



Forest Heath
District Council

DEV/FH/17/035

Development Control Committee 4 October 2017

Planning Application DC/17/0717/FUL - Land at Beck Lodge Farm, St Johns Street, Beck Row

Date 18/04/2017 **Expiry Date:** 18.07.2017 (EOT
Registered: agreed to 06.10.2017)

Case Gary Hancox **Recommendation:** Grant
Officer:

Parish: Beck Row **Ward:** Eriswell & The Rows

Proposal: Planning Application - 12 no. dwellings with associated access, open space, storage and parking facilities

Site: Land at Beck Lodge Farm, St Johns Street Beck Row

Applicant: AJV Designs Ltd
Agent: Adi Puplampu - Tony Oldfield Architects 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:

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BACKGROUND:

This application is referred to the Development Control Committee as it represents a departure from the development plan.

The application is recommended for conditional **APPROVAL** following completion of a Section 106 agreement.

APPLICATION DETAILS:

1. The application is made in full and seeks permission for a residential development of 12 dwellings (9 open market and 3 affordable) including a mix of single storey and two storey properties. Access to the site would utilise an existing vehicular access off St John's Street and provide for an internal estate road, parking and pedestrian and cycle access. A planting and landscaping scheme is also included with the proposal.

AMENDMENTS:

2. The scheme has been amended following responses from consultees and representations made, resulting in a revised layout, improved house types and materials.

SITE DETAILS:

3. The application site is located on the eastern side of Beck Row, on the southern side of St Johns Street. It lies to the east of the defined settlement boundary for Beck Row. Beck Row is designated as a Primary Village in the Core Strategy Policy CS1.
4. The site occupies a rectangular parcel of land which measures approximately 0.4 hectares in size. It comprises a large open field which varies only slightly in topography. There is an existing access to the site from St Johns Street, at its northern side. Whilst the site is designated as agricultural land, officers understand that it has not been farmed in recent years. As a consequence, the site has developed the characteristics of a self-naturalised grassland, and shows signs of developing towards scrub woodland.
5. To the west of the site is No. 34 St Johns Street, a detached dwelling which is set back from and fronts St Johns Street. To the east is The Granary, Beck Lodge Farm and associated buildings. Adjoining land immediately to the south of the site is within the ownership of the applicant, and comprises agricultural land and buildings associated with Beck Lodge Farm.
6. To the north of the site, and on the opposite side of St Johns Street lies Aspal Close Local Nature Reserve (LNR).
7. The northern boundary of the site runs parallel to St Johns Street and comprises established mixed boundary vegetation. The eastern boundary of the site is a mix of brick wall and timber fencing. The western boundary comprises an evergreen hedge. The southern boundary is open.

8. The Environment Agency flood risk maps indicate that the site is situated within Flood Zone 1 ('little or no risk of flooding').
9. The application site forms part of a site SA11(D), allocated for the development of up to 24 dwellings in the Proposed Submission Site Allocations Local Plan (January 2017). This follows on from the granting of outline planning permission for up to 24 dwellings on a slightly larger 0.6 hectare site.

APPLICATION SUPPORTING MATERIAL:

10. The application is accompanied by the following documents:
 - i. Application forms and drawings – including location plan and proposed site layout plan.
 - ii. Planning Statement
 - iii. Preliminary Ecology Appraisal
 - iv. Tree Survey, Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement
 - v. Phase 1 Environmental Risk Assessment
 - vi. Flood Risk Assessment

PLANNING HISTORY:

11. DC/14/1745/OUT – outline application for up to 24 dwellings – Approved March 2016.

CONSULTATIONS:

12. Members of the public and statutory consultees were consulted in respect of the scheme as submitted. The following is a summary of statutory comments received:
13. **West Suffolk Strategic Housing – Support.** it will meet our CS9 policy to deliver 30% affordable housing on site. The development also achieves our policy on tenure as stated within the Affordable Housing SPD of 70% Affordable Rent and 30% intermediate Housing.
14. **West Suffolk Environmental Health - No objection.** Recommends planning condition relating to contaminated land, should planning approval be forthcoming.
15. **Natural England – No objection.**
16. **SCC Highways – No objection.** Recommends conditions/informatives.
17. **Suffolk County Council Planning Obligations – No objection. Comments.** Request contributions towards primary and secondary school (£36, 543) and pre-school provision (£6, 091).
18. **Suffolk County Council Archaeological Services – No objection.** Recommends planning conditions relating to the implementation of an agreed programme of archaeological investigation.

19. **Suffolk County Council, Flood and Water Manager – No objection.**
20. **Environment Agency – No objection.** Recommends planning conditions relating to contamination.
21. **MOD Safeguarding – No objections.**

REPRESENTATIONS:

22. Beck Row Parish Council – Support.
23. Local Residents – None received.

POLICIES:

24. 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

Policies

- **CS1:** Spatial Strategy
- **CS2:** Natural Environment
- **CS3:** Landscape Character and the Historic Environment
- **CS4:** Reduce Emissions, Mitigate and Adapt to Future Climate Change.
- **CS5:** Design Quality and Local Distinctiveness
- **CS6:** Sustainable Economic Development and Tourism
- **CS7:** Overall Housing Provision (sub-paragraph 1 only)
- **CS9:** Affordable Housing Provision
- **CS10:** Sustainable Rural Communities
- **CS13:** Infrastructure and Developer Contributions

Joint Development Management Policies Document 2015

- **DM2** – Creating Places – Development Principles and Local Distinctiveness.
- **DM5** – Development in the Countryside.
- **DM6** – Flooding and Sustainable Drainage.
- **DM7** – Sustainable Design and Construction.
- **DM10** – Impact of Development on Sites of Biodiversity and Geodiversity Interest.
- **DM11** – Protected Species.
- **DM12** – Mitigation, Enhancement, Management and Monitoring of Biodiversity.
- **DM13** – Landscape Features.
- **DM14** – Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards.
- **DM20** – Archaeology.
- **DM22** – Residential Design.
- **DM41** – Community Facilities and Services.
- **DM46** – Parking Standards.

Other Planning Policy

Supplementary Planning Documents

25. The following Supplementary Planning Documents are relevant to this planning application:
- National Planning Policy Framework
 - National Planning Practice Guidance

Emerging Development Plan Policy

26. **Proposed Submission Site Allocations Local Plan (January 2017):** Policy SA1: Settlement Boundaries. Re-assessed settlement boundaries are defined on the Policies Map. The policy states "Planning permission for new residential development, residential conversion schemes, and replacement of an existing dwelling with a new dwelling(s) will be permitted within housing settlement boundaries where it is not contrary to other planning policies."
27. The Proposed Submission Single Issue Review of Core Strategy Policy CS7 and Proposed Submission Site Allocations Local Plan (Regulation 19) were approved for consultation and submission at Council in December 2016. The Regulation 19 consultation period commenced on 10th January and closed on 13th March 2017.
28. Whilst these documents have not been through examination they are the Council's proposed policies and have now been submitted, so the weight to be attached to them has changed from moderate to significant and therefore carry significant weight in the decision making process.

OFFICER COMMENT:

Principle of Development

29. 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.
30. Although the site is outside the current settlement boundary, it benefits from an outline planning permission for up to 24 dwellings where the principle of development contrary to the development plan has been established. In doing so, it was concluded that the residential development of this parcel of land would not be out of context, having regard to existing residential development to the immediate west and east. It was also acknowledged that the landscape character will change irreversibly in the long term as a result of the development proposals. The extent of the visual impact of the proposed

development on the landscape is considered acceptable, given that the site is generally well screened. This limits visual impacts to glimpsed views.

31. A second important consideration is that the site is within an emerging site allocation with an extant planning permission (SA11(D) in the Proposed Submission Site Allocations Local Plan, January 2017). These are both material considerations that carry significant weight and indicate that the principle of development as a departure from normal planning policy in this case is acceptable.
32. The remaining issues to be considered in this application are:
 - Design, layout and appearance
 - Drainage
 - Amenity
 - Ecology
 - Planning obligations

Design, layout and appearance

33. The overall approach to the design and layout of the scheme has attempted to create contemporary designed dwellings, but reflective of its edge of village location within an area where the traditional built form predominates. Having regard to its neighbouring properties, the proposed dwellings include hipped roofs, smaller single storey structures (carports) and are of a mixed scale including single storey and two storey. A simple layout is proposed which allows for landscaped parking areas, access to the field to the rear of the site, and the retention of the significant existing trees and vegetation to the frontage of the site.
34. Proposed materials are reflective of some of the traditional farm buildings in the area, and the use of dark stained boarding as well as brick is considered appropriate within the context of the site. The use of flint detailing to some of the single storey buildings and boundary walls has regard to the appearance of other buildings in the area. The retention of the vegetation to the frontage of the site helps to soften the visual impact of the development within the street scene. An area of open space (445 sqm), or approximately 11% of the development site, is proposed at the site entrance, which will also benefit the street scene in this regard.
35. The previous permission for 24 dwellings on a site 0.2 hectares larger would have resulted in a development density of 40 dwellings per hectare (dph). This current scheme, albeit within a smaller site, reduces this density to 30 dph, which is considered to be a more appropriate density for the area.
36. The layout of the scheme has been amended taking into account the comments of the Police Architectural Liaison Officer, which has resulted in the removal of a central car port building and the change in boundary treatments to the front of the site. Internal parking areas are now better overlooked, acting as a deterrent to criminal behavior.
37. The scheme as now amended successfully creates a sense of place, reflective of the character and appearance of the area, and accords with Joint Development

Management Policies DM2 and DM22 in this regard.

Drainage

38. Policies for flood risk set out in the Framework aim to steer new development to areas with the lowest probability of flooding. The Framework policies also seek to ensure that new development does not increase the risk of flooding elsewhere.
39. The Framework also offers advice in respect of pollution and land instability, and states that planning decisions should ensure that new development is appropriate for its location. It also confirms that, where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.
40. Core Strategy Policy CS4 states the Council will support development proposals that avoid areas of current and future flood risk and which do not increase the risk of flooding elsewhere. The policy confirms sites for new development will be allocated in locations with the lowest risk of flooding (Environment Agency Zone 1 flood category) and will seek the implementation of Sustainable Urban Drainage Schemes (SUDS) into all new development proposals, where technically feasible.

Flood Risk/Sustainable Drainage Systems (SuDS)

41. The application site lies within Flood Zone 1 on the Environment Agency Flood Risk maps, representing an area at low risk of flooding and suitable for all forms of development.
42. The application submission included a Flood Risk Assessment (FRA). The FRA states that the proposals would not have an adverse impact on flood risk or drainage related issues. The proposed development is less than one hectare. Therefore, in line with current government guidance on Standing Advice it is necessary to consider land drainage issues.
43. In line with the surface water runoff hierarchy, the preferable means of disposal for surface water is via infiltration or re-use. The underlying bedrock geology is of the Grey Chalk Subgroup and is sufficiently permeable that infiltration can be used as a means of drainage. Permeable paving will therefore be used on all private access and parking areas, with roof areas of the proposed dwellings draining to individual soakaway systems such as ringed soakaways located within rear gardens. The adoptable highway will use traditional trapped systems such as trapped gullies provided in line with Local Highway Authority requirements before discharging to a soakaway system located within the public open space.
44. Suffolk County Council as the lead local flood authority, have assessed the proposed drainage scheme for the site, and following various minor amendments, are now content that the scheme is appropriate for the site. The scheme is considered to accord with Joint Development Management Policy DM6 in this regard.

Foul Drainage

45. The application site is located in an area which is served by the public foul sewer. No objection to the development proposals has been raised by Anglian Water, subject to the recommendation of a planning condition regarding the details of the foul drainage strategy for the site.

Ecology

46. Spatial Objective ENV1 of the Core Strategy aims to conserve and enhance the habitats and landscapes of international, national and local importance and improve the rich biodiversity of the District. This objective forms the basis of Core Strategy Policy CS2 which sets out in greater detail how this objective will be implemented. Joint Development Management Policy DM12 all developments to take account of biodiversity and either mitigate for, improve and/or monitor as appropriate.
47. The application site is not located within any designated or protected sites, however Aspal Close Nature Reserve is situated on the opposite side of Aspal Lane and is a County Wildlife Site.

Habitats Regulations Assessment

48. The local planning authority, as the competent authority, is responsible for the Habitats Regulation Assessment (HRA) as required by The Conservation of habitats and Species Regulations 2010 (as amended). Natural England, in consultation correspondence, has previously advised that an Appropriate Assessment is not required. Natural England have again raised no objection this application.

Ecology

49. The site is situated on the edge of the Breckland District and is adjacent to areas of known high ecological interest. A Preliminary Ecological Appraisal accompanies the planning application. This maps the existing habitats on site and notes the value of trees and scrub for both birds and bats.
50. Specialist surveys have been undertaken in respect of reptiles. This identifies that there is a low risk of the proposed construction adversely affecting reptiles, and makes appropriate recommendations for mitigation. In terms of the suitability of the site for invertebrate populations, a consultant entomologist has visited the site to appraise the habitats. This concluded that the invertebrate interest of the site is very low.
51. The Ecological Appraisal and Reptile Survey proposes recommendations which can be secured by way of planning condition. In accordance with consultation advice received, conditions have also been recommended to ensure protected species are safeguarded.

Trees

52. The application site contains three mature trees within the south-western corner. Along the northern boundary are a number of trees which form an attractive frontage along St John's Street. These provide a significant natural

screen for the development and contribute towards the character of the site and its surroundings. The retention of these trees as part of the development is highly desirable for both amenity and biodiversity reasons.

53. A Tree Survey report and Arboricultural Impact Assessment was submitted as part of the application documentation. This identifies the removal of a number of trees, shrubs and self seeded saplings, and pruning of a number of trees, the details of which can be secured by condition. As concluded during the determination of the previous outline application there are no arboricultural constraints that would preclude the development of the site.
54. On the basis of the above evaluation, officers are of the opinion that the development proposals would not have an unacceptable impact on the nature conservation value of the application site, or impact on Aspal Close Nature Reserve. Subject to the implementation in full of recommended mitigation and enhancement measures (which can be secured through relevant planning conditions), the proposed development is considered to satisfactorily address ecological issues and accords with Joint Development Management Policy DM12.

Amenity

55. The site is only directly bound by neighbouring dwellings to the east and west. The layout has taken account of the amenity of no. 34 St Johns Street, and there are no windows directly overlooking the property. The dwelling to the front of the site adjoining this neighbour is single storey, again avoiding overlooking issues. Appropriate separation distances have been afforded to Beck Lodge Farm itself and there will be no significant loss of amenity to the two dwellings on this site.
56. Consideration has also been given to future occupiers of the proposed dwellings and the scheme achieves appropriate and acceptable amenity levels.
57. The application is considered to accord with Joint Development Management Policy DM2 in this regard.

Section 106 Planning Obligation Issues

58. Planning obligations secured must be in accordance with the Community Infrastructure Levy Regulations 2010, which came into force on 06 April 2010. In particular, Regulation 122 states that a planning obligation may only constitute a reason for approval if it is:
 - (a) Necessary to make the development acceptable in planning terms;
 - (b) Directly related to the development; and
 - (c) Fairly and reasonably related in scale and kind to the development.
59. These are the three principal tests set out in Paragraph 204 of the Framework and are of relevance in guiding the negotiation of planning obligations sought prior to the coming into force of the CIL Regulations. In assessing potential S106 contributions, officers have also been mindful of Core Strategy Policy CS13 and the Suffolk County Council guidance in respect of Section 106 matters, 'A Developers Guide to Infrastructure Contributions in Suffolk'.

Affordable Housing

60. The application proposes 3 of the dwellings as 'affordable', which represents 30% of the total number of units to be provided on the site. This achieves the 30% target set out in Policy CS9 of the Core Strategy and can be secured through a S106 legal agreement.
61. The Council's Housing Officer, in consultation advice, has confirmed support for the scheme and the provision of 30% of affordable housing on the site. In terms of housing tenure, the adopted SPD seeks a tenure split of 70% rented and 30% intermediate in Forest Heath, based on current housing needs evidence. The precise detail of the affordable housing scheme, including tenure mix and their transfer to a registered provider will be secured through the S106 planning obligation.

Education

62. The local catchment schools are West Row Community Primary School and Mildenhall College Academy. There are currently forecast to be sufficient surplus places available at the catchment secondary school serving the proposed development. However, there is currently forecast to be no surplus available at the catchment primary school serving the proposed development. In terms of primary school provision SCC would therefore be seeking full contributions to provide additional facilities for the 3 pupils arising at a total cost of £36,543.
63. The scale of contributions is based on cost multipliers for the capital cost of providing a school place, which are reviewed annually to reflect changes in construction costs.
64. Pre-school provision. The Education Bill 2011 amended Section 7, introducing the statutory requirement for 15 hours free early years education for all disadvantaged 2 year olds. From these development proposals Suffolk County Council have indicated a need for 1 pre-school pupil at a cost of £6,091. SCC would request a capital contribution of £6,091 (2017/18 costs). This is justified as there is a current local deficit of places. This will be spent on providing additional items of lending stock plus reference, audio visual and homework support materials to mitigate the impacts of the proposed development on the local library service.

Libraries

65. The proposed development will place additional demands on the local library service. Suffolk County Council has advised that each house is expected to generate the need for 2.8 library items per annum (Suffolk standard level of stock per 1000 population is 1,174, CIPFA Library Survey 2015). The average cost of library stock in Suffolk is £5.66 per item. This includes books and physical non-book items, like spoken word and music CDs, and DVDs, as well as daily newspapers and periodicals. This gives a cost per dwelling of 2.8 items x £5.66 = £16 per dwelling. This scheme would therefore support a contribution of 12 dwellings x £16 per dwelling = £192.
66. The requests for developer contributions as described above will ensure

improvements to existing infrastructure within Beck Row and the local area, to accommodate the growth of the village and meet the needs of the community, in accordance with Core Strategy Policy CS13. Officers are satisfied that they meet the three tests of planning obligations set out in Paragraph 204 of the Framework, and are therefore entirely justified. The previous outline permission secured similar obligations through a S106 legal agreement, and a fresh S106 legal agreement for this revised full application has been drafted and is ready for completion.

67. Other matters

Archaeology

68. The proposed development lies within the historic settlement core of Beck Row, opposite a post medieval church. There is therefore high potential for encountering evidence of early occupation at this location. The County Archaeological Officer, in consultation correspondence, has advised that there is high potential for the discovery of important hitherto unknown heritage assets of archaeological interest within the application site.
69. In accordance with the advice offered, a condition can be secured to ensure a scheme of archaeological investigation. This would accord with Core Strategy Policy CS3 and the advice offered in the Framework with regard to the conservation of heritage assets of archaeological interest.
70. Officers have considered the application proposals in the context of the impact on the historic environment. Subject to the recommendation of appropriate archaeological conditions as described above, the proposal would not cause significant harm to the historic environment.

CONCLUSIONS AND PLANNING BALANCE:

71. As set out in paragraph 29 - 31 there are material considerations that carry sufficient weight to indicate that the principle of development as a departure from normal planning policy in this case is acceptable. The remaining detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

RECOMMENDATION:

72. It is recommended that planning permission be **APPROVED** subject to the completion of a S106 legal agreement to provide affordable housing, an affordable housing contribution, primary school contribution, pre school contribution, and libraries contribution, and the following conditions:
1. 3 year time limit
 2. Compliance with approved plans.
 3. Archaeology – investigation and post investigation assessment.
 4. Contamination – further investigative work if found.
 5. Foul water disposal details.
 6. Surface water drainage details: SuDs management plan.

7. Construction management plan.
8. Details of boundary treatment.
9. Samples of materials.
10. Detailed scheme of hard and soft landscaping.
11. Tree protection.
12. Details of tree works for retained trees.
13. Detailed Arboricultural Method Statement and Tree Protection Plan.
14. Recommendations of Ecological Appraisal and Reptile Survey to be implemented.
15. Provision of fire hydrants.
16. Waste minimisation and recycling strategy.
17. Details of access
18. Parking/manoeuvring to be provided prior to occupation
19. Ecological mitigation
20. Water consumption

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=ONXA2OPDFY200>