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MID SUFFOLK DISTRICT COUNCIL  
DEVELOPMENT CONTROL COMMITTEE - 21 December 2016

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<b>AGENDA ITEM NO</b>	1
<b>APPLICATION NO</b>	2194/16
<b>PROPOSAL</b>	Erection of two detached dwellings with garages. Extension to graveyard and provision of nature garden for primary school
<b>SITE LOCATION</b>	Land on the west side of, Rising Sun Hill, Rattlesden IP30 0RL
<b>SITE AREA (Ha)</b>	0.58
<b>APPLICANT</b>	Messrs Clarke & Tasker
<b>RECEIVED</b>	May 10, 2016
<b>EXPIRY DATE</b>	August 11, 2016

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**REASONS FOR REFERENCE TO COMMITTEE**

The application is referred to committee for the following reason :

The applicant's agent is currently employed by the Local Authority on a consultancy basis.

**PRE-APPLICATION ADVICE**

1. None

**SITE AND SURROUNDINGS**

2. The site lies in the south west corner of the village of Rattlesden, in the Conservation Area, but abutting the Settlement Boundary to the north. The land slopes upwards to the south away from the river valley. The site is also identified as a Visually Important Open Space.

The northern site boundary abuts the Telephone Exchange building and cemetery attached to the Baptist Chapel.

A public footpath runs along part of the northern boundary and continues along the western site boundary. The site boundaries are marked by hedges and trees, with those to Rising Sun Hill being of particular significance.

**HISTORY**

3. The planning history relevant to the application site is:

A - Ash, Field Maple, Hawthorn, Raise No Objection

0054/91/OL



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Hazel Nut Coppice, Elm and 10/08/2015  
 Crab Apple - Crown lift canopies  
 up to 4.0m from ground level.  
 B - Elm Trees - Fell  
 C - Hawthorn Bush - Removal  
 D - Hazel Nut Stub / Coppice -  
 Removal  
 E - Field Maple - Removal  
 F - Overhanging Ash - Removal

RESIDENTIAL DEVELOPMENT	Refused	0391/89/OL
OF FIVE DWELLINGS WITH	08/07/1991	
NEW VEHICULAR ACCESS		

ERECTION OF 18 FLATS IN 3	Refused	0043/79/OL
TWO STOREY BLOCKS ON	22/11/1989	
0.39 HECTARES AND		
CONSTRUCTION OF		
VEHICULAR ACCESS AND		
ACCESS ROADS		

Residential development 1 1/4	Refused
acres and construction of access	05/06/1979

## PROPOSAL

4. To erect two detached dwellings with detached garages.  
 The applicants are two local families who are related to each other and have also offered as part of the application an area of the site as an extension to the adjacent graveyard, and an area as a nature garden for the primary school.

The property proposed on plot 1 is part single storey and part two storey and provides four bedrooms. The proposed materials are a mix of boarding and brick with slate and clay pantiles for the roof. The dwelling proposed on plot 2 is also a four bedroom house of a traditional appearance, rendered with clay pantiles and a boarded, single storey element to part of the family room.

The application proposes a new joint vehicular access from Rising Sun Hill.

## POLICY

5. **Planning Policy Guidance**

See Appendix below.

## CONSULTATIONS

6. **Rattlesden Parish Council** -Support the application.



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**MSDC Environmental Health (Land Contamination )** - No objection to the proposed development from the perspective of land contamination. I would only request that we are contacted in the event of unexpected ground conditions being encountered during construction and that the developer is made aware that the responsibility for the safe development of the site lies with them.

**MSDC Heritage Team -**

Does not object to the proposal.

This site is located at the southwestern corner of the settlement, and its southern and western boundaries form the conservation area (CA) boundary. The land is defined as meadow, though the historic OS maps do not define or contain the land. There has certainly been no development on the land since the later C19th.

The proposed development is for two dwellings of a 'traditional appearance and scale, with suitably articulated outbuildings. The conservation issues relate to the possible impact of the development on the character and appearance of this part of the CA.

However, given the scale of the site, and the restrained nature of the development, the visual impact on the character of the CA will be limited. Of course, the open nature of the land will be compromised, despite the assertion of the planning agent who states: 'The character of the 'Green Area', of course, is enhanced by the existing boundary planting and our scheme will look to retain and reinforce this'.

There is however one issue with the design. The property at plot 2 appears to face into the driveway in its north elevation but on its eastern elevation the symmetry appears rather contrived, as though it were also trying to be a facade. Traditionally, gable ends - which are effectively side elevations, and therefore of less architectural and social significance - are blank, or at least feature fewer openings than the formal front.

Nevertheless, on balance while the impact of the development on the character is notable, it does not negatively affect it. The heritage team therefore does not object to the proposal, as it is considered to accord with the principles of the LBA, the NPPF and the Local Plan.

**Recommend Conditions :**

Sample of all external cladding materials to all structures on the site (to include walls, rainwater goods, roofs.)

Further information required regarding boundary structures between dwellings and to edge of cemetery and nature area (if applicable) at 1:2 and 1:10 as appropriate.

Detailed joinery sections for all windows and external doors at 1:2 and 1:10 as appropriate.

Detailed sections for all eaves and verges at 1:20

Sample of driveway surfacing

**Environment Agency** - Have considered the submitted information. No objection.

**Ramblers** - Although footpath no's 58 & 21 skirt this plot ones enjoyment



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will  
not be greatly affected by this proposed development.

**SCC Archaeological Service** - No grounds to consider refusal.  
Recommend conditions relating to investigation and assessment.

**SCC Flood & Water Management -**

Is a statutory consultee under the Town and County Planning Act for major applications only but this is a minor application .

The Local Planning Authority should be mindful that the application complies with national & local policy plus best practise and guidance in relation to flood risk and surface water drainage.

**SCC Highways** - Recommend conditions relating to visibility and layout of access.

**SCC Landscape Officer** - (Summarised)

In terms of landscape and visual impact the application should be **refused**.

**The following reasons apply:**

- 1) The proposal is contrary to policy SB3.
- 2) The development of the site as proposed will not retain the open character of the site and therefore the function of the VIOS designation and the contribution it makes to the village, and the Conservation Area, will be lost.
- 3) Severance and partial loss of an 'important' hedgerow (1997 Hedgerows Regulations) and the resulting visual impact.
- 4) In addition I note that Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 requires that LPAs pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. I suggest it is unlikely that the proposal to build on this piece of land will preserve or enhance the landscape character of the locality or the setting of the Conservation Area.

Should MSDC be satisfied that exceptional circumstances exist, such that they are minded to make an exception to policy in this location, comprehensive reserved matters conditions controlling the detailed architectural, hard and soft landscape, details of levels and grading/retaining structures, boundary treatment, refuse collection and lighting would need to be placed on any consent. The removal of some permitted development rights is also likely to be appropriate to prevent garden and ancillary structures being placed within the upper areas of the gardens where they would be more prominent.  
I have made this recommendation having due regard for the character and sensitivity of the site and surrounding landscape and in particular, Policy CS5 and saved policy SB3.

The field was designated as a Visually Important Open Space (VIOS) within the MSDC Local Plan adopted in 1998. The retained policy SB3 relating to Visually Important Open Space applies.



The site in its undeveloped form makes a significant positive contribution to the landscape quality and character of the settlement and the Conservation area. The open rising field with its boundary hedgerows and trees is visible from various locations within the village. In particular there are views of the field, with the mature roadside hedgerow and large ancient ash tree on the south west corner of the site rising up in the view from both Low Road and The High Street.

The proposal to develop two properties on the field will cause some irreversible landscape and visual impacts. These have largely been identified in the Landscape Appraisal submitted with the application. The proposed design has aimed to reflect local Suffolk vernacular character and appear as a farmhouse and related barns. Both properties will however be visible due to the nature of the topography and boundary vegetation. Views into the development will be readily obtained through the southern fragmented hedge boundary, from the public right of way and from the road through the hedge (in winter months) and through the development access. Due to the sloping land there will be an element of cut and fill required to accommodate the properties with the associated driveways, turning and parking areas.

Acknowledges the content of the submitted Landscape Appraisal but advises that the range of viewpoints and assessment is restricted.

### **LOCAL AND THIRD PARTY REPRESENTATIONS**

7. This is a summary of the representations received.
  - Will provide housing for two local families and will benefit the chapel and the school. The nature area will increase the biodiversity of the site.
  - Concern expressed over drainage in the area which is prone to flooding when the river overflows. Hard surfacing may increase this. Additional traffic onto Rising Sun Hill where there is a blind junction onto London Road. Improved visibility to the left and the need for a safe crossing for the children should be addressed.
  - Construction vehicles and storage should be kept on the site.
  - Having the nature area for the school in close proximity will save money on transport and help with the curriculum.
  - The overgrown site would be enhanced by the erection of two elegant properties in keeping with the area.
  - There may not be sufficient safeguards to prevent over-development in the future.

### **ASSESSMENT**

8. Principle of development

Rattlesden is Key Service Centre as defined in the Core Strategy. This makes it a main focus for development.



The site is outside, but abutting the settlement boundary and its development would normally be considered contrary to policy. As Members are aware, the Council currently has a shortfall in the five year supply of housing land. In such circumstances, where the Council's adopted policies for the supply of housing cannot be considered up of date, sites which otherwise may not have been supported for development but which are considered reasonably well located in relation to sustainable settlements can be viewed more positively.

The NPPF provides a presumption in favour of sustainable development which by definition has economic, social and environmental dimensions.

#### Impact on Conservation Area and Visually Important Open Space.

The site is within the Rattlesden Conservation Area, although it was not included at the time of the 1998 Local Plan. It is also a Visually Important Open Space.

The Heritage consultation response looks at the scale of the site and the nature of the development and advises that the visual impact on the Conservation Area will be limited and does not negatively affect it. Further information relating to materials, boundary treatments and design details could be conditioned. Taking into account the guidance contained in the NPPF and the aim to conserve and enhance the historic environment (Section 12) the proposal is considered to lead to less than substantial harm to the significance of the Conservation Area and the public benefits of the proposal should also be taken into account. In this instance there will be some small scale benefit arising from the addition to the housing stock, and the provision of land for the cemetery and school nature area.

The County Landscape Officer has expressed concerns over the proposal which will not retain the open character of the site, the function of the VIOS and the contribution to the village and Conservation Area. However, recent appeal decisions have highlighted that policies which seek to restrict development and protect the local environment cannot be considered up to date as the District does not have a five year housing supply. The NPPF identifies designated heritage assets such as Conservation Areas as locations where development should continue to be restricted.

#### Design and layout.

The proposed dwellings are of a traditional 'additive' form of an appearance and materials which are appropriate to this location within the conservation area. Further details could be conditioned should the application be approved.

The layout of two dwellings set within their own plots does not raise issues of overlooking or impact on residential amenity.

#### Highways

SCC Highways have recommended conditions relating to visibility and layout of the access and have found the proposal to be acceptable.

#### Ecological considerations

Overall the site has been assessed as being of low ecological value. To



enhance the biodiversity of the site conditions could be attached to provide bat and bird nesting boxes.

### Conclusion

On balance the proposal is considered to be acceptable as an addition to the housing stock. The Heritage response implies less than substantial harm to the Conservation Area and the proposal also brings forward public benefits in the form of the graveyard and nature garden, which are considered to outweigh the harm to the Conservation Area.

## RECOMMENDATION

**That Full Planning Permission be granted subject to the following conditions:**

- **Standard time limit**
- **To be in accordance with submitted documents**
- **Highway conditions**
- **Landscaping/boundary details and details of changes in ground levels**
- **Details of materials**
- **Details of joinery - windows and doors, eaves and verges**
- **Archaeology investigation and assessment**
- **Removal of permitted development rights for garden structures**

Philip Isbell  
Professional Lead - Growth & Sustainable Planning

Sian Bunbury  
Planning Officer

## APPENDIX A - PLANNING POLICIES

### **1. Mid Suffolk Core Strategy Development Plan Document and the Core Strategy Focused Review**

**Cor4** - CS4 Adapting to Climate Change  
**Cor5** - CS5 Mid Suffolks Environment  
**Cor1** - CS1 Settlement Hierarchy  
**Cor2** - CS2 Development in the Countryside & Countryside Villages  
**CSFR-FC1** - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT  
**CSFR-FC1.1** - MID SUFFOLK APPROACH TO DELIVERING SUSTAINABLE DEVELOPMENT

### **2. Mid Suffolk Local Plan**

**SB3** - RETAINING VISUALLY IMPORTANT OPEN SPACES  
**RT12** - FOOTPATHS AND BRIDLEWAYS  
**GP1** - DESIGN AND LAYOUT OF DEVELOPMENT  
**CL8** - PROTECTING WILDLIFE HABITATS

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SC4 - PROTECTION OF GROUNDWATER SUPPLIES

HB8 - SAFEGUARDING THE CHARACTER OF CONSERVATION AREAS

3. **Planning Policy Statements, Circulars & Other policy**

NPPF - National Planning Policy Framework

**APPENDIX B - NEIGHBOUR REPRESENTATIONS**

Letter(s) of representation(s) have been received from a total of **15** interested party(ies).

The following people **objected** to the application

The following people **supported** the application:

[REDACTED]

The following people **commented** on the application:

[REDACTED]