



St Edmundsbury
BOROUGH COUNCIL

DEV/SE/19/030

Development Control Committee 28 March 2019

Planning Application DC/18/2161/FUL – West Stow Anglo Saxon Village and Country Park, Icklingham Road, West Stow

Date Registered: 17.12.2018 **Expiry Date:** 18.03.2019

Case Officer: Elizabeth Dubbeld **Recommendation:** Approve Application

Parish: Culford, West Stow & Wordwell **Ward:** Risby

Proposal: Planning Application- (i) Replacement of existing heating systems with Ground Source Heating System and associated pipe route and (ii) External plant room

Applicant: Mr Oliver Ingwall King

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 is referred to the Development Control Committee because it is an application submitted on behalf of St. Edmundsbury Borough Council.

Proposal

1. The application seeks planning permission for the installation of a replacement heating system with Ground Source Heating System along with associated pipe route and an external plant room. Details of the application are as follows:
 - A GSHP system located within a single external plant room which will be situated outside the existing plant room. The plant room will be located at a lower ground level with earth excavated to provide a flat surface for the installation of the plant room
 - The external plant room will be a cladded container that will be finished to match the existing exterior cladding, and contain 2no. heat pumps, a thermal store, controls, heat exchangers and pumps.
 - The heat pumps will be linked to an array of 14no. bore holes drilled at a minimum separation of 5m. The overall drill area will be 15m x 15m = 225m². Each bore hole will be drilled to a depth of 158m using a rotational cartridge bore hole rig to provide an interface for underground heat exchange.
 - The heat pumps will be linked to a 2000 litre thermal store to provide hot water for the Café and the Café Toilets.
 - Highly insulated Uponor piping will link the external plant room to each of the three buildings and a separate Uponor circuit will connect to the Café hot water system
 - The Café will benefit from new heat emitters mounted at high level – the fan convectors will enable the room to be heated quickly and will be sited to encourage air movement.
 - During the summer the GSHP will also be able to provide an element of cooling to the Café and the Visitor centre. The cooling will use the 15°C ground temperature so will be able to provide cooled air.
2. The original submission also included a proposed Solar PV array for the roof of the collections building, but this element of the proposal was removed by the applicant.

Application Supporting Material:

- Location plan
- Proposed elevations
- Block plan
- Borehole Array and Trench Path
- West Stow works plan
- Arboricultural Method Statement – P1309 – AMS 01 V2
- Tree Protection Plan - P1309 - TPP01
- Preliminary Ecological Appraisal - 1094

Site Details

3. West Stow Anglo Saxon Village and Country Park is situated in West Stow, off Icklingham Road. Large portions of the site are in a natural tree'd or open state with three large visitor centre buildings to the south west, a large car parking area to the south east and an ablution block to the north of the application area. These three parts of the site are connected by one main, and two secondary pathways.

Planning History:

Reference	Proposal	Status	Received Date	Decision Date
DC/15/0556/FUL	Planning Application - (i) 180 pitch touring caravan and camping site (ii) reception buildings and 2no. utility blocks with associated accesses, drainage, hardstandings and landscaping	Application Withdrawn	10.03.2015	22.06.2015
DC/18/2161/FUL	Planning Application- (i) Replacement of existing heating systems with Ground Source Heating System and associated pipe route and (ii) External plant room	Pending Decision	24.10.2018	
SE/11/1371	Planning Application - Provision of ground mounted photovoltaic array	Application Refused	21.11.2011	23.08.2012
SE/05/02381	Regulation 4 Application - Erection of security perimeter fencing	Application Granted	15.09.2005	01.11.2005
E/92/1920/P	Regulation 4 Application - Erection of two timber kiosks	Application Granted	08.06.1992	01.07.1992
E/90/2429/P	Erection of wooden bird watching hide	Application Granted	02.07.1990	02.10.1990
E/78/3259/P	USE OF LAND FOR COUNTRY PARK	Application Granted	13.10.1978	07.12.1978
E/78/1582/P	BRICK SINGLE STOREY TOILET WITH TILED ROOF	Application Granted	16.03.1978	11.05.1978
E/77/1019/P	USE OF LAND AS MOTOR CYCLE SCRAMBLE COURSE	Application Granted	10.01.1977	16.03.1977

Consultations

4. Parish Council No comment received.
5. Ward Councillor No comment received.
6. Arboricultural Officer Submitted 02.01.2019

I would like to make the following comments in respect of the subject planning application:

- a. The map for the location of the drilling site in the Arboricultural Method Statement is different to the Borehole array and trench path document supplied. For an AMS to be correctly implemented the correct site needs to be identified.
 - b. Site Work Area document, this plan does not cover the area identified in the Borehole Array and Trench Path document.
 - c. In the Site Work Area document (text) it states "potential release area of Drill water (TBC)". At what stage will this be confirmed? What quantity of water will be discharged? What is the condition of the water being discharged?
 - d. There is no mention of ground reinstatement post project.
 - e. Proposed Elevations and Block Plan document, The Cladded Plant Room appear to be within the RPA of existing trees.
7. Tree Officer: After viewing the documents submitted to support this application and carrying out a site visit, I would like to raise concerns regarding the potential arboricultural impact of the proposed development. Although I believe the principle of the development to be acceptable, the three aspects of the proposal that currently present a potentially unacceptable arboricultural impact are as follows:

Insufficient detail of works in close proximity to retained trees

- Lack of a tree survey which plots trees within influencing distance and their root protection areas (RPAs) overlaid on the site plan.
- Width and depth of excavations within RPAs for pipework.
- Methodology and impact assessment of excavations to accommodate the plant room.
- Method of transporting surface discharge water to area identified in Ecology Appraisal, methodology for discharging the water.

Unsuitable arboricultural methodology and tree protection

- Proposed route of pipework crosses hard surfaced footpaths, airspade excavation would therefore not be possible at these points. Alternative methodology will need to be explored.
- No tree protection plan (TPP) has been submitted, arboricultural supervision forms part of a TPP and should not be relied upon to ensure an adequate level of protection for the trees within influencing distance. Construction exclusion zones should be incorporated within the TPP where necessary as well as other matters such as suitable location for storage compounds etc.

Inconsistencies between site plans and arboricultural method statement (AMS)

- It is understood that revisions to the plans have taken place since the AMS was drawn up. This is a working document and will need to accurately reflect any granted planning permission. Inconsistencies in the AMS pose a considerable risk of contractors not undertaking works in accordance with planning permission.

I believe the pipeline to the outside toilets to pose the most significant risk of causing harm. The most desirable option would be to locate this pipeline to run adjacent to the car park therefore eliminating much of the impact of this aspect. If this is not logistically possible then the least impactful options should be explored. Previous plans indicate that an electrical service route exists between the visitor centre and toilet block. The suitability of locating any new cabling and pipework within existing service trenches should be appraised.

8. Suffolk Wildlife Trust No comment received.

9. Ecology And Landscape Officer

Initial comments received 31.01.2019

Ecology

The applicant has submitted a Preliminary Ecological Appraisal to inform the planning applicant (Adonis Ecology Ltd, dated 14.12.18) The site is located approximately 70m from the closest component of Breckland Special Protection Area (also designated as Breckland forest SSSI), 2.6km from the closest component of Breckland Special Area of Conservation, 30m south of the closest component of Breckland Heath SSSI, and 200m north of Lackford Lakes SSSI.

Natural England has commented on the proposals and has no objection based on the information submitted. A Habitats Regulations Assessment is required and there is sufficient

information for this to be completed in due course.

The works (in particular those that are likely to generate noise which I presume will be the ground works) would need to be undertaken between October and the end of February to avoid the bird breeding season. This must be conditioned.

The PEA concludes that the site is of low ecological value at a local level and if a suite of impact avoidance measures as outlined within this report were undertaken, it should be possible for the proposed development to proceed with no negative impact upon nearby designated sites and protected species.

The PEA assumes no impact on trees. There is no arboricultural information to inform the construction of the plant room and therefore it is not clear what the impact will be on existing trees and consequently on biodiversity. If existing trees are to be removed these must be assessed for potential bat roosts. There is very little information about the release of drill water on the site and whilst it is accepted that if this were to be equally released over the area it would be the equivalent to a light rain shower, in practice it is unlikely that this will be the case. More information on this release of water into the adjacent habitat, and its quality is required to ensure that the effects are minimised and also that the effects on visitor access are also controlled.

The measures in section 5.2 of the report should be conditioned.

Landscape

The new infrastructure will largely be underground; the new plant room will be located adjacent to the existing building and will be clad so that it is relatively inconspicuous in itself. There will need to be some remodelling of ground levels, however there is no detail relating to this. From a landscape character and visual point of view, the main issues would be as a result of damage to existing landscape features in particular the existing trees, or poor restoration of the site following the works. More information about the extent of groundworks to accommodate the plant room is required. Restoration proposals could be conditioned.

Other effects on trees are being considered by the tree officer and the arboricultural officer.

From the draft **Habitats Regulations Assessment** received 11.03.2019:

The site is located approximately 70m from the closest component of Breckland Special Protection Area (also designated as Breckland forest SSSI), 180m away from West Stow Heath SSSI (also SPA), 2.6km from the closest component of Breckland Special Area of Conservation

The proposal is not directly connected with or necessary for the management of the European sites.

Direct effects

The development is located outside of Breckland SAC; no direct effects have been identified.

The development is located outside of Breckland SPA. The site is within the 400m constraint zone for woodlark and nightjar and the 1500m stone curlew constraint zone. However the majority of the works, in particular the ground works, would be undertaken outside of the bird breeding season and therefore any disturbance as a result of these operations would be avoided. The remainder of the works to complete the plant room would be screened by the existing/newly formed embankment. Connection to the existing heating system, and installation of new radiators, heat emitters and controls would be undertaken within the existing buildings. Any disturbance arising from these elements of the proposals is unlikely to be significant when considered in relation to the current levels, given that the site is a busy visitor destination with background noise from the existing car park, and visitors to the site including school parties. Based on the above, adverse effects on integrity of Breckland SPA are not can be ruled out alone.

The planning register has been reviewed to assess the potential for in-combination effects. No in combination effects have been identified.

Indirect effects

No indirect effects on Breckland SAC or Breckland SPA have been identified either alone or in combination.

Conclusions

Based on the above assessment, a conclusion of no adverse effects on the integrity of Breckland SPA requires the ground works to be undertaken between October and the end of February to avoid the bird breeding season. This must be conditioned.

10. Public Health And Housing Public Health and Housing do not object to this application.

11. Natural England submitted 16.01.2019

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant

adverse impacts on statutorily protected sites or landscapes.

Response to applicant's request to undertake works in the bird breeding season: Submitted 05.03.2019

Insufficient information provided

There is insufficient information to enable Natural England to provide a substantive response to this consultation as required under the Town and Country Planning (Development Management Procedure) (England) Order 2015. Please provide the information listed below and re-consult Natural England. Please note that you are required to provide a further 21 day consultation period, once this information is received by Natural England, for us to respond.

12. Leisure & Cultural Operational Manager No comment received.

13. RSPB Eastern England Regional Office No comment received.

14. Forestry Commission No comment received.

Representations

15. No representations received

Policy

16. The following policies of the Joint Development Management Policies Document, the St Edmundsbury Core Strategy 2010 & Vision 2031 Documents have been taken into account in the consideration of this application:

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM5 Development in the Countryside
- Policy DM8 Low and Zero Carbon Energy Generation
- Policy DM10 Impact of Development on Sites of Biodiversity and Geodiversity Importance
- Policy DM11 Protected Species
- Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM13 Landscape Features

- Policy DM42 Open Space, Sport and Recreation Facilities

Other Planning Policy

17. National Planning Policy Framework (2019)
18. National Planning Practice Guidance
19. The NPPF was revised in February 2019 and is a material consideration in decision making from the day of its publication. Paragraph 213 is clear however that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework, the greater weight that may be given. The Policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provisions of the 2018 NPPF that full weight can be attached to them in the decision making process.

Officer Comment

20. The key issues to be considered in the determination of this application are:
 - Principle of Development
 - Low and zero Carbon energy generation
 - Impact on Character & Visual Amenity
 - Impact on protected trees
 - Impact on sites of Biodiversity
 - Impact on recreation facilities

Principle of Development

21. The process for conducting the proposed works was outlined in the application as follows:
 - a. The drill process will be fully GSHPA VBS compliant. The ground source collector loop will be inserted and pressure tested before the system is backfilled with grout. The collector loop will be filled with a mixture of water and environmentally friendly Glycol solution (MEG) used to store and transfer heat efficiently to/from the heat pumps.
 - b. An Arborist will advise on the location of the boreholes to ensure that the trees are protected and that a root protection area is established and adhered to during drilling.
 - c. All spoil will be removed from the drill site by the drilling contractor.
 - d. The GSHP will interface with the existing heating circuits via a highly insulated underground primary heating flow and returns ring main.
 - e. The heat pumps will be linked to a 2000 litre thermal store to provide hot water for the Café and the Café Toilets.
 - f. Highly insulated Uponor piping will link the external plant room to each of the three buildings and a separate Uponor circuit will connect to the Café hot water system.

- g. A plate heat exchanger will be incorporated within the plant room to facilitate passive cooling via the emitter system to be provided. This will allow low energy summer cooling.
 - h. The system will be linked to the Council offices and Finn Geotherm who will monitor the system under a servicing contract. This will also provide immediate notice of any potential system issues, permitting a rapid, proactive response.
22. As per the process outlined above, the principle of the proposed development is an acceptable one. The acceptability or otherwise of the application therefore rests on the detail of the proposal as assessed against the relevant Development Plan policies and national planning guidance, taking into account relevant material planning considerations.

Low and zero carbon energy generation

23. Policy DM8: Low and Zero Carbon Energy Generation states that all proposals for generation or recovery of low carbon or renewable energy, such as wind turbines, biomass, and combined heat and power, will be encouraged as long as they are able to demonstrate the carbon saving benefits and balance these with any visual or physical impacts to the landscape and provide mitigation and compensation measures where relevant.
24. The policy also states that, in the case of proposals in nature conservation sites all proposals will need to demonstrate to the satisfaction of the LPA that the proposal represents the highest standards of siting and design appropriate to the location.
25. In the case of this application, the carbon saving benefit of the proposed thermal heating system has been clearly demonstrated, and the processes of discussion and negotiation outlined below has ensured that the siting and design of the application has the optimal benefit for the sensitive location.

Impact on Character & Visual Amenity

26. The proposed development will primarily be located underground, in the form of boreholes and trenches connecting the various buildings to each other, and after works are complete these will not be easily visible.
27. One structure, the plant room, will be located below ground level adjacent to the café building. This structure will be a cladded container finished to match the exterior cladding of the café building.
28. Once construction is complete it is not anticipated that there will be any harmful impact on the character and visual amenity of the site from the proposed development

Impact on protected trees

29. The application as submitted went through the consultation process, and it became apparent during this process that further information needed to be submitted, particularly with regards to the arboricultural and biodiversity supporting documentation. Both the Tree officer and the Arboricultural officer submitted requests for further information.

30. In response to these requests, a meeting was held on the 01.02.2019 with the applicant to clearly define the scope of the information required.
31. It was agreed that some of the amended supporting documentation be submitted before the application was progressed, and that the remainder be added to the approval as pre-commencement conditions.
32. In regards to this, an amended arboricultural survey was submitted, along with revised location and site plans.
33. In a follow-up meeting on the 15.02.2019 with the applicant, the Arboricultural Officer, the Tree Officer and the Ecology and Landscape Officer it was agreed by both the Tree officer and the Arboricultural Officer that the submitted plans and documents were sufficient to address their concerns along with the addition of a number of pre-commencement conditions which can be found in this report.

Impact on sites of Biodiversity

34. The original submission of this application indicated that the works would take place between January and March 2019, as this would mean that any noisy drilling would occur outside of bird breeding season, and works would be completed before the peak visitor season commenced in April.
35. The applicant indicated during the negotiations, that, due to the delay in progressing the application, they would like to seek confirmation from Natural England that the works could take place during the bird breeding season. Due to the sensitivity of the site as a breeding location for various birds, and the close proximity to the Stone Curlew nesting site, the response from Natural England was that further supporting documentation would be required to make this assessment.
36. The site is located approximately 70m from the closest component of Breckland Special Protection Area (also designated as Breckland forest SSSI), 180m away from West Stow Heath SSSI (also SPA), 2.6km from the closest component of Breckland Special Area of Conservation.
37. On further discussion with the applicant and the Senior Ecology and Landscape Officer, it was decided that the cost and length of this process was not worth the small additional gain in project time, and so it was decided to withdraw this request, and that the application would be conditioned to take place between October and the end of February (outside of the bird breeding season).
38. 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 2017. Regulation 63 (1) requires that a competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and (b) is not directly connected with or necessary to the management of that site, must make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives. There is

also a requirement to consult the appropriate nature conservation body and have regard to any representations made by that body.

39. The Authority has undertaken a Habitats Regulations Assessment as required by the relevant provisions. This assessment concludes, based on the assessment undertaken, that there will be no adverse effects on the integrity of Breckland SPA provided that the ground works are undertaken between October and the end of February to avoid the bird breeding season. This must be conditioned but with such imposed it can be readily concluded that the effects upon the Breckland SAC and Breckland SPA can be considered acceptable.

Impact on recreation facilities

40. The proposed development, given that it is primarily underground and out of the way of users of the West Stow Country Park, is not seen as having any harmful impact on existing recreation facilities.

Conclusion:

41. After a thorough assessment of all the elements of the proposed development, and with the correct conditions in place, it is clear that the proposal can be recommended for approval, subject to conditions relating to arboricultural impacts and subject to the works being conditioned to take place outside of the stone curlew nesting season.
42. 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:

43. 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:
 - a. Location plan
 - b. Proposed elevations
 - c. Block plan
 - d. Borehole Array and Trench Path
 - e. West Stow works plan
 - f. Arboricultural Method Statement – P1309 – AMS 01 V2
 - g. Tree Protection Plan - P1309 - TPP01
 - h. Preliminary Ecological Appraisal - 1094

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

3. All groundworks must only take place outside of the bird breeding season which is considered to be between February and October inclusive.

Reason: To avoid disturbance to breeding birds in the surrounding area including within Breckland Special Protection Area.

4. Notwithstanding the details in the Arboricultural Method Statement (P1309 – AMS 01 V2) and the Tree Protection Plan (P1309 - TPP01), prior to commencement of development a revised Arboricultural Method Statement and Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall update the submitted documents as follows:
 - a. extension of the construction exclusion zone up to the ablution block over the trees to be protected,
 - b. Indicate the location and root protection area of all trees omitted from the original plan and located adjacent to the works in particular those located along the proposed ablution block connection pipe
 - c. Detail vehicle access routes and required ground protection
 - d. Detail the location of site facilities and storage during construction
 - e. The Councils Arboricultural Officer shall be informed when the tree protection fencing has been installed.

Thereafter, development shall proceed in accordance with these revised details.

Reason: To ensure the protection of trees during construction

5. **Construction Method Statement:**

Prior to the commencement of development, including any works of demolition, a Construction Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) The parking of vehicles of site operatives and visitors
- ii) Loading and unloading of plant and materials
- iii) Site set-up including arrangements for the storage of plant and materials used in constructing the development and the provision of temporary offices, plant and machinery
- iv) The erection and maintenance of security hoarding including external safety and information signage, interpretation boards, decorative displays and facilities for public viewing, where appropriate
- v) Wheel washing facilities
- vi) Measures to control the emission of dust and dirt during construction
- vii) A scheme for recycling/disposing of waste resulting from the works including for the release of drilling water.
- viii) Hours of construction operations including times for deliveries and the removal of excavated materials and waste
- ix) Noise method statements and noise levels for each construction activity including piling and excavation operations
- x) Access and protection measures around the construction site for pedestrians, cyclists, other recreational users and walkers on St Edmunds Way and Lark Valley path including arrangements for diversions during the construction period and for the provision of associated directional signage relating thereto.

Reason: To ensure the satisfactory development of the site and to protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement to ensure that appropriate arrangements are put into place before any works take place on site that are likely to impact the area and nearby occupiers.

6. No development shall take place until a landscape restoration plan for the site drawn to a scale of not less than 1:500 has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities. The approved works shall be implemented not later than the first planting season following 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 ensure that the works do not affect the amenity and use of the site.

Documents:

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