

## Committee Report

**Item 7C**

**Reference:** DC/20/02539

**Case Officer:** Sarah Scott

**Ward:** Mendlesham

**Ward Member/s:** Cllr Andrew Stringer

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## **RECOMMENDATION – GRANT PLANNING PERMISSION**

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### **Description of Development**

Application under Section 73 of the Town and Country Planning Act for DC/19/02283 for variation of condition 2 (Approved Plans and Documents)

### **Location**

Land adjacent Riverside Cottages, Mendlesham Green, Mendlesham, Suffolk

**Expiry Date:** 21/08/2020

**Application Type:** FUW - Full App Without Compliance of Condition

**Development Type:** Minor Dwellings

**Applicant:** Brooks & Wood

**Agent:** Suffolk Design Services

**Parish:** Mendlesham

**Site Area:** 0.03ha

**Details of Previous Committee / Resolutions and any member site visit:** None

**Has a Committee Call In request been received from a Council Member (Appendix 1):** Yes

**Has the application been subject to Pre-Application Advice:** No

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## **PART ONE – REASON FOR REFERENCE TO COMMITTEE**

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The application is referred to committee for the following reason/s:

Councillor call-in.

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## **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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### **Summary of Policies**

Mid Suffolk Local Plan 1998:

GP01 - Design and layout of development

H15 - Development to reflect local characteristics

H16 - Protecting existing residential amenity

Core Strategy 2008:  
CS05 - Mid Suffolk's Environment

Core Strategy Focused Review 2012:  
FC01 - Presumption in Favour of Sustainable Development  
FC01\_1 - Mid Suffolk Approach to Delivering Sustainable Development

NPPF - National Planning Policy Framework

### **Neighbourhood Plan Status**

The application site is within the adopted Mendlesham Neighbourhood Plan 2016 – 2031 (Version 3.3) November 2016:

Policy MP6 Building design

### **Consultations and Representations**

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

#### **A: Summary of Consultations**

##### **Mendlesham Parish Council (Appendix 3)**

Mendlesham Parish Council unanimously recommends refusal of this application for the following reason. In view of the history of this site and the comments made by the Planning Appeal Inspector, render only should be used, to provide as much reflectivity as possible, protect neighbour amenity and to remain in keeping with the design of neighbouring properties and general design of Mendlesham Green.

#### **B: Representations**

At the time of writing this report at least three letters/emails/online comments have been received. It is the officer opinion that this represents three objections. A verbal update shall be provided as necessary.

Grounds of objection are summarised below:

- Overbearing effect
- Oppressive sense of enclosure
- Change of materials out of keeping with area
- Consider material change not in accordance with appeal decision or policies

Non material consideration in terms of approval of the dwelling in principle and siting also highlighted.

### **PLANNING HISTORY**

<b>REF:</b> DC/19/00449	Full Planning Application - Erection of a 3 bed house with an integral garage.	<b>DECISION:</b> REF 08.04.2019
<b>REF:</b> DC/19/02283	Planning Application. Erection of a new dwelling	<b>DECISION:</b> GTD 02.07.2019

<b>REF:</b> DC/20/00819	Non Material Amendment to application DC/19/02283 - Gables ends to be brickwork instead of previously approved render	<b>DECISION:</b> REF 24.03.2020
<b>REF:</b> 0087/09	Erection of detached dwelling (approval of reserved matters under 1894/07)	<b>DECISION:</b> GTD 18.03.2009
<b>REF:</b> 1894/07	Erection of detached dwelling.	<b>DECISION:</b> GTD 17.08.2007

## PART THREE – ASSESSMENT OF APPLICATION

### **1. The Site and Surroundings**

- 1.1. The site was previously part of the side garden to 2 Riverside Cottages, which lies to the west of the application site. The site is within the parish of Mendlesham Green towards the western edge of the hamlet and comprises an infill gap along the frontage where the road starts to drop downhill.
- 1.2. The site is relatively flat and has a frontage of approximately 12 metres which tapers to 9.5 metres at the rear boundary.
- 1.3. There is a mixed form of old and more recent housing in the locality comprising largely of detached and semi-detached buildings including modern detached houses opposite. Numbers 1 and 2 Riverside Cottages to the immediate west are traditional modest two storey cottages, as are the properties to the east where the adjacent cottage Crickhollow has a double garage with a tall pitched roof at the side nearest to the application site.
- 1.4. There are properties to the north, east and west with garden and agricultural fields to the south.
- 1.5. The site is not in a Conservation Area. There are not any designated heritage assets in proximity of the site.

### **2. The Proposal**

- 2.1 Approval is sought for an amendment to the dwelling granted planning permission under DC/19/02283. The approved dwelling incorporated rendered gable ends. The application proposes the gable ends to be finished in brickwork, brick type 'Wienburger Antique Mardale'.
- 2.2 The key issue is the effect of the proposed red brickwork clad gable ends on the character and appearance of the area and on the living conditions of the occupiers of neighbouring dwellings compared to the approved render finished.



Above is approved, and below is proposed.



### **3. Character and Appearance**

- 3.1 Policy MP6 of the Mendlesham Neighbourhood Plan (MNP) states that building materials shall respond (and be sympathetic to) the local character of Mendlesham, and that the selection of proposed materials should be directly influenced by the surrounding context of Mendlesham. The MNP contains useful supporting text to this policy, clearly contemplating the use of brickwork finishing:

*'Typical of most Suffolk villages, Mendlesham contains a wide mix of traditional building materials from brick and render through to slate and tile roofs. It is important to protect this historical legacy, facing and roof materials should be selected from the range of regional materials characteristic of mid-Suffolk. This means using those materials present on pre-20th century buildings as seen throughout the parish.'*

*'It is appropriate to have a range of locally specific facing materials on different houses in a development, change materials between parts of a house, and change*

*facing material on a house i.e. from one storey to another or to articulate part of the structure.'*

- 3.2 The proposed changes to the external appearance of the dwelling are limited to the gable ends. The front elevation, the portion of the dwelling most visible from the public domain, is retained in a rendered finish, consistent with the prevailing finish in the street. Whilst the gable ends will be visible from the street, views will be from oblique angles only, noting the dwelling is set well back from both dwellings that flank the subject site. The street setback, combined with the location of the adjacent dwellings, limits the visibility of the gable ends in views from the street.
- 3.3 The gable ends will be visible from neighbouring properties. This in itself is not fatal to the application. Brickwork is not altogether alien in Mendlesham Green, noting the almost fully brick-clad dwelling directly opposite the site which clearly forms part of the established streetscene. As noted above, the MNP clearly contemplates the use of brickwork and the application of different materials to different parts of a dwelling. The proposed brickwork finish is a material characteristic of mid-Suffolk, and a material present on pre-20<sup>th</sup> century buildings seen throughout the parish.
- 3.4 Weight must also be afforded to the fact that the site is not within a Conservation Area nor is it within the setting of any designated or non-designated heritage assets. The proposal does not result in heritage harm nor offend local heritage policies.
- 3.5 For the above reasons the application of a brick finish to the gable ends of the approved dwelling will not result in an unacceptable character response. The proposal does not represent a significant departure from local design policies such that it justifies refusal of the application.

#### **4. Residential Amenity**

- 4.1 Paragraph 127(f) of the NPPF sets out a number of core planning principles as to underpin decision-taking, including, seeking to secure a high standard of amenity for all existing and future occupants of land and buildings. Key policies in the local plan include H16, GP1 and H18.
- 4.2 The gable ends are in proximity of adjoining rear gardens and therefore close attention must be paid to the impact the proposed brickwork finish will have on the occupiers of the adjoining properties. Important to note is that the application does not propose any change to the approved building envelope nor does it propose the punctuation of the gable ends with any openings. The approved gable end dimensions (height, width and eaves level) remain unchanged. The only change proposed is the change in finishing material, with brickwork finishing incorporated in lieu of a render finish.
- 4.3 The change in finishing material will result in a different outlook for neighbouring occupiers, however officers do not consider that the different outlook is an unacceptable one. The proportions of the neighbouring rear gardens are rather comfortable, far from highly constrained, such that a brickwork finish would not result in enclosure to that already approved. Noteworthy is the extremely limited, if any, amenity value associated with the side setback between the garage at Crickhollow and the application site, as this does not form usable principal private open space. Moreover, the eastern gable end projects less than half the depth of the rear garden of Crickhollow.
- 4.4 White render would reflect light more than red brick. On this basis, the perceived sense of enclosure of neighbours is likely to change despite the physical form of the building not being changed. However, a further consideration is also that render can be painted and may also be a dark colour as colour was not controlled by the permission granted. A dark render could arguably

have the same impact as red brick, but red brick will have texture and pattern compared to a smooth finish.

- 4.5 Officers acknowledge the concerns raised by objecting residents, including references made to a previous appeal decision at the site. The appeal decision concerned an entirely different development to that currently before Council (one involving gable ends taller and wider than those subject of this application) and is deemed to have limited, if any, bearing on the merits of the current application. This is a section 73 application and as such the LPA needs to consider this amendment to the approved application.

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## PART FOUR – CONCLUSION

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### **5. Planning Balance and Conclusion**

- 5.1 The gable ends subject of the proposed amendment have a very limited streetscene presence, set well back from the street and obscured in some street views by flanking development. A part render, part brickwork finished dwelling is an appropriate character response, one anticipated by the MNP. No designated or non-designated heritage assets are impacted by the proposed amendment.
- 5.2 Living conditions of neighbouring residents will be affected in terms of the perception of the new dwelling if this were approved. The question is how significant is the change in terms of materially being detrimental to amenity. This is difficult to judge as it requires an understanding of light being reflected with a range of variables including the time of day, orientation, shade of colour (gloss v matt) of render, reaction of building form and shadows. However, given the scale/size of the development at 1 ½ storey, relationship between buildings and the possibility of a dark render, it is the opinion of your officers that light reflection would be affected, but the degree of difference would be slight and not impact amenity significantly to warrant refusal that could be robustly defended at appeal.

### **RECOMMENDATION**

That the application is GRANTED planning permission and includes the following conditions:

- Standard time limit for Section 73 application
- Approved Plans (Plans submitted that form this application to be brick gables and not render)
- All other conditions from DC/19/02283 copied across to form the Section 73 permission.