

Committee Report

Item 6B

Reference: DC/21/00082

Case Officer: Jasmine Whyard

Ward: North West Cosford.

Ward Member/s: Cllr Robert Lindsay.

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Planning Application. Change of use of de-designated common room to a general needs domestic dwellinghouse (bungalow) development to include parking upgrades. (Retention of works to building under COVID 19 permitted development)

Location

7 Hill House, Newberry Road, Bildeston, Ipswich Suffolk IP7 7ET

Expiry Date: 03/03/2021

Application Type: FUL - Full Planning Application

Development Type: Minor Dwellings

Applicant: Mid Suffolk District Council

Parish: Bildeston

Site Area: 0.15 hectares

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

Has a Committee Call In request been received from a Council Member: No

Has the application been subject to Pre-Application Advice: Yes

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

- i) The applicant is Mid Suffolk District Council.
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PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

The Development Plan

The following policies are considered the most important to the determination of this proposal. The policies are all contained within the adopted development plan for Babergh District which is comprised of: Babergh Core Strategy (2014) and Babergh Local Plan Alteration No.2 (2006), specifically the ‘saved policies’ (2009 but deemed to still be ‘live’ in 2016). All policies, save for CS2, are afforded full weight in the determination process as they are, *inter alia*, considered wholly consistent with the policies of the NPPF (having regard to paragraph 213 of that document).

- **Babergh Core Strategy (2014)**

- CS1- Applying the Presumption in Favour of Sustainable Development in Babergh
 - CS2- Settlement Pattern Policy
 - CS15- Implementing Sustainable Development in Babergh

- **‘Saved policies’ (2009) of Babergh Local Plan Alteration No.2 (2006)**

- CN01- Design Standards
 - CN08- Development in or near Conservation Areas.
 - TP15- Parking Standards- New Development

The National Planning Policy Framework

The National Planning Policy Framework (NPPF) 2019 contains the Government’s planning policies for England and sets out how these are expected to be applied. Planning law continues to require that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-taking purposes.

Particularly relevant elements of the NPPF include:

Chapter 2: Achieving Sustainable Development

Chapter 4: Decision Making

Chapter 5: Delivering a Sufficient Supply of Homes

Chapter 12: Achieving Well-Designed Places

Other Considerations

Suffolk County Council- Suffolk’s Guidance for Parking (2014 most recently updated in 2019)

The National Planning Practice Guidance (NPPG) provides guidance and advice on procedure rather than explicit policy; however, it has been taken into account in reaching the recommendation made on this application.

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area.

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

Town/Parish Council

No comments received.

National Consultee

None.

County Council Responses

- **Highway Authority**
No objection. Recommends conditions on 1) parking provision, 2) means to prevent surface water discharge and 3) construction management plan.

Internal Consultee Responses

- **Strategic Housing**
No comment. The site is not for 10 or more dwellings and is not more than 0.5 hectares and therefore does not trigger an affordable housing contribution.

B: Representations

At the time of writing this report no representations were received. A verbal update shall be provided as necessary.

PLANNING HISTORY

None

PART THREE – ASSESSMENT OF APPLICATION

1.0 The Site and Surroundings

- 1.1. The site extends to 0.15 hectares and is currently comprised of a redundant common room in the centre of a development of 12 flats. The common room previously served the 12 flats which comprised former sheltered housing within Hill House, these have now been re-designated as general needs housing.
- 1.2. The site is located to the west of Newberry Road within the Built-up Area Boundary of Bildeston, which is designated as a Core Village under policy CS2. Newberry Road is a well-established residential cul-de-sac, with dwellings dating back to the 1960s. Newberry Road is accessed west of the High Street, with a separate access taken south of Newberry Road south into Bildeston Primary School.
- 1.3. The site falls within the Bildeston Conservation Area (a designated heritage asset). The property itself is unlisted as are the immediate surroundings, with the nearest listed building being the Grade II listed Red Lion public house (78 metres east) and No.67 (84 metres north east) located along the High Street.
- 1.4. There are no protected trees on site, with the nearest trees protected by Tree Preservation Orders located to the east within the grounds of the Red Lion public house.
- 1.5. There are no public rights of way running in or close to the site. There are, however, footpaths that front the site leading into the central area of Bildeston. Within Bildeston there are several services and facilities including a primary school, several public houses, a post office, a convenience store and a selection of other shops.

2.0 The Proposal

- 2.1. The site is 0.15 hectares and is comprised of 12 flats with a link section (former common room) in the centre which has previously been converted to a general needs bungalow under emergency permitted development rights during the start of the Covid-19 pandemic to support vulnerable persons by providing additional shelter. The emergency legislation that these works were carried out under is the Town and Country Planning (General Permitted Development) (Coronavirus) (England) (Amendment) Order 2020, Schedule 2, Part 12A, Class A. Under condition A.2 c) of that class, all works carried out under this legislation are no longer considered permitted development after a year and would either need to be formally retained via planning permission or removed from site.
- 2.2. The proposal, therefore, seeks to retain the works previously carried out to convert the redundant common room to a general needs bungalow and create new parking provision on site to accommodate intensification of the existing allocated parking.

3.0 The Principle Of Development

- 3.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, then that determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 3.2. As the site falls within the Built-up Area Boundary for Bildeston, Core Strategy policy CS11 is not engaged, as the principle of development in terms of sustainable location is considered acceptable within Built-up Area Boundaries as per Core Strategy policy CS2. Whilst CS2 is not considered wholly consistent with the aims of the NPPF when assessed against paragraph 213 of that

document, it is substantially consistent and is given substantial weight in the determination process for assessing the sustainability of locations and to direct development to the most sustainable areas.

- 3.3. The most relevant and important policies for assessing the application within the basket of policies listed under the 'Policy' section of this report are considered to hold full weight. Moreover, as the Council can currently demonstrate a healthy 5-year housing land supply, measured at 6.74 years (October, 2020), the 'tilted-balance' as set out within paragraph 11 of the NPPF is not engaged.
- 3.4. The proposed retention of works, which converted a previously redundant common room into a general needs bungalow, is considered acceptable in principle, as it would utilise and bring a redundant building back into use in a sustainable location, supporting the vibrancy of the existing community, services and facilities within Bildeston in accordance with Core Strategy policies CS2 and CS15 and paragraphs 78, 118 and 148 of the NPPF.

4.0 Nearby Services and Connections Assessment of Proposal

- 4.1 The site is located adjacent to Bildeston Primary school and the Red Lion public house and is located 0.2 miles to the post office/ convenience shop and bus stop (4 minutes' walk). Within Bildeston there are several other public houses and village hall within walking distance from the site. Bildeston is also located 10 minutes' drive away from the town of Hadleigh, which offers wider range of services and facilities. The site is well connected by footpaths into the centre of Bildeston making active travel to some services and facilities a realistic option.
- 4.2 The bus stop has several routes operating through it: the 111/ 111A runs four times daily, Monday to Saturday, connecting the site to Bramford, Sproughton and Ipswich. The 379 runs once on Wednesdays connecting the site to Hadleigh and Bury St Edmunds. Finally, a bookable bus service (112) runs once on Tuesday and Thursday going to Sudbury.

5.0 Site Access, Parking and Highway Safety Considerations

- 5.1. Access into the site is as existing and is taken from the same established means of access serving the rest of Hill House, via Newberry Road (a residential cul-de-sac).
- 5.2. An additional parking space would be created within the existing parking area provided for Hill House; this is in accordance with Suffolk Parking Guidance (2019) for a one-bedroom dwelling. The existing 1.8-metre-wide footpath adjacent to the existing parking bays would be repositioned to the west in order to create space for this additional parking space.
- 5.3. The Local Lead Highway Authority (LLHA) raised no objection to the proposal but recommended several conditions including the submission of a means to discharge surface water to avoid any overspill into the highway and another for the submission of a construction management plan. As the building and access are as existing, with conversion works having already taken place, these conditions are not considered necessary or reasonable and therefore do not meet the "six tests" of a condition as set out under paragraph 55 of the NPPF and are consequently not recommended to be imposed. The LLHA also recommended a condition that the parking provision be created and brought into use in accordance with the plans, this is recommended to be imposed.

6.0 Design and Layout

- 6.1. The existing common room has previously been converted under emergency legislation into a one-bedroom dwelling with kitchen, living room, wet room and store cupboards. The only external

change was the blocking up of a pair of patio doors into a window, the same width but half the height.

- 6.2. The proposal is, therefore, to retain these conversion works which, save for fenestration changes, have been concentrated internally.
- 6.3. The conversion works are modest and do not result in any adverse impact on the overall character of the area, they are therefore in accordance with Local Plan policy CN01 and paragraph 127 of the NPPF.

7.0 Landscape Impact, Trees, Ecology, Biodiversity and Protected Species

- 7.1. By way of the combination of the existing built form on site, within an established residential area, and the already occupied general needs bungalow, there is no requirement for the submission of an ecology report. The Local Planning Authority can determine the application with certainty that there would be no harm to protected and priority species and habitats as there are no recordings of them within the site or likely to be affected in the immediate area. It is highly unlikely that any protected species would be found within this site and as such this proposal is not considered to be harmful in terms of biodiversity issues in accordance with Core Strategy policy CS15 and paragraph 170 of the NPPF.
- 7.2. No landscaping is proposed on site, nor is to be requested via condition. Given that the site sits between two main blocks of flats with shared communal outdoor spaces, which are well established with trees and grassed areas, there would be no adverse impact on existing landscaping or the requirement for further landscaping on site in accordance with Core Strategy policy CS15, Local Plan policy CN01 and paragraph 127 and 170 of the NPPF.

8.0 Land Contamination, Flood Risk, Drainage and Waste

- 8.1. As the proposal is a 'minor' application, on-site attenuation and surface water management / disposal is not considered by the Local Lead Flood Authority (LLFA) during the determination process. These matters are brought to the attention of the applicant, who is required to comply with Part H (Drainage and Disposal) of the Building Regulations 2010.
- 8.2. The site is located within Flood Zone 1 and, as such, is considered the least vulnerable to fluvial flooding. The site is also not located within an area at risk from surface water (pluvial) flooding. Therefore, the risks of flooding on site are considered low and the proposal is acceptable from the perspective of flood risk, in accordance with Core Strategy policy CS15 and paragraph 158 of the NPPF.
- 8.3. As the proposal is for a change of use which utilises an existing building and residential curtilage, there are no land contamination issues on site. The proposal is, therefore, in accordance with Core Strategy policy CS15 and paragraph 170 of the NPPF.

9.0 Heritage Issues

- 9.1. Whilst the site falls within the Bildeston Conservation Area, the Council's Heritage Team did not wish to make comment on the application. It is, however, noted that the external appearance of the building is not significantly altered from when it functioned as a common room, with modest works having been carried out, utilising existing openings and decreasing the size of one opening to convert the building into a dwelling. As a result, the overall built form would continue to have a

subservient appearance and relationship in the visual context of neighbouring flats and the conservation area in line with policy CN08.

10.0 Impact on Residential Amenity

10.1. As the site falls within a well-established residential area, with blocks of flats either side, there would be no detrimental impact on existing residents surrounding the site or on future occupants. The proposal is, therefore, in accordance with paragraph 127 of the NPPF in creating well-designed places which do not detrimentally affect residential amenity.

PART FOUR – CONCLUSION

11.0 Planning Balance and Conclusion

11.1. The proposal offers an opportunity to continue to utilise a redundant and already converted building into a general needs bungalow, adding to the district's housing stock within a sustainable location and well-established residential area supporting the surrounding community. The development wholly accords with the Core Strategy aims of CS2 and CS15, directing housing development to the most sustainable areas.

11.2. The application complies with the Development Plan viewed as a whole. There are no material considerations which indicate a decision should be taken other than in accordance with the plan.

RECOMMENDATION

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

- Development in accordance with approved plans
- Parking provision provided on site
- PD Removal