath Core Strategy 2010 have been taken into account in the consideration of this application:

Forest Heath Core Strategy 2010

CS1 - Spatial Strategy

CS2 – Natural Environment
CS4 – Reduce Emissions, Mitigate and adapt to future Climate Change
CS5 – Design Quality and Local Distinctiveness
CS9 – Affordable Housing
CS13 – Infrastructure and Developer Contributions

Joint Development Management Policies Document 2015

DM1 - Presumption in favour of sustainable development
DM2 - Development Principles and Local Distinctiveness
DM6 – Flooding & Sustainable Drainage
DM7 – Sustainable Design & Construction
DM10 - Impact of Development on Sites of Biodiversity and Geodiversity Importance
DM12 - Mitigation, Enhancement, Management and Monitoring of Biodiversity
DM14 - Protecting and Enhancing Natural resources, Minimising Pollution and Safeguarding from Hazards
DM22 - Residential Design
DM45 - Transport Assessments and Travel Plans
DM46 - Parking Standards

Other Planning Policy:

23. National Planning Policy Framework (2012)

Emerging Development Plan Policy:

Proposed Submission Site Allocations Local Plan (January 2017):

24. The Proposed Submission Single Issue Review (SIR) and Site Allocations Local Plan (SALP) (Regulation 19 consultation) are under examination (hearings took place in September and October 2017) and Hearings on the proposed modifications took place in late June 2018.
25. The SALP sets out the council's development sites across the district up to 2031. The SALP includes a Policies Map which defines the proposed settlement boundaries, sites and other policy constraints. The SIR and SALP can be given significant weight in the decision making process in respect of this application on the basis that there are no outstanding objections which relate to the areas proposed for development.
26. The development plan documents, together with current national planning policy, are material considerations to be taken into account when accessing the above application.
27. The latest FHDC assessment of a five year supply of housing land was published on 24th July 2017. This shows the Council has a five year supply of housing, and policies relating to the supply of housing can therefore be considered up to date. The application sites are not included in the Council's five year housing land supply, and therefore would contribute to windfall housing provision that is within the settlement boundary.

Supplementary Planning Documents

28. Open Space, Sport and Recreation 2011 – Sets out the requirements for the provision of open space, sport and recreation in conjunction with new housing development.
29. Joint Affordable Housing Supplementary Planning Document 2013 – this provides further guidance on how to deal with the provision of Affordable Housing.

Officer Comment:

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

- Principle of Development
- Parking and highway impact
- Design and layout
- Residential amenity
- Ecology and open space
- Planning obligations

Principle of Development

31. For decision making purposes, as required by Section 38(6) of the Planning & Compulsory Purchase Act 2004, the Development Plan comprises the Adopted Core Strategy and Development Control Policies Development Plan Document, together with the Site Specific Allocations DPD. Material considerations in respect of national planning policy are the NPPF and the more recently published National Planning Policy Guidance. The starting position for decision taking is therefore that development not in accordance with the development plan should be refused unless material considerations indicate otherwise. The Courts have re-affirmed the primacy of the Development Plan in Development Control decisions.
32. The site lies within the settlement boundary of Mildenhall, which is designated as a Market Town in Core Strategy Policy CS1, where the principle of residential development is supported subject to the consideration of other policy criteria. Furthermore, the site is sustainably located having convenient access to local services and facilities and regular bus services connecting to the wider area, including Newmarket, Thetford, Lakenheath and Brandon. This lends further support to the principle of residential development on this site being acceptable.

Parking and Highway Impact

33. The application proposes to demolish the existing 39 no. lock-up garages across 3 sites within Newnham Close, as well as the removal of associated off-street parking spaces. A total of 7 dwellings are proposed to be built in their place. A total of 28 off-street parking spaces are proposed. The applicant has provided information to show that of the 39 existing garages 9 are currently rented. It is likely that a high percentage of the rented garages are not used to park a motor vehicle, although no firm evidence to prove this has been submitted by the applicant. As a consequence, the applicant has had to provide parking surveys and proposed replacement parking based on a worst case scenario assuming that all 9 rented garages are occupied by a

motor vehicle. Effectively therefore, the 9 rented garages are treated as existing parking spaces. Existing on-site 'open air' parking (demarked bays) also count towards any lost parking, and in this case there are 5 such parking spaces. A total of 14 existing parking spaces will be removed.

34. It is clear from site visits and from both the applicant's own parking surveys, and from an alternative parking survey undertaken by the Mildenhall Residents Group, that all the sites being put forward by Flagship for redevelopment have levels of parking that are either at capacity, or close to capacity, resulting in significant levels of on-street parking. As Flagship are proposing new dwellings to replace existing garages, an appropriate level of parking is required that provides spaces for the dwellings themselves in accordance with the Suffolk Guidance for Parking (SGP), as well as appropriate parking spaces to replace the existing leased garages being removed. Although the applicant has relied upon the potential for any dispersed parking to be accommodated on the roadside (on-street), it is the view of the Local Highway Authority that on-street parking should not be relied upon to make up any remaining parking shortfall.
35. The above methodology and approach to considering the existing and proposed parking arrangements has been used consistently across all five application sites.
36. In this case having regard to the SGP, a proposal of 7 dwellings (1 x 1 bed, and 6 x 2 bed) would require 12 parking spaces. This includes a requirement for 2 visitor spaces. Taken together with the requirement to replace the 14 existing parking (garage) spaces, a total of 26 parking spaces should be provided (14+12).
37. This application proposes 26 parking spaces which meets the off-street parking requirement.
38. SCC Highways consider that there is significant kerb-side parking experienced on this road, hence they maintain their position that the applicant should provide sufficient off-street parking to serve the proposed development and retain the existing off-street parking provision. In reaching this conclusion they have had regard to the existing parking situation, the submitted parking surveys and site visits where the existing on-street parking availability was observed.
39. However, as there should be no deficit in parking provision with the required amount of parking being provided off-street, there should be no significant harmful impact on the highway network. On this basis the application accords with Joint Development Management Policies DM2 and DM22.
40. The applicant has also indicated that those tenants who currently rent garages will be offered alternative garages located nearby. However, from the information provided showing the capacity and proximity of replacement garages, SCC Highways do not feel they would be suitable for tenants to use for vehicle parking.

Design and layout

41. Existing development in Newnham Close is generally characterised by small two-storey terrace houses on small plots interspersed by small garage

courts. There are also some town houses with ground floor garages. Most of the development in this and the immediate surrounding area was built in the 1960/70's when the then Greater London Council was granted permission to build houses to re-home families moving from London. Generally, existing dwellings are constructed of brown/red brick some of which are clad with tile hanging to the front elevations, with brown/grey roofs. The garage blocks are single storey with flat roofs, again utilising brown/red brick. All dwellings appear to have rear gardens usually enclosed by brick walls. Several specimen trees are located alongside roads. As well as garage courts there is also a small amount of outside parking in marked parking bays as well as layby parking on street.

42. The applicants indicate that the design approach to the development is largely determined by setting and relationship with existing properties, orientation on site, access arrangements, the use of modular design in the dwellings, and consideration of neighbouring residential amenity. Consideration must also be given to the existing pattern of development in the area and the need to integrate and contribute positively to the street scene.
43. Dwellings are proposed on 3 small sites following demolition of the existing garages. The scale of the new dwellings would be similar to the existing development, although generally the spans of the dwellings would be larger. An exception to this would be plot 6, where a small 1 bed bungalow is proposed. It is not proposed to replicate the look of the existing houses, but instead to utilise finishes that will enhance the street scene providing fresh modern housing. Rendered finishes, modern grey roof tiles and simple fenestration is proposed. Two-storey dwellings also have a small amount of timber cladding echoing the existing cladding in the area. All dwellings address the street. Each site also includes unallocated parking areas to serve both the new dwellings and to replace the original rented garages.
44. Plots 1 and 2 comprise two storey houses with a front elevation addressing the street and sited at the end of a row of terrace properties. Satisfactory levels of amenity for both existing and future residents has been achieved.
45. Plots 3 to 5 is a row of three terrace houses that front on to the road and follow the existing building line. Garden sizes are tight, this being due to the requirement to provide parking spaces on the remainder of this garage site. However, on balance, satisfactory levels of amenity for both existing and future residents has been achieved.
46. Plots 6 and 7 include a small 1 bed bungalow and a 2 bed house that together form a pair of semi-detached properties. Plot 6 has been amended to a bungalow so as to minimise the impact on the amenity of no. 2 Newnham Close. Satisfactory levels of amenity for both existing and future residents has now been achieved.
47. Clearly the applicants have attempted to make best use of the space available to them to provide additional housing as well as removing unsightly and underused garage blocks. As amended, their proposed plans generally provide the required levels of amenity and will enhance the appearance of the individual garage sites. The application therefore accords with Joint Development Management Policies DM2 and DM22 in this regard.

Residential amenity

48. Direct impacts on existing residential amenity have been considered as follows:

- Plots 1 and 2 – Adequate rear window to window separation distances (21 metres) have been achieved and the existing amenity levels to the neighbouring dwellings have been retained.
- Plots 3 to 5 – no significant harm as dwellings respect scale, form and the building line of the neighbouring dwellings. Although plot 5 projects 5 metres beyond the rear elevation of no. 38 Newnham Close, the dwelling is to the north and adequate separation distance has been achieved. With respect to plot 3, although this dwelling is to the south of no. 36 Newnham Close, a separation distance of 4 metres between the dwellings has been achieved, helping to minimise any overbearing or overshadowing impact.
- Plots 7 - no significant harm as dwellings respect scale, form and the building line of the neighbouring dwellings. The applicant has also prepared shadow diagrams that show there will be no additional significant overshadowing.
- Plot 6 – This dwelling is now proposed to be single storey, minimising its impact on the amenity of no. 2 Newnham Close.
- Plot 7 – This two storey dwelling will result in rear windows facing north and towards the rear garden of no. 40 Newnham Close. There will be a separation distance of 11 metres to the boundary. This will result in some loss of privacy from a single first floor bedroom window, however taking into account the separation distance this impact is not considered to be significant.

49. Taking into account the above, the proposals accord with the relevant requirements of Joint Development Management (JDM) Policies DM2 and DM22 with respect to the impact on neighbouring amenity.

Ecology and open space

50. As required by JDM Policy DM10, development proposals must be assessed having regard to their likely impact on sites of biodiversity importance and in consultation with Natural England and other specialist consultees. Proposals that would adversely affect the integrity of areas of international conservation importance (in this case Breckland Special Protection Area (SPA) and Becklund Forest Site of Special Scientific Interest (SSSI)) need to be determined in accordance with the Conservation of Habitats and Species regulations (2010 as amended) (Habitat Regulations).

51. JDM Policy DM12 requires all new development where it is demonstrated that it will contribute towards recreational disturbance and visitor pressure within the Beckland SPA will be required to make appropriate contributions through S106 agreements towards management projects and/or monitoring of visitor pressure and urban effects on key biodiversity sites.

52. Natural England has commented that the proposals are unlikely to have a direct impact on the nearby SPA and SSSI. However, in accordance with the Habitat Regulations they draw the Council's attention to the need for appropriate onsite and strategic green infrastructure to protect the forest

elements of the Breckland SPA from cumulative recreational impacts. All five applications (and any further residential or parking applications in this location) need to be considered in-combination as they are in close proximity to each other and to the Breckland SPA. Recreational disturbance to nightjar and woodlark, the qualifying species of Breckland SPA and Breckland Forest Site of Special Scientific Interest (SSSI), needs careful consideration.

53. Developments within a 7.5km radius have potential to cause increased visitor numbers to the Breckland SPA, which can lead to recreational disturbance. Although Natural England is of the opinion that there will not be significant recreational effects to the above sites arising from each proposed development alone, the cumulative impact from 41 new dwellings means that there is a risk within this radius, particularly as the sites are within 1km, of likely cumulative recreational impacts to the SSSI and SPA in the future. It is important therefore to ensure that residential applications within this distance have sufficient green infrastructure to allow recreational activities on site and that there is strategic green infrastructure in settlements to support residents.
54. Core Strategy Policy CS13 and JDM Policy DM42 also has a requirement for new residential development to provide for suitable open space, and ordinarily on major development this is provided on-site, or as a financial contribution in lieu of this towards enhanced or new provision elsewhere.
55. The ecological information submitted with the planning application does not consider the potential for recreational impacts upon the SPA arising from the occupation of the proposed development. The application proposals, if left unmitigated, would in combination with the likely increase recreational pressure upon the Breckland Special Protection area and add to existing detrimental effects upon the species of interest (the woodland component of the Special Protection Area in particular).
56. Factoring in the policy required open space and the requirement for consideration of the cumulative impact on the SPA, discussions have taken place with the applicant with a view to providing mitigation in the form of enhancements to the existing recreational open space located just to the east of Pembroke Close and to the north of Emmanuel Close and Downing Close. Improvements to the existing play area, footpaths and signage will help to encourage the use of this area for general recreation and dog walking, and reducing the future pressure on the use of areas within the SPA.
57. Subject to a planning obligation to secure the above mitigation, and following an appropriate assessment in accordance with the Habitat Regulations having been undertaken concluding that there would be no significant impact on the SPA, the proposal accords with Joint Development Management Policies DM10 and DM13. (Note:- The in-combination impacts will reduce where applications are refused, therefore the financial contribution towards providing the above mitigation will be calculated having regard to the number of applications approved.)
58. The proposal does require the removal of 4 street trees. Whilst this level of tree removal is not in itself significant, when other tree removal is taken into account for the proposed development of 41 dwellings, the proposals would result in a number of trees of public amenity value in an area that otherwise

has poor canopy cover. No replacement street planting is proposed, and therefore this must weight against the scheme.

Planning Obligations

59. Following the order of the Court of Appeal dated 13 May 2016, which gave legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014; there are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. In this case, contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floor space of no more than 1000sqm. In this case the total floor space being created across all 8 plots is less than 1000sqm. Therefore on this occasion, there is no policy requirement for developer obligations, including the requirement for affordable housing (Policy CS9).
60. However notwithstanding this, the developer has indicated that all dwellings will be provided as affordable dwellings, and they have agreed to sign up to a Unilateral Undertaking/Section 106 to ensure this. Although the Officers are supportive of this approach, and indeed it accords with the request of the Council's Housing Strategy Officer, the provision of affordable housing is not required by policy and cannot be a material consideration in the determination of this planning application. However, the contribution towards general housing supply is a material consideration that members can give weight to in the planning balance.

Other matters:

61. Noise – The Council has, through a memorandum of understanding, agreed with the MOD that that a "brief acoustic design statement" should be submitted with the planning application and that it should demonstrate that the building envelope sound insulation of the proposed dwellings meets the following condition:
- "The acoustic insulation of the dwelling units within the proposed development shall be such to ensure noise levels with windows closed do not exceed an LAeq(16hrs) of 35dB(A) within bedrooms and living rooms between 07:00 and 23:00hrs and an LAeq(8hrs) of 30dB(A) within bedrooms and living rooms between 23:00 and 07:00hrs."*
62. Officers are satisfied that the above condition ensures that an acceptable internal noise levels can be achieved, negating the need for a further noise assessment at this stage. With respect to external noise levels in gardens, the Council's memorandum of understanding agrees that an informative be attached to any permission stating that *"The developer and future occupiers of the dwellings approved by this planning permission are informed that they will from time to time see and hear military aircraft operating from RAF Lakenheath & RAF Mildenhall when constructing and occupying their properties."*
63. Subject to the above condition a satisfactory level of residential amenity can be achieved in accordance with Joint Development Management Policy DM2 in this regard.

64. Energy efficiency – JDM Policy DM7 states that

"All proposals for new development including the re-use or conversion of existing buildings will be expected to adhere to broad principles of sustainable design and construction and optimise energy efficiency through the use of design, layout, orientation, materials, insulation and construction techniques...In particular, proposals for new residential development will be required to demonstrate that appropriated water efficiency measures will be employed... All new developments will be expected to include details in the Design and Access statement (or separate energy statement) of how it is proposed that the site will meet the energy standards set out within national Building Regulations. In particular, any areas in which the proposed energy strategy might conflict with other requirements set out in this Plan should be identified and proposals for resolving this conflict outlined."

65. The applicant intends to consider sustainability measures through their design approach. The submitted Design & Access Statements describe that the applicant proposes modular, off-site construction in "selected" materials, to be installed using "modern construction methods" in a "sustainable way". The applicant states within their Design & Access statement that they are seeking to "reduce energy consumption". However, no further details have been submitted to substantiate this, and in order to demonstrate compliance with Policy DM7 then the applicant's sustainability strategy should be suitably specified, perhaps in an accompanying Energy Statement, which may then be secured by appropriate conditions. Likewise, there are currently insufficient details in order to ascertain whether or not the approach proposed meets the energy standards set out in national Building Regulations, (in accordance with Policy DM7 requirements).
66. Although the above lack of evidence of energy efficiency is not in itself a reason to refuse the development, the Council has an ambition to encourage the aspirations for energy efficiency levels in buildings as well as the uptake of renewable energy technologies, especially renewable heat and district heating. It is taking an active approach to encourage rather than regulate and may be able to provide technical and financial support, and is available to discuss options with the applicant to see how/if the Council may be able to support a wider aspiration for renewable energy in these buildings or in the local area.
67. In respect of water efficiency, all new residential development should demonstrate a water consumption level of no more than 100 litres per day (including external water use). This is reflective of Part G2 of the Building Regulations. Accordingly, a condition shall be applied to the planning permission to ensure that the above water consumption level is achieved.

Conclusion:

68. The proposed dwellings are within the settlement boundary where the principle of residential is acceptable.
69. Based on a worst case scenario, and having regard to the submitted parking surveys and analysis of the existing parking situation, the application has demonstrated that the development can provide for sufficient off-street parking to ensure that there would be no detrimental impact on the highway

network. The application accords with Joint Development Management Policies DM2, DM22 and DM46 in this regard.

70. The proposal would not have a significant harmful impact on the amenity of neighbouring dwellings and accords with the relevant requirements of Joint Development Management (JDM) Policies DM2 and DM22.
71. Overall the development would have a positive contribution to the street scene and the design attributes of the scheme accords with the requirements of Joint Development Management DM2 and DM22 and the NPPF in this regard. However, the loss of trees without replacement means that the proposal performs poorly when assessed against criterion (g) of Policy DM2.
72. Subject to appropriate conditions, the scheme can be made to accord with Joint Development Management Policies DM2 and DM7 with respect to noise and energy efficiency. Furthermore, subject to a S106 legal agreement to secure mitigation for potential off-site impacts on the SPA, the application accords with Joint Development Management Policies DM10 and DM13.
73. It is acknowledged that the proposal would provide for benefits in terms of the contribution towards housing supply, potential for job creation during the construction phase and enhanced local expenditure. These benefits outweigh the harm caused by the loss of trees referred to above.
74. The application accords with the development plan in all other regards, represents sustainable development and can be approved.

Recommendation:

75. It is recommended that planning permission be **APPROVED** subject to the following conditions and a S106 legal agreement to secure contributions towards mitigation to take the form of enhancements to the existing recreational open space located just to the east of Pembroke Close and to the north of Emmanuel Close and Downing Close:
 1. 3 year time limit for implementation
 2. Approved plans
 3. Materials (samples to be provided)
 4. Boundary treatments
 5. Land contamination site investigation
 6. Construction Method Statement – pre-commencement
 7. Hours of construction
 8. Acoustic insulation - noise levels with windows closed do not exceed an LAeq(16hrs) of 35dB(A) within bedrooms and living rooms between 07:00 and 23:00hrs and an LAeq(8hrs) of 30dB(A) within bedrooms and living rooms between 23:00 and 07:00hrs.
 9. Compliance with above (condition 8) pre-occupation
 10. Landscaping (tree planting)
 11. Details of access – pre-commencement
 12. Details of estate roads TBA
 13. No occupation until roads constructed to base level
 14. Parking/manoeuvring to be provided pre-occupation
 15. PD removed for new openings/windows – plots 1, 2 & 5, plot 3 north elevation, south elevation, plot 6 west elevation

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online <DC/17/2587/FUL>