

Forest Heath District Council

**DEVELOPMENT
CONTROL
COMMITTEE**

9 APRIL 2014

DEV14/109

**Report of the Head of Planning and Regulatory
Services**

**PLANNING APPLICATION F/2013/0314/OUT - TUDDENHAM VC PRIMARY
SCHOOL, HIGH STREET, TUDDENHAM**

Synopsis:

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

Recommendation:

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

CONTACT OFFICER

Christine Flittner (Case Officer)

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Committee Report

Parish: Tuddenham **Committee Date:** 9 April 2014
App. No: F/2013/0314/OUT **Date Registered:** 6 August 2013
Expiry Date: 24 September 2013
Proposal: Resubmission of F/2012/0403/OUT – Erection of 6 dwellings, new reinforced grass recreation/overflow parking area and village hall (including new access to existing community facilities)
Site: Tuddenham VC Primary School, High Street, Tuddenham
Applicant: Mr Simon Pott
Case Officer: Christine Flittner

Background:

This application is referred to the Development Control Committee following consideration by the Delegation Panel due to the significance of the scheme in terms of community facilities.

No objections have been received from consultees or the Parish Council, however some residents have commented or objected to the proposal. The application is recommended for APPROVAL.

Application Details:

1. The application is in outline form and seeks planning permission for 6 dwellings, a new reinforced grass recreation/overflow parking area and village hall to include new access to the existing community facilities. The means of access and layout form part of the application.
2. The submitted plans show access to the development in the form of a 'T' junction onto the High Street and the layout shows six dwellings, two fronting the High Street on either side of the new access point and four fronting the proposed access road further into the site. This road leads to a site for the new village hall and a new parking area capable of accommodating an additional 27 cars. The parking area will be laid with reinforced grass so the area can also be used for recreational purposes. There are an additional 4 disabled parking spaces. 1 dwelling will be an affordable unit.

Amendments

3. Technical details relating to the access and visibility splays have been addressed through the submission of amended plans at the request of the Highway Authority. These plans were received on 12 March 2014.

Site Details:

4. The application site sits centrally in the village of Tuddenham to the south of The Green and within the settlement boundary.
5. The site was formerly Tuddenham Primary School which has now been relocated as a new primary school in Red Lodge, so has been vacant for some time. There is a lay-by at the front of the site with the main building behind. There are temporary classrooms to the rear as well as an area of open/play space. There are trees on the site, principally along the south eastern boundary. The site has residential development to the North West and South East of the site. To the North East is the existing pavilion building and playing fields. On the opposite side of the road are further residential properties and the village hall.

Application Supporting Material:

6. Information submitted with the application as follows:
 - Application form and plans
 - Contamination Report
 - Tree Survey
 - Planning, Design and Access Statement

Planning History:

7. A number of County Applications have been submitted relating to development concerning the school.
8. An outline application for the erection of 6 dwellings, new reinforced grass recreation/overflow parking area and village hall was submitted in July 2012 and subsequently withdrawn in October 2012 (F/2012/0403/OUT).

Consultations:

9. Sport England: No objection.
10. Natural England: The LPA need to be satisfied that there is no adverse effect on the Breckland SPA.
11. West Suffolk Housing Officer: The provision on the site of a 2 bed affordable unit is acceptable. A commuted sum for the 0.8 requirement should also be based on a 2 bed unit.
12. West Suffolk Ecology and Landscape Officer: Development is within a block of existing housing and will not substantially increase the amount of built development facing the SPA. Recommend that landscape and biodiversity enhancements are addressed by submission of a soft landscaping scheme and this be requested by a condition.

13. West Suffolk Environmental Services: No comment subject to conditions.
14. SCC Archaeological Service: No objection subject to conditions.
15. Anglian Water: No objection.
16. SCC Highways: No objection to the amended plans subject to conditions. The amended plans overcome concerns expressed relating to visibility.

Representations:

17. Tuddenham Parish Council: Tuddenham St Mary Parish Council has considered the re-submitted application and has no objection to the development provided that public access is retained through the middle of the site from the High Street to the community area at the rear, as shown on the plan.
18. 4 letters/emails have been received raising the following concerns/comments:
 - Proper screening required along the boundary with 4 Bakers Way
 - Too many houses making a cramped development
 - Tuddenham designated as 'unsustainable' development which means small infill only, not a development of the size proposed
 - Loss of lay-by at the front of the site will exacerbate on street parking and vehicle congestion using the High Street, so pedestrian access to the church/High Street should be considered through Barkers Way
 - Existing sewerage system can't cope, so this development will only add to the issues
 - What will happen to the village hall?
 - There will be conflict between the children and vehicles parking on the new dual purpose area
 - Existing school should be utilised for early intake as existing schools are over subscribed

Policies:

Development Plan

19. Forest Heath Core Strategy (2010)
 - Policy CS1 Spatial Strategy
 - Policy CS2 Natural Environment
 - Policy CS5 Design Quality and Local Distinctiveness
 - Policy CS9 Affordable Housing Provision
 - Policy CS13 Infrastructure and Developer Contributions

Forest Heath Local Plan (1995)

- Policy 4.14 and 4.15 - Windfall Sites

Other Planning Policy

20. National Planning Policy Framework (2012)

Officer Comment:

21. The starting point for the consideration of this application is the development plan. The site falls within the settlement boundary of Tuddenham which is designated as a secondary village within the settlement hierarchy as set out in Core Strategy policy CS1. Secondary villages will only provide nominal housing growth. Saved FHLP policy 4.15 considers new housing development to take the form of infill or small groups, subject to satisfying the criteria set out in policy 4.14. Criterion A is met as the site is within the settlement boundary of the village. The following sections set out the consideration of this proposal under the remaining criteria.
22. **Loss of viable employment site/open space or important community use** - it could be argued that the loss of the school site has resulted in the loss of each of these elements. However, Suffolk County Council made the decision to relocate education provision to Red Lodge to provide this service in a more effective way. Sport England has raised no objection in relation to the loss of the playing field within the site as replacement provision is made at Red Lodge school. The village hall and related parking proposals will also compliment and enhance the existing recreational facilities available adjacent to the site. The proposal does not just provide residential development. On this basis a reason to refuse the application could not be justified.
23. **Residential and visual amenity** - the site has been laid out to minimise the impact on adjoining residential properties. The location and orientation of each plot is considered to relate appropriately to adjoining properties. A reserved matters application will further consider these relationships with details of the internal layout of each dwelling and the location of windows etc. Conditions can be imposed to control the use of the village hall to ensure minimal impact on the amenity of the immediate neighbours.
24. **Impact on nature conservation interests** - the site is adjacent to the Breckland Farmland SSSI which is a component part of the Breckland Special Protection Area (SPA). Core Strategy Policy CS2 requires all applications for new development within 1500m of the SPA to have a Habitat Regulations Assessment (HRA). Any proposals which are likely to lead to an adverse effect on the integrity of the SPA will not be permitted. The Council's Ecology and Landscape Officer does not object to the proposals. The development is within a block of existing housing and will not substantially increase the amount of built development facing the SPA. The recommendation is that landscape and biodiversity enhancements are addressed by the submission of a soft landscaping scheme which can be requested by condition.
25. **Layout respects the existing pattern and character of development in the locality** - there are many examples in Tuddenham of small clusters of dwellings accessed off the High Street - the adjacent Bakers Way development of 5 dwellings being one example. The proposals are not considered to be overdevelopment of the site. Adequate access, parking and amenity space can be provided for each plot. The layout of the proposed development is therefore considered acceptable. The Highway Authority comments indicate that the proposal is acceptable subject to conditions requiring the provision of visibility splays, parking and manoeuvring areas, details of estate roads and footpaths and construction to at least base course level prior to occupation.

26. As this is a partly residential scheme on a site of more than 0.33 hectares, Core Strategy Policy C9 requires 30% affordable housing provision which equates to 1.8 dwellings. A 2 bed affordable unit is proposed on the site and the 0.8 (calculated on the basis of a further 2 bed unit) will be calculated as a commuted sum and secured through a S106 agreement. The Housing Officer has raised no objection to the proposal on this basis. The S106 agreement will secure the sum of £5,026.00 for affordable housing and £34,875.00 towards public open space as required
27. The proposal contains a new village hall to replace the existing village hall which is in a poor state of repair. It will compliment the sports pavilion and other recreational facilities provided. The reserved matters application will provide more detailed proposals. Conditions are recommended to control the use of the village hall and ensure minimal impact on adjoining residential properties (see para 30).
28. In response to the concerns raised by residents not already addressed above, the following comments are offered:
- Proper screening required along the boundary with 4 Bakers Way - this can be secured through boundary treatment condition.
 - Loss of lay-by at the front of the site will exacerbate on street parking and vehicle congestion using the High Street so pedestrian access to the church/High Street should be considered through Bakers Way - this is not possible due to the proposed layout and the lay-by provides an opportunistic, informal parking area which the LPA cannot insist on its retention. There is increased parking for the village provided within the scheme to the rear of the site.
 - Existing sewerage system can't cope, so this development will only add to the issues - Anglian Water has commented on the proposals and raises no objections. They state that there is sufficient capacity to deal with waste water treatment and foul sewerage.
 - What will happen to the existing village hall? - this will for the owners to decide and does not form part of the application being considered.
 - There will conflict between children and vehicles parking on the new dual purpose area - a condition can be imposed to agree details of how the new parking area will be managed as a dual use.
 - Existing school should be utilised for early intake as existing schools are over subscribed - this falls outside the control of the District Council. The County Council has decided they do not need the site.

Conclusion:

29. The NPPF seeks to promote growth and given the location of the site within the village, the proposed residential and community use scheme is considered acceptable and satisfies local and national policies. Accordingly the application is recommended for approval subject to the conditions set out below and the completion of a S106 agreement which are necessary to make the development acceptable in planning terms and secure the necessary contributions relating to affordable housing and public open space.

Recommendation:

30. **APPROVE**, subject to the following conditions:

1. Outline time limit
2. Submission of reserved matters
3. Compliance
4. Restrict Construction Times
5. Dust Mitigation
6. Acoustic insulation of new dwellings
7. Acoustic insulation of village hall
8. Restriction on times of amplified music (not after 11pm)
9. Details of external lighting
10. Details of boundary treatment to be agreed
11. Hard and soft landscaping to be agreed
12. Landscaping implementation
13. Tree protection
14. Archaeological Investigation
15. Completion of site investigation and post investigation assessment
16. Management strategy for dual use parking area
17. Provision of visibility splays in accordance with submitted plans
18. Details of areas to be provided for maneuvering, parking and secure cycle storage to be submitted
19. Vehicular access to be laid out in accordance with submitted plans
20. Details of estate roads and footpaths
21. No occupation until roads and footways constructed to at least base course level

And the completion of a Planning Obligation which secures £34,875.00 towards public open space and £5,026.00 for affordable housing.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

<http://planning.stedmundsbury.gov.uk/online-applications/simpleSearchResults.do;jsessionid=71C2434A5EC4F787AC26D3501164DBA3?action=firstPage>

Alternatively, hard copies are also available to view at Planning, Planning and Regulatory Services, Forest Heath District Council, District Offices, College Heath Road, Mildenhall, Suffolk, IP28 7EY