

Committee Report

Item 8B

Reference: DC/21/00393

Case Officer: Mahsa Kavyani

Ward: Stradbroke & Laxfield.

Ward Member/s: Cllr Julie Flatman

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Full Planning Application - Erection of 1 replacement dwelling (following part demolition of existing) (re-submission of DC/20/02273).

Location

Boundary Lodge Farm, Cratfield Lane, Laxfield, Woodbridge Suffolk IP19 0DE

Expiry Date: 21/08/2021

Application Type: FUL - Full Planning Application

Development Type: Minor Dwellings

Applicant: Mr Revell

Agent: Bernard Lewin

Parish: Laxfield

Density of Development:

Gross Density (Total Site): N/A - replacement dwelling

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): No

Has the application been subject to Pre-Application Advice: Yes (favourable response was given by officers)

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

In the interests of transparency having regard to third party representations received from an Officer of the Council within the Planning service. The case file has been reviewed by the Chief Planning Officer and that person has taken no part in the processing of the application.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

Joint Local Plan:

Policy LP04 - Replacement Dwellings in the Countryside

Core Strategy Review (2012):

Policy FC1 - Presumption in favour of sustainable development

Policy FC1.1 - Mid Suffolk approach to delivering sustainable development

Core Strategy Development Plan Document (Adopted 2008):

Policy CS2 - Development in the countryside and countryside villages

Policy CS5 - Mid Suffolk's environment

Mid Suffolk Local Plan 1998:

Policy GP1 - Design and layout of development

Policy H8 - Replacement dwellings in the countryside

Policy T09 - Parking Standards

Policy H15 - Development to reflect local characteristics

Policy H16 - Protecting existing residential amenity

Policy T10 – Highway considerations in development

Neighbourhood Plan Status

The application site is in the Laxfield Neighbourhood Plan Area. The Laxfield Neighbourhood Plan (LNP) is currently at Stage 6: Referendum. Accordingly, the Neighbourhood Plan has significant but not yet full weight. Relevant LNP policies (as modified by the Inspector):

LAX10 – Dark skies

LAX11 – Design considerations

LAX13 – Protection of landscape setting of Laxfield

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 (Appendix 3)

Laxfield Parish Council

It is acknowledged that an ecological survey has now been carried out but most of the previous comments/objections still remain, in particular the size of the proposed dwelling which appears larger than the previous application and concern is expressed about the visual impact of this.

Object on the following grounds:

- a. Insufficient information has been provided to enable proper consideration of the application: for example, the habitats and species map is illegible as viewed in its current format, as is the Countryside Stewardship targeting and scoring layers map. The Design Expectations questionnaire responses are in many cases meaningless without seeing the questions to which

they are responding. Some of the answers to these questions are also contradictory; for example there is one response which states that the design arose from an appraisal of the site, whilst another response states that the design has been used elsewhere in East Anglia. There is no information provided about proposals for the treatment of the part of the existing dwelling which is to be retained.

- b. The scale of the proposed property, in particular its height. Contrary to what is stated in the application, the roof of the existing property is visible from the road, and increasing the height by adding a further storey plus a fairly steeply pitched roof will clearly increase the visual impact on the surrounding open countryside.
- c. Only part of the existing dwelling is to be retained, and this is to be completely separate from the proposed new-build scheme. This therefore seems to imply that the proposal should be considered to be a new dwelling in its own right and therefore subject to the same considerations as other new-build schemes in the open countryside rather than as a replacement for the existing property.
- d. The proposed development would have a significant detrimental impact on the existing wildlife stepping stone provided by the site. The expanses of agricultural land around the application site mean that wildlife stepping stones and corridors are extremely important and should be protected and enhanced. Any development on this site will have a substantial impact on biodiversity and should therefore be carried out sensitively.
- e. The application states that this development will not affect any wildlife or habitats, but in fact we believe that an ecological survey should be carried out before the application can be considered further. Amongst other species, this area is known to be a habitat for Little Owls which are suffering population decline, and there is a valuable wildlife pond close to the application site.
- f. The proposed use of slate for the roof is not appropriate in this location; there are, in fact, very few buildings locally with slate roofs.

The Council appreciates that the points below are not grounds for objection but make the following observations:

- a. The hedging and greenery screen around the land should be protected and maintained in order to soften the silhouette of the proposed building and help integrate it with its surroundings
- b. The willow tree on the property should be protected
- c. Any planning permission granted should make clear that any future application for change of use from a domestic dwelling should be refused.

County Council Responses (Appendix 4)

Highways

No objection subject to condition.

Internal Consultee Responses (Appendix 5)

Place Services - Ecology

No objection subject securing ecological mitigation measures and enhancement measures.

MSDC Tree Officer

I can confirm the information submitted is sufficient to meet the outstanding requirements for an Arboricultural Method Statement and Tree Protection Plan.

I have no objection to this proposal subject to it being undertaken in accordance with the measures outlined in the accompanying arboricultural report. If you are minded to recommend approval we will also require an Arboricultural Method Statement and Tree Protection Plan to help ensure harm is not caused to the trees scheduled for retention, this can be dealt with under condition.

B: Representations

At the time of writing this report at least one submission has been received. It is the officer opinion that this represents one objection. A verbal update shall be provided as necessary.

Grounds of objection are summarised:

- Development detracts from the character and appearance of its surroundings
- Inconsistent with pattern and form of neighbouring development.

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

PLANNING HISTORY

REF: DC/20/01190	Full Planning Application - Erection of 1 No. dwelling (following part demolition of existing dwelling)	DECISION: WFI 22.04.2020
REF: DC/20/02273	Full Planning Application - Erection of 1No replacement dwelling (following part demolition of existing).	DECISION: WDN 03.08.2020
REF: DC/21/00376	Proposed detached house	DECISION: WFI 20.01.2021
REF: 0401/77	Use of part of existing bungalow (extension in course of erection-planning permission 564/76) as a country club and layout of car parking.	DECISION: REF 12.08.1977
REF: 0564/76	Rear addition to bungalow to form lounge, kitchen, dining room, conservatory and bathroom	DECISION: GTD 28.09.1976

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

1.1. The site is located on the southern side of narrow country lane, Cratfield Lane, midway between Banyard's Green and the junction with Heveningham Road. The site extends to 1.8 acres and is occupied by a single storey dwelling comprising timber framed and masonry sections. The timber

section is uninhabitable. The masonry section is being used for temporary living accommodation, with the intent that this will continue during construction works should planning permission be granted.

- 1.2. The domestic plot is well screened by vegetation and is traversed by overhead power lines running centrally through it. It sits in an isolated location, set well away from neighbouring dwellings, in open countryside. Arable fields surround the site on all sides. (with the exception of south boundary)
- 1.3. The buildings on the site are not listed. The nearest designated heritage asset, the Grade II listed Turkey Hall, is located 500m to the southeast.
- 1.4. The site is not in a landscape designated for special character or protection.

2. The Proposal

- 2.1. The application seeks full planning permission for a replacement dwelling. The uninhabitable timber framed section of the existing dwelling is to be removed and the masonry section retained and converted into an ancillary games room. A detached, part double part single storey dwelling is to be built adjacent to the converted games room on its western side. To the front of the converted building is proposed a detached double garage.
- 2.2. The materials are traditional with brickwork and black timber boarded external walls together a rustic tiled roof. The fascia is dark grey and the gutters and downpipes will be black. The windows and doors will also be dark grey colour. The outbuildings will have dark grey roof tiles with cream render and brickwork plinths.
- 2.3. The existing residential curtilage will not be enlarged, remaining unchanged. The existing garden will be reinstated mainly with grassland and with a formal garden close to the house. 19 specimen trees are proposed for the garden area and a new hedgerow introduced to the rear boundary. All existing hedgerows and mature trees to both side boundaries and the front boundary are retained.
- 2.4. The existing vehicular and pedestrian access from Cratfield Lane is retained and utilised.
- 2.5. Foul water disposal is proposed to be undertaken on-site via a treatment plant.

3. The Principle of Development

- 3.1. The plot has the benefit of a lawfully established dwelling. The application proposes a replacement dwelling, with no intensification (no increase in dwelling number) proposed. The principle of redeveloping the site with a replacement dwelling is therefore acceptable in principle under the current adopted Local Plan policies and the NPPF support such proposals.
- 3.2. The key tests are determining the impact of the development on landscape character, residential amenity, highway safety and local biodiversity values.

4. Landscape Character

- 4.1. JLP Policy LP04 states that replacement dwellings in the countryside may be permitted where, amongst other matters, the design, size, scale, mass and materials of the development are

compatible to the area's character and appearance and are no more visually intrusive to that of the original dwelling being replaced.

- 4.2. Local Plan Policy H8 states that a replacement dwelling will be given favourable consideration in the countryside, provided that, its size and scale, does not detract from the character and appearance of its surroundings, its landscape setting, or continue a traffic hazard.
- 4.3. LNP Policy LAX10, as modified by the Inspector, states that new development must reflect local character, and proposals must recognise and address the key features, characteristics, landscape/building character, local distinctiveness and special qualities of the area. It states that for sites outside the settlement boundary, a landscape character appraisal shall be prepared to demonstrate the meeting of this requirement.
- 4.4. It is clear that the overriding thrust of relevant development plan policies seek to ensure that very careful attention is paid to the scale, form and appearance of replacement dwellings in the countryside, requiring them to not detract from their countryside/landscape setting.
- 4.5. The application site is situated within remote part of the countryside, with no immediate neighbours. There is no prevailing pattern of development, and the character of the locality is entirely countryside/rural. The site benefits from mature natural boundaries on almost all sides, such that the site itself bears minimal visibility within the public realm, notwithstanding its frontage to narrow country lane at Cratfield Lane. There are no protected landscape features and no TPOs within or within close proximity to the site. The application is not supported by a landscape appraisal. Officers do not consider this fatal to the application. The proposal is a single dwelling, replacing an existing dwelling, set within an established domestic plot and located largely in the same location within the plot as the existing dwelling. There are no wider landscape impacts as a result of the proposal. There is no domestication proposed beyond the existing residential curtilage. The existing access arrangements are unchanged. Existing hedgerows to the front and side boundaries are unchanged. The site is not in a landscape designated for special character or protection purposes. A full suite of plans, including landscaping plan, support the application. In light of the combination of these factors, officers consider that a landscape appraisal is not necessary in order to determine the application. In other words, officers are able to make a sufficiently informed assessment of the impact of the development on landscape character without reliance on a landscape appraisal.
- 4.6. Third party representation considers that the scheme is a poor design and is not visually attractive. The contention is that the scheme lacks local distinctiveness and by virtue of its size, scale, and design, detracts from local character and is inconsistent with the pattern and form of development in the neighbouring area. The Parish Council is concerned with the building height, contending that a fairly steeply pitched roof will clearly increase the visual impact on the surrounding open countryside.
- 4.7. Officers do not share the reservations expressed by objectors. The dwelling design is conventional, if not traditional. The development features pitched roofs clad in pantiles, well-proportioned fenestration, a central projecting front gable and horizontal black (Cedral) weatherboarding. There is nothing about the dwelling design to suggest it lacks architectural merits. There is nothing about the design, in either its form, siting, proportions or materiality, which can be reasonably used as ground for refusal which can be upheld at appeal. Arguably the dwelling could benefit from being another half a metre taller to add more emphasis towards Suffolk vernacular form. In any event as noted above, there are no other neighbouring dwellings to take reference from, the dwelling sits in isolation in the countryside without direct comparison to

any prevailing character. Officers do not consider the dwelling to be visually unattractive or offensive. Whilst the proposal is much larger than the existing and Mid Suffolk has no policy restriction on size, it is of pleasing proportions that have been well-considered, furthermore the site itself is of a generous size, such that can easily accommodate a larger dwelling without causing overdevelopment or resulting in a contrived built form. The architectural response is sufficiently cohesive such that the development outcome does not detract from its landscape setting or local character.

- 4.8. Representations received are concerned with the scale and size of the dwelling, noting it will be prominent in the landscape. There is concern with the prominence of the dwelling in views from public footpaths one kilometre away. There is no denying the development will have some visibility from outside the site. It is however set within an established domestic plot; the land is not gradient and there is presence of natural boundary surrounding the site further obscuring the content of the site from views within the public realm. As noted above it does not project beyond the existing residential curtilage. The domestication effect of the development on the landscape setting will therefore be extremely localised and minimal and already established. The dwelling will not be prominent in views from vantage points one kilometre away.
- 4.9. By retaining the hedgerows and mature trees (in accordance with the supporting arboricultural method statement and verified by Council's Arboricultural Officer), planting an additional 19 specimen trees within the established curtilage, and introducing a southern boundary hedgerow, the scheme represents a positive landscape response. The supplementary landscape planting will reinforce and enhance the landscape setting, accentuating the already verdant character of the plot. Planting details (e.g. species mix/density) can be secured by planning condition. For the reasons above officers consider that, contrary to the view of the objector, the development *does* add to the overall quality of the area and contribute positively to the character of the countryside.
- 4.10. The dwelling is sited in a manner that allows for the retention of the mature trees to the site perimeter, whilst avoiding the significant site constraint that is the overhead power lines. The development is site and character responsive.
- 4.11. Concerns are raised in terms of an adverse impact on dark skies at night through the spillage of light pollution, contrary to LNP LAX10. LNP Policy LAX 10 is concerned only with outdoor lighting systems. There is no detail in the application regarding outdoor lighting systems. It is not reasonable to impose a condition or control light as the existing dwelling can have unrestricted and as many lighting without acquiring a planning permission.

5. Heritage Character

- 5.1. The nearest designated heritage asset, Turkey Hall, is 500m from the site. The proposal will not cause any harm to the valued setting of Turkey Hall.

6. Residential Amenity

- 6.1. LNP Policy LAX11(d) states that proposals shall not result in *significant* adverse effects on the amenities of adjacent areas by reason of noise, smell, vibration, overlooking, overshadowing, loss of light, other pollution (including light pollution).
- 6.2. The nearest dwelling to the site is over 400m away. The objector contends that the rear balcony will harm existing residential amenity by way of sound and light pollution. There is no heavy industry proposed here, the proposal is for a replacement dwelling, with associated domestic level

of noise that is only natural and to be expected. The 400m minimum separation distance to neighbouring dwellings mitigates, very effectively, any amenity harm. The objector's suggested requirement to landscape the southern boundary to create an amenity buffer and contain light spill is not supported, albeit the landscape plan in any event is proposing landscape planting along this boundary. The creation of an amenity buffer and a measure to contain light spill is unnecessary; it is not justified and fails the requirements of the NPPF when determining planning applications.

- 6.3. The proposal does not result in any tangible adverse effect on residential amenity, let alone any *significant* adverse effect. There is an absence of conflict with LNP Policy LAX11(d).
- 6.4. Amenity impacts in terms of overlooking, loss of light and privacy, are not a cause of concern for officers, there is no material policy conflict in this regard.

7. Highway Safety

- 7.1. The access is existing and unchanged. Utilisation of the existing access arrangement is not a concern for the Highways Authority. The Authority does not object to this scheme element. On-site parking provision is standard compliant. A Construction Management Plan is not required given the expansive plot, with all construction related activity, including construction parking, can be readily and easily accommodated on the site.
- 7.2. The application does not conflict with Local Plan Policy T10.

8. Ecology, Biodiversity and Protected Species

- 8.1. Council's Ecology Consultant has reviewed the supporting ecology report prepared by Greenlight Environmental Consultancy Ltd (May 2021) and is satisfied that the likely impacts on protected and Priority species and habitats, with mitigation measures, can be made acceptable. The development will need to be undertaken in accordance with the mitigation measures outlined in the Nocturnal Bat Survey Report, including obtaining a European Protected Species Licence. All ecology matters can be adequately conditioned.

PART FOUR – CONCLUSION

10. Planning Balance and Conclusion

- 10.1. The proposed dwelling is larger than the dwelling it replaces and will bear some visibility within the public realm from a distance. These are not scheme elements that are fatal to the application. The key test is determining whether the dwelling will harm landscape character to an unacceptable extent. Officers consider that it will not. The dwelling design is traditional and its siting respectful, set deeper into the expansive plot, further back than the front building line of the existing dwelling. The dwelling sits within a well vegetated domestic plot. The dwelling is proportionate to the plot. The residential curtilage is unchanged. Domestication effects will therefore be very localised. Mature trees and hedgerows are retained, and significant supplementary landscape planting is proposed. The landscape character response is appropriate, generally according with the thrust of relevant local policies, including those contained (and modified by the Inspector) in the LNP.
- 10.2. With the nearest heritage asset 500m to the southeast, the proposal does not result in any harm to designated heritage assets.

- 10.3. The site is very isolated, set over 400m from the nearest residence. The development does not give rise to any residential amenity concerns.
- 10.4. The existing vehicle access arrangements are acceptable, as is the level of on-site parking provision.
- 10.5. Ecology is not a concern given the mitigation measures, including biodiversity enhancements, which are proposed.
- 10.6. Officers are unable to identify a level of conflict with local development plan policies that would suggest planning permission be withheld. It therefore follows that planning permission, subject to conditions, is recommended.

RECOMMENDATION

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

(1) That the Chief Planning Officer be authorised to grant Planning Permission upon completion of the legal agreement subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

Standard time limit

Approved Plans (Plans submitted that form this application)

Landscaping submitted to be implemented and maintained

Ecology mitigation to be implemented in accordance with reports received.

(2) And the following informative notes as summarised and those as may be deemed necessary:

- Pro active working statement
- SCC Highways notes
- Support for sustainable development principles