

Committee Report

Item No: 6B

Reference: DC/22/05131

Case Officer: Elizabeth Flood

Ward: Ganges.

Ward Member/s: Cllr Derek Davis.

RECOMMENDATION – REFUSE PLANNING PERMISSION

Description of Development

Planning Application - Conversion, repair and extension of existing agricultural buildings to form five dwellings. Demolition of existing metal clad barns (Resubmission following refusal of planning application DC/20/03083).

Location

Erwarton Hall Farmyard, Shotley Road, Erwarton, Suffolk

Expiry Date: 28/12/2022

Application Type: FUL - Full Planning Application

Development Type: Minor Dwellings

Applicant: JRH Veenbaas and Co.

Agent: Mrs Catherine Pollard

Parish: Erwarton

Details of Previous Committee / Resolutions and any member site visit: Yes site visit for previous application DC/20/03083 undertaken on 11.05.2022.

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

Has the application been subject to Pre-Application Advice: Yes (DC/17/05148, DC/19/00990, DC/20/00543 and DC/20/04955).

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reasons:

The Head of Economy considers the application to be of a controversial nature having regard to the planning reasoning expressed by the Parish Council and consultees, as well as the extent and planning substance of comments received from third parties.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

CN01 - Design Standards
CN06 - Listed Buildings - Alteration/Ext/COU
CR02 - AONB Landscape
CR19 - Buildings in the Countryside - Residential
CS01 - Applying the presumption in Favour of Sustainable Development in Babergh
CS02 - Settlement Pattern Policy
CS15 - Implementing Sustainable Development
TP15 - Parking Standards - New Development

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area.

Consultations and Representations

During the course of the application, consultations and representations from third parties have been received. These are summarised below.

A: Summary of Consultations

Parish Council

Erwarton Parish Meeting: The Erwarton Parish Meeting Planning Group have invested a fair amount of effort in to debating and dissecting the revised planning application that has been lodged in relation to the buildings at Erwarton Hall Farmyard.

There is still a certain amount of apprehension with the amount of glass and the manner in which it may affect the external appearance of the final conversions. We hope that the planning committee will consider this when they make their decision and that the windows will be as stipulated in the application and no more.

The main issue that concerned the planning group was the proposed access across the meadow to the East of the site. This is no longer part of the application and that is welcomed by the planning group. It is also felt that conversion of redundant farm buildings to housing is a far sounder long-term option than building new dwellings on agricultural land as is being proposed in the local area. It is anticipated that in the next few years there will be an increase in planning applications to turn redundant farm buildings over to alternative uses.

In conclusion, bearing in mind the above points and with the proviso even though it is felt that the application should have done a lot more to fit in sympathetically with the unique environment that it is positioned in, we would find it, on planning grounds, very difficult to object to

Shotley Parish Council: Recommend refusal

National Consultee

Historic England

Initial response:

Erwarton Hall appears to be the result of a rebuilding of c.1575 (with a partial reconstruction of 1858). It displays a number of characteristics of houses of this period, for example its use of red brick, gabled projecting bays and large mullioned and transom windows. It lies on an axial approach from the road where the entrance is marked by a red brick gatehouse which pre dates the house by circa 30 years. This diminutive but muscular building is very architectural with its pronounced semi-circular pediments and round buttresses that rise to a series of 8 decorative pinnacles.

The historic farmstead lies to the east of the Hall. The buildings are unlisted but there is evidence that some of the earlier surviving parts date from around the mid nineteenth century. The historic buildings comprise a timber framed and weatherboarded barn and a series of largely single storey red brick ranges. The farmstead is built up to the roadside and the buildings are broadly arranged around two yards to either side of the central entrance, with the more modern buildings including a large Dutch barn on the southern side. One of the roadside ranges is roofless.

The farmstead lies within the setting of the Hall and gatehouse and contributes to its significance. Although the earliest surviving parts date from the nineteenth century, it is likely they are on the site of the historic farmstead. This close association of the agricultural farm and the Hall helps to illustrate its function as a country house at the centre of an estate. The later farm buildings show the continued investment in the farm and changes to farming practices in this period. While the poor state of repair of some of the buildings has a negative impact, the older traditional brick and timber buildings have an aesthetic appeal and relationship with the Hall, particularly in the views from the north along the road and across the Hall gardens to the western side of the farmstead.

The surrounding landscape shows evidence of possible former parkland surrounding Erwarton Hall which forms a part of its setting and should be considered as part of its significance. There are some fine rows of trees within the landscape which could be evidence of a former formal landscape or hedgerow tree remnants of an earlier landscape. The land to the east of Erwarton Hall is marked as fields in the early OS mapping and was most likely part of the wider Erwarton Estate. The agricultural and undeveloped nature of this land therefore contributes to the significance of Erwarton Hall.

The Proposed Scheme

The proposal seeks conversion of farm building to 5 units of residential accommodation, associated parking and amenity space.

Since the previous application, it appears that 2 units, in place of the large metal framed barn have been deleted from the proposal. It also appears that the access track to the barns, across the paddock has been deleted and the existing access utilised. These are positive changes to the scheme and result in some of our concerns from the previous scheme being addressed.

The current proposal for consideration has documents which show conflicting information which needs to be addressed in order for us to properly consider a proposal;

- The proposed site layout plan indicates that the access track has been removed from the proposal. This is contradicted by the landscaping plan which shows it firmly in place.*
- The LVIA has not been updated to reflect the proposed deletion of the units to the rear of the site and how this will be reflected from views 16,13,11,5,4,3,2 and 1 in particular.*

Notwithstanding this, the east elevation of unit 5 should have the same low emissive glass as that on the west elevation and the green space to the front of the unit should not be garden to unit 5. The display of domestic paraphernalia on this elevation, which is an important view when approaching from the east, would detract from the farmyard character of the buildings. Garden spaces for units 4 and 5 should be retained within the courtyard space.

The landscaping plan needs to consider the farmyard and Erwarton Hall as part of the same designed landscape and therefore views of it from the wider landscape needs to be considered carefully. Enhanced planting on the southern boundary, in the form of tall growing trees, may not therefore be appropriate within this context. The existing planting along the Erwarton Hall front gardens should also be given due consideration for any historic value. It appears from historic maps that the boundary may not of been planted so enhancing it in these areas needs clear justification.

Extractor flues should not exit the building via the external facing elevations or roof slopes and consideration should be given to the removal of permitted development rights to the complex in order to limit the harm of cumulative changes that could impact upon the significance of the grade II listed Erwarton Hall and its setting.*

Historic England's Position

Historic England considers that clarification on the removal of the access track must be sought and an amended set of plans showing the removal should be submitted for clarity. Without these plans, we are unable to state for certain that our concerns from the previous application have been addressed.

The application has been improved since the previous submission and, subject to some revisions to glass on unit 5, would result in a mostly inward looking scheme that keeps the impact upon the setting of Erwarton Hall, and therefore its significance to a minimum. The removal of the two units to the rear has resulted in a less impactful scheme.

Although we consider that the scheme is moving in the right direction, clarification and changes are required before we are able to determine the level of harm to the setting and significance of the adjacent designated heritage assets. We therefore have concerns relating to this application and consider that the application is not in accordance with paragraphs 189, 194, 199 and 200 of the NPPF. Recommendation Historic England has concerns regarding the application on heritage grounds due to the potential impact upon the setting and the significance of the grade II listed Erwarton Hall.*

Subsequent response:

The revised drawing indicates the use of low emissivity glass which addresses the comments made in our previous letter. The red line still incorporates the land to the east of unit 5 which implies garden to the proposed dwelling. As stated previously, domestic paraphernalia in this location would be harmful to the setting of Erwarton Hall through the erosion of utilitarian character of the buildings. Your planning authority should ensure that this land is not able to be used as garden.

The revised LVIA by James Blake Associates assesses the visual impact upon the landscape from the viewpoints requested in our previous letter. The removal from the scheme of the two rear units proposed previously means that from the long range viewpoints to the south, the historic barns are less visible. Even if the metal barn should be removed at a later date, this would still be the case.

This being said, even in the revised document, in paragraphs 3.3.1, 4.5.1, 4.5.2 and 5.5.1, Erwarton Hall gatehouse is stated to be a grade II* listed building. This is no longer the case. On 11th December 2020, the gatehouse was upgraded by Historic England to a grade I listed building and the list description was

enhanced. As the Heritage Impact Assessment was produced in July 2020, in various locations within the document it also gives the gatehouse as being grade II*. While the assessment of impact upon the gatehouse would likely alter little due to this upgraded designation, your authority should be aware of this minor error while making a decision on this application.

Following on from the submission of the further information, we remain of the view that your authority should consider the removal of permitted development rights to minimise the future impact upon the setting and significance of Erwarton Hall and that the land to the east of unit 5 should not have a change of use to garden. Otherwise, subject to your conservation team being content with the proposed materials we have some concerns with the application relating to the extent of residential change of use but no further comments to make on the proposal.

Please note: should the highways requirement of the existing access not be able to be met, we would not support the access track being placed across the paddock as previously indicated. Should this be the case, please re-consult us on this application.

Recommendation Historic England has concerns relating to this proposal on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 189, 199 and 200 of the NPPF as indicated in our previous letter.

County Council Responses

Public Rights of Way:

Accept the proposal.

Highway Authority:

Initial Response:

It is noted that this proposal removes the additional access (with adequate visibility splays) accepted by the Highway Authority in planning application DC/20/03083.

In order for us to accept this element of the proposal, the applicant will need to provide robust justification that this proposal for 5 dwellings would not exceed the permitted use of the existing access with substandard visibility splays.

Noting the proposal to close the other existing access (with poorer visibility) and a requirement to improve the surface of the existing access (both of which would result in minor highway safety benefits), we would not accept any significantly increased use of this access.

Alternatively, our concerns could be addressed by the improvement of visibility splays to accord with the measured speeds. However, it appears that minor road re-alignment may be necessary to achieve this due to buildings/ walls currently obstructing visibility.

Holding objection until the above comment has been addressed.

Sustainable Travel: As the proposal is located approximately 450 metres from the local footway network (leading to Bus Stops and other local amenities), it could not be considered as a sustainable location in accordance with NPPF 105, 110 and 112

Subsequently, we consider that the location of the proposal would result in a high likelihood of occupiers and visitors being heavily reliant on motor vehicle travel. However, it should also be noted that traffic flows on The Street are at a level that would be appropriate for a 'Quiet Lane' considered suitable for non-motorised travel by confident road users.

Subsequent Response:

Further to the submission of traffic survey data and an amended plan illustrating visibility splays of 2m x 35m (in accordance with the measured speeds and nature of the road), we are satisfied that the existing access is adequate for the proposal, subject to the planning conditions listed below.

Notwithstanding our comments on the unsustainable location of the proposal in our response dated 14/11/22, any planning permission granted should planning conditions.

Subsequent Response:

Visibility splays: The accepted visibility splays are based on traffic speed and volume survey results and generally accord with our requirements as set out in appendix F of Suffolk Design: Streets Guide. It advises that 59m would be used where there wasn't any evidence of measured vehicle speeds and that 'the X distance may be relaxed to 2m in very lightly trafficked areas where traffic speeds are low and where children and other vulnerable road users are unlikely to be present'. The traffic speeds have been measured and traffic volumes are very low here. This guidance has been adopted since the previous applications, as well as our requirements for visibility splays at rural private accesses being lowered (from a starting position of 90m to 59m). There is also the permitted use to consider and the intensification, whilst evident, I would struggle to maintain that it is significant given the permitted use of the buildings. I do not believe we could defend the previous visibility issue at a planning appeal.

Potential amendment to access condition: Condition: No other part of the development hereby permitted shall be occupied until the existing retained vehicular accesses (main dwelling access and field access onto Shotley Road) have been surfaced in a bound material for at least 5 metres measured from the nearside edge of the carriageway. Thereafter, they shall be retained in their approved form. Prior to the improved accesses being brought into use, the existing secondary vehicular access onto Shotley Road closest to Erwarton Walk shall be effectively stopped up and closed in complete accordance with a scheme which shall have been submitted to and approved in writing by the local planning authority. Reason: To ensure the accesses are laid out and completed to an acceptable design in the interests of the safety of persons using the access and users of the highway and to avoid multiple accesses that would be detrimental to highway safety.

Archaeology:

Recommend conditions

Natural England:

No objection subject to RAMs contribution.

AONB Team:

This is the fourth application for the conversion of the existing barns to residential use at this site; one of which was withdrawn while the other 2 were refused consent.

The site is located wholly within the Suffolk Coast & Heaths Area of Outstanding Natural Beauty. The proposal should seek to accord with national and local policies and pay due regard (ref. S85 Countryside and Rights of Way Act, 2000) to the statutory purpose of AONB designation which is to conserve and enhance natural beauty. Development proposals located within this area should seek to contribute positively to the purposes of the AONB designation and meet the relevant policy objectives of the Suffolk Coast & Heaths AONB Management Plan 2018-2023. The proposal should also have regard to paragraphs 174(d) and 176 of the National Planning Policy Framework as the development being proposed is located within the Suffolk Coast & Heaths AONB which is also a Valued Landscape.

The Erwarnton Hall Farm complex is located approximately 1km east of Shotley village in open countryside and outside any defined settlement boundary. The site is located in the Ancient Estates Farmland Landscape Character Area (LCA)(SCC). The conversion and expansion of farmsteads for residential uses is recognised as a key force for change within this LCA. It is also located immediately adjacent to Erwarnton Hall and Gatehouse which are both listed.

The proposal is for the conversion, repair and extension of existing agricultural buildings to form five dwellings. Demolition of existing metal clad barns.

Given the proximity of Erwarnton Hall and Gatehouse (approx. 30m) and the fact that the site falls within a nationally designated landscape, these two factors are key considerations when assessing the suitability of the development proposed.

The AONB team has consistently raised objections to the previous schemes in terms of the nature and scale of the development being proposed, impacts on the setting to Erwarnton Hall which is Grade II* listed and the Grade I listed Gatehouse and impacts on the scenic qualities (linked to the interrelationship between the application site and Erwarnton Hall and Gatehouse) and tranquillity levels in the Suffolk Coast & Heaths AONB. These concerns remain valid in relation to the new application.

With the exception of the proposed amendments to the site access arrangements and a modification and reduction in the amount of glazing in some of the units little else has changed from the previously refused scheme.

Certain positive elements of the previous scheme have been embedded into this current scheme design. This includes the demolition of the modern buildings and structures (drawing 4726-0200-p02) which the AONB team has accepted will deliver positive visual enhancements within the site and within the AONB. The new application also promotes the installation of electrochromic glazing (and other mitigation measures), on unit 5 where the glazed openings are extensive on the west and east elevations and the restriction on the installation of roof lights to inward facing slopes only. These measures were agreed during discussions about the refused application DC/20/03080.

Even with the proposed changes to the amount and configuration of glazing and the inclusion of the mitigation measures to manage light spill, the AONB team concerns about cumulative light spill from the whole development remains a concern in terms of impact and erosion of tranquillity and on the neighbouring heritage assets. It is disappointing that the LVIA and the LVIA addendum (2021) has not been updated to assess the impact of the new scheme. Similarly, the Planning Statement (paragraph 6.43) discusses the need to management light spill to avoid impacts in bats but fails to recognise the need to manage light pollution within the nationally designated landscape to conserve dark skies. The current site, which is in agricultural use, is likely to emit little in the way of light spill. This would change considerably with the proposed change in use to residential, at the scale proposed.

The loss of tranquillity associated with the change in use to residential would arise from the intensification of the use of the site and from the ancillary development typically associated with residential development

i.e. garden curtilage, residential paraphernalia, parking and external lighting. The AONB team question if the proposed can be delivered in a way that is sympathetic to the character of the existing complex, the setting to Erwarton Hall/Gatehouse and without urbanising this part of the AONB. Policy C019 supports buildings in the countryside where they are capable of conversion without significant rebuilding or extension. This is not the case for units 4 or 5. Policy CN06 requires development to preserve or enhance the setting of heritage assets. We question if the proposed development as proposed satisfies this policy requirement.

The current application proposes the use of the existing site entrance as the main access for the new development. Application DC/19/02206 which also proposed the use of the existing site access, was refused as Suffolk Highways considered that a 'safe and suitable access cannot be evidenced, the existing access cannot adequately facilitate the intensification of use that would be created by the proposal'. The new proposal is for 5 dwellings, therefore, safety, given the new application is for a higher number of units must still be a concern.

The AONB team consider that the scheme as proposed does not comply with a number of national and local policies. The scheme for 5 dwelling at this location fails to conserve and enhance the natural beauty, namely the tranquillity and scenic quality (particularly the sense of place) of the Suffolk Coast & Heaths AONB in the vicinity of the application site. As such it does not comply with paragraph 176 of the National Planning Policy Framework. The cultural heritage of an area is one of the elements underpinning the AONB designation. The intensification of and proposed use of the site, will negatively impact on the setting of Erwarton Hall and the Gatehouse and is considered harmful to these neighbouring heritage assets and therefore does not accord with the requirements of paragraph 194 of the National Planning Policy Framework.

As proposed, we do not consider that the proposal satisfies local plan policies namely CR02, CR19, CN01 and CN06. It also fails to satisfy objectives L1, L3 and LUW1 in the Suffolk Coast & Heaths AONB.

Fire and Rescue Service:

Provides comments

Internal Consultee Responses

Strategic Housing:

The site size has been quoted in this application as less than 0.50 hectares of land and less than 10 dwellings, therefore at present there would be no affordable housing contribution

Environmental Protection: noise, odours, light.

Initial response:

The proposed development is in close proximity to an agricultural barn and workshop, I understand the barn is used for equine and agricultural purposes and appears to be outside of the control of the applicant and therefore it would not be possible to regularise its use as part of this application. I have some concerns regarding this as there is potential for adverse impact on loss of amenity at the proposed dwellings. I appreciate that there are existing residential dwellings in the area, but the scheme would introduce a number of new receptors in close proximity to the barn and also in line with the prevailing wind. The boundary treatment proposed for the site is a 1.2m post and rail fence which will offer very little shielding.

The nature of agricultural activity means that at certain times of the year farm machinery is required at anti-social hours and I am concerned that large vehicle movements at times when residents might be expected to be asleep would result in disturbance. Similarly, the keeping of horses in close proximity to residential dwellings can result in loss of amenity due to noise and odour. Whilst some elements of this can be controlled by means of conditions, the proximity of such a use may nonetheless result in a degree of loss of amenity. In order to assess this further I would request that the applicant provide further information on the current use/proposed use of the barn in terms of intensity of use, nature of agricultural use (including presence of grain drying equipment), number of horses etc prior to determination of this application so that I could offer further comment as to whether a noise assessment may be necessary. Recommend conditions.

Subsequent response:

I have had regard to the email from the applicant, dated 6th December 2022, in which the use of the Dutch barn in terms of agricultural and equine use is clarified. The Dutch barn is outside of the application site and therefore it would not be possible to control its use by means of condition. However, the agents email refers to conditions suggested in my response to previous application on this site and suggests these could be applied. I assume the agent is referring to conditions I suggested in respect of previous application DC.20/3083 which are reproduced below:

- The agricultural use of the barn should be limited to machinery/goods storage only and no working, to include vehicle maintenance or repairs, should take place inside or outside of the barn.
- Access to the barn should be limited to 08.00 – 20.00hrs daily.
- No plant such as grain driers or similar shall be used at the premises until full and details of all plant to be installed including precise acoustic specification, as well as a noise assessment, to include details of the current existing background level, to be based on methodology as given in British Standard BS4142:2014 have been submitted to and approved by the LPA, in order to allow the likelihood of loss of amenity to be determined. In respect of equine/stable use of the barn I would recommend that the following conditions be attached to any permission, again so as to minimise impact on residential amenity:
 - Effluent originating from the stable floor must be considered foul water and thus conveyed and disposed of in the same manner as domestic foul water. Details of this shall be submitted and approved by the LPA prior to commencement of the development.
 - A waste management plan for storage and removal of horse manure is to be confirmed with this authority. The management plan shall be submitted to and approved in writing by the LPA. and implemented prior to commencement of the development
 - At no time shall the stables or associated land be used for livery, riding school or other business purposes.

If it were possible to condition an agreement or other similar binding document to cover the above points, then I would have no objection to the application. My concern remains that without such, any justified complaint relating to the agricultural use of the barn may fetter the existing agricultural/ equine use.

Environmental Protection: Land contamination

No objections

Place services

Heritage:

The application site is located immediately adjacent to the Grade I listed Erwarnton Hall Gatehouse (list entry: 1193599) and the Grade II* listed Erwarnton Hall (list entry: 1351638). There is potential for the agricultural buildings to be curtilage listed due to their proximity and historic functional relationship with the listed Erwarnton Hall. Even if they are not curtilage listed, they are of architectural and historic interest with a strong group value and therefore considered non-designated heritage assets.

There concerns are that the proposed residential use would result some level of less than substantial harm to significance of the designated heritage assets by virtue of the fundamental alteration to land use and character. However, there may be scope to convert the agricultural building to residential use, subject to the detailing. There are also concerns that the proposed use would have a detrimental impact on the character of the non-designated heritage assets.

It should be noted that some heritage benefit is attributed to the removal of the modern agricultural building between proposed units 4 and 5. There are also benefits of improving the condition of some of the outbuildings. It is positive that the existing access it utilised. However, this does not fully mitigate the harm to designated and non-designated assets.

Unit 1 The proposed alterations result in the complete loss of character of the outbuilding as well as historic fabric. Unit 1 is present on the 1903 historic maps and the existing fabric, openings and features (such as arched lintels and shutters) are positive and contribute to its special interest. It has been noted within previous heritage advice that existing openings should be better utilised to follow best practice, Historic England's guidance states 'The historic pattern of openings is related to the function of the building over time, and often makes a fundamental contribution to its mass and character'. The existing apertures should be retained, as well as the doors/ shutters retained and pinned back. This would result in the retention of historic fabric and preserve the character of the stables. There would be no objection to glazing the northern section which is open sided.

Unit 2 There are concerns regarding the proposed hipped roof extension as this appears to be inconsistent with the linear plan form and single storey scale of the existing structure. As evident through historic maps, this range formerly had a C-shape plan form with the southern range demolished in the twentieth century. It is therefore unlikely that this outbuilding would have a larger hipped element. Given there is no clear evidence of such a feature, it is considered inappropriate to construct a feature that may have never existed. The scale, form and appearance of agricultural buildings is indicative of the historic use, providing clear evidence and understanding of their prior function. This would also detract from the evidential value of the other outbuildings and their function as part of the wider farmstead. I recommend that any extension to this range is in line and follows the same roof form.

Unit 3 The glazed element to the south elevation is considered excessive. The existing wall is of solid brick construction and the quantity of glazing would detract from the building's character and result in the loss of fabric. There are also concerns about the scale and appearance of the proposed rear extension. The steep gable pitch form is inconsistent with the host dwelling (typically low hipped roofs) and does not relate to the architectural context of the host or wider site. A traditional lean-to would likely be a more sympathetic addition in scale and appearance.

Unit 4 No objections regarding the proposed amendments. The character and appearance of the outbuilding would be preserved.

Unit 5 The existing west elevation drawings are mostly obscured by the modern barn and therefore I cannot make a fully informed assessment. There are some concerns that the high-level glazing to the south elevation would be visually prominent. It also appears unnecessary as the bedroom would benefit from a window within the west elevation. There is a preference for the new extension to follow a simple linear form (as per the existing store building). It appears unnecessary to add a perpendicular ridge form as this emphasises the presence of the extension. Obscuring historic brick work with timber weatherboarding would be an inappropriate material detailing and detract from the architectural, archaeological, and historic interest of the brick-built outbuildings. Outbuildings constructed of brick should remain legibly as such. Weatherboarding to new single storey elements may be acceptable as it ensures some legibility between the historic brickwork and new elements. The log burner flues should be black.

Landscaping There are concerns regarding the domestic gardens of units 3 and 5 and the impact they would have on the setting of the designated heritage assets. The proposed garden of unit 5 would be clearly visible from the public domain and undermine the agrarian character of the site. Furthermore, the garden of unit 3 is near the principal elevation of the Grade I listed Erwarton Hall and therefore more sensitive to change. The visibility of domestic paraphernalia within views to the heritage asset from its design landscape as well from the heritage asset to the site would have an adverse impact on the setting of Erwarton Hall. Viewpoint G within the LVIA (taken from the approximate location of the garden of unit 3) demonstrates that the listed building is visible and therefore likely that the site is also visible from the listed building. It is also likely that some vegetation would be removed in this location to accommodate the domestic garden of unit 3 and therefore increase visibility of the site. Landscaping in this location should be carefully considered. As per Historic England's GPA3 guidance, landscape screening should not be 'a substitute for well-designed developments within the setting of heritage assets.' Furthermore, 'screening may have as intrusive an effect on the setting as the development it seeks to mitigate, so where it is necessary, it too merits careful design'.

The proposal is contrary to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as it does not preserve the setting of the listed buildings. The proposal results in some less than substantial harm to the significance of the listed buildings (through change within their setting) and harm to the non-designated heritage assets within the site itself. Paragraphs 199, 202, 203, 206 of the NPPF are therefore considered relevant.

Landscape:

The site is within the Suffolk Coast and Heaths National Character Area (NCA 82). This area is characterised by its underlying geology and is mainly flat or gently rolling and often open in feel. The site is under the Ancient Estate Farmlands character type within the Suffolk Landscape Character Assessment. This character area is a flat area of land with sloping sides that are often dissected by river valleys. There are a large number of arable blocks with rectilinear field patterns and a network of parks and designed landscapes.

The proposed development sits within The Suffolk Coast & Heaths AONB and should therefore seek to accord with national and local policies and positively contribute to the purposes of the AONB designation. Therefore, the opportunity should be taken for the developers to improve the environment of which it is built. The proposed materials palette for the new buildings, (including roof and elevation cladding) should be informed by the outcome of the LVIA. Due regard should be given to colour, texture and finish to mitigate any potential visual impact the buildings may have on the surrounding landscape.

An Arboricultural Survey and impact assessment should be submitted and approved by the LPA to ensure the proposal does not have an adverse impact on the existing boundary hedgerow and trees. This assessment should be undertaken in accordance with BS 5837:2012 Trees in relation to design demolition

and construction recommendations and should provide details on trees, hedges and shrubs to be retained and/or removed, the impact on them and any constraints.

We would expect details of all soft and hard landscaping and boundary treatments to be provided. This should be in line with any guidance set out in the LVIA in regard to species and hard landscape and boundary materials. Every effort should be made to minimise the urbanising influences (i.e., kerbing, widening, domestic paraphernalia) to ensure that the proposals are sympathetic to the rural AONB surroundings. The proposed surfacing should also be considered a natural, traditional and permeable material across the development to help to create a characterful approach from the public highway. Confirmation should be provided regarding hard landscape materials demonstrating how they will match and form a seamless transition from the highway to the frontages the residential properties.

Landscape character is intrinsically linked to a variety of aspects including visibility (views), ecology, heritage and lighting. A general characteristic of countryside is dark skies and absence of visible lighting. Dark skies and perceived absence of lighting provide important contributions to tranquillity and rurality, which in this case, are associations with the Area of Outstanding Natural Beauty Designation. Changes to these characteristics may result in the landscape being perceived and described differently at night, which in turn may result in a significant effect. In terms of visual amenity, it's clear that visual sensitivity and magnitude of effect of developments at night may be very different to those at daytime. It's also feasible that 'Lit' luminaires' visibility is potentially much more wide-reaching than less conspicuous daytime changes. For this proposed development, the concern relates both to external and internal light sources. This is because given the building use and design, both sources would result in an exterior landscape and visual effect. This is supported within Guidance note 01/20 'Guidance notes for the reduction of obtrusive light'

For the above reasons, we would advise that the a 'night-time assessment' is submitted involving a description of the night-time baseline and a commentary on the effect of the proposed scheme (during construction and operation) on the night time environment, which includes / supported by:

- Night time photographs showing night time views and existing sources of lighting in the landscape
- Night time visualisations showing night time views and the proposed development and its potential lighting
- Analysis of maps on existing levels of illuminance / light pollution in the study area
- Landscape and visual assessment schedules describing; i. the baseline night time situation / existing sources of lighting in the landscape / view, and; ii. the anticipated change in lighting as a result of the proposed development, both on landscape and visual receptors

Proposed layout

A number of changes have been made to the layout addressing previous concerns such as the removal of the eastern access point, the reduction of the number of proposed units to 5 and the conversion of existing barns. Whilst this is creating a more sympathetic response to the existing fabric, we have a number of concerns in response to the proposed layout:

- We seek clarification as to what is proposed for the existing secondary access along the street. On previous proposals this access was to be closed off with a permanent gate.
- There is currently an open view into the gardens of unit 1 and the building elevation beyond through the existing secondary access to The Street. The treatment and design of this vista will need careful consideration to avoid creating an urbanised feel. Cues from the existing character should be used to shape the design. The proposed treatment around this vista needs to be improved.
- There is not sufficient detail information regarding the proposed boundary treatments, both to the Site's boundary and within the Site itself. It is also not clear if any of the hard boundaries shown on the drawings are new or existing. For example, the proposed site plan (0102 p24) suggests a hard boundary between

parking spaces (2 and 1). Separation can also be achieved with soft elements such as hedges, alone or in combination with fencing/walls.

- The separation between unit 4 and unit 5 can be softened by introducing soft landscaping.
- We noted that the existing grass strip adjacent to the PRoW to the east has been removed and included within the development proposal. This is a sensitive edge to the AONB and the countryside. Additionally, the change of use to private garden is a concern as it will be introducing an urbanised character in the rural countryside. We have substantial concerns on the impact that this amendment will have on the PRoW users, AONB and landscape character. We will not be supportive of this approach and the proposed treatment to the eastern boundary should be revised.

We would suggest a holding objection for this application until further information is provided as per above recommendations and above comments and concerns are addressed.

Ecology:

No objection subject to securing: a) a proportionate financial contribution towards visitor management measures for the Stour and Orwell Estuaries SPA/Ramsar. b) ecological mitigation and enhancement measures

B: Representations

At the time of writing this report at least 47 letters/emails/online comments have been received. It is the officer opinion that this represents 45 objections and 2 support. A verbal update shall be provided as necessary.

Views are summarised below:-

- Similar applications have previously been refused
- Detrimental impact on Grade 1 listed Erwarton Hall Gate House and Grade 2* listed Erwarton Hall
- Car dependent development
- Detrimental impact on landscape
- Create suburban character development in rural area
- Highway dangers from additional traffic on road frequented by horse riders, cyclists and pedestrians.
- Lack of facilities within walking distance
- Poor access into the site
- Detrimental impact on the AONB
- Dwellings would be out of character will surrounding historic context
- Detrimental impact on the adjacent PROW
- Residential amenity of occupiers of the dwellings would be detrimental effected by adjoining equestrian and agricultural use
- Erwarton not suitable for further development
- Detrimental impact on surrounding wildlife including owls
- Increased light and noise pollution
- Woodburning stoves will create air pollution
- Development will set a precedent which could result in consolidation of Erwarton and Shotley.
- Sufficient new dwellings being built in Shotley
- Existing buildings are not redundant
- Result in wastewater being deposed into estuary
- Road is prone to flooding
- Lack of public transport

- Pressure on doctor's surgery
- No public benefits to outweigh harm to listed buildings
- Cause light pollution
- Division of agricultural and residential dwellings now proposed will prevent accidents
- Improvement on existing dilapidated buildings
- Development will be sympathetic to the neighbouring listed buildings
- Existing buildings unsuitable for agricultural use

(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/18/02062	Planning Application. Conversion and restoration of existing redundant farm buildings to form 5 new dwellings.	DECISION: WDN 03.08.2018
REF: DC/19/02206	Planning Application. Conversion of farm buildings to form 3no dwellings including demolition of later Dutch barn. Erection of 2no contemporary barns(Dwellings).	DECISION: REF 21.06.2019
REF: DC/20/03083	Full Planning Application - Conversion, repair, and extension of existing farm buildings to form 5no dwellings, erection of garage, the demolition of buildings (including the metal clad barn), provision of new vehicular access to The Street and associated landscaping.	DECISION: REF 25.08.2022

PART THREE – ASSESSMENT OF APPLICATION

1.0 The Site and Surroundings

- 1.1 The application site is located within the countryside, approximately 550 metres from the village of Erwarton, and approximately 450 metres from the village of Shotley. The site is known as Erwarton Hall Farmyard and is located along The Street, outside of the built-up area boundary of Erwarton or any of the surrounding villages.
- 1.2 The site is currently identified as having agricultural use; however, many of the buildings have been redundant for some time, with many in a state of disrepair or altered from their original form. It should be noted that many of the remaining buildings on site are used for the keeping of and caring for horses.
- 1.3 The buildings range from 19th and 20th centuries, with all but the 19th Century barns to be demolished as part of this proposal. There is a 20th Century Dutch barn to be retained, as well as a modern steel-clad barn which is due for demolition, and is considered to be visually intrusive on

the site. There are neighbouring properties located to the west, and on the opposite side of the road to the north. To the west is the Grade II* listed Erwarnton Hall, and its Grade I listed Gatehouse, which are of important historic significance.

- 1.4 Grade II* buildings are of important historic significance and are considered to be of more than special interest; 6% of listed buildings in the country share this Grading. Grade I listed buildings are considered to be of exceptional interest; and only 2.5% of listed buildings in the country share this grading.
- 1.5 The application site is a farmstead property that was originally associated with Erwarnton Hall, and the 19th Century barns subject of this application are non-designated heritage assets of historic significance. The site is also located within an AONB (Area of Outstanding Natural Beauty) landscape

2.0 The Proposal

- 2.1. The proposal seeks the conversion, repair and extension of the existing agricultural buildings to form five dwellings, the erection of garages, and the demolition of the metal clad barns and associated landscaping. The existing access from The Street would be utilised with a second access onto The Street being closed. The large Dutch barn to the south of the site would be retained and accessed via an existing grass track adjacent to a public footpath.
- 2.2. This is a full application, with no matters reserved. The proposal would consist of 1no. 2-bedroom dwelling, and 4no. 3 bedroom dwellings. The dwellings would have a range of garden sizes and two of the properties would have detached garages. The site area is approximately 0.47 hectares, and the 19th Century barns which form the northern, eastern, and western boundaries would be repaired, converted and extended. The development would include extension to units 2, 3, 4 and 5. The metal clad barn and other dilapidated stables/buildings would be removed. The overall floor space, taking into account the demolition and extensions, would be similar to existing. The Dutch barn to the south of the site is proposed to be retained and is outside of the red line application site.

3.0 The Principle Of Development

- 3.1. The site is located outside the built-up area boundary of any of the surrounding villages and is identified as being located within the countryside. The proposal involves the conversion of semi-redundant agricultural barns to residential use. Policy CR19 of the Babergh Local Plan allows for agricultural barns located within the countryside to be converted to residential use, subject to meeting certain criteria. This application is not considered to be in accordance with this Policy, due to all alternative uses not being proven to be fully explored and discounted, the method of conversion not retaining the character of the buildings and the development not being capable of conversion to 5 units without significant extensions.

The Policy states:

“Proposals for the conversion of barns or other redundant or under used buildings in the countryside into dwellings or holiday accommodation will only be permitted if:

- *It can be demonstrated that the alternative uses for business, community and leisure uses have been explored and can be discounted;*
- *The building's location makes it unsuitable for conversion to other uses;*
- *The buildings are of architectural or historic merit and is capable of conversion without significant rebuilding or extension;*

- *The method of conversion retains the character of the building and, in the case of barns, retains the single open volume with minimal change;*
- *The scheme is acceptable in terms of highway safety;*
- *The building is not at risk of flooding;*
- *There is scope for connection to a suitable drainage system;*
- and
- *There is no material adverse impact on protected species, particularly bats and barn owls”.*

- 3.2 Each of the criteria listed above, will be discussed in turn below.
- 3.3. Residential has been put forward as the most optimal and viable use of the buildings; however, evidence of proven viability has not been provided to support this. It is acknowledged that, due to its tranquil and sensitive location, commercial, leisure or business use could have some adverse impact; however, as stated above, no evidence on viability has been submitted in order to support this.
- 3.3. The site is remote from other employment areas; however, it is also remote from any services for residential use. It has not been sufficiently proven that this site in its location only has a viable use for residential.
- 3.4. The barns the subject of this application are considered to be of historic merit, being undesignated heritage assets of historic significance. The structural reports submitted with this application show that the 19th Century barns are capable of conversion, without significant rebuilding; the barns would be extended; however, the extensions are not considered to adversely change the overall appearance of the barns, although they are poorly designed and extensive. While the buildings are clearly capable of conversion with significant extension, it would not be possible to create five dwellings without the significant extensions to units 4 and 5. The previous application DC/19/02206 did not include the extension now proposed to unit 4 and was therefore only able to provide a single dwelling where units 4 and 5 are now proposed.
- 3.5. The method of conversion would largely retain the external character of the buildings; however, the method of conversion of Unit 1 would result in the loss of all the historic internal features of the building and a significant loss of fabric, while the conversion of Unit 3 would result in the loss of historic fabric. The site would remain enclosed by the red brick wall, retaining the farmstead aesthetic,
- 3.6. The buildings are not at risk from flooding, The site is located within Flood Zone 1 where there is a limited potential for flooding and a limited history.
- 3.7. There is scope for a suitable drainage system, through a wastewater treatment plant.
- 3.8. There would be no material adverse impact on protected species. During the course of determination, Place Services – Ecology was consulted and raise no objection to this scheme. Sufficient mitigation measures are proposed and secured via condition.
- 3.9. Paragraphs 3.2, 3.3, 3.4 and 3.5 detail the reasons why this proposal is not considered to be fully in accordance with Policy CR19 of the Babergh Local Plan (2006).
- 3.12. The site is located within the countryside, and Policy CS2 of the Babergh Core Strategy (2014) requires development to only be permitted in a countryside setting in exceptional circumstances, subject to proven and justified need. Policy CS15 of the Babergh Core Strategy (2014) seeks to identify whether the location is sustainable and appropriate for development. This proposal fails on

parts iv) and xviii) of that Policy due to its location not being within a safe walking distance of any services.

- 3.13. As the site is located outside of the Built-Up Area Boundary of any nearby settlement, the proposal is not considered to be in accordance with Policy CS2. The limited public benefits arising from this scheme are not considered to outweigh this. In terms of Policy CS15, the proposal fails on parts i), iv) and xviii).
- 3.14 Part i) states that development should:
- “Respect the landscape, landscape features, streetscape/townscape, heritage assets, important spaces and historic views”.
- 3.15 As discussed in more detail below in the relevant landscape and heritage sections, the proposal causes harm to the character of the AONB through having an urbanising effect on the farmstead aesthetic of the site, as well as causing harm to the character and setting of the neighbouring Grade II* and Grade I listed buildings, and the non-designated heritage assets of the barns themselves.
- 3.16 Part iv) states development should: “Ensure an appropriate level of services, facilities and infrastructure are available or provided to serve the proposed development”.
- 3.17 The site is remote from any established settlement and the services that accompany them, therefore creating a heavy reliance on the use of private motor vehicles to access basic services, such as shops, schools, pubs and healthcare facilities. The proposal does not provide any services and does not enhance access to services.
- 3.18 Part xviii) states development should: “Seek to minimise the need to travel by car using the following hierarchy: walking, cycling, public transport, commercial vehicles and cars, thus improving air quality”.
- 3.19 The need to use cars would not be minimised from this proposal; the roads leading away from the site are typified by being narrow and unlit, with no footpaths, and are unsuitable and undesirable for pedestrians. There is also no provision for public transport in the vicinity or within walking distance, thus creating a heavy reliance on the use of private motor vehicles.
- 3.20. Here, Paragraph 80 of the NPPF (2021) is relevant. This states: “Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply: a) There is essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near to their place of work in the countryside. b) The development would represent the optimal viable use of a heritage asset or world be appropriate enabling development to secure the future of heritage assets. c) The development would re-use redundant or disused building and enhance its immediate setting. d) The development would involve the subdivision of an existing residential building; or e) The design is of exceptional quality...”
- 3.15. Paragraph 80 of the NPPF (2021) is considered to be relevant to this case, because although the site is not isolated from other dwellings and buildings, it is isolated from any settlements and therefore, can be considered as isolated homes in the countryside. Part c) of the Paragraph is relevant in this case and is discussed in detail below. Although the proposal could help to secure the future of the undesignated heritage assets, the proposed residential use has not been proven to be the most optimal and viable use through the submission of any evidence or viability statements. Therefore, part b) is not considered relevant in this case. Part c) is relevant because

the proposal does re-use redundant and disused buildings (although a significant amount of the buildings are not redundant being in equestrian use), which in part enhances the immediate setting. The demolition of the metal clad barn assists in enhancing the setting of the area; however, retaining the Dutch barn at the rear and the inclusion of the large amount of glazing and poorly designed and extensive extensions is not considered to protect or enhance the setting. Therefore, the proposal is not considered to be in accordance with this Paragraph.

3.16. The principle of the development is not considered acceptable due to the potential harm that the proposal could cause to the adjacent Grade II* and Grade I listed buildings, the undesignated heritage assets barns subject of the application and the AONB landscape. The limited public benefits arising from this scheme are not considered to outweigh this harm, as well as the harm caused by the proposal being in an unsustainable location.

3.17. It should be noted that two similar applications was previously refused on this site. The last application reference number was: DC/20/03083 and was a planning application for "Conversion, repair, and extension of existing farm buildings to form 5no dwellings, erection of garage, the demolition of buildings (including the metal clad barn), provision of new vehicular access to The Street and associated landscaping". This application was refused for the following reasons:

The proposal would cause less than substantial harm to the character, setting and significance of the Grade II Erwarton Hall, its Grade I Gatehouse and the undesignated heritage asset barns through the fundamental change of use from a working farmyard to residential dwellings.*

The proposed unsympathetic glazing and inappropriate materiality as well as the removal of hedgerow and the proposed access track across an existing paddock would create harm to these assets as well as to the AONB landscape.

The proposal site is in an unsustainable location, isolated from services, with poor pedestrian access, causing a heavy reliance on the use of private motor vehicles.

The application fails to secure a contribution towards affordable housing provision, this is contrary to Babergh Core Strategy (2014) Policy CS19.

The application has also failed to secure a proportionate financial contribution towards visitor management measures for the Stour and Orwell Estuaries as per the Recreational Disturbance Avoidance and Mitigation Strategy (RAMS).

The proposal is, therefore, considered contrary to Policies CR02, CN02, CR19 and CN06 of the Babergh Local Plan (2006), as well as Policies CS2, CS15 and CS19 of the Babergh Core Strategy (2014) and paragraphs 80, 176, 177, 199, 202 and 203 of the NPPF (2021).

3.18 Previous to this: Planning application DC/19/02206 was for "the conversion of farm buildings to form 3no. dwellings including demolition of later Dutch Barn; Erection of 2no. contemporary barns (dwellings)". This application was refused for the following reasons:

1. *The proposal would result in less than substantial harm to the heritage assets because the conversion of the existing barns and construction of two new builds would detract from the setting of the Grade II* Listed Erwarton Hall and Gatehouse. This would harm their significance because the scheme is poorly laid out, insensitively detailed and is domestic in character which give rise to a suburbanising effect which is out of keeping in this rural location within an Area of Outstanding Natural Beauty. Therefore, the application does not meet the requirements of*

Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990. The proposal conflicts with policies CN01, CN06, CR02, CR19 of the Babergh Local Plan (2006) and policies CS01, CS15 of the Babergh Core Strategy (2014). These policies are consistent with paragraphs 8, 127, 130, 172, 192, 194 and 196 of the National Planning Policy Framework (2019).

2. Policy CS2 of the Babergh Core Strategy (2014) states that planning permission will be permitted in the Countryside only in exceptional circumstances subject to proven and justifiable need. CS15 requires new development to demonstrate how the proposal addresses the key issues and objectives identified in the Core Strategy. No supporting evidence has been provided that justifies the need for the proposal, and that the site is a sustainable location. As a result, the proposal does not accord with policies CS2 and CS15. Whilst paragraph 11 of the NPPF provides a presumption in favour of sustainable development, it is necessary to consider whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in this Framework indicate development should be restricted. The assessment of the application has identified that the proposal does not comply with the development plan and, notwithstanding that the Council does not have a five-year housing land supply, it is considered that the unsustainable location, in relation to its connectivity to services and facilities, significantly and demonstrably outweigh the benefits of the development when considered against the Framework as a whole.
3. Proposals with site areas greater than 0.5 hectares are subject to a 35% affordable housing contribution. The application site is 0.81 hectares and is therefore liable for affordable housing. No such contribution has been offered or secured, and so the requirements of Policy CS19 of the Babergh Core Strategy have not been met nor the aims of the Planning Policy Framework (2019), in particular paragraphs 77 and 79.
4. Safe and suitable access cannot be evidenced, the existing access cannot adequately facilitate the intensification of use that would be created by the proposal.

Speed survey results denote 85th%ile speeds of 27.5mph and 28mph meaning splays of $x=2.4m$ by $y=59m$ in each direction, to the nearside edge of the metalled carriageway with no obstruction over the height of 0.6m and must encroach 3rd party land.

Splays of $x=2.4m$ by $y=19m$ (to the West) and $y=25m$ (to the East) have been measured, which fall 34m and 40m short. Therefore, the proposal conflicts with policies TP15 and CR19 of the Babergh Local Plan (2006) and with the aims of paragraph 109 of the National Planning Policy Framework.

5. We are not satisfied that sufficient ecological information is currently available for determination of this application. This is because the Ecological Survey Report has recommended that bat emergence and re-entry surveys are required to assess the extent of which bat species will be affected by the proposed development.

These surveys are required prior to determination because paragraph 99 of the ODPM Circular 2005 highlights that: "It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."

Consequently, these further surveys are required to provide the LPA with certainty of impacts on legally protected and Priority species and enable it to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006.

Therefore, this proposal is considered to conflict with policy CR19 of the Babergh Local Plan (2006) which is consistent with the aims of National Planning Policy Framework paragraph 175.

4.0 Nearby Services and Connections Assessment Of Proposal

- 4.1. The site is not within walking distance of any services. The closest village that has a range of services is Shotley. The village of Shotley is located to the east of the site and is approximately a 3-minute drive from the site, or alternatively a 17-minute walk, albeit along roads that do not have footpaths.
- 4.2. As discussed above, the limited public benefits arising from this scheme are not considered to outweigh the harm of being located in an unsustainable location.

5.0 Site Access, Parking And Highway Safety Considerations

- 5.1 The NPPF identifies at Paragraph 110 that, in assessing specific applications for development, it should be ensured that, *inter alia*, significant impacts on the transport network and highway safety can be cost effectively mitigated to an acceptable degree.
- 5.2 The site has two existing accesses that run through the site; it is proposed that the western access would be stopped up, while the central access would remain in use for this proposal. Currently to the east of the site is a grass track with an access on to the road. It is proposed that this track would be used for agricultural and equestrian purposes to access the Dutch barn to the rear of the site.
- 5.3 Planning application DC/19/02206 was refused for highway reasons. That application proposed one dwelling accessing the western access and four dwellings accessing the central access. These dwellings were slightly larger than the dwellings now proposed. The highway authority has not objected to the current planning application (subject to conditions) despite the similarities between the two proposals. They have stated that :

The accepted visibility splays are based on traffic speed and volume survey results and generally accord with our requirements as set out in appendix F of Suffolk Design: Streets Guide. It advises that 59m would be used where there wasn't any evidence of measured vehicle speeds and that 'the X distance may be relaxed to 2m in very lightly trafficked areas where traffic speeds are low and where children and other vulnerable road users are unlikely to be present'. The traffic speeds have been measured and traffic volumes are very low here.

This guidance has been adopted since the previous applications, as well as our requirements for visibility splays at rural private accesses being lowered (from a starting position of 90m to 59m). There is also the permitted use to consider and the intensification, whilst evident, I would struggle to maintain that it is significant given the permitted use of the buildings.

- 5.4 The visibility splays for the access to the five dwellings are not of an ideal length and there is limited visibility on The Street due to curves in the road both to the East and West. However, as the Highway Authority has not objected to the proposal, the LPA considers that a highway reason for refusal would not be warranted.

- 5.5 Concerns have been raised in relation to the intensification of the agricultural track to the east of the barns and that this could lead to conflict with pedestrians using the Public Right of Way. With the stopping up of the existing accesses through the barns, all the equestrian and agricultural traffic to the Dutch barn to the rear of the site would have to use this track. Currently this track is very lightly used by vehicular traffic and retains a grass covering. With the intensification of this track a more hard-wearing surface may be required and the Highway Authority has currently requested that the first five metres of the track be laid with a bound material.
- 5.6 The introduction of a bound surface along the whole of the track would have the potential to be detrimental to the character of the AONB. It is not clear if the applicant could undertake these works under permitted development rights as no information has been provided to confirm if the wider site has an agricultural or purely equestrian use. It should be noted that the proposed conditions relating to the use of the Dutch Barn would severely curtail the use of this barn which would result in fewer vehicular movements using the track.
- 5.7 In relation to the concern that the intensification of the track by agricultural vehicles and horses would result in conflict with users of the adjoining public right of way, the PROW officer has stated that they are confident that there is sufficient width at this location for the PROW to remain physically separate from the track with an intervening verge. It should be noted that the existing track leads to the applicant's paddocks, and so is already likely to be used by horses.
- 5.8 The proposed site layout shows each dwelling to have sufficient off-road parking provision, which offers more than required under the Suffolk Guidance for Parking (2019). The Guidance identifies that a development such as this one of 1no. 2-bedroom property and 4no. 3-bedroom properties should provide a minimum of 10no. parking spaces; this proposal offers 20 no. parking spaces, which is significantly beyond the standard requirement.

6.0 Design And Layout [Impact On Street Scene]

- 6.1. Section 12 of the NPPF refers to design, it provides that good design is a key aspect of sustainable development and should contribute positively to making places better for people. Decisions should aim to ensure that development will function well and add to the overall quality of the area, establish a strong sense of place, create attractive and comfortable places to live, work and visit, optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Furthermore, it provides that development should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. In addition, Policy CN01 of the Babergh Local Plan provides that "All new development proposals will be required to be of appropriate scale, form, detailed design and construction materials for the location" and echoes the provision of the NPPF.
- 6.2 Additionally, Policy CS15 of the Babergh Core Strategy (2014) requires developments to respect the landscape, landscape features, streetscape/townscape, heritage assets, important spaces and historic views. The proposal is not considered to be in accordance with this Policy, as discussed above and within the relevant landscape and heritage sections below. The proposal causes harm to the character of the AONB through creating an urbanising effect on the farmstead aesthetic of the site, as well as causing harm to the character and setting of the neighbouring Grade II* and Grade I listed buildings and the non-designated heritage assets of the barns themselves.
- 6.3. The previous planning application was refused partly due to unsympathetic glazing and inappropriate materials which would create harm to the listed buildings and the AONB landscape. The elevations of the proposed dwellings have been revised to remove some glazing as follows:

Unit 1: No changes to glazing

Unit 2: West elevation: 3 panel door replaced with 1 door and 2 floor to ceiling windows. One floor to ceiling window replaced with small window.

Unit 3: South elevation: two large three panels floor to ceiling windows within extension replaced with 3 small windows. West elevation (looking towards Erwarnton Hall) introduction of three panel floor to ceiling windows.

Unit 4: West elevation: removal of glass roof,

Unit 5: West elevation removal of three no. first floor windows.

- 6.4 As shown above, some glazing has been removed. While most of the glazing for the dwellings would be inward looking, into the development, glazing to Units 3 and Units 5 are of most concern. The removal of the large windows to the extensions to Unit 3 will decrease the potential impact of the proposal on the countryside to the rear. However this has been replaced with a large floor to ceiling window on the West elevation which would be visible from the gardens of Erwarnton Hall. In addition, the East elevation of unit 5 will be very visible from the Public Right of Way and The Street. No changes are proposed on this elevation which would have a significant amount of glazing. The inappropriate materials related to the use of weatherboard over historic brickwork. The use of weatherboard overlaying existing brickwork is still proposed.
- 6.5 The proposed layout largely retains the farmstead aesthetic of the site through utilising the historic barns, however the alterations to Unit 1 would result in complete loss of character and existing fabric, while the introduction of significant glazing to Unit 3 would result in loss of existing fabric. In addition, the proposed extensions are extensive and those to Units 2, 3 and 5 are considered poorly designed especially the roof forms. The extent of cumulative light spill from the whole development remains a concern in terms of impact and erosion of tranquillity within the AONB landscape and on the neighbouring heritage assets.. The glazing on the barns is proposed to be IQ/Photochromic glazing, which darken on exposure of ultraviolet light (sun light) and would remain dark in the evening times to limit the amount of light spillage. The inclusion of the IQ/Photochromic glazing does somewhat reduce the light spillage at night, but there is still likely to be some element of light spill, although, this would not have an impact on the appearance of the glazing during the daytime. Notwithstanding this, there are still fundamental concerns regarding the amount of glazing proposed and the impact this could have on the character of the buildings. It is not considered that the revisions to the glazing is sufficient to overcome the previous objections.
- 6.6. There would be a shared courtyard through the centre of the site, which would be used for access, parking and manoeuvring purposes. Each of the dwellings would have a modestly sized garden. No details of boundary treatments within the site have been provided; however, this could be conditioned. Land to the east of Unit 5 is included within the red line boundary and there are concerns that this would become additional garden to Unit 5, further increasing the impact on the ANOB landscape. On the western boundary, there would be views from the barns to Erwarnton Hall, as the existing brick wall is low and is not proposed to be changed, changes to the glazing on Unit 3 to the western elevation of the proposed extension will increase the visibility of this element of the proposals.
- 6.7. The design and layout are not considered cramped or an overdevelopment, as there would be fewer buildings on the site than existing. The heights of the dwellings are also considered to be sympathetic to the surroundings. However there will be a significant introduction of new extensions and new buildings into the farm yard.
- 6.8. The proposed layout is considered to be in accordance with Policy CN01 of the Babergh Local Plan (2006), however, the design of the dwellings, particularly in terms of the materials (glazing and

weatherboarding and design of extensions), is not considered to be in accordance with Policy CN01 as it does not retain the distinct character of the historic barns.

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

- 7.1. The site is located within an AONB, The Countryside and Rights of Way Act 2000, Part IV, Section 85 requires Local Planning Authorities to have regard to the purpose of conserving and enhancing the natural beauty of the AONB. The design of the proposal has incorporated features to limit the impact on the AONB and these features are largely supported by the Suffolk Coast and Heaths AONB Project Officer who was consulted during the course of determination of this application. The design includes photochromic or IQ glazing to limit light spillage into the AONB, which is supported. The design of the proposal also largely retains its agricultural appearance from the roadside. Although these additions and changes have been made to reduce the impact to the AONB, there is still concern that the proposal could cause an urbanising effect on the site and local area, as well as cumulative light spill and increased noise in a highly tranquil part of the AONB.
- 7.2 Concerns have also been raised regarding the inclusion of land to the east of the site as part of the site. While PD rights could be removed from this area for buildings it would be difficult to prevent the use of it as a garden for unit 5, especially as unit 5 has a relatively small courtyard garden. Although it should be noted that there are currently no proposals for direct access to this area from Unit 5. The introduction of garden paraphernalia and manicured planting in this area could be damaging to the wider AONB
- 7.3. During the course of determination, the Suffolk Coast and Heaths AONB Project officer was consulted. In the officer's consultation response, strong concerns were still raised regarding the urbanising effect on the site, as well as light-spill. The officer states:

The AONB team has consistently raised objections to the previous schemes in terms of the nature and scale of the development being proposed, impacts on the setting to Erwarton Hall which is Grade II listed and the Grade I listed Gatehouse and impacts on the scenic qualities (linked to the interrelationship between the application site and Erwarton Hall and Gatehouse) and tranquillity levels in the Suffolk Coast & Heaths AONB. These concerns remain valid in relation to the new application.*

With the exception of the proposed amendments to the site access arrangements and a modification and reduction in the amount of glazing in some of the units little else has changed from the previously refused scheme.

Even with the proposed changes to the amount and configuration of glazing and the inclusion of the mitigation measures to manage light spill, the AONB team concerns about cumulative light spill from the whole development remains a concern in terms of impact and erosion of tranquillity and on the neighbouring heritage assets

The loss of tranquillity associated with the change in use to residential would arise from the intensification of the use of the site and from the ancillary development typically associated with residential development i.e. garden curtilage, residential paraphernalia, parking and external lighting. The AONB team question if the proposed can be delivered in a way that is sympathetic to the character of the existing complex, the setting to Erwarton Hall/Gatehouse and without urbanising this part of the AONB. Policy C019 supports buildings in the countryside where they are capable of conversion without significant rebuilding or extension. This is not the case for units 4 or 5. Policy CN06 requires development to preserve or enhance the setting of heritage assets. We question if the proposed development as proposed satisfies this policy requirement.

- 7.5 The Landscaping Officer has also expressed concerns relating to the urbanising effect of the proposal and the introduction of the land to the east within the site boundary;

There is not sufficient detail information regarding the proposed boundary treatments, both to the Site's boundary and within the Site itself. Every effort should be made to minimise the urbanising influences (i.e., kerbing, widening, domestic paraphernalia) to ensure that the proposals are sympathetic to the rural AONB surroundings.

The grass strip adjacent to the PRoW to the east has been removed and included within the development proposal. This is a sensitive edge to the AONB and the countryside. Additionally, the change of use to private garden is a concern as it will be introducing an urbanised character in the rural countryside. We have substantial concerns on the impact that this amendment will have on the PRoW users, AONB and landscape character. We will not be supportive of this approach and the proposed treatment to the eastern boundary should be revised.

- 7.4. During the course of determination, Place Services Ecology were consulted, and have raised no objection to the proposal subject to securing a proportionate financial contribution towards visitor management measures for the Stour and Orwell Estuaries SPA/Ramsar, as well as ecological mitigation and enhancement measures.

8.0 Land Contamination, Flood Risk, Drainage and Waste

- 8.1. The NPPF, at Paragraph 183, identifies *inter alia* that planning decisions should ensure that a site is suitable for its proposed use. In addition, Paragraph 183 makes clear that, where a site is affected by contamination, the responsibility for securing a safe development rests with the developer and/or landowner.

- 8.2. A Land Contamination Report Assessment was submitted with the application, which concludes that there are no notable features present in the context of land contamination other than inert made ground. Council land contamination specialists have assessed the information by the applicant and confirm they are in agreement with the report's findings that further works on the site with regards land contamination remediation are unwarranted. Further occupants of the development are therefore not considered to be at significant risk from sources of land contamination.

- 8.3. In relation to flood risk and drainage, the NPPF identifies at Para.155 that "...Inappropriate development in areas at risk from flooding should be avoided by directing development away from the areas at highest risk...". In regard to this, it is noted that the entire site for the proposed development is located within flood zone 1. Therefore, the site is not considered liable to unusual flooding events, and in that regard accords with the identified requirements of the NPPF and development plan policy in this regard.

- 8.4. A drainage strategy has been submitted with this application, which shows that a wastewater treatment plant would be installed and would discharge into the river Stour.

9.0 Heritage Issues [Including The Impact On The Character And Appearance Of The Conservation Area And On The Setting Of Neighbouring Listed Buildings]

- 9.1. The site is not located within a Conservation Area; however, it is within direct proximity of the Grade II* listed Erwarton Hall, and its Grade I listed Gatehouse; and the barns proposed to be converted on the site are non-designated heritage assets of historic significance.

9.2 Historic England has stated (inter alia):

The green space to the front of the unit should not be garden to unit 5. The display of domestic paraphernalia on this elevation, which is an important view when approaching from the east, would detract from the farmyard character of the buildings.

Historic England has concerns relating to this proposal on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 189, 199 and 200 of the NPPF as indicated in our previous letter.

9.3 Place Services Heritage has stated that (inter alia):

the proposed residential use would result some level of less than substantial harm to significance of the designated heritage assets by virtue of the fundamental alteration to land use and character. However, there may be scope to convert the agricultural building to residential use, subject to the detailing. There are also concerns that the proposed use would have a detrimental impact on the character of the non-designated heritage assets.

Unit 1 The proposed alterations result in the complete loss of character of the outbuilding as well as historic fabric. Unit 1 is present on the 1903 historic maps and the existing fabric, openings and features (such as arched lintels and shutters) are positive and contribute to its special interest. It has been noted within previous heritage advice that existing openings should be better utilised to follow best practice. The existing apertures should be retained, as well as the doors/ shutters retained and pinned back. This would result in the retention of historic fabric and preserve the character of the stables. There would be no objection to glazing the northern section which is open sided.

Unit 2 There are concerns regarding the proposed hipped roof extension as this appears to be inconsistent with the linear plan form and single storey scale of the existing structure. As evident through historic maps, this range formerly had a C-shape plan form with the southern range demolished in the twentieth century. It is therefore unlikely that this outbuilding would have a larger hipped element. Given there is no clear evidence of such a feature, it is considered inappropriate to construct a feature that may have never existed.

Unit 3 The glazed element to the south elevation is considered excessive. The existing wall is of solid brick construction and the quantity of glazing would detract from the building's character and result in the loss of fabric. There are also concerns about the scale and appearance of the proposed rear extension. The steep gable pitch form is inconsistent with the host dwelling (typically low hipped roofs) and does not relate to the architectural context of the host or wider site.

Unit 4 No objections regarding the proposed amendments. The character and appearance of the outbuilding would be preserved.

Unit 5 There are some concerns that the high-level glazing to the south elevation would be visually prominent. It also appears unnecessary as the bedroom would benefit from a window within the west elevation. There is a preference for the new extension to follow a simple linear form (as per the existing store building). It appears unnecessary to add a perpendicular ridge form as this emphasises the presence of the extension. Obscuring historic brick work with timber weatherboarding would be an inappropriate material detailing and detract from the architectural, archaeological, and historic interest of the brick-built outbuildings. Outbuildings constructed of brick should remain legibly as such.

Landscaping There are concerns regarding the domestic gardens of units 3 and 5 and the impact they would have on the setting of the designated heritage assets. The proposed garden of unit 5 would be clearly visible from the public domain and undermine the agrarian character of the site. Furthermore, the garden of unit 3 is near the principal elevation of the Grade I listed Erwarton Hall and therefore more sensitive to change. The visibility of domestic paraphernalia within views to the heritage asset from its design landscape as well from the heritage asset to the site would have an adverse impact on the setting of Erwarton Hall. Viewpoint G within the LVIA (taken from the approximate location of the garden of unit 3) demonstrates that the listed building is visible and therefore likely that the site is also visible from the listed building. It is also likely that some vegetation would be removed in this location to accommodate the domestic garden of unit 3 and therefore increase visibility of the site

The proposal is contrary to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as it does not preserve the setting of the listed buildings. The proposal results in some less than substantial harm to the significance of the listed buildings (through change within their setting) and harm to the non-designated heritage assets within the site itself. Paragraphs 199, 202, 203, 206 of the NPPF are therefore considered relevant.

- 9.4 Given that Historic England had identified concerns with the proposals and Place Services Heritage have identified some level of less than substantial harm, the cautious view must be taken that some level of harm would occur to the heritage assets. The limited public benefits arising from this scheme, are not considered to be sufficient to outweigh the harm identified, this is discussed further below
- 9.5 Due to less than substantial harm being identified, Paragraph 202 of the NPPF (2021) requires the harm to be weighed against the public benefits of the scheme. The public benefits arising from this scheme are limited and include securing the repair and future of the historic barns (although many are currently in use as stables and are in relatively good repair), employment during the construction stage (albeit this is a temporary benefit) and making use of a previously developed site, rather than developing a greenfield site.
- 9.6 There are also limited heritage benefits arising from this scheme, which include the removal of some of the modern buildings on the site, and the repair of Unit 2. These public and heritage benefits are considered limited and insufficient to outweigh the identified less than substantial harm to the character and setting of the Grade II* Erwarton Hall and its Grade I Gatehouse, as well as the character, setting and significance of the undesignated barns subject of this application. In addition to this, the public benefits fail to outweigh the harm caused by the proposal being located in an unsustainable location, as well as harm to the AONB landscape.
- 9.7 During the course of determination, Suffolk County Council Archaeological Services were consulted, and raised no objection to the proposal, subject to conditions.

10.0 Impact On Residential Amenity

- 10.1. Policies within the adopted development plan require, *inter alia*, that development does not materially or detrimentally affect the amenities of the occupiers of neighbouring properties. Concerns for overlooking, loss of privacy and loss of outlook are acknowledged; however, the proposal is not considered to cause any adverse harm to residential amenity in terms of a loss of privacy or a loss of outlook.

- 10.2. The buildings to be converted to dwellings would remain low-set and the design is sympathetic so as to not cause any adverse overlooking potential. The heights of the dwellings also do not create any adverse light blocking potential. One of the tall buildings on the site would be demolished and buildings of a limited height, with a single-storey appearance would be erected. The demolition of the metal clad barn is considered to improve the outlook of the site.
- 10.3. During the course of determination, the Environmental Health team was consulted and raised no objection in principle; however, it does have concerns regarding the potential impact to the residential amenity of the future occupants of the barns due to the proximity of the Dutch Barn being retained for equine and agricultural use. As a result, the Environmental Health Officer has recommended a series of conditions to minimise this impact. These include limiting the hours of operation of the Dutch Barn and significantly restricting the use of the barn.
- 10.4. The officer has also identified the use of wood burners within the barns and has recommended a condition to reduce any potential fumes from the flues. With the imposed conditions, the proposal is not considered to lead to any adverse harm to residential amenity such as to warrant refusal.

11.0 Planning Obligations / CIL

- 11.1 The application, if approved, would require a financial contribution towards the Suffolk Recreational Disturbance Avoidance Mitigation Strategy.

12.0 Parish Council Comments

- 12.1 It is noted that Erwarton Parish Meeting do not object to the principle of the proposed development although they do have concerns relating to the details including glazing and method of conversion.

PART FOUR – CONCLUSION

13.0 Planning Balance and Conclusion

- 13.1. The site is located within the countryside, outside the built-up area boundaries of any established settlement, creating a heavy reliance on the use of private motor vehicles to access basic services. The application is, therefore, contrary to policies CS2 and CS15 of the Babergh Core Strategy (2014). The limited public and heritage benefits arising from this scheme, are not considered to sufficiently outweigh this harm.
- 13.2 Although the site is considered isolated from settlements, the proposal is not in accordance with Paragraph 80 of the NPPF (2021), because although the proposal could help to secure the future of the undesignated heritage assets, the proposed residential use has not been proven to be the most optimal and viable use through the submission of any evidence or viability statements, therefore, part b) is not considered relevant in this case.
- 13.3 Part c) is relevant because the proposal does re-use redundant and disused buildings, which in part enhances the immediate setting. The demolition of the metal clad barn assists in enhancing the setting of the area; however, retaining the Dutch barn at the rear and the inclusion of the large amount of glazing, poorly designed extensions, and land to the east of unit 5 is not considered to protect or enhance the setting.

- 13.4 The proposal is also considered to be contrary to Policy CR19 of the Babergh Local Plan (2006) because, although residential use has been put forward as the most optimal and viable use of the buildings; this has not been sufficiently evidenced.
- 13.5 The site is remote from other employment areas; however, it is also remote from any services for residential use.
- 13.6 The barns the subject of this application are considered to be of historic merit, being undesignated heritage assets of historic significance. The structural reports submitted with this application show that the 19th Century barns are capable of conversion, without significant rebuilding; the barns would be extended; however, the extensions are not considered to adversely change the overall appearance of them, but the amount of glazing proposed is a concern and could cause harm to the heritage assets. The method of conversion would largely retain the character of the buildings; however, as stated above, the amount of glazing proposed is a concern, and could cause harm to the heritage assets' character and setting. The site would remain to be enclosed by the red brick wall, retaining the farmstead aesthetic. In addition the level of development proposed requires significant extensions, contrary to Policy CR19.
- 13.7 The proposal is also considered to cause harm to the AONB landscape and is considered to be contrary to Policy CR02 of the Babergh Local Plan (2006), as well as Policy CS15 of the Babergh Core Strategy (2014). The limited public and heritage benefits arising from this scheme, are not considered to sufficiently outweigh this harm.
- 13.8 Place Services Heritage have identified some level of less than substantial harm to the character, setting and significance of the heritage assets. The objection also relates to the amount of glazing proposed on the converted barns, which would significantly alter the buildings' character and the new openings proposed are likely to result in the loss of historic fabric. The introduction of full height glazing is of particular concern as this can alter the scale and character of the building, giving too much prominence to the opening. The limited public and heritage benefits arising from this scheme are not considered to outweigh this identified harm as required by Paragraph 202 of the NPPF (2021).
- 13.9 The public benefits arising from this scheme are limited and include securing the repair and future use of the historic barns, employment during the construction stage (albeit this is a temporary benefit) and it should be noted that the current buildings have an employment use, as well as making use of a previously developed site, rather than development a greenfield site. There are limited heritage benefits arising from this scheme, which include the removal of some of the modern buildings on the site, and repair of Unit 2. These public and heritage benefits are considered limited and insufficient to outweigh the identified less than substantial harm to the character and setting of the Grade II* Erwarton Hall and its Grade I Gatehouse, as well as the character, setting and significance of the undesignated barns the subject of this application. In addition to this, the public benefits fail to outweigh the harm caused by the proposal being located in an unsustainable location, as well as harm to the AONB landscape.
- 13.10 In order to achieve sustainable development, the Framework identifies that economic, social and environmental gains must be sought jointly and simultaneously.
- 13.11 The proposed development would offer social benefits in respect as securing a future for redundant buildings of historic significance. The proposal should, therefore, be attributed positive weight in terms of the social dimension of sustainable development.

- 13.11 In terms of the environmental pillar of sustainable development, the site is a mostly redundant farmstead and finding a long-term use for the barns is considered to be an environmental benefit. The scheme also proposed air source heat pumps which are a renewable source of energy. The site, however, is isolated from services, and therefore, would lead to a heavy reliance on the use of private motor vehicles.
- 13.12 The impact on the character and appearance of the area, biodiversity and flood risk is considered to be neutral. Whilst the proposal would not result in any direct environmental benefit (other than securing a long-term use for the barns), proposed mitigation measures are proposed. The proposal is, therefore, considered to have a neutral impact in terms of the environmental dimension of sustainable development

14.0 Conclusion

- 14.1 This is a revised application following the refusal of two other proposed residential schemes on the site. With the removal of the proposed access track, the detrimental impact on the AONB has been lessened. There have also been small changes to the glazing of the barns. However, as set out in this report, the site is in an unsustainable location and the proposals are still considered to be detrimental to the character of the AONB and will result in less than significant harm to the Grade I and Grade II* listed buildings at Erwarton Hall. The recommendation is therefore to refuse the application.

RECOMMENDATION

That the application is REFUSED planning permission, based on the following reasons:-

The proposal would cause less than substantial harm to the character, setting and significance of the Grade II Erwarton Hall, its Grade I Gatehouse and the undesignated heritage asset barns through the fundamental change of use from a working farmyard to residential dwellings.*

The proposed unsympathetic glazing, inappropriate materiality, poorly designed and excessive extensions would create harm to these assets as well as to the AONB landscape.

The proposal site is in an unsustainable location, isolated from services, with poor pedestrian access, causing a heavy reliance on the use of private motor vehicles.

The application has also failed to secure a proportionate financial contribution towards visitor management measures for the Stour and Orwell Estuaries as per the Recreational Disturbance Avoidance and Mitigation Strategy (RAMS).

The proposal is, therefore, considered contrary to Policies CR02, CN02 and CN06 of the Babergh Local Plan (2006), as well as Policies CS2, CS15 and CS19 of the Babergh Core Strategy (2014) and paragraphs 80, 176, 177, 199, 202 and 203 of the NPPF (2021).