

Development Control Committee

5 January 2022

Planning Application DC/21/0079/FUL – Rabbit Hill Covert, Station Road, Lakenheath

Date registered:	2 March 2021	Expiry date:	27 April 2021
Case officer:	Gareth Durrant	Recommendation:	Approve application
Parish:	Lakenheath	Ward:	Lakenheath
Proposal:	Planning application - engineering operations for the introduction of a drainage attenuation basin, as amended		
Site:	Rabbit Hill Covert, Station Road, Lakenheath		
Applicant:	Evera Homes LLP		

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 proposals for a surface water drainage basin are linked to a housing development on adjacent land and was submitted alongside a separate application for reserved matters for the housing. The application was referred to the Development Control Committee for determination, alongside the housing reserved matters, following consideration by the Delegation Panel.

Whilst the Reserved Matters have already been considered and conditionally approved by the Committee, the progress of the planning application for the surface water drainage basin was delayed for technical reasons and has become separated from the reserved matters proposals to which it relates.

Proposal:

1. The application proposes a landscaped drainage basin to receive excess surface water from a housing development on an adjacent development site.

Application supporting material:

2. The following documents have been submitted to support this application:

- Application form, including certifications
- Location Plan
- Drainage Strategy Plan (as amended)
- Cross Sections (as amended)
- Drainage Information including maintenance schedule (as amended/supplemented)
- Landscaping Details (as amended)

Site details:

3. The site is situated to the north of Lakenheath. It is a small parcel of a larger field used for agriculture (Grade 3). The site is distant from any public vantage points and there is a tree lined frontage (off-site) onto the highway of Station Road.
4. The application site is situated within the settlement boundary of Lakenheath as confirmed by the Site Allocations Local Plan (SALP) development plan document. The land surrounding the application site is allocated for residential led development in the SALP. The land sits just inside Plan allocation site reference SA8(B) which is allocated for around 375 dwellings and a new primary school. The application site for the drainage basin abuts a further allocated site (plan reference SA8(a)) to its south. This parcel of land is allocated in the plan for around 81 dwellings. Both sites already benefit from the granting of outline planning permissions for their development (please refer to the next section of this report for further details).
5. There are no landscape or heritage asset designations at the site. The Environment Agency flood risk maps indicate that the site is situated within Flood Zone 1 (with little or no risk of flooding).

Planning history:

6. The following planning history is relevant to the site and its wider context:

Reference	Proposal	Status	Decision date
F/2013/0345/OUT	Outline application - residential development (up to 81 dwellings), as amended by agents letter, amended design and access statement and confidential stone curlew records received by the Local Planning Authority on 7th May 2014 and by flood risk assessment & drainage strategy and archaeological report both received by the Local Planning Authority on 23rd May 2014 and by Noise Assessment received by the Local Planning Authority on 12th August 2014. (Major Development and Departure from the Development Plan)	Application Granted	20 September 2018
DC/20/2066/RM	Reserved matters application - submission of details approved under outline planning permission F/2013/0345/OUT for access, layout, scale, appearance and landscaping (not EIA) for up to 81 dwellings and associated works, as amended.	Pending Decision	
DC/14/2096/HYB	Hybrid planning application - 1) Full application for the creation of a new vehicular access onto Station Road, and entrance to a new primary school, 2) Outline application for up to 375 dwellings (including 112 affordable homes), and the construction of a new primary school, land for ecological mitigation and open space and associated infrastructure (as amended).	Application Granted	03 February 2020

Consultations:

7. The application was amended to improve the design of the basin and to provide further technical drainage information. Where more than one consultation response was received, the latest submission is reported.
8. **Defence Infrastructure Organisation (safeguarding department)** – provides the following comments:
 - No safeguarding concerns with the heights of the development.
 - The application site occupies the bird strike safeguarding zone surrounding RAF Lakenheath.
 - Within this zone the principal concern of the MOD is the creation of new habitats may attract and support populations of large and or flocking birds close to the aerodrome.
 - At this location relative to RAF Lakenheath the surface water attenuation should ideally be underground, or if an above ground basin is used, they should be generally dry with a quick drain down time (holding water in a 1:30 year flood event or greater and draining completely within two days) to prevent any attractant to large hazardous species of waterfowl. Any above ground basin/pond would also need mitigation measures in the form of continuous marginal planting around the perimeter and/or goose proof fencing to prevent feral geese from accessing the pond.
 - In summary, the MOD has no objection to this proposal, providing the design of the attenuation basin as detailed below, is included as a conditional requirement forming part of any planning permission granted:
 - Ideally an underground attenuation basin is used, if this is not possible, further details provided of the proposed above ground drainage attenuation basin which should include drain down times, planned planting schemes around the pond and mitigation measures should the basin fail and begin to hold water for any length of time over the 48 hours.
9. **Natural England** do not wish to comment.
10. **Lakenheath Internal Drainage Board** – confirm they have no objections from a drainage point of view.
11. **SCC Flood & Water Management** recommend approval, subject to conditions requiring i) implementation of the drainage strategy as proposed (including its management and maintenance), ii) surface water drainage verification report, and iii) Construction Surface Water Management Plan.
12. **SCC Growth Highways and Infrastructure** – provides advisory comments for the benefit of the applicant/developer with respect to maintenance easements, adoption and future proofing.
13. **SCC Archaeology** comment that this site has been previously subject to an archaeological evaluation and on the basis of the results of this work, we would not advise than any additional archaeological work is required.

14. West Suffolk Council (Ecology and Landscape) – provides the following comments:

- No consideration of the impact of the proposals upon biodiversity has been included and no ecological enhancements have been submitted, as required by policy DM12.
- Further information is needed to demonstrate how the SUD feature will be assimilated into the existing landscape:
 - demonstration of the site boundary on the landscape plan;
 - illustration of existing trees to the west and consideration/evidence of any impacts upon them;
 - details of other vegetation referred to but not illustrated;
 - the new footpath should be shown (and how the root protection area of the trees will be addressed);
 - location of the knee rail should be shown;
 - landscaping beyond just new trees should be considered (e.g. hedges and shrubs);
 - further clarification relating to the grass seeding mix is required, and;
 - The approved housing [to the south] should be illustrated on the plans for context

Representations:

15. Lakenheath Parish Council objects to the proposals on the following grounds:

- Insufficient information provided
- No detailing of public safety measures bearing in mind this is to be located in the green space intended for residents for leisure purposes
- No discussion about treatment of standing (stagnant) water, odours arising and possible attractiveness to birds (exacerbating risk of a bird strike to aircraft)
- A bird protection plan should be required
- The loss of open space should be replaced
- The parish council advocates an alternative (below ground, piped) solution to site drainage.

Policy:

16. The Development Plan relevant to the old 'Forest Heath' part of the West Suffolk area comprises the policies set out in the Single-Issue Review of Core Strategy Policy DM7 (adopted September 2019), the Site Allocations Local Plan (adopted September 2019), Joint Development Management Policies document (adopted February 2015) and the Core Strategy Development Plan document (adopted May 2010). The following policy is applicable to the proposal:

Site Allocations Local Plan 2019

- Policy SA1 (Settlement Boundaries)
- Policy SA8 (Focus of Growth – North Lakenheath) which allocates the application site where the pond would be positioned and the adjacent site

from which the pond would receive surface water for housing and a new primary school.

Single Issue Review 2019

- There are no relevant policies in this plan.

Joint Development Management Policies (2015)

- Policy DM2 (Development Principles and Local Distinctiveness)
- Policy DM6 (Flooding and Sustainable Drainage)
- Policy DM12 (Mitigation, Enhancement, Management and Monitoring of Biodiversity)
- Policy DM13 (Landscape Features)
- Policy DM20 (Archaeology)

Core Strategy (2010)

- Policy CS2 (Natural Environment)
- Policy CS5 (Design Quality and Local Distinctiveness)

Other planning policy:

National Planning Policy Framework (NPPF)

National Policy and Guidance

17.The Government has recently updated national planning policies and has 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 any relevant policies are discussed in the 'officer comment' section of this report.

18.The Planning Practice Guidance (PPG) is an on-line Government controlled resource which assists with interpretation about various planning issues and advises on best practice and planning process. Any relevant advice from the Planning Practice Guidance is discussed in the 'officer comment' section of this report.

Officer comment:

19.This application proposes drainage infrastructure required for a housing development that is to be built on adjacent land. The housing development in question is that set out at paragraph 6 above (1st and 2nd entries). The reserved matter application (2nd entry) for the 81 dwellings has been planned for on the basis that the surface water drainage basin will be provided on the adjacent development site. The Committee has already considered and approved the reserved matters on the basis of this strategy for management of surface water (August 2021 meeting). Unfortunately the drainage basin proposals could not be reported to the Committee at the same time as the related reserved matters

as further technical information and amendments to the design of the basin were awaited at the time.

20.The Committee resolved to approve the reserved matters (reference DC/20/2066/RM) subject to the proviso that the notice of approval of the reserved matters only be issued once all other relevant planning applications (including the planning application subject to this report) which might necessitate amendments being made to the reserved matters have been approved without material amendments to the reserved matters being required. In light of this and given the development context of the two allocated SALP sites, the proposed development is considered acceptable in principle, despite being located away from the site to which it will (at least initially) serve.

21.The proposed basin is a relatively minor feature that will, in time, be assimilated into the wider housing led development of the site. Drainage ponds are common features of modern housing estates as contemporary requirements to properly manage surface water (particularly during storm events) within sites. 'SUDS' solutions to surface water drainage are now important policy requirements. Furthermore, above ground solutions (e.g. basins and ditches/swales) are preferred to below ground solutions (e.g. crates/oversized pipes etc) given they are i) easier to maintain, ii) safer in terms of avoiding future surface water driven flood events and iii) can bring about biodiversity benefits. Indeed Development Plan policy DM6 advocates 'SUDS' (Sustainable Urban Drainage Schemes) and informal policy guidance prepared by Suffolk County Council advocates above ground solutions, such as that proposed here, where possible.

22.The Council's Senior Ecology and Landscape Officer has reasonably requested the submission of further information to i) be able to ensure the basin is landscaped appropriately to its setting and constraints, ii) to ensure it will be an attractive functioning feature when the two large housing developments are provided and iii) to ensure the TPO trees to the west are not affected. These requests for further information have been put to the developer whom has since confirmed and demonstrated that the basin is located away from the Root Protection Area of the Trees. The applicant might submit further information to the Council in advance of the Committee meeting relating to the other matters raised, but officers consider these can be resolved by suitably worded planning conditions. These conditions would i) require detailed landscaping proposals to be submitted and ii) to require ecological enhancements to be demonstrated and proposed.

23.The Parish Council has raised a number of concerns about the proposals (paragraph 15 above). These are set out below with officer comment following:

- Insufficient information provided:

The Flood and Water Management Team (F&WMT) at Suffolk County Council agreed with this point and requested further information. Further technical information has been received to supplement and amend the planning application throughout its consideration period. The F&WMT are now content with the information received and they are satisfied that a safe and suitable surface water management scheme is proposed to serve the adjacent housing development (subject to further conditions).

- No detailing of public safety measures bearing in mind this is to be located in the green space intended for residents for leisure purposes:

The basin will be safeguarded with knee rails and perimeter planting however, should a person enter the basin by accident, the shallow slopes to its edges (1 in 4) means that they should be able to egress safely from the basin.

- No discussion about treatment of standing (stagnant) water, odours arising and possible attractiveness to birds (exacerbating risk of a bird strike to aircraft). A bird protection plan should be required:

The drainage system is based on water infiltrating the ground and draining naturally. The pond is required for short periods to hold water where heavy and/or sustained rainfall exceeds the natural infiltration rate. In those circumstances the basin would hold the water on site until it can be drained naturally. The size of the basin has been calculated to ensure it is adequate in the worst conditions. Accordingly, water would not be held in the basin for significant periods such that it might become stagnant and cause amenity issues. There is also a management regime proposed for the surface water drainage systems to ensure they continue working properly.

The safeguarding department of the DIO has also raised the issue of potential bird strike to passing military aircraft and, like the Parish Council has requested a condition to ensure bird strike risk is minimised. It is considered reasonable to impose such a condition should planning permission be granted.

- The loss of open space should be replaced:

The site of the drainage basin is within the site of the planning permission for construction of 375 dwellings and a primary school. That site is yet to be planned for in detail and no reserved matters have been submitted for consideration. Outline planning permission has, however, been granted for that scheme (reference DC/14/2096/HYB – paragraph 6 above). One of the conditions of that permission requires the open space provision to accord with the Council's policies. Accordingly, whilst the drainage basin is likely to reduce the net developable area of the development site by a small amount, it will not displace any public open space that will be required to be provided for the development.

- The parish council advocates an alternative (below ground, piped) solution to site drainage:

This matter is addressed at paragraph 21 of this report.

Conclusion:

24. 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. The proposed SUDS feature is an inevitable and beneficial element of modern housing development. The planning application is recommended for conditional approval.

Recommendation:

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

- Detailed landscaping scheme (to incorporate trees, hedges and shrubs as necessary)
- Ecological enhancement measures
- Bird mitigation strategy (to ensure birds are not encouraged to the basin)
- Construction management plan
- Drainage verification scheme
- Implementation of the drainage scheme.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online
[DC/21/0079/FUL](#)