

Development Control Committee 8 July 2020

Planning Application DC/17/1093/FUL – Stanton Community Primary School, Bury Lane, Stanton

Date 20 June 2017 **Expiry Date:** 30 April 2020
Registered:

Case Officer: Gareth Durrant **Recommendation:** Conditional approval
Parish: Stanton **Ward:** Stanton

Proposal: (i) Conversion and change of use of redundant school building to form 3no. residential units and; (ii) new vehicular access and associated parking

Site: Stanton Community Primary School, Bury Lane, Stanton

Applicant: Mr Brian Prettyman (SCC Corporate Property)

Synopsis:

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

Recommendation:

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

CONTACT CASE OFFICER:

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Background:

The Assistant Director (Planning & Regulatory Services) has resolved to refer this planning application to the Development Control Committee meeting following prior consultation with the Delegation Panel.

Proposal:

1. The planning application has been submitted in detail and proposes the conversion of the original buildings of the Stanton Primary school, more latterly in use as a pre-school facility, into three dwellings. Two of these would be single-storey with the third incorporating first-floor accommodation. The conversion would occur with minimal external alterations required to the building. On the front elevation, one external door is proposed to be replaced with a window opening (with the gap beneath the window bricked up). On the rear elevation one existing window would be enlarged into a new door opening. The enlargement would be facilitated by the removal of a small area of brickwork beneath the window.
2. Vehicular access to the proposed dwellings would be taken from the existing (improved) access onto Bury Lane to the north west of the site. Pedestrian access would also be provided at this point.

Application Supporting Material:

3. Information submitted with the application as follows:
 - Application forms including ownership/agricultural certification
 - Location plan
 - Existing and proposed floor plans and elevations
 - Topographical Survey
 - Proposed site layout
 - Access Sections
 - Bat Survey Report
 - Planning Statement
 - Marketing Information
 - Phase 1 Ground Contamination Desk Study
 - Drainage Statement
 - Sustainable Drainage Strategy Plan

Site Details:

4. The site, which is approximately 0.17 hectares in size, is situated within the settlement boundary of Stanton. The site was last used as an 'early-years' setting (pre-school) until the replacement facility was opened around 10 years ago on adjacent land. The buildings are of Victorian origin and present features typical of the era, including a strong 'solid' appearance, red brick (with intricate features and detailing), clay pantiles and white painted timber windows. These were originally used as the village primary school until the accommodation was replaced by a new structure positioned on land behind in the late 1970's/early 1980's. The application site is presently vacant. The contemporary former primary school buildings to the rear of the application site (also presently vacant), the relatively modern pre-school building and the former school playing field share common access with the application site but all remain outside of it.

5. There is one dwelling that abuts the application site. That is 'Newbury Lodge' (formerly 'The Bungalow') to the east. The former primary school buildings sit behind to the south and the pre-school facility is sited to the west. To the north, the application site is bounded by the carriageway of Bury Lane. There are further dwellings on raised land on the opposite side of the road.
6. The application site is within the Stanton Conservation Area but there are no listed buildings at or immediately adjacent to the site.

Planning History:

7. The majority of the planning history relates to development of the primary school behind the application site, including (in 1978) planning permission being granted for the construction of a new primary school building at its present location (E/78/2272/P). In 2009 planning permission was granted for the construction of a new pre-school building on land adjacent to the application site (SE/09/0350).
8. There is a separate, but related planning application (also for determination on this Committee agenda) which proposes the construction of 7 dwellings on the site of the former primary school (excluding its playing field). This would involve the demolition of the former school building (DC/17/1087/FUL).

Consultations:

9. This section of the report summarises the consultation responses received for this planning application. Please refer to the planning application details published on the Council's website for full copies of all correspondence received. Where more than one set of comments were received as the planning application developed, these are grouped by consultee.
10. **SCC Highways Development Management** (November 2019), following receipt of amended plans, commented they were satisfied that a suitable design can be achieved. Refers to concerns from the Lead Local Flood Authority and recommends conditions relating to precise details of the access (vehicular and pedestrian, including visibility), maximum gradient for the first five metres of the access (measured from the edge of the carriageway), surfacing of the access (first 10 metres) with a bound material, pedestrian crossing, cycle storage, drainage, details of bin storage area and agreement of a construction and deliveries management plan.
11. **SCC Flood & Water Management** - February 2020 (following receipt of the surface water drainage strategy) the service recommended conditions requiring details of a surface water drainage scheme to be submitted including details of the future management and maintenance of the scheme.
12. **SCC Development Contributions Manager** (January 2020) noted the piecemeal approach to the development of the site and requested developer contributions (across the two planning applications) towards secondary education (£45,476) V1th form provision (£22,738) and libraries (£160) to meet the needs arising out of the proposed developments. The secondary education contributions (including V1th form) would be used towards increasing pupil capacity at

Thurston Community College. The libraries contribution would be used for providing additional items of lending stock plus reference, audio visual and homework support materials at the local library service.

13. The letter confirms there are forecast to be surplus places available at the catchment primary school so a contribution is not requested towards primary school provision. The same is confirmed with respect to early years (pre-school) facilities in the village.
14. **West Suffolk Environment Team** (July 2017) – The Service is in broad agreement with the findings of the Phase 1 Contamination Desk Survey and is satisfied that the risk from land contamination is low. No further investigation of land contamination is required at this point.
15. **West Suffolk Public Health and Housing** (July 2017) – No objection (and no conditions recommended)
16. **West Suffolk Strategic Housing** (June 2017) – Made comments about the related planning application DC/17/1087/OUT for the construction of 7 dwellings on the former primary school site behind this application site which are also relevant. They supported that proposal in principle but were concerned that a piecemeal approach to the planning of the site might avoid the delivery of affordable housing in accordance with policy C5 of the Core Strategy. The service considers that affordable housing policy should be applied to the site as a whole (including the three dwellings proposed in this planning application) in order to address this issue.
17. **West Suffolk Conservation Officer** (August 2019) – notes the Victorian school building is not listed but is a distinctive and prominent feature in the conservation area. It is a 'non-designated heritage asset'. It is noted that the conversion does not include external alterations to the building and the access would be moved slightly away, thus improving the setting. It is recommended that PD rights are removed for alterations in order to ensure the distinctive features of the building are retained. Other conditions are recommended to address boundary treatments and alterations.

Representations:

18. This section of the report summarises the representations received for this planning application. Please refer to the planning application details published on the Council's website for copies of all representations received.
 - **Stanton Parish Council** – (July 2017) Welcome the conversion of the old school building and are pleased that the Victorian frontage will be retained. However, they are concerned about overlooking and loss of privacy to the adjacent bungalow which was not an issue when in use as a school. They request amendments to the window in question. Also concerned that the parking configuration will lead to on-street parking. Also request construction vehicles are parked on site and parking spaces (which they request are provided to the rear of each dwelling) are provided for the dwellings before they are sold.
19. In May 2020, commenting on the amendments made to the planning application, the **Stanton Parish Council** confirmed it continues to support this application

and as previously mentioned the overlooking of the property at Newbury Lodge will need be addressed by use of a false window or frosted glass.

20. A number of local residents wrote in response to the first public consultation carried out when the planning application was received. No 'public' comments were received in response to later consultation following receipt of amendments from the applicants.
21. **Objections** received from Newbury Lodge, Bury Lane, Stanton (traffic issues in Bury Lane; development will exacerbate highway safety issues, construction traffic will further deteriorate the condition of the road surface, potential overlooking of neighbouring property with loss of property value as a consequence of this, further details of tree removal required).
22. **Objections** received from 29 Fordhams Close, Stanton (highway safety impacts to Bury Lane including its junction onto The Street, inadequate parking provision that will lead to exacerbation of the on-street parking problems, there should be no increase in housing numbers from those proposed, felling of trees, adverse impact upon wildlife).
23. **Concerns expressed** by the occupiers of 7 School Close, Stanton (additional traffic on narrow roads, in-site conflicts between vehicles and pedestrians, including drop offs to the nursery. Trees and open space should be retained).
24. **Objections** received from 3 Bury Lane, Stanton (Insufficient parking, exacerbation of congestion in Bury Lane, loss of trees and roadside hedgerow in conservation area, required because of dangerous access, avoidance of affordable housing provision)

Policy:

25. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single Authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by Regulation. The Development Plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies document (which had been adopted by both Councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.
26. The following Development Plan policies have been taken into account in the consideration of this application:

St Edmundsbury Core Strategy (2010)

- Policy CS1 – St Edmundsbury Spatial Strategy
- Policy CS2 – Sustainable Development
- Policy CS3 – Design and Local Distinctiveness
- Policy CS4 – Settlement Hierarchy and Identity
- Policy CS5 – Affordable Housing
- Policy CS7 – Sustainable Transport
- Policy CS13 – Rural Areas
- Policy CS14 – Community Infrastructure Capacity and Tariffs

Rural Vision 2031 (Area Action Plan)

- Policy RV1 – Presumption in favour of Sustainable Development
- Policy RV3 – Housing Settlement Boundaries
- Policy RV8 – Safeguarding Educational Establishments
- Policy RV14 - Stanton

Joint Development Plan Policies Document (2015)

- 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 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 DM14 – Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards.
- Policy DM15 – Listed Buildings.
- Policy DM16 – Local Heritage Assets
- Policy DM17 – Conservation Areas.
- Policy DM18 – New Uses for Historic Buildings
- Policy DM20 – Archaeology.
- Policy DM22 – Residential Design.
- Policy DM41 – Community Facilities and Services
- Policy DM42 – Open Space, Sport and Recreation Facilities.
- Policy DM46 – Parking Standards.

Other Planning Policy:

27. The following Supplementary Planning Documents are relevant to this planning application:

- West Suffolk Affordable Housing Supplementary Planning Document (November 2019).
- St Edmundsbury Open Space, Sport and Recreation Supplementary Planning Document (December 2012).

28. In February 2019 the Government updated national planning policies and published a revised National Planning Policy Framework (hereafter referred to as the Framework or the NPPF). The policies set out in the Framework are material to the consideration of this planning application and are discussed below in the officer comment section of this report.

How does the NPPF define sustainable development?

29. The Framework defines the objective of sustainable development as meeting the needs of the present without compromising the ability of future generations to

meet their own needs. It goes on to explain there are three overarching objectives which need to be pursued in mutually supportive ways:

i) economic (to help build a strong, responsive and competitive economy),

ii) social (to support strong, vibrant and healthy communities) and,

iii) environmental (contributing to protecting and enhancing our natural, built and historic environment).

30. The Framework explains (paragraph 9) that these objectives should be delivered through plan making and applying NPPF policies. It goes on to advise that planning decisions should play an active role in guiding development to sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
31. The National Planning Practice Guidance (NPPG) is an on-line Government controlled resource which assists with interpretation about various planning issues and advises on best practice and planning process.
32. Relevant topic specific policies of the Framework and Practice Guidance are discussed below in the Officer Comment section of this report.

Officer Comment:

Principle of Development

33. The Committee will be aware of the obligation set out in section 38(6) of the Planning & Compulsory Purchase Act 2004 for decision makers to determine planning applications in accordance with the Development Plan unless material considerations indicate otherwise. The Framework does not displace this statutory duty and in fact seeks to re-enforce it. However, the policies in the Framework are themselves material considerations which need to be brought into account when determining planning applications. NPPF policies may support a decision in line with the Development Plan or they may provide reasons which 'indicate otherwise'.
34. Paragraph 59 of the Framework states to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
35. The presumption in favour of sustainable development is "at the heart of the Framework" and this set out at paragraph 11. This states that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means (inter alia):
 - approving development proposals that accord with an up-to-date development plan without delay;
36. Paragraph 12 of the Framework qualifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. It advises that where a planning application conflicts with an up-to-date development plan (including

any neighbourhood plans that form part of the development plan), permission should not usually be granted.

37. Core Strategy policy CS1 confirms the towns of Bury St Edmunds and Haverhill will be the main focus for the location of new development supported by appropriate levels of development in Key Service Centres. This is re-affirmed by CS4 which sets out the settlement hierarchy for the District and identifies Stanton village as a Key Service Centre.
38. Policy RV1 of Rural Vision 2031 repeats national policy set out in the Framework insofar as, in certain circumstances, there is a presumption in favour of sustainable development. This is repeated by Policy DM1 of the Joint Development Management Policies document. Policy RV3 of Rural Vision 2031 states new residential development will be permitted within the Settlement boundaries where it is not contrary to other policies in the plan.
39. The application site is situated within the Stanton housing settlement boundary and therefore the proposals for residential development comply with the spatial policies of the Development Plan. The outcome of the planning application will therefore be determined by other specific policies in the plan and/or other material considerations arising from nature of the proposals or application site.

Beyond the principle of development

40. This section of the report examines other material issues raised by the planning application proposals in order to establish whether there are any other factors (including policy or site specific) which add material weight to or otherwise influence the final decision.
41. Apart from the principle of development, the following matters are considered relevant to the outcome of this planning application:
 - Continued educational use/alternative uses
 - Built heritage
 - Transport and highway safety
 - Natural heritage
 - Design considerations and impact upon village character
 - Flood risk, drainage and pollution
 - Residential amenity impacts
 - Sustainable construction and operation
 - Planning Obligations

Continued Educational Use/Alternative uses

42. Policy RV8 of the Rural Vision document confirms that existing and proposed schools and educational establishments will be safeguarded for educational and community use. It confirms that development (non-educational/community development) will be considered favourably where:
 - The facility which would be lost as a result of proposed development would be replaced by an establishment of an equivalent or better quality, in a suitable location, or
 - There is clear evidence through a qualified and documented assessment that now, and in the future, the site will no longer be needed for its current purpose and there is no community need for the site.

43. Chapter 24 of Rural Vision sets out policies and aspirations for Stanton village. There is one policy (Policy RV14) relating to Stanton and this simply allocates a site at Upthorne Road for a housing development. The supporting text at Chapter 24 does make mention of the existing primary school site behind the application site but does not refer to the former pre-school facility which is the subject of this planning application.
44. Policy DM41 of the Joint Development Management Policies document sets out general planning policy criteria for considering community facilities and services. The application site, which is presently vacant but last accommodated a pre-school facility, is considered to qualify as an existing community facility. The policy confirms proposals that will result in the loss of valued facilities or services which support a local community (including premises last used for such purposes) will only be permitted where:
 - a. it can be demonstrated that the current use is not economically viable nor likely to become viable. Where appropriate, supporting financial evidence should be provided including any efforts to advertise the premises for sale for a minimum of 12 months; and
 - b. it can be demonstrated that there is no local demand for the use and that the building/site is not needed for any alternative social, community or leisure use; or
 - c. alternative facilities and services are available or replacement provision is made, of at least equivalent standard, in a location that is accessible to the community it serves with good access by public transport or by cycling or walking.
45. In order to comply with this policy the decision maker needs to be able to conclude that criteria a) has been met alongside one of criteria b) or c).

Assessment against policies DM41 and RA8.

46. The application site was last in use as an early years' facility (pre-school). Around 10 years ago a new facility was constructed on the site immediately adjacent to the application site and the pre-school use transferred into the new building. The buildings vacated at the application site have remained unused since the new facility became established.
47. Stanton village is well served by educational facilities. There is a large primary school at Upthorne Road which is capable of being expanded should demand for pupil places grow (through background growth or new development within its 'catchment' area) and as mentioned there are other 'early years' settings available in the village. It is my understanding that no private educational provider has come forward to continue an educational use of the vacant buildings at the application site.
48. It is not apparent that a continued educational use of the site is a viable proposition and an alternative use needs to be considered. The applicants have submitted some marketing information to inform the planning application but it is apparent this intended to seek a purchaser for a residential re-development. Accordingly, the marketing is of very limited relevance to the requirements of criteria a) of Policy DM41. Notwithstanding this, I have already advised that a continued use of the site for educational related purposes is not a viable

proposition given the presence of other settings within the village which have capacity to accommodate increased pupil demand and the replacement facilities which have already been provided on the adjacent site. Furthermore, no community uses or groups (including the Parish Council) has expressed interest in developing a community use of the vacant buildings either in response to consultations about this planning application or the applicant's marketing campaign. There has been no call to register the site/buildings as an Asset of Community Value. I do not, therefore, consider that the applicants should be required to carry out a further and more specific marketing exercise.

49. The application proposals are considered to meet the requirements of Policies DM41 and RA8.

Built Heritage

50. The Framework recognises that heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance. When considering the impact of proposed development upon the significance of a designated heritage asset, great weight should be given to the asset's conservation. The term 'heritage asset' used in the Framework is defined as a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets (A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation) and undesignated assets identified by the local planning authority (including local listing).
51. In this case, given the works necessary to the access (including loss of hedgerow and a semi-mature tree for visibility splays and slight regrading of the frontage banking), there would be some harm to a heritage asset, in this case the character of the Stanton Conservation Area. However, the harm would be relatively minor in nature and, in terms of the NPPF, would be 'less than substantial' with very minor implications arising to the significance of the asset.
52. In these circumstances, where 'less than substantial harm' would occur to a heritage asset, the NPPF advises this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In this case a residential development of the site is considered to be the optimum viable use of the site. The scheme of 3 dwellings proposed within the retained non designated heritage asset (with minimal alterations required externally) would not lead to any harms arising to the Conservation Area given the essential character and integrity of the existing building would be retained. If anything, the re-use of what is a vacant building would make a positive contribution to the character and appearance of the conservation area.
53. The 'less than substantial harm' to the Conservation Area arises from the alterations required to provide adequate visibility for an improved vehicular and pedestrian access. The 'harm' (which is a visual harm) arises principally from the loss of hedgerow from the roadside boundary. However, even with a reduced number of dwellings within a redevelopment scheme (including the development of the adjacent primary school site), the requirements for improved and safe vehicular access would not be altered, the access requirements would be the same or very similar even if the number of dwellings proposed in the two related planning applications were to be reduced. Accordingly, it is considered the application proposals, including the improved access arrangements, represent

the 'optimum viable use' of the site. The harm to the conservation area identified has to be balanced against the public benefits of redevelopment and this will be considered later in this section of the report.

54. Core Strategy Policy CS2 confirms that 'sustainable development' should include measures to conserve or enhance the historic environment. Policy CS3 expects proposals to address (inter alia) detailed heritage and conservation design appraisals and information.
55. Policy DM15 of the Joint Development Management Policies Document requires development proposals affecting (inter alia) the setting of a listed building to demonstrate a clear understanding of the significance of the setting of the building alongside an assessment of the potential impact of the proposal upon that significance. The policy also requires new developments to respect the setting of listed buildings, including inward and outward views and be of an appropriate scale, form, height, massing and design which respects the listed building and its setting. Policy DM20 sets out requirements for proposals that may affect (inter alia) a site of archaeological importance. Policy DM18 sets out criteria where a new use for an historic building requires adaptations, and seeks to safeguard:
 - The character, appearance and setting of a historic building or significant elements of its fabric.
 - The scale, height, massing, alignment, style and materials of the building.
 - The form, function and manner of construction of the building.
56. Having discussed the nature of the 'less than substantial harm' that would occur as a consequence of the development proposals, principally the alterations required to provide safe vehicular and pedestrian access. Having also found that the proposals represent the 'optimum viable use' of the application site, the NPPF requires the identified harm to be balanced against the public benefits of the proposals.
57. It is considered that the public benefits of the scheme are considerable. The proposals would bring back into use a vacant and deteriorating site which is beginning to detract from the character and visual qualities of the conservation area with limited prospect of an educational or community re-use occurring in the foreseeable future. Furthermore, three additional small dwellings would be provided to help meet local and district wide housing needs. The proposals would also considerably improve highway safety for pedestrians and vehicles egressing the site (including staff and visitors to the retained adjacent pre-school building that shares the currently substandard access into the site). There are also opportunities to provide a new hedgerow behind the newly formed visibility splay which, in time, will partly mitigate the visual impact caused by the necessary removal of part of the existing frontage hedge. It is considered that these benefits, in combination, far outweigh the 'less than substantial harm' to the Conservation Area that has been identified.
58. There is a scattering of listed buildings in the vicinity of the application site. These predominantly align 'The Street' to the east and south east of the application site, although there is one listed building (Dorset Cottage) that fronts Bury Lane to the west of the subject site. All these buildings are sufficiently separated from the application site (and its development proposals) such that their settings would not be compromised or otherwise adversely affected (at all) by the development proposals.

59. There are no known or suspected archaeological remains at the application site and no conditions requiring further investigations are required (should planning permission be granted).
60. The application proposals are considered to comply with national and local planning policies relating to the protection and safeguarding of heritage assets.

Transport and Highway Safety

61. It is national policy that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Within this context, it is national policy that applications for development should (inter alia) give priority first to pedestrians and cycle movements, both within the scheme and within neighbouring areas and (so far as possible) facilitate access to high quality public transport. It should also address the needs of people with disabilities and reduced mobility in relation to all modes of transport and create places that are safe, secure and attractive which minimises the scope for conflicts between pedestrians, cyclists and vehicles.
62. Core Strategy Strategic Spatial Objective F aims to enable people and goods to move around efficiently and safely to the benefit of the economy and community with minimum harm to the environment by seeking to reduce car dependency and encouraging more sustainable forms of transport. ensure that new development is located where there are the best opportunities for sustainable travel and the least dependency on car travel. This is reflected in Policies CS2, CS3, CS7 and CS8.
63. Core Strategy policy CS2 seeks (inter alia) to minimise the need for travel and ensure a balance between transport infrastructure and pedestrians. It also requires development to create a safe environment. Policy CS3 expects developments to address access and transport considerations. Policy CS7 seeks to secure a sustainable transport system and reduce the need to travel through spatial planning and design.
64. Policy DM2 of the Joint Development Management Policies document states proposals for all development should (inter alia) produce designs that i) provide access for all and that encourage the use of sustainable forms of transport through the use of pedestrian and cycle links and ii) that maintain or enhance the safety of the highway network.
65. The planning application proposes a relatively modest development of 3 houses within an existing building. However, the highway related impacts of the development should be considered in-combination with the separate, but related proposals for the provision of 7 further dwellings on the adjacent site of the former primary school, which is also on this Committee agenda for determination. The following assessment (and indeed comments received from the highway authority) consider the highway implications of the 10 dwellings proposed by these two planning applications.
66. Stanton is a sustainable location for additional housing growth and scores highly in the settlement hierarchy having been designated as a Key Service Centre by Development Plan policy. Accordingly, there are no locational or transport sustainability concerns about this development of a brownfield site within the designated housing settlement boundary of an acknowledged sustainable village.

67. Concerns have been expressed locally about potential impacts upon highway safety and traffic generation. There is no evidence that the development proposals would be unsafe or lead to unsafe road conditions away from the site. Indeed, the application proposals improve the safe operation of the vehicular access into the site by improving driver visibility. The proposed dwellings would generate traffic movements, but this must be considered in the context of movements associated with the lawful use of the site. Following receipt of amended plans, the highway authority has raised no objections (subject to conditions being imposed) and, given the small size of the development proposals, it was not considered necessary for a transport statement to accompany the submission. The subject matter of the highway related conditions recommended by the Highway Authority (paragraph 10 above) are considered reasonable and include some mitigation of transport impacts during the construction phase of development.
68. The application proposals are considered acceptable with regard to their anticipated transport impacts and are considered to fully accord with national and local planning policies relevant to highway matters.

Natural Heritage

69. The Framework confirms that planning decisions should (inter alia) protect and enhance sites of biodiversity value and minimise impacts on and provide net gains for biodiversity.
70. Strategic Objective H of the Core Strategy aims maintain, protect and enhance biodiversity, geodiversity and natural environment. This objective partly forms the basis of Core Strategy policy CS2 which sets out in greater detail how this objective will be implemented.
71. Policy DM10 of the Joint Development Management Policies Document sets out more detailed provisions with respect to the impact of development upon sites of biodiversity and geodiversity importance.
72. Policy DM11 addresses proposals that would have an impact upon protected species. Policy DM12 sets out requirements for mitigation, enhancement, management and monitoring of biodiversity.
73. There are no nationally or internationally designated sites of ecological value in close proximity to or which would be affected by these development proposals.
74. The applicant's 'Bat Survey Report' confirms that no bats emerged from the building during emergence and re-entry surveys although it noted individual common pipistrelle bats were recorded foraging close to the site. The report recommends as a precaution, a re-survey given the age of the information, recommends lighting precautions and makes recommendations for biodiversity enhancement (bat roost and swift boxes to be installed on the new dwellings). These precautions and biodiversity enhancements could be secured by planning permission if planning permission is to be granted.
75. Subject to conditions, I am content that the application proposals would have no negative impacts upon biodiversity interests, accords with relevant national and local planning policies and it is possible to achieve net enhancement.

Design Considerations and impact upon village character

76. The Framework states the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
77. It also advises that planning decisions should ensure that developments (inter alia):
- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
78. The Framework goes on to reinforce these statements by confirming that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
79. Core Strategy policy CS2 seeks to secure a high-quality sustainable environment through (inter alia) design and sets out extensive criteria for achieving this. This includes making a positive contribution to local distinctiveness, character, townscape and the setting of settlements. Policy CS4 specifically addresses 'design and local distinctiveness' and sets out more detailed criteria for developments proposals to achieve this.
80. Policy DM2 of the Joint Development Management Policies Document sets out general design criteria to be applied to all forms of development proposals. DM22 does the same but is specific to proposals for residential development.
81. The proposed conversion works, which include very minimal (and acceptable) external alterations to the existing buildings are acceptable. The existing Victorian character and integrity of the building would be retained following conversion, despite its internal subdivisions. As discussed in the 'Built Heritage' section of this report some potential visual harm was identified. This arises from the necessary improvement proposed to the vehicular access, principally arising from the need to provide it with adequate visibility (albeit this is capable of some degree of mitigation). In that respect I recommended that the harm identified was significantly outweighed by the public benefits arising. For the same reasons I am able to conclude the proposals (as presented at this current stage) would not impact negatively upon village character.

Flood Risk, Drainage and Pollution

82. 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 and where appropriate, applications should be supported by a site-specific flood risk assessment. The Framework also advises that major developments should incorporate sustainable drainage systems unless there is clear evidence this would be inappropriate.
83. The Framework states that planning decisions should contribute to and enhance the natural and local environment by (inter alia) preventing new and existing development from or being adversely affected by (inter alia) pollution. It should also remediate contaminated (and other spoiled) land, where appropriate. 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.
84. It also confirms that Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified.
85. Core Strategy Policy CS2 seeks to preserve and enhance natural resources including air quality and soils; to incorporate flood prevention and risk management measures (such as SuDS) and remedy existing pollution or contamination.
86. Policy DM6 of the Joint Development Management Policies Document sets out surface water information requirements for planning applications. Policy DM14 addresses proposals for sites which are or are suspected to be (inter alia) contaminated.
87. The application site is not in an area at a risk of flooding (i.e. Environment Agency flood risk Zones 2 or 3 or from surface water) and it is therefore unlikely the proposed dwellings would be at risk of flooding from existing watercourses or from surface water. However, there are reported to be localised surface water flooding issues elsewhere in the village and given the sloping nature of the site, down to the highway at the frontage, there is a degree of potential that surface water from the site re-development might exacerbate off-site flooding issues.
88. The matter is addressed via a sustainable drainage strategy plan which has been submitted with the planning application. This illustrates a potential drainage scheme that would serve to prevent an increase in surface water discharge off the site (including the rate at which water discharges). At this stage, the details are illustrative with final details needing to be supplied in due course. The strategy has been accepted by both the Lead Local Flood Authority and the Highway Authority (both functions of Suffolk County Council), subject to conditions. I see no reason to disagree.
89. The planning application is accompanied by a Phase I Ground Contamination Desk Study. The study concludes that plausible sources of potential pollution have not been identified and recommends that further intrusive investigations

(including soil sampling) are not required. The Council's Environmental Health team has advised that it agrees with the conclusions of the Study and development can proceed safely without further investigations being required.

90. The development proposed within the planning application is relatively small-scale and does not give rise to any significant air-quality concerns. Furthermore given that the parking spaces are to be provided away from the individual housing plots (such that plugs cannot be affixed the dwellings within a reasonable range of the parking spaces) it is not considered appropriate to require a scheme of charging points for electric vehicles from these proposals.

Residential amenity impacts

91. The Framework states that planning decisions should ensure that a site is suitable for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In the context of achieving well designed places, the Framework confirms that planning decisions should create places with a high standard of amenity for existing and future users.
92. Vision 1 of the Core Strategy seeks to provide 'a higher quality of life' for residents. Policy DM2 of the Joint Development Management Policies Document seeks to safeguard (inter alia) residential amenity from potentially adverse effects of new development and not site sensitive development where its users would be significantly and adversely affected unless adequate and appropriate mitigation can be implemented.
93. Some concerns have been raised locally that the conversion of the former school building would lead to overlooking of neighbouring property, in particular the neighbouring bungalow to the north east. There are three windows at first floor level in the rear elevation of the former school buildings and these are located to the north eastern end of the building where there is some limited first floor accommodation (the remainder of the building is single storey and would remain as such). The windows in question would serve 2 bedrooms and a bathroom (one window in each).
94. There may be a degree of overlooking from these windows towards the rear gardens of the adjacent bungalow to the north east. The relationship between the buildings (school and bungalow) is not unusual given they are sited side by side. A degree of potential overlooking (or perhaps creation of a perception of being overlooked) is inevitable in situations such as this where first floor windows are proposed on rear elevations. This is not uncommon. The key consideration is whether there would be material harm arising to the amenities of the occupiers of the adjacent bungalow (or increased harm from a baseline position).
95. In this case it is not considered additional harm would arise. The windows in question serve secondary rooms which are likely to be used less intensively than their previous educational uses. At worst the impact upon the neighbouring property would be similar to the previous uses, but I would expect there to be a reduction in instances where people would stand at the windows, following conversion works. Furthermore, there are substantial trees on the shared boundary such that, during the late spring/summer/ early autumn periods (when the gardens are most likely to be used intensively) the leaf canopy will provide a barrier which completely blocks any views from the first floor windows across the boundary.

96. Whilst the occupiers of the converted dwelling may decide to do so, there is no planning reason to secure obscure glass to any of these first-floor windows. It is considered that the proposed conversion would respect the amenities of the occupiers of the adjacent bungalow and other dwellings around the site.

Sustainable construction and operation

97. Section 19 (1A) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to include in their Local Plans “policies designed to secure that the development and use of land in the local planning authority’s area contribute to the mitigation of, and adaptation to, climate change”.
98. The Framework confirms the planning system should support the transition to a low carbon future in a changing climate and should help to (inter alia) shape places in ways that contribute to radical reductions in greenhouse gas emissions.
99. The document expands on this role with the following policy:

In determining planning applications, local planning authorities should expect new development to:

- *comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*
 - *take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.*
100. The importance the Government places on addressing climate change is reflected in the Core Strategy Strategic Objectives (Objective I in particular). Core Strategy Policy CS2 sets out requirements for sustainable construction methods. Policy DM7 of the Joint Development Management Policies Document reflects the up-to-date national planning policy on sustainable construction and arguably places lesser requirements upon developers than Core Strategy Policy CS2.
101. Policy DM7 requires adherence to the broad principles of sustainable design and construction (design, layout, orientation, materials, insulation and construction techniques), but in particular (for residential schemes) requires that new residential proposals to demonstrate that appropriate water efficiency measures will be employed (standards for water use or standards for internal water fittings). The policy is also supported by the provisions of Policy DM2 of the same plan.
102. Part G2 of the Building Regulations enables the Building Control Authority to require stricter controls over the use of water. The ‘standard’ water use requirement set out in the Regulations is 125 litres per person, per day. Part G2 enables this requirement to be reduced to 110 litres per person per day, but only if the reduction is also a requirement of a planning condition. Given the provisions of Policy DM7 of the Joint Development Management Policies Document (2015) requires developers to demonstrate water efficiency measures (and one of the options is 110 litres water use per person, per day), it is considered reasonable to require the more stringent water efficiency measures set out in the Building Regulations be applied to this development. A suitably worded planning condition could be imposed upon any potential planning permission granted.

Planning Obligations

103. The Framework states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. It repeats the tests of lawfulness for planning obligations which are derived from Regulation 122 of The Community Infrastructure Levy Regulations 2010 (CIL).
104. Regulation 122 of CIL imposes limitations on the use of planning obligations and states (where there is no CIL charging regime), a planning application may only constitute a reason for granting planning permission for the development if the obligation 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.
105. Core Strategy policy CS2 seeks to secure high quality, sustainable development by (inter alia) providing the infrastructure and services necessary to serve the development. Further details of the requirements for infrastructure delivery are set out in Policy CS14.
106. The application proposals when considered cumulatively with the adjacent proposals for three dwellings on the former primary school site have revealed matters which require developer contributions to be provided to public bodies in order to fund the delivery of necessary infrastructure. Furthermore, and in accordance with extant planning policies, including the NPPF, the two separate and related proposals for 10 dwellings combined qualify (in principle) for the provision of affordable housing.
107. There is presently no Agreement or Undertaking in place under S106 of the Town and Country Planning Act (1990) to secure the infrastructure necessary for the development proposals. This will need to be addressed before any positive decision notice can be issued by the Local Planning Authority. Notwithstanding the absence of such a document, the following Heads of Terms are triggered by the development proposals (by policy requirement, consultee requests or identified development impacts):

Affordable Housing

108. The Framework states the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing). Where a need for affordable housing is identified, the Framework advises that planning policies should specify the type of affordable housing required and expect it to be met on-site.
109. Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.

110. The 'Vacant Building Credit' is introduced at paragraph 62 of the Framework. This confirms that to support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount. This is expanded upon by the Planning Practice Guide which confirms that where a vacant building is brought back into use or is to be demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when calculating the affordable housing contribution sought by the planning authority. What this essentially means is that affordable housing contributions should only be required from any increase in floorspace proposed (unless the applicant does not accept the credit offered to them).
111. Core Strategy Spatial Objective A seeks to meet the communities need for housing in a sustainable way, including specialist affordable housing, by providing an adequate and continuous supply of land for housing. Core Strategy policy CS5 requires 30% of the proposed dwellings to be 'affordable'. The policy is supported by Supplementary Planning Guidance which sets out the procedures for considering and securing affordable housing provision. Policy CS5 would, in normal circumstances, require up to 3 of the 10 dwellings proposed in both related planning applications to be secured as 'affordable'.
112. The application site contains a vacant building, the former pre-school building. Accordingly, the applicant has been offered and has accepted the vacant building credit equivalent to the floorspace within the existing building. Given that the application proposes a conversion of the existing buildings with no extensions or other increases in floorspace, the affordable housing credit is 100% of the normal policy requirement for affordable housing provision. Accordingly the Planning Authority is not able to secure any affordable housing contributions from this particular scheme.

Education

113. The Framework states that strategic planning policies should make sufficient provision for (inter alia) community facilities, such as education infrastructure. It also advises on the importance that a sufficient choice of school places is available to meet the needs of existing and new communities. It advises that Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education and should give great weight to the need to create expand or alter schools through decisions on applications.
114. Core Strategy Policy CS14(2) considers educational provision as an essential infrastructure requirement. This is built upon, in a general sense, in Policy DM41 of the Joint Development Management Policies Document which states (inter alia) the provision of community facilities and services will be permitted where they contribute to the quality of community life and sustainable communities. The policy confirms, where necessary to the acceptability of the development, the local planning authority will require developers of residential schemes to enhance existing community buildings, provide new facilities or provide land and financial contributions towards the costs of these developments, proportional to the impact of the proposed development in that area (through conditions and/or S106 Agreements).
115. The Local Education Authority (LEA) has confirmed there is no spare capacity at local secondary school (including for 6th form provision) to accommodate the pupils forecast to emerge from this development and has requested developer

contributions to increase pupil capacity. The contributions, which are proportionate to the pupil yields forecast to emerge from the development, would be used towards delivering additional secondary and 6th form school places to cater for the needs of the proposed development. These would need to be secured by an obligation within an Agreement under S106 of the 1990 Act.

116. Suffolk County Council has also confirmed there is sufficient capacity at the village primary school to cater for the educational needs of primary school aged children whom are forecast to reside at the development. Similarly, there is sufficient capacity within the existing 'early years' facilities (accommodating pre-school children aged 2-5).

Libraries

117. The Suffolk County Council has demonstrated a need to provide library resources for the occupiers of this development and has requested a developer contribution. This could be secured by means of a S106 Agreement before any potential planning permission is issued.

Discussion and Conclusions

118. The principle of the development is considered acceptable and in compliance with relevant Development Plan policies and the National Planning Policy Framework.
119. The proposals would bring back into use a presently vacant and deteriorating site that is no longer needed for its original use (or alternative community uses) and, would achieve a safe and high quality development that respects the character and integrity of the existing building without leading to significantly adverse impacts upon its surroundings, including the character of the conservation area and the village generally nor upon the occupiers of the neighbouring dwelling that is in close proximity to the site to the east. The development complies with relevant national and local planning policies in all respects and is therefore recommended for approval (following completion of a S106 Agreement and subject to a number of planning conditions).

Recommendation:

120. It is recommended that outline planning permission be **GRANTED** subject to:

The completion of an Agreement (or equivalent) under S106 of the Town and Country Planning Act 1990 (as amended) to secure the following from this planning application (in combination with the related proposals for three dwellings reference DC/17/1087/OUT):

- Education contribution (as set out at paragraph 12 above)
- Libraries contribution (as set out at paragraph 12 above)

And subject to conditions, including:

- Development to commence within 3 years of the date of the permission.
- Compliance with approved plans.
- Materials (bricks to be re-used in the door and window alterations insofar as is practicable)

- Full details of any replacement windows/doors to the front of the building (during the conversion or following occupation)
- Removal of permitted development rights for alterations to the frontage of the building
- Removal of permitted development rights for provision of means of enclosure in front of the dwellings.
- Approval of details of means of enclosure to the rear of the building.
- As recommended by the Highway Authority (conditions are summarised at paragraph 10 of this report)
- Details of any hard or soft landscaping proposals to site frontage
- Retention and protection of trees to be retained.
- To secure the ecological enhancement measures recommended in the bat report.
- Compliance with Building Control Requirements for reduced water consumption
- Surface water drainage scheme, including future management and maintenance (to be submitted with the reserved matters)
- Bat survey results (and any mitigation requirements arising) to be submitted and approved before any development in the buildings commences.
- Lighting strategy (including no external lighting to be provided on the dwellings or their gardens unless agreed following consideration of a bat impact report).

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/>