



St Edmundsbury
BOROUGH COUNCIL

DEV/SE/17/034

Development Control Committee 3 August 2017

Planning Application DC/16/1268/FUL – Land North of Fentons Farm, Stanningfield Road, Great Whelnetham

Date Registered:	20.06.2016	Expiry Date:	19.09.2016
Case Officer:	Gary Hancox	Recommendation:	Approve Application
Parish:	Great and Little Whelnetham	Ward:	Horringer and Whelnetham
Proposal:	Planning Application - 10no. dwellings with associated access, parking and landscaping - as amended by plans dated 28 April 2017		
Site:	Land North of Fentons Farm, Stanningfield Road, Great Whelnetham		
Applicant:	Strutt and Parker LLP - Mr Andy Butcher		

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:

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Background:

The application comes before the Development Control Committee as the views of the Parish Council are contrary to the Officer recommendation of APPROVAL.

Proposal:

1. This full application proposes a development of 10 two-storey dwellings, with associated parking, gardens and landscaping. Of the 10 dwellings, 4 are proposed as affordable dwellings. The proposals include 4 four-bed dwellings, 5 three-bed dwellings and 1 one-bed dwelling. Pedestrian access to the site will be provided via Hambrook Close, with individual access to properties fronting Stanningfield Road. The principal vehicular access will be achieved via Hambrook Close. Vehicular accesses will also be provided via Stanningfield Road to the four dwellings that front this highway.
2. The application has been amended having previously proposed a development of 12 dwellings on the site.

Site Details:

3. The application site is 0.37 hectare open piece of undeveloped land to the south of existing residential development at Hambrook Close and to the north of Fentons Farm. The land fronts onto Stanningfield Road and is opposite further residential development known as Tutelina Rise. The south of the site is bounded by an access track serving Fentons Farm and the Anglian Water sewage treatment plant. The site is an arable field and is relatively flat. The notable landscape features within the site are the semi-mature specimen trees and hedges adjacent to the northern and eastern boundaries.
4. The site is within the settlement boundary and outside the Conservation Area.

Planning History:

5. No relevant planning history.

Consultations:

6. Parish Council - Object
7. Reference is made to the Vision 2031 indicative figure of 10 homes being appropriate for the village. The addition of the Erskine Lodge development means that this has been exceeded by 300%. There is no need for further development at Fentons Farm. Whilst the PC finds the proposal for the design of the homes reasonable for the development, the development itself should not be undertaken in the immediate future but deferred for the longer term of 10 years or more in line with the 2031 policy.
8. SCC Highways – no objection, subject to appropriate conditions

9. SCC Flood and Water - No objection.
10. SCC Archaeology - No objection, subject to appropriate conditions.
11. Anglian Water - No objection.
12. Strategic Housing - supports the application in principle as it is understood that this scheme will deliver up to seven shared ownership dwellings on site. Request that the applicants enter into a Unilateral Undertaking with respect to nomination rights.
13. Natural England - No comments.
14. Public Health and Housing - No objection.
15. Conservation Officer - Whilst the loss of the open space is regrettable the proposed development is seen as a natural continuation of the development to the north and will not impinge on the important open countryside setting of the listed building to the west and south. I therefore have no objections to the proposed development.

Representations:

16. 6 letters of objection to the original proposals received from 4 individual properties:
 - No need for additional 12 dwellings
 - 12 dwellings too many for the site
 - Inadequate parking
 - Increase surface water run-off
 - Unsympathetic to the village
 - No justification for developing the site as development already allowed at allocated site RV20
 - Allocation RV20b indicates 10 dwellings, no justification for an additional 20%
 - Infrastructure of village cannot sustain the increase in population and vehicles
 - Development does not recognise and address key features and the character of the village (contrary to Policy DM2)
 - Design out of keeping
17. No responses received to the amended plans.

Policy:

18. The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy December 2010 have been taken into account in the consideration of this application:
19. Joint Development Management Policies Document:
 - Policy DM1 Presumption in Favour of Sustainable Development
 - Policy DM2 Creating Places – Development Principles and Local Distinctiveness

- Policy DM6 Flooding and Sustainable Drainage
- Policy DM7 Sustainable Design and Construction
- Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- Policy DM20 Archaeology
- Policy DM22 Residential Design
- Policy DM46 Parking Standards

20. St Edmundsbury Core Strategy December 2010

- Policy CS1 Spatial Strategy
- Policy CS2 Sustainable Development
- Policy CS3 Design and Local Distinctiveness
- Policy CS4 Settlement Hierarchy and Identity

21. Rural Vision 2031

- RV1 Presumption in favour of Sustainable Development
- RV20 residential allocation Great and Little Whelnetham

Other Planning Policy:

22. National Planning Policy Framework (2012) core principles and paragraphs 56 - 68

Officer Comment:

23. The issues for consideration in the determination of this application are:

- principle of development
- design and layout (impact on the character and appearance of the area)
- amenity
- highway safety.

24. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that development be considered in accordance with the development plan unless material considerations indicate otherwise. For the purposes of this application, the development plan is the St Edmundsbury Core Strategy, Rural Vision Document 2031, the Joint Development Management Policies Document 2015 and the Site Specific Allocations DPD. The starting point 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 reaffirmed the primacy of the Development Plan in Development Control decisions.

25. Material policy considerations in this case would be the National Planning Policy Framework (NPPF), National Planning Policy Guidance (NPPG).

26. At its heart the NPPF sets out a presumption in favour of sustainable development and the approval of development where it accords with the development plan, unless there are material considerations that indicate otherwise, or that specific policies in the Framework indicate development should be restricted.

Principle of Development

27. The application site is within the village of Great Whelnetham which is classified under Core Strategy Policy CS4 as a Local Service Centre. These are described as villages with some local services including a school. These villages can support limited development, which is encouraged. The site is located within settlement boundary of the village. Policy RV3 of the Rural Vision Document 2031 states that planning permission for new residential development will be permitted within Housing Settlement Boundaries where they are not contrary to other policies in the Plan. Furthermore, in this case the site has been allocated for residential development (indicatively 10 dwellings) under policy RV20b.
28. The comments of the Parish Council suggest that only 10 dwellings have been allocated for the village. However, Rural Vision 2031 Policy RV20(b) actually allocates two sites, Erskine Lodge (for a non-defined quantity) and 'land at Tutelina Rise' (Fenton's Farm), which indicatively suggested 10 dwellings on the site. It is correct to say that the allocation suggests a phased approach to delivery of the two allocations. For the application site, 'long term' was indicated (this being towards the end of the plan period). However, paragraph 9.32 of the Vision document states that that *'in some circumstances other considerations may justify permitting development of sites outside the phasing periods indicated.'* In this case there is an opportunity to deliver market housing contributing towards housing land supply, as well as much needed affordable housing. Planning permission has been granted at Erskine Lodge for 58 dwellings, with Phase 1 of the development (approx. 23 dwellings) having been commenced. An additional 10 dwellings at the Fentons Farm site would not give rise to any significant infrastructure issues, and therefore having regard to the NPPF's insistence on boosting the supply of housing, it is not considered appropriate to hold back development in this case.
29. The development of the site for 10 dwellings is considered acceptable in principle.

Design and Layout

30. The overall scale and form of the proposed dwellings are appropriate for the locality and is in-keeping with existing development surrounding the site. The layout also allows for landscaping and a connecting footpath to be located across the frontage of the site. The design and appearance of the individual dwellings is simple in terms of detailing and follows a traditional form and scale appropriate for its locality. The density of the development is low and reflective of its rural location allowing for sufficient separation distances between dwellings, garden areas, open space and parking to serve the needs of the development.
31. The current development proposal results in a perceived reduction in scale with a development of 10 no larger dwellings, providing an efficient and sustainable development that respects neighbouring amenity, whilst at the same time maximising the use of the site.

32. During negotiation with the applicant particular attention was given to the form and siting of the development resulting in frontages typical of the local area and respecting established building lines/frontages along Stanningfield Road and Hambrook Close, and the established landscaping.
33. The materials finishes together with the overall form, scale and structure of the proposed dwellings reflect qualities which are typical of Suffolk Architecture and that are appropriate for the context of the site.
34. The scale of the development is keeping with existing development and will not be prominent within the street scene. The proposal is therefore considered to accord with the Joint Development Management Policies DM2, DM22 and Rural Vision 2031 Policy RV20(b) in this regard.

Amenity

35. The proposed dwellings have been sited so as to minimise the impact on the residential amenity of existing dwellings to the north and south of the site. The siting of the dwellings broadly follows the existing building lines of Hambrook Close and those dwellings fronting Stanningfield Road. Appropriate separation distances have been maintained.
36. In terms of amenity space for the proposed dwellings, the reduction in the density of the development has resulted in large gardens serving individual dwellings, and appropriate window to window separation distances have been achieved. The proposal is considered to accord with Joint Development Management Policies DM2 and DM22 in this regard.

Highway safety

37. The amended scheme proposes an extension of Hambrook Close to serve six dwellings. The remaining four dwellings will be served directly from Stanningfield Road via a pair of newly created accesses. Adequate parking will be provided within the curtilage of all dwellings and this will minimise and need for on-street parking. The access driveways serving the dwellings fronting the site will be wide enough to allow two cars to pass, meaning that they can effectively be used as a temporary parking space – again further reducing any pressure for on-street parking by visitors to the site. The comments of local residents and the Parish Council have been taken into account and it is noted that concerns have been raised in respect of potential on-street parking as a result of the proposed development. However, for the above reasons, the level of parking and its proposed arrangement is considered acceptable.
38. Subject to appropriate conditions requiring the submission of construction and drainage details of the proposed highway crossings, the Local Highway Authority raises no objection to the scheme, which is considered to accord with Joint Development Management Policies DM2, DM22 and DM46 in this regard.

Other matters

39. Landscaping – It is considered that the requirements of Joint Development Management Policy DM12 have been satisfied in that the site currently has

a low ecological value, but the proposal will retain the existing hedgerow to the north of the site and provide appropriate landscaping which allows the development to integrate with the surrounding countryside and village environment. Furthermore a green frontage to Stanningfield Road will be created by introducing a hedge along the street boundary. The Council's Tree Officer also comments *that 'the proposed planting along the Western boundary of the site look to be well positioned and it is also a good choice and variety of native species. They all seem to be well spaced with a slight staggering. This should provide an adequate screen with a high amenity value once established.'*

40.Drainage – the site is not in a known area at risk of flooding, and subject to the submission of an appropriate drainage scheme for the site, no objection is raised by the SCC Flood and Water Management Team.

41.Planning Obligations - 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 10 plots is 997sqm. Therefore on this occasion, there is no policy requirement for developer obligations, including the requirement for affordable housing (Policy CS5).

42.However notwithstanding this, the developer has indicated that 4 dwellings will be provided as affordable dwellings, and they have agreed to sign up to a Unilateral Undertaking to enter into a nomination agreement. Although the Officers are supportive of this approach, and indeed it accords with the request of the Council's Housing Strategy Officer, it can not be a material consideration in the determination of this planning application.

Conclusion:

43.In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

44.It is recommended that planning permission be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be begun not later than 3 years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and

documents:

Reference No:	Plan Type	Date Received
018D	Parking Layout	26.06.2017
016G	Proposed Site Plan	26.06.2017
094E	Proposed Block Plan	26.06.2017
090D	Location Plan	26.06.2017
011B	Proposed Plans	28.04.2017
013B	Proposed Plans	28.04.2017
012B	Proposed Plans	28.04.2017
017E	Proposed Site Plan	26.06.2017
(-)	Topographic Survey	16.06.2016
(-)	Topographic Survey	16.06.2016
015A	Proposed Plans	28.04.2017
014A	Proposed Plans	28.04.2017
019B	Perspectives	26.06.2017
020C	Perspectives	26.06.2017
5140-D-1	Tree Survey	26.06.2017
5140-D-2	Tree Survey	26.06.2017
REV 3	Drainage Plans	26.06.2017

Reason: To define the scope and extent of this permission.

3. No development shall commence beyond slab level until samples of the facing and roofing materials to be used have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the development is satisfactory.

4. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 year +CC storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. Details of which will include:
 - i. Details of further infiltration testing on site in accordance with BRE 365 to verify the permeability of the site (trial pits to be located where soakaways are proposed and repeated runs for each trial hole). Borehole records should also be submitted in support of soakage testing.
 - ii. Dimensioned plans illustrating all aspects of the surface water drainage scheme including location and size of infiltration devices and the conveyance network. A statement on the amount of impermeable area served by each soakaway should also be illustrated on the plans and should be cross referenceable with associated soakaway calculations.
 - iii. Modelling results (or similar method) to demonstrate that the infiltration device has been adequately sized to contain the critical 100yr+CC event for the catchment area they serve. Each device should be designed using the nearest tested infiltration rate to

- which they are located. A suitable factor of safety should be applied to the infiltration rate during design.
- iv. Infiltration devices should be no more than 2m deep and will have at least 1.2m of unsaturated ground between base of the device and the groundwater table. If individual soakaways are being used they will be at least 5-10m away from any foundation (depending on whether chalk is present).
 - v. Only clean water will be disposed of by infiltration devices due to the site being in a Source Protection Zone. Demonstration of adequate treatment stages for water quality control shall be submitted- SuDS features should demonstrate betterment to water quality, especially if discharging towards a watercourse or aquifer.
 - vi. Infiltration devices will have a half drain time of less than 24hours.
 - vii. Modelling of conveyance networks showing no above ground flooding in 1 in 30 year event, plus any potential volumes of above ground flooding during the 1 in 100 year rainfall + CC.
 - viii. Topographic plans shall be submitted depicting safe exceedance flow paths in case of a blockage within the main SW system and/or flows in excess of a 1 in 100 year rainfall event. These flow paths will demonstrate that the risks to people and property are kept to a minimum.
 - ix. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.
 - x. Arrangements to enable any Surface water drainage within any private properties to be accessible and maintained including information and advice on responsibilities to be supplied to future owners.
 - xi. All downpipes to have water butts with high level overspill.

Reason for condition: To prevent the development from causing increased flood risk off site over the lifetime of the development (by ensuring the inclusion of volume control), to ensure the development is adequately protected from flooding, to ensure the development does not cause increased pollution to water environment, and to ensure clear arrangements are in place for ongoing operation and maintenance.

5. The dwellings hereby permitted shall not be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register

6. No development shall commence until details of a construction surface water management plan detailing how surface water and storm water will be managed on the site during construction is submitted to and agreed in writing by the local planning authority. The construction surface water management plan shall be implemented and thereafter managed and maintained in accordance with the approved plan.

Reason for condition: To ensure the development does not cause increased pollution of the watercourse in line with the River Basin Management Plan.

7. No part of the development shall be commenced until details of the proposed driveways (including the position of any gates to be erected and visibility splays provided) have been submitted to and approved in writing by the Local Planning Authority. The approved driveways shall be laid out and constructed in its entirety prior to the occupation of the property. Thereafter the access shall be retained in its approved form.

Reason: Required pre-commencement to ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

8. Before the development is commenced beyond slab level details of the areas to be provided for storage and presentation of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.

9. Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway

10. Before the development is commenced, details of the adoptable estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard.

11. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.

Reason: To ensure that satisfactory access is provided for the safety of residents and the public.

12. All HGV and construction traffic movements to and from the site over the duration of the construction period shall be subject to a Construction Management Plan which shall be submitted to the planning authority for approval a minimum of 28 days before any deliveries of materials commence. No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan. The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the

period of occupation of the site.

Reason: To reduce and / or remove as far as is reasonably possible the effects of HGV traffic in sensitive areas.

13. Before the development is commenced details of the areas to be provided for the loading, unloading, manoeuvring and parking of vehicles including secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles, where on-street parking and manoeuvring would be detrimental to highway safety.

14. The hours of construction activities, including deliveries to the site and the removal of excavated materials and waste from the site, shall be limited to 08:00 to 18:00 hours on Mondays to Fridays and 08:00 to 13:00 hours on Saturdays. No construction activities shall take place at the application site on Sundays, Bank or Public Holidays.

Reason: In the interest of the amenities of local residents.

15. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording.
- b. The programme for post investigation assessment.
- c. Provision to be made for analysis of the site investigation and recording.
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
- e. Provision to be made for archive deposition of the analysis and records of the site investigation.
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

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 in accordance with the first part of this condition and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by

this development, in accordance with Policy HC9 of Replacement St Edmundsbury Borough Local Plan 2016, Policy CS2 of St Edmundsbury Core Strategy 2010 and the National Planning Policy Framework (2012).

16. All planting comprised in the approved details of landscaping (Soft Landscaping Scheme July 2017 - Rev D) shall be carried out in the first planting season following the commencement of the development (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 and biodiversity of the development.

17. Unless otherwise agreed in writing with the Local Planning Authority, except for that part which must be removed to permit the construction of the vehicular access in accordance with the conditions of this permission, the existing hedge to the north boundary of the site shall be retained at a height no lower than that which shall first have been agreed in writing with the Local Planning Authority. Any of the existing hedge removed without such consent, dying, being severely damaged or becoming seriously diseased within five years of the access being first brought into use shall be replaced during the first available planting season with planting of a size and species which shall have previously been agreed in writing by the Local Planning Authority.

Reason: To maintain so far as is possible the appearance of the locality.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/16/1268/FUL](#)