



St Edmundsbury
BOROUGH COUNCIL

DEV/SE/16/52

Development Control Committee

4 August 2016

Planning Application DC/15/0662/VAR

Fornham Park, Fornham St Genevieve

Date	8 April 2015	Expiry Date:	8 July 2015
Registered:			(extended date)
Case Officer:	Sarah Drane	Recommendation:	Grant permission
Parish:	Fornham St. Martin cum St Genevieve	Ward:	Fornham

Proposal: Planning Application - (i) Change of use of land to 9 hole pay and play golf course with changing room facilities and associated landscaping; (ii) erection of 26 timber lodges, manager's lodge and associated landscaping; and (iii) non compliance with Condition 17 of planning permission E/89/2307/P and Condition 20 of planning permission E/97/2470/P, relating to retention of existing vehicular access without compliance with Condition 6 of SE/05/02293 to enable occupation of holiday lets without bringing the golf course into use.

Site: Fornham Park, Fornham St Genevieve

Applicant: Dream Lodge Group

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: Sarah Drane
Email: sarah.drane@westsuffolk.gov.uk

Telephone: 01638 719432

Background:

This application was deferred at the Committee's meeting on 7 July 2016 to enable further discussion and consideration in relation to:

- i. Whether a new road could be constructed between the site entrance and the lodges to avoid the long route around the perimeter;**
- ii. whether improvements to the safety of the proposed pedestrian/cycleway link can be made; and**
- iii. whether the proposed landscaping scheme is in character with the historic parkland.**

Proposal:

1. See Working Paper 1 attached
2. The amended landscaping scheme now includes a pedestrian/cycle link from the main access up to North Lodge Drive. This will be a permissive route.

Application Supporting Material:

3. See Working Paper 1

Site Details:

4. See Working Paper 1

Planning History:

5. See Working Paper 1

Consultations:

6. See Working Paper 1
7. The amended details of the scheme have gone out for re-consultation and a further update will be provided on any responses received, either BY Committee Update Report or verbally at the Committee's meeting.

Representations:

8. See Working Paper 1
9. Representations have been received from residents at 10 Parklands Green raising the following issues:

- This is continuing development by stealth
- Advertising boards already gone up on site
- No obligation to maintain landscaping
- Economic benefits will be very limited
- Detrimental to local community in relation to noise, light and traffic pollution

10. The amended details of the scheme have gone out to re-consultation and an update will be provided on any further responses received either through the update report or verbally at Committee.

Policy:

11. See Working Paper 1

Officer Comment:

12. See Working Papers 1 and 2

Whether a new road could be constructed between the site entrance and the lodges to avoid the long route around the perimeter:

13. A planning application has already been received for a new road within the site; DC/16/1500/FUL. A further update will be provided as to the status of this application. This would remove the need for visitors to the lodges to use the perimeter road which passes directly adjacent to the sewerage works. This application offers a new road that links the caravan park directly to the existing access drive to the south shortly after it leaves the B1106.

14. The new access road within the site would also benefit nearby residents on Parkland Green as there would be a greater separation between them and vehicular traffic accessing the lodges. The provision of a new access can be secured through the proposed condition 21.

15. The vehicular access from the lodges onto North Lodge Drive to the north of the lodges would remain, but this would be for emergency access only. Condition 18 enables this to be properly controlled.

16. It is also important to ensure any potential future delivery of the golf course is not prejudiced by the amendments or proposed conditions. Condition 8 as proposed in working paper 1 has therefore been amended to relate to the golf course.

Whether improvements to safety of the proposed pedestrian/cycleway link can be made:

17. An amended landscaping scheme has been submitted which shows a new footpath/cycleway. This will be a permissive route so accessible to all. The Landscape Specification has been updated to address protection within the

tree root protection area during construction as well as details of the construction and finish of the footpath.

18. The proposed footpath and cycle link was envisaged along South Lodge Drive and was approved as such under the 2005 permission without any enhancement. South Lodge Drive is not in the applicant's ownership nor is it a public highway. No commitment or guarantees can be given therefore to any proposed works being implemented and it cannot be controlled through this application. The verge adjacent to the roundabout and South Lodge Drive is wide and it is possible to cross the road onto a metalled pavement. For this reason the applicant's transport consultants consider that the route is reasonably safe. However, the applicant has stated that they are willing to work with the local community to explore the addition of appropriate warning signage on the approach to the roundabout from South Lodge Drive. This would potentially consist of 'Give Way' markings on the road and warning triangle signs of a roundabout ahead.
19. Suffolk County Council Highways have considered the proposals and are supportive of this approach in principle. They have no objection to the proposed cycle/pedestrian link now shown on the landscaping plan. They do note that in order to provide a safe crossing near the roundabout a footway on both sides with dropped kerbs and a central pedestrian refuge would be necessary. The addition of 'pedestrians crossing' warning signs may also be required. However, they agree that it would not be reasonable to require such improvements under this variation application.
20. The provision of a permissive pedestrian and cycle link through the site adjacent to the B1106 linking the access to the south with North Lodge Drive to the north is a clear benefit of the scheme. However, it is not possible to secure any improvements off South Lodge Drive to enable linkages with existing footpaths to nearby villages. Regardless, there are no grounds in this respect to refuse permission and the amended proposals are considered acceptable.

Whether the proposed landscaping scheme is in character with the historic parkland:

21. The agent has advised that they consider the landscape proposals to offer a pragmatic response to the comments provided by the Ecology Tree and Landscape Officer. Their aim is to restore the historic parkland that is characteristic of the Plateau Estate Farmlands Character Type. The planting proposals would not only restore the visual screening that the woodland on the application site would provide, but it would also offer, in time, a permanent improvement to the declining character of the parkland landscape which has diminished in value since the establishment of the Special Landscape Area (SLA) designation and wider Plateau Estate Farmlands. Officers consider that the proposed Landscape Plan not only provides suitable mitigation for the proposed development but also aims to permanently restore the previous wooded character of the parkland.
22. Research undertaken by the agent confirms that this was the previous character of the parkland. The agent comments further as follows:

'Historic land uses and management of the parkland landscape such as the gravel extraction, landfill sites and a concrete plant, has contributed to a decline of intrinsic sensitivity to development for the SLA and application site. The significant planting proposed in the Landscape Plan would enhance the existing woodland of the parkland and restore some of the wooded character that has been lost in recent decades. Furthermore, the proposals provide a vehicle for the protection of the parkland and SLA that is currently in decline through the provision of a management plan, and represent and reflect the character and appearance of the parkland and wider landscape.'

23. Officers do not therefore consider there to be any reason to change the proposed landscaping scheme and the proposals in this respect remain acceptable.

Additional information

24. In terms of the additional representations received, they raise no significant new issues to those already discussed within working paper 1.

Conclusion:

25. The assessment within Working Paper 1 of the material planning considerations and the matters discussed above still lead to an on-balance conclusion that this development should be supported, with the removal of Condition 6. The NPPF and Local Plan policies are generally supportive of rural tourist accommodation. Whilst it remains the case that there will be shorter term visual harm resulting from the development, which will be notable and which will continue until the new planting is established, this harm is not considered to be significant when assessed overall in the planning balance. Furthermore, any harm arising will gradually reduce over time as the landscaping matures and whilst this harm is respected as being notable it is not considered significant enough to warrant a refusal of this proposal, balancing all matters, and also respecting that there is an extant consent for an identical development. Any shorter term landscape harm arising is also considered to be outweighed by the very tangible economic benefits as well as the permissive pedestrian/cycle link now proposed. The site is otherwise in a suitable location sufficiently well related to defined settlements, so as not to conflict with the provisions of Policies DM5 or DM43.

26. The principle and detail of the development is therefore, on balance, considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

It is **RECOMMENDED** that planning permission be **granted** subject to the following conditions:

1. All planting comprised in the approved details of landscaping (drawing no. LP01 rev D, associated specification and management plan received on

18.7.16) shall be carried out in the first planting season following the commencement of the construction of the lodges (or within such extended period as may first be agreed in writing with the Local Planning Authority). All new and existing planting shall be managed in accordance with the Landscaping Proposals Specification and Management Plan dated July 2016. The landscaping details approved under SE/05/02293 covering the remainder of the site (ie. those areas not covered by the landscaping proposals approved by this application) shall also be implemented in full in the first planting season following the commencement of the construction of the lodges (or within such extended period as may first be agreed in writing with the Local Planning Authority).

Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

Reason: To enhance the appearance of the development and mitigate the visual impact.

2. No external artificial lighting shall be installed on the site until it has first been submitted to and approved in writing by the Local Planning Authority. Any lighting on the site should include measures to control the amount of artificial lighting used on the site and consider the specifications set out in the Bat Conservation Trust 'Bats and Lighting in the UK' 2008 guidelines as artificial lighting can affect the feeding behaviour of bats.

Reason: to safeguard the nocturnal character of the site and to mitigate impact on protected species which can be affected by artificial lighting.

3. The trees shown on the submitted landscaping scheme to be retained shall be adequately fenced as described below, (and the Local Planning Authority shall be advised in writing that the fencing has been erected) before any equipment, machinery or materials are brought onto the site for the purposes of development and shall continue to be so protected during the period of construction and until all equipment, machinery and surplus materials have been removed from the site.

The fencing shall be erected outside the outermost spread of the tree canopy and shall consist of robust wooden stakes connected by robust wooden cross members to a height of not less than 1.2 metres. Within the fenced area no work shall take place; no materials shall be stored; no oil or other chemicals shall be stored or disposed of; no concrete, mortar or plaster shall be mixed; no fires shall be started; no service trenches shall be dug; no soil shall be removed or ground level changed at any time, without the prior consent in writing of the Local Planning Authority.

Where lodges are permitted within the root protection area of retained trees, all works shall be carried out in accordance with the submitted RPS Bat Activity Survey Report (ref: OXF8907 dated May 2016) and RPS Landscape Proposals Specification and Management Plan (ref: OXF8907 dated May 2016), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that existing trees on and adjacent to the site are

adequately protected during the period of construction.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no use of the land permitted by Schedule 2, Part 4 Class B to that Order shall take place within the site other than expressly authorised by this permission.

Reason: To ensure the appropriate use of the site.

5. The holiday lodges hereby permitted shall only be occupied for holiday use only and shall not be used for permanent residential accommodation. Each letting shall not exceed a period of three months and shall not be occupied by any one individual for a period exceeding three months within any twelve month period. The occupation of the managers' lodge shall be limited to a person, or persons, solely employed to manage the holiday lodges.

Reason: The site is in the countryside where new residential dwellings are not normally permitted.

6. The holiday lodges shall be laid out and constructed in accordance with the detailed scheme already agreed in writing under condition 5 of SE/05/02293.

Reason: to ensure the development is implemented in accordance with the approved details.

7. All vehicular access to the holiday lodges shall be from the existing vehicular access from the B1106 road which served the former landfill operations within Fornham Park and which is identified on the Masterplan no. 935-01-27 Rev D approved under SE/05/02293.

Reason: In the interests of road safety.

8. Access to the golf course shall only be via the access road within the site incorporating the reinstated South Lodge Drive access, which shall be constructed prior to the first public use of the golf course. Thereafter, the access road so installed shall be retained.

Reason: To ensure that a satisfactory access is provided.

9. Prior to the development hereby permitted being first occupied, the vehicular access onto the B1106 shall be properly surfaced with a bound material for a minimum distance of 10 metres from the edge of the metalled carriageway.

Reason: To secure appropriate improvements to the vehicular access in the interests of highway safety.

10. The site preparation and construction works, including any deliveries to the site during this time, shall be carried out between the hours of 08:00 to 18:00 Mondays to Fridays and between the hours of 08:00 to 13:30 Saturdays and at no time on Sundays or Bank Holidays.

Reason: To protect the amenity of the area.

11. The areas for parking and manoeuvring of vehicles and cycles already agreed under condition 10 of SE/05/02293 shall be implemented in

accordance with the approved details prior to the holiday lodges being first occupied.

Reason: to ensure the development is implemented in accordance with the approved details.

12. The details of foul and surface water drainage already agreed under conditions 11 and 12 of SE/05/02293 shall be constructed and completed in accordance with the approved details.

Reason: to ensure the development is implemented in accordance with the approved details.

13. The provision of fire hydrants already agreed under condition 13 of SE/05/02293 shall be constructed and completed in accordance with the approved details prior to the occupation of any of the holiday lodges.

Reason: to ensure the development is implemented in accordance with the approved details and ensure satisfactory provision of fire fighting facilities.

14. In relation to landfill gas, the development shall be carried out in accordance with details already agreed under condition 15 of SE/05/02293.

Reason: In the interests of public safety and to ensure the development is implemented in accordance with the approved details.

15. All ecological measures and/or works shall be carried out in accordance with the details contained in section 4 of the Bat activity and bat emergence/re-entry survey, RPS May 2016 and section 4.13-4.16 of the Ecology desk study and phase 1 habitat survey, RPS June 2015.

Reason: to ensure delivery of the ecological mitigation and enhancements for the site.

16. No development on the lodges shall commence until the programme of archaeological works that relate to any land affected by the lodges and their associated infrastructure, as already agreed under condition 7 of SE/05/02293, have been implemented in accordance with the approved details. No development on any other part of the site shall commence until the programme of archaeological works that relate to the rest of the application site, and already agreed under condition 7 of SE/05/02293, have been implemented in accordance with the approved details.

Reason: To enable any remains of archaeological significance to be investigated and recorded.

17. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under condition 7 of SE/05/02293 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To enable any remains of archaeological significance to be

investigated and recorded.

18. Prior to any development in relation to the golf course to the west of North Lodge Drive, details of the measures to protect the Icehouse during the construction phase shall be submitted to and approved in writing by the Local Planning authority. The approved measures shall be implemented prior to commencement of construction of the golf course and changing room facilities.

Reason: To protect the special character and architectural interest and integrity of the building in accordance with the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

19. The boundary treatment details shall be completed prior to the occupation of the lodges, in accordance with details previously submitted and agreed under condition 16 of SE/05/02293.

Reason: to ensure the development is implemented in accordance with the approved details.

20. Upon the completion of the access road proposed under planning permission reference DC/16/1500/FUL, or any subsequent alternative access road as may be agreed in writing with the Local Planning Authority, access via North Lodge Drive to the holiday lodges pursuant to this application shall be for emergency use only. Details of how the access shall be controlled shall be submitted for approval in writing to the Local Planning Authority and implemented in accordance with the approved details prior to the occupation of the lodges.

Reason: To restrict traffic using North Lodge Drive where there is reduced visibility onto the B1106.

21. The holiday lodges hereby permitted shall not be occupied until details of a more direct access road linking the proposed lodges to the entrance to Fornham Park from the B1106 to the south have been submitted to and approved in writing by the Local Planning Authority. The access road shall be constructed in accordance with those approved details, prior to occupation of the lodges.

Reason: To ensure that a satisfactory access is provided.

Documents:

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

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NLS02MPDHE100>

- Working Paper 1 – Committee Report from 7 July 2016
- Working Paper 2 – related Update Report

Case Officer: Sarah Drane

Tel. No. 01638 719432