

Development Control Committee 6 November 2019

Planning Application DC/19/0505/FUL – Garage Areas, Pembroke Close, Mildenhall

Date Registered:	20.03.2019	Expiry Date:	15.05.2019
Case Officer:	Gary Hancox	Recommendation:	Approve Application
Parish:	Mildenhall	Ward:	Mildenhall Great Heath
Proposal:	Planning Application - 6no. dwellings and 45no. parking spaces (following demolition of 60no. garages)		
Site:	Garage Areas, Pembroke Close, Mildenhall		
Applicant:	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 four applications across four sites totalling 28 dwellings raising issues of significant concern to local residents.

Mildenhall High Town Council objects to the proposal and the application is recommended for APPROVAL.

In August 2018 a previous scheme for 8 dwellings on the same site was refused by Members of the then Forest Heath District Council Development Control Committee.

1. This application is one of four similar applications submitted concurrently by Flagship Housing Group for the development of 28 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 have commented 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 0.8 hectares.

Proposal:

3. As amended, this application proposes 6 new dwellings and 45no. parking spaces (following demolition of 60no. garages) across 4 closely related sites. The dwellings comprise 1 x one bed bungalow, 1 x 4 bed dwelling, and 4 x one bed maisonettes.

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
- Planning, Design and Access statement
- Shadow analysis

Site Details:

5. Pembroke Close is located off Scott Avenue and to the east of the A1101 and to the south of Great Heath Primary School. The area comprises ex-local authority 2 storey terrace houses. The application covers 4 small sites containing a total of 60 single storey brick built lock-up garages. All the sites are surrounded by existing development.

Planning History:

Reference	Proposal	Status	Decision Date
DC/17/2589/FUL	Planning Application - 8no. dwellings and 37no. parking spaces (following demolition of 60no. garages)	Application Refused	09.08.2018

Consultations:

6. Environment Agency – No objection.
7. MOD (Noise) - In the absence of sufficiently comprehensive monitoring data it is recommended that as the site sits within the 66dB LAeq (16hr) contour then this is a level of noise that should be mitigated against. If West Suffolk is minded to approve the application a condition should be applied to secure mitigation measures to achieve daytime noise levels of 35dB LAeq (16hrs) within living rooms between 0700 and 2300 hours, and night-time levels of 30dB LAeq (8 hrs) within bedrooms between 2300 and 0700 hours.
8. Environment Team – No objection. Recommend provision of electric vehicle charging points.
9. Public Health and Housing – No objection, however raise some concern with potential noise from the sub-station.
10. Strategic Housing - The Strategic Housing Team supports the above application for the redevelopment of the garage site at Pembroke 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. Flagship have also taken on board the Strategic Housing Teams initial comments regarding to the distribution of car parking. The revised plans provide sufficient car parking spaces for the new dwellings within the curtilage of the development as well as providing additional car parking for the residents of Pembroke Close.
11. SCC Highways – No objection, subject to conditions.

Representations:

12. Councillor Richard Alecock - Acknowledges many of the concerns raised by the residents who have made neighbour responses living within the vicinity, he has also made reference to the issues with current resident parking in the historic core of the closes within the Great Heath Ward which have become

increasingly saturated. He is also aware of the poor state of the existing Garage Blocks.

- The design and layout of the residential properties, particularly with regard to the clustering and density of housing and parking.
- The proximity, height and colour (not in with the existing street scene) of the proposed residential properties across all closes and the impact this would have on the residential amenity to existing residents including back gardens.
- The single entry/exit road layout and the lack of designated visitor parking. A loss to pedestrian right of way access.
- A lack of information on how Hazardous asbestos from the existing garage roofs will be removed safely to those living within the vicinity.

13. Mildenhall High Town Council – Object. Members noted that their previous comments had not been addressed so their objection still stands

- 1) Over development of the area
- 2) 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
- 3) Access for Emergency vehicles will still be limited
- 4) No allowance for the elderly to park near to where they live
- 5) No allowance for extra wide parking bays for disabled with wheelchairs or parents with prams
- 6) Out of character with the current street scene.

14. Local residents - 314 letters of objection received from residents in Pembroke Close, Downing Close, Emmanuel Close and Newnham Close.

- Parking issues made worse by this development
- Concerned about potential restriction of emergency access to the closes
- Overcrowding of existing community
- Rights of way are being ignored
- Safety concerns around the removal of asbestos roofing
- Disruption during construction
- Impact on the physical and psychological health implications for vulnerable residents in and around the proposed building plots
- Buildings not in keeping with the street scene
- Impact on existing utilities
- Security issues for more cars parked in the open. Increase in insurance premiums.
- Overshadowing and overlooking concerns (no. 49 Pembroke Close)

15. (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:

16. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were dissolved and became a single Authority, West Suffolk Council. The development plans for the original local planning authorities were carried forward to the new Council by Regulation. The Development Plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies document (which had been adopted by both Councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application/appeal with reference to policies set out in the plans produced by the now dissolved Forest Heath District Council.
17. 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:

National Planning Policy Framework (2019)

18. The NPPF was revised in February 2019 and is a material consideration in decision making from the day of its publication. Paragraph 213 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the

policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2019 NPPF that full weight can be attached to them in the decision making process.

Site Allocations Local Plan (Adopted September 2019):

19. The Proposed Submission Single Issue Review (SIR) and Site Allocations Local Plan (SALP) (Regulation 19 consultation) were adopted by the Council on the 19th September 2019.
20. The SALP sets out the council's development sites across the former Forest Heath district up to 2031. The SALP includes a Policies Map which defines the proposed settlement boundaries, sites and other policy constraints. Now adopted and where relevant, full weight can be attached to this plan.
21. The development plan documents, together with current national planning policy, are material considerations to be taken into account when accessing the above application.
22. The latest West Suffolk Council assessment of a five year supply of housing land was published in Sept 2019. This shows the Council has a five year supply of housing (6.2 years) including a 5% buffer, 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

23. 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.
24. Joint Affordable Housing Supplementary Planning Document 2013 – this provides further guidance on how to deal with the provision of Affordable Housing.

Officer Comment:

25. 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

26. 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.

27. 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

28. The application proposes to demolish the existing 60 no. lock-up garages across 4 sites within Pembroke Close, as well as the removal of associated off-street parking spaces. A total of 6 dwellings are proposed to be built in their place. A total of 45 off-street parking spaces are proposed. The applicant has provided information to show that of the 60 existing garages 29 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 29 rented garages are occupied by a motor vehicle. Effectively therefore, the 29 rented garages are treated as existing parking spaces. Existing on-site 'open air' parking (demarked bays) also count towards any lost parking.
29. 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 in 2018, that all the sites being put forward by Flagship for redevelopment are in areas that have levels of on-street parking that are either at capacity or close to capacity. The comments of local residents have been taken into account by Officers and clearly 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. 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.
30. The above methodology and approach to considering the existing and proposed parking arrangements has been used consistently across all four application sites.
31. In this case having regard to the SGP, a proposal of 6 dwellings (4 x 1 bed, 1 x 4 bed and 1 x 2 bed) would require 11 parking spaces. This includes a requirement for 2 visitor spaces. Taken together with the requirement to replace the 29 existing parking (garage) spaces, SCC Highways effectively request a total of 40 parking spaces to be provided (32+11). A total of 45

parking spaces are being provided within the new development. This leaves an overprovision of 5 parking spaces.

32. SCC Highways 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. Taking this into account, the applicant's amended scheme now provides for an over provision of 5 parking spaces and is not reliant on on-street parking. No objection has been received from SCC Highways, and Officers consider that SCC requirements have been met.
33. The amended scheme provides for adequate levels of parking provision in accordance with the SGP and in this regard the application accords with the requirements of Joint Development Management Policies DM2, DM22 and DM46.

Design and layout

34. Existing development in Pembroke Close is characterised by small two-storey terrace houses on small plots interspersed by small garage courts. 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 buff brick some of which are half timber clad, with grey roofs. The garage blocks are single storey with flat roofs, again utilising buff 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. (e.g. adjacent plot 8 to the west of no. 46 Pembroke Close)
35. 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.
36. Dwellings and parking spaces are proposed on 4 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. 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. Where possible dwellings have been designed to address the street, particularly at the southern most site which is highly visible on entering the Close. Each site also includes unallocated parking areas to serve both the new dwellings and to replace the original rented garages. The existing garages to the north of numbers 11 and 12 Pembroke Close will be replaced with surface car parking.

37. Plots 1 to 4 comprise two pairs of semi-detached maisonettes that are designed to have a dual aspect with a gable and front elevation addressing the street. Garden sizes are sacrificed to allow for provision of off-street parking, however all properties have some garden amenity space.
38. Plot 5 (formerly plots 5&6) now proposes a single two-storey dwelling positioned further to the east to reduce the impact on the amenity of no. 50 Pembroke Close. Ridge heights and eaves levels are similar to surrounding development in the area resulting in dwelling of proportionate scale and form.
39. Taking into account the above, the proposal accords with the relevant requirements of Joint Development Management (JDM) Policies DM2 and DM22 with respect to design and layout.

Residential amenity

40. Direct impacts on existing residential amenity have been considered as follows:
 - Plots 1 to 4 – These properties are gable end onto the neighbours nos. 71 to 77 and separation distances of 12.5 metres have been achieved. This is considered to be on the cusp of what is acceptable.
 - Plot 5 is a small two-storey house and is set back from the side and rear elevation of no. 50. The applicants have submitted a shadow analysis that indicates that the impact in this respect will be minor and limited to early mornings around 9am. Amenity impact in this respect is not considered significant. Although this dwelling extends past the rear building line of no.50 Pembroke Close, it is felt there is still sufficient outlook and separation distance between the dwellings to ensure that the impact on amenity in terms of overbearing is not significant. No habitable windows are proposed in the gable elevation of the dwelling and therefore there will be no direct overlooking created.
 - Plot 6 – This single storey dwelling replaces existing single storey garages and there is no direct overlooking or loss of privacy from the development of this plot.
41. Taking into account the above, the proposal accords with the relevant requirements of Policies DM2 and DM22 with respect to the impact on neighbouring amenity.

Ecology and open space

42. As required by 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 the Breckland 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).

43. Policy DM12 requires all new development where it is demonstrated that it will contribute towards recreational disturbance and visitor pressure within the Breckland 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.
44. 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 four 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 the Breckland SPA and Breckland Forest Site of Special Scientific Interest (SSSI), needs careful consideration.
45. 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 28 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.
46. Core Strategy Policy CS13 and 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.
47. 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).
48. 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.
49. 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 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.)

50. The proposal does require the removal of 7 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 28 dwellings, the proposals would result in a number of trees of public amenity value in an area that otherwise has poor canopy cover. However, 4 new street trees will be planted as well as several garden trees, and this goes some way to mitigating for on-site impacts.

Planning Obligations

51. Paragraph 63 of the NPPF 2019 states that provision of affordable housing should not be sought for residential developments that are not major developments. (Major development being defined as where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more.) Therefore on this occasion, there is no policy requirement for developer obligations, including the requirement for affordable housing (Policy CS9).
52. 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 can not 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

53. Noise – Roughly half of the plots proposed under this application fall within the 66db noise contour for RAF Mildenhall. The remaining application sites and proposed plots are not affected. Within this noise contour it should be demonstrated that new dwellings can achieve acceptable internal noise levels with doors and windows closed. The MOD (DIO) have assessed the proposal and comment that the development falls within an area which would normally be expected to present a medium risk of adverse noise effects (without mitigation). In the absence of a comprehensive noise report accompanying any application in this area, the presumption would be to object to the application on grounds of adverse noise effects from nearby RAF Lakenheath and Mildenhall. It is recommended that the developer should submit a suitably comprehensive noise assessment.
54. 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.”

55. Although it is acknowledged that no recent noise survey data exists for Pembroke Close that takes into account the more recent operation of the CV-22 Osprey aircraft from RAF Mildenhall, 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.”

56. Subject to the above condition a satisfactory level of residential amenity can be achieved in accordance with DM2 in this regard.

57. 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.”

58. 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).

59. Although the above lack of evidence of energy efficiency is not it 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.

60. 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.
61. Air quality – It is noted that the Environment Team have requested electric vehicle charging points (EVCP's) in line with the NPPF where paragraph 105 states that '*local parking standards for residential and non-residential development, policies should take into account... e) the need to ensure an adequate provision of spaces for charging plug-in and other ultralow emission vehicles.*' Paragraph 110 of the NPPF also states that '*applications for development should... be designed to enable charging of plug-in and other ultralow emission vehicles in safe, accessible and convenient locations.*'
62. However, in this case given the limited space with the individual garage sites, planning obligations and having regard to the financial constraints of providing affordable housing on existing developed sites, the applicants have been unable to offer EVCP's. This counts against the scheme.
63. Electrical sub-station – The comments from Public Health and Housing regarding the sub-station adjacent plot 5 and potential noise disturbance are noted. The separation distance from the dwelling to this sub-station would be approx. 7 metres, and therefore noise from the sub-station needs to be considered. A noise assessment has been undertaken by the applicant, and this concluded that provided that the noise mitigation measures required for aircraft noise (see par. 54 above) are implemented, then any noise from the sub-station would be well below the threshold of human hearing. This of course is reliant on the station being maintained correctly into the future. UK Power Networks have confirmed that the present condition of the sub-station is good. Further mitigation in the form of acoustic fencing to the rear boundary adjoining the sub-station has also been proposed by the applicant. This mitigation is acceptable to Public Health and Housing.

Conclusion:

64. The proposed dwellings are within the settlement boundary where the principle of residential is acceptable.
65. 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.
66. The proposal would not have a significant harmful impact on the amenity of neighbouring dwellings and accords with the relevant requirements of Policies DM2 and DM22.

67. Overall the development would have a positive contribution to the street scene and the design attributes of the scheme accords with the requirements of policies DM2 and DM22 and the NPPF in this regard.
68. Subject to appropriate conditions, the scheme can be made to accord with 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 Policies DM10 and DM13.
69. The benefits of the development, including the provision of much needed affordable housing, the improvement of run-down garage site areas, outweighs any identified harm.
70. The application accords with the development plan in all other regards, represents sustainable development and can be approved.

Recommendation:

71. 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. Landscaping (tree planting)
10. Bin storage/recycling
11. Details of estate roads TBA
12. Highway drainage
13. Construction and Deliveries Management Plan
14. Details of car parking bays to be submitted and agreed prior to occupation
15. Parking/manoeuvring to be provided pre-occupation
16. PD removed for new openings plot 5 (north, east and west elevations), and plots 1, 2, 3 & 4 (east, south and west elevations)

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/19/0505/FUL](https://www.dorsetcouncil.gov.uk/DC/19/0505/FUL)