

Committee Report

Committee Date: 22 February 2017

Item No: 5

Reference: 3845/16

Case Officer: RUBI

Description of Development: Erection of detached dwelling and garage.

Location: Land adjacent Green Farm Cottage, The Green, Redgrave,
IP22 1RR

Parish: Redgrave

Ward Member/s: Cllr Jessica Fleming Cllr Derek Osborne

Site Area: 0.13 hectares

Conservation Area: YES

Listed Building: Affects setting of a listed building

Received: 11/09/2016

Expiry Date: 23/03/2017

Application Type: Full Planning Permission

Development Type: Minor Dwellings

Environmental Impact Assessment: N/A

Applicant: Burgess Homes Ltd

Agent: Philip Cobbold Planning Consultancy

DOCUMENTS SUBMITTED FOR CONSIDERATION

List of applications supporting documents and reports

Defined Red Line Plan:

The defined Red Line Plan for this application is the plan at scale 1:1250 entitled Erection of Detached Dwelling with Garage received 12th September 2016 only. This drawing is the red line plan that shall be referred to as the defined application site. Any other drawings approved or refused that may show any alternative red line plan separately or as part of any other submitted document have not been accepted on the basis of defining the application site.

Plans and Documents:

Application Form - Received 12/09/2016.

Design and Access Statement & Planning Statement – Received 12/09/2016.

Ecological Scoping Survey at Green House Farm – Received 12/09/2016.

Great Crested Newt *Triturus cristatus* Survey at Green House Farm – Received 12/09/2016.

Enviroscreen Report by Argyll Environmental dated 11/09/2016 - Received 12/09/2016.
Land Contamination Questionnaire - Received 12/09/2016

Erection of Detached Dwelling with Garage at scale 1:1250 - Received 12/09/2016.
Drawing LSDP 11390.01 Tree Survey & Constraints Plan at scale 1:200 - Received 12/09/2016.

Drawing 4193 10 C Site Layout at scale 1:100 – Received 31/01/2017.

Drawing 4193 11 C Ground & First Floor at scale 1:100 – Received 31/01/2017.

Drawing 4193 12 C East & South (Front) Elevations at scale 1:100 – Received 31/01/2017.

Drawing 4193 13 C West & North Elevations at scale 1:100 – Received 31/01/2017.

The application, plans and documents submitted by the Applicant can be viewed online at www.midsuffolk.gov.uk via the following link:

<http://planningpages.midsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal= MSUFF DCAPR 109747>

Alternatively, a copy is available to view at the Mid Suffolk and Babergh District Council Offices.

SUMMARY

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The officers recommend approval of this application. The proposed development represents sustainable development that would not harm the surrounding landscape, highway network or neighbour amenity.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

The agent Phil Cobbold is currently employed as a consultant by Mid Suffolk and Babergh District Councils.

PART TWO – APPLICATION BACKGROUND

This section details history, policies, advice provided, other legalisation and events that form the background in terms of both material considerations and procedural background.

History

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

1478/15

Planning Approval was granted for a new two-storey detached dwelling and triple garage on the neighbouring site to the east.

2165/08

Planning Approval was granted for a new one-and-a-half storey detached dwelling adjacent to Bramley Cottage (the property is now known as Stonewall Cottage and is located opposite/south of the site).

Details of Previous Committee / Resolutions

3. None

Details of Member site visit

4. None

Details of any Pre Application Advice

5. Pre application advice was not sought.

PART THREE – ASSESSMENT OF APPLICATION

Consultations

6. **This is a summary of the consultation responses received. The full representations are included within the Committee Bundle.**

The Heritage officer considers that any development on this site would have a harmful impact on the character of the historic green, the Conservation Area and the setting of the adjacent listed buildings.

The Environmental Health Officer has no objections to the application in respect of land contamination.

The Arboriculture Officer has no objection to the application as the trees do not appear to be of any significant amenity value. The Arboriculture Officer has confirmed this following an enquiry in the Heritage Officer's consultation response.

The Archaeological Officer has no objection to the application.

The Parish Council have no objection to the application but are concerned about the damage and obstruction of traffic on the track by construction vehicles, flooding from the pond, and the loss of trees on site.

The SCC Highways Officer has no objection to the application but recommends conditions are attached regarding frontage enclosure and parking.

Representations

7. This is a summary of the objections received from neighbours.
- Agreement with Heritage Officer's consultation response that opposes any development of the site as harmful to the Conservation Area and the setting of listed buildings.
 - The track, The Green, is an unmade road and cannot sustain any more residential development.
 - The track is also a footpath and additional traffic will have a detrimental impact on the right of way.
 - The plot and the land behind get water logged and are unsuitable for development.
 - The risk of flooding posed by the pond.
 - The loss of trees on site in a conservation area.
 - The proposed dwelling is out-of-character with neighbouring properties, with the exception of the new house under construction.

The Site and Surroundings

8. The site is located in the village of Redgrave. The site is within the village's settlement boundary, the Conservation Area and the vicinity of several Grade II listed buildings. Directly opposite the site is the Grade II listed dwelling, Sunny View. To the northwest of the site is The Pightle, further north there is The Cottage and The Old Rectory, and to the southeast is Bridge House, all Grade II listed dwellings. Directly to the east of the site is Green Farm Cottage which the Heritage Officer considers to be an undesignated heritage asset.

The site forms part of the garden for Green Farm, a large dwelling to the northwest of the site. The site has a large pond to the south and has several mature trees within the site and along the north and south boundaries.

The Green is the access to the site and is an unmade road/track which provides access to several residential properties. There is an existing access driveway adjacent to the site that leads to Green Farm and the proposal is to use this existing driveway to provide access into the site.

The site is currently open to the east and that adjoining area of land also used to be lawn and garden associated with Green Farm. At the time of the site visit the views east were of the dwelling under construction that was granted approval under planning reference 1478/15. To the west the site boundary is formed by a shingle driveway with a newly planting hedge on the opposite side. The views west are of Green Farm Cottage which was being renovated and re-roofed at the time of the site visit. To the northwest there are clear views of Green Farm. Along the northern boundary trees, bushes and shrubs have been planted/grown up which screen views north of Redgrave common and the area designated as visually open important space. Trees, bushes and shrubs have also been planted/grown up along the southern, road side boundary which screens views into the site.

The Proposal

9.

The proposal is to erect a new three bedroom dwelling with associated driveway and garage. The proposed dwelling has a 'T' shape formation that is part one-and-a-half-storey and part single-storey in height. The main one-and-a-half-storey section is orientated south towards the road with a single storey wing on the east that runs perpendicular to the main building. The main element of the building has a traditional appearance. The design incorporates traditional elements such as pitched dormers, gable ends, and a catslide roof over the front porch. The walls are to be rendered, with a clay pantile roof.

NATIONAL PLANNING POLICY FRAMEWORK

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

- Paragraph 17 lists the 12 core planning principles. Most notable are that development should secure high quality design, high level of amenity, support the transition to a low carbon future and actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
- Paragraph 32 requires all decisions should take account of whether safe and suitable access to the site can be achieved for all people.
- Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- Paragraph 128 requires applicants to describe the significance of any heritage assets affected including any contribution made to the setting.
- Paragraph 129 requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal.
- Paragraph 132 states that great weight should be given to a Heritage assets conservation and the more important the Heritage asset the greater the weight should be. The NPPF reminds that heritage assets are irreplaceable and any harm or loss requires clear and convincing justification.
- Paragraph 133 and 134 require that if "substantial harm" is identified the local planning authority should refuse consent unless the application meets certain criteria. If "less than substantial harm" is identified the local planning authority should weight the harm against the public benefit.
- Paragraph 137 states that local authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets subject to the development enhancing or better revealing Heritage asset's significant.

CORE STRATEGY

11. Summary of relevant policies Core Strategy 2008 and Core Strategy Focused Review:

- Policy CS1 "Settlement Hierarchy" sets out the distribution of housing across the district and has designated Redgrave as a secondary village.
- Policy CS5 "Mid Suffolk's Environment" states that all development will maintain and enhance the environment and retain local distinctiveness of an area. It will protect and conserve landscape qualities.
- Policy FC1 "Presumption in favour of sustainable development" details that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.
- Policy FC1.1 "Mid Suffolk approach to delivering Sustainable Development" sets out that development proposals will be required to demonstrate the principles of sustainable development and will be assessed against the presumption in favour of sustainable development. Proposals for development must conserve and enhance the local character of the different parts of the district.

NEIGHBOURHOOD PLAN / SUPPLEMENTARY PLANNING DOCUMENTS / AREA ACTION PLAN

12. None

SAVED POLICIES IN THE LOCAL PLAN

13. Summary of policies in the Mid Suffolk Local Plan 1998:

- Policy GP1 "Design and layout of Development" sets out the design principles for all development in Mid Suffolk. Proposals should maintain or enhance the character and appearance of their surroundings and the site. Development should respect the scale and density of surrounding development, incorporate and protect important natural landscape features and make proper provision for parking in manner which does not dominate the appearance.
- Policy HB1 "Protection of Historic Buildings" requires a high priority is placed on protecting the character and appearance of listed buildings including their setting.
- Policy HB8 "Safeguarding the Character of Conservation Areas" requires protection is given to conservation areas with particular attention to the form, grouping, scale and design of new buildings, and the retention of natural features such as trees, hedges, gardens and other open space.
- Policy SB2 "Development Appropriate to its Setting" requires consideration is given to various aspects a development including the setting of listed buildings and the appearance of the Conservation Area.
- Policy SB3 "Retaining Visually Important Open Space" states the planning authority will resist development which would have a harmful effect on identified visually important open space.
- Policy H13 "Design and Layout of Housing Development" details that new housing development will be expected to achieve a high standard of design and layout and be of a scale and density appropriate to the site and its surroundings. It should respect the character of the site and the relationship with surrounding area, not unduly affect amenities of neighbouring residents, have adequate privacy and private amenity, retain landscape features unless impracticable or unnecessary and satisfactory access to the highway network.

- Policy H15 “Development to Reflect Local Characteristics” states that new housing should be consistent with the pattern and form of development in the neighbouring area, the character of its setting, site constraints and the sites configuration including its natural features.
- Policy H16 “Protecting Existing Residential Amenity” details that the permission will be refused if the development will materially reduce the amenity and privacy of adjacent dwellings or erodes the character of the surrounding area.
- Policy T9 “Parking Standards” states that development proposals shall accord with the adopted parking standards
- Policy T10 “Highway Considerations in Development” details that regard will be given to the safe access to and egress from the site, suitability of existing roads for safe access and amount and type of traffic generated, adequate space for parking and turning cars within the site.
- Policy RT 12 “Footpaths and Bridleways” details the safeguards for footpaths.
- Policy CL8 “Protecting Wildlife Habitats” details the protections to be provided.

Officer's Assessment

14. From an assessment of relevant planning policy and guidance, representations received, the planning designations and other material issues the main planning considerations considered relevant to this case are set out including the reason/s for the decision, any alternative options considered and rejected. Where a decision is taken under a specific express authorisation, the names of any Member of the Council or local government body who has declared a conflict of interest are recorded.

The Principle Of Development

15. The application site is situated within the settlement boundary for Redgrave which is classed in planning terms as a secondary village, and as defined by Inset Map No. 65 of the Mid Suffolk Local Plan (1998). As a secondary village Redgrave is considered suitable for residential infill and small scale development to meet local needs.
16. Whilst each application is judged on its own merits, it is nevertheless noted that an application for a new dwelling was granted approval opposite the site in 2008 and on the neighbouring site in 2015.
17. The site is located between existing dwellings to the west, Green Farm Cottage and Green Farm, and a new dwelling under construction to the east, with several dwellings opposite. A new dwelling on the site would form a natural infill between residential properties.
18. A new dwelling on this site would contribute towards and be in-keeping with the existing pattern of residential development that has evolved over time along this cul-de-sac.
19. Whilst the site may have historically formed part of the green open space in the centre of Redgrave, the application site has for some time been lawn and gardens associated with Green Farm. Due to the existing use, and existing trees and planting on the boundaries, the site no longer contributes to the character and appearance of the Conservation Area.
20. There is no objection to the principle of a new dwelling on the site which is considered to be in accordance with policies CS1, FC1 and FC.1 of the local development plan.

Impact on Landscape

16. The trees and plants along the north and south boundaries provide a screen which would, as existing, minimise the impact of any development on the Conservation Area, upon the nearby listed buildings, and the green open space in the centre of Redgrave. Nevertheless such 'soft' landscaping can only be considered transient as any future owner of the site could clear out the planting or the trees and planting could die and not be replaced.
17. Without the full screen of trees and planting the development would have a significant visual impact on the surrounding Conservation Area, the visually important open space and the setting of nearby listed buildings. The proposal does include retention of the trees along the north and south boundaries and erecting post and rail fencing to the east and west boundaries. A condition could protect planting, but only for an initial five year period.

Impact on Highways & Public Footpath

18. The site is located off The Green, an unmade road which is also a public footpath. The road ends in several 'cul-de-sacs' and serves a number of residential properties.
19. The development seeks to utilise the existing vehicular access and driveway that leads to Green Farm. A new driveway would branch off the existing providing access into the site. Suffolk County Council has no objection to the application but requests conditions relating to frontage enclosure and parking.
20. The resulting traffic from one dwelling is not considered to result in any adverse impact to the highway network or public footpath in terms of traffic generation and safety.
21. Policy T9 and T10 of the Mid Suffolk Local Plan states that development should accord with the adopted parking standards. The parking standards adopted by the Council are Suffolk County Councils Guidance for Parking- Technical Guidance Adopted November 2014, Second Edition - November 2015. The parking standards for a dwelling of 3 bedrooms are a minimum of two parking spaces. The proposed dwelling will have 3 bedrooms and will provide one garage parking space and at least two on-site parking spaces.

Impact on Residential Amenity

22. The application site is large with the building set well back from the boundaries. The proposed new dwelling does not result in any loss of light or cause overshadowing. There is a single window on the east elevation facing the new building which is under construction. This is a high level window which is not considered to cause overlooking. It is considered that the proposed new dwelling does not have a detrimental impact on residential amenity.

Impact on Heritage Assets

23. The site is located in Redgrave Conservation Area and there are several Grade II listed dwellings in the area. Within the immediate vicinity there is Sunny View opposite the site and The Pightle to the northwest. Within the wider area there is The Cottage and The Old Rectory to the north and Bridge House to the southeast. Directly to the east of the site is Green Farm Cottage which the Heritage Officer considers to be an undesignated heritage asset.

24. The historic, spacious, and open character of Redgrave is defined by the large open space in the centre of the village and the numerous listed buildings along The Green and Half Moon Lane which overlook the common. The most important areas of open space have been designated as 'visually important open space' and lies to north of the application site.
25. The site is currently and has for some time been an area of lawn and garden associated with Green Farm, a large dwelling to the northwest of the site. The site includes a large pond and has several mature trees within the site and along the boundary. The Heritage Officer has advised that the site would have historically formed part of Redgrave Common in the centre of the village and should be regarded as contributing to the character of the remaining green open space.
26. The quantity, quality and appreciation of the historic open space in the centre of Redgrave has been eroded by new development to the south, the growth of a small woodland area, and the planting of trees and shrubs along private boundaries. The application site now has a stronger relationship to the residential development in the 'cul-de-sac' than to the central open space in Redgrave.
27. Due to the distance between the proposal and the listed building, together with the limited views into the site, the proposal is not considered to result in harm to the setting of listed buildings.
28. The development is located in an area that has been lawn and garden associated with Green Farm for many years with planting and trees that have grown up along the north and south boundaries. As a result the visual connection between the site and the centre of Redgrave has been lost. The site no longer contributes to character and appreciation of the open space in the centre of Redgrave and is not considered to result in harm to the Conservation Area.

Impact on biodiversity

29. The site is not located within a flood zone and there are no issues of land contamination.
30. The application site is domestic garden area with cut grass. There are trees along the boundary which are proposed to be kept and trees within the site that are proposed to be removed. The Arboriculture Officer does not consider these trees to have any amenity value.
31. Hillier Ecology conducted an Ecological Survey and Great Crested Newt Survey. The surveys concluded there are smooth newts, but no great crested newts, present in the pond and that no mitigation measures are required.
32. As such the construction of a new dwelling in this location is unlikely to result in the significant loss of wildlife habitat and harm to protected species as the majority of land will remain domestic garden.

Financial Contributions and Community Infrastructure Levy

33. The proposal is for a single dwelling and therefore is not subject to affordable housing contributions in accordance with altered policy H4 of the Mid Suffolk Local Plan. The development is also not subject to tariff style planning obligations (section 106 planning obligations) in accordance with the order of the Court of Appeal dated 13 May 2016, which give legal effect to the policy set out in the written ministerial statement of 28 November 2014.

34. The Community Infrastructure Levy is chargeable on all new housing units unless it is built by a self-builder.
35. In regards to S155 of the Housing and Planning act 2016 the development will generate council tax and is a CIL chargeable development.

PART FOUR – CONCLUSION

Planning Balance

36. The proposed development is within the settlement boundary of Redgrave and therefore considered a sustainable location for small scale development such as this application for a single house. The development will in turn support the rural vitality and economy of Redgrave. The development is therefore considered to constitute sustainable development.
37. The development is located in an area that has been lawn and garden for Green Farm for many years, and no longer contributes to character and appreciation of the open space in the centre of Redgrave. Due to the distance between the neighbouring properties, together with the limited views into the site, the proposal is not considered to result in harm to the Conservation Area or the setting of listed buildings.
38. The proposal will not harm the landscape, result in the significant loss of trees, harm to highway safety, neighbour amenity and is unlikely to lead to harm to protected species.
39. When taken as a whole and as a matter of planning judgement, the proposal is considered to adhere to the development plan and NPPF and therefore can be considered sustainable development. There is a presumption in favour of sustainable development. The application is therefore recommended for approval.

Statement Required By Article 35 Of The Town And Country Planning (Development Management Procedure) Order 2015.

40. When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising.
41. In this case the application was revised following a discussion with the agent, Phil Cobbold, the Architect, Paul Scarlett, a Senior Planning Officer and the Case Officer. The garage has been relocated around the rear of the property to protect the open view down the driveway from the highway.

Identification of any Legal Implications of the decision

42. It is not considered that there will be any Legal Implications should the decision be approved.
43. The application has been considered in respect of the current development plan policies and relevant planning legalisation. Other legislation including the following have been considered in respect of the proposed development.

- Human Rights Act 1998
- The Equalities Act 2012
- Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
- Natural Environment and Rural Communities (NERC) Act 2006 (any rural site)
- The Conservation of Habitats and Species Regulations 2010
- Localism Act
- Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998, in the assessment of this application but the proposal does not raise any significant issues.

RECOMMENDATION

That authority be delegated to Professional Lead - Growth & Sustainable Planning to grant Full Planning Permission and that such permission be subject to the conditions as set out below:

- Standard Time limit
- Accord with approved plans
- Highways conditions – Frontage enclosure and parking
- Details of Materials
- Landscaping scheme.