

Committee Report

Item No: 2

Reference: DC/17/03582
Case Officer: Elizabeth Flood

Ward: Woolpit.

Ward Member/s: Cllr Jane Storey.

RECOMMENDATION – REFUSE PLANNING PERMISSION

Description of Development

Outline Planning Application (Access to be considered) - Erection of two detached dwellings and garages

Location

Land Opposite The Grange, Green Road, Woolpit, IP30 9RG

Parish: Woolpit

Expiry Date: 05/10/2017

Application Type: OUT - Outline Planning Application

Development Type: Minor Dwellings

Applicant: Mr & Mrs Parker

Agent: Artisan PPS Ltd

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

- Following call in from the Ward Councillor.

Details of Previous Committee / Resolutions and any member site visit

None

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework

FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development

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CS02 - Development in the Countryside & Countryside Villages

CS05 - Mid Suffolk's Environment

GP01 - Design and layout of development

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

A: Summary of Consultations

Woolpit Parish Council: Support the application. There will be no detrimental effect on the character and appearance of the area.

Environmental Protection Land Contamination: No objections

Suffolk County Council – Highways: Recommends conditions

Heritage: The Heritage Team considered that the proposal would cause less than substantial harm to designated heritage assets because it would further erode the rural setting of the listed buildings, but this would represent a very low increase in cumulative harm to their settings. The Heritage Team raises no objection.

Arboricultural Officer: Initial comments - Plot 2 of this layout design is very close to mature Oak trees protected by TPO. These are large mature specimens which require sufficient space for their long-term physical retention and growth. The proximity and scale of plot 2 in relation to these trees is also likely to cause apprehension to future occupiers and result in nuisance from leaf and branch shedding. As a result I am unable to support the application in its current form.

Subsequent comments – I note the revised layout following my previous comments. However, the position of the main dwelling is seemingly unaltered remaining in close proximity to a protected oak tree and therefore my concerns remain.

B: Representations

Objections have been received from five neighbouring properties with the following comments:
Development is outside the village envelope and not an infill development.

Applications have been submitted for 308 dwellings in Woolpit and the development is not necessary.

- The development will set a precedent for development on green spaces outside the village envelope.
 - Result in the loss of greenspace
 - The application is for two storey dwellings which are out of keeping with the surrounding dwellings which are single or 1 ½ storey dwellings.
 - The development would have a detrimental impact on the trees on the boundary of the site.
 - There will be pressure for removal of the trees due to leaf fall, shade or ground movement
 - The application has not adequately considered the potential biodiversity impact of the proposals. There are newts in close proximity and bats use the site.
 - The proposed development would not be sustainable development, located remotely from services and facilities.
 - The location of the site does not have good access to public transport and village residents are largely reliant on private cars.
 - The development would harm the character and appearance of the area, the dwellings would be intrusive and would introduce new frontage development onto Green Road.
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PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

1.1. The site is approximately one quarter of an existing paddock. To the front of the site, facing Green Road is a substantial hedge. To the West of the site is a gate into the paddock and then a hedge. It is intended to keep this gate to provide access to the paddock to the rear of the site. To the rear of the site is the remainder of the paddock. To the East of the site are the rear boundary of The Oaks and Ashridge and a belt of mature TPO oak trees. On the opposite side of Green Road is The Grange a grade II listed building.

2. The Proposal

2.1. The proposal is for outline planning permission with details of access to be considered for two detached dwellings and garages. It is proposed that the dwellings are two storey in height. The indicative layout shows a garage for each dwelling plus additional off street parking. The site is accessed off a single access from Green Road. Both the dwellings would have gardens to the front/side and rear.

2.2. The site is 0.25 ha therefore the density would be 8 houses per hectare which is a lower density than surrounding development.

3. The Principle Of Development

3.1. Section 38(6) of the Planning and Compulsory Purchase Act (PCPA) (2004) states that 'regard is to be had to the development plan for the purpose of any determination to be made under any planning act the determination must be made in accordance with the plan unless material consideration indicates otherwise'. The statutory status of the development plan is the starting point for decision making in accordance with paragraph 12 of the NPPF. This is reinforced by paragraph 17 bullet point one of the NPPF in that the planning system/process should 'be genuinely plan-led'.

3.2 In this case the site is located approximately 680 m by road from the defined settlement boundary of Woolpit and adjacent to the settlement boundary of Woolpit Green. The Council acknowledges that it is unable to demonstrate a five year supply of deliverable housing land within the Mid-Suffolk district, as required by paragraph 47 of the National Planning Policy Framework (NPPF); currently the Mid-Suffolk land supply sits at 3.9 years in accordance with the AMR (2016-2017). Therefore, regard to land supply is a material consideration in this case and paragraphs 14 and 49 of the NPPF apply and are invoked in the decision-making process. This means this speculative proposal will be considered in the context of the presumption in favour of sustainable development, for the purposes of decision-making, granting planning permission unless the adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF, taken as a whole. As such, this report focuses on a balanced assessment between any harms and any benefits of the proposal to conclude a sound recommendation.

3.3 Not all Mid-Suffolk's local housing policies should be considered out-of-date as they are not all specific to housing numbers and distribution, in accordance with the Supreme Court Judgement (Suffolk Coastal District Council (Appellant) v Hopkins Homes Ltd and another (Respondents) Richborough Estates Partnerships LLP and another (Respondents) v Cheshire East Borough Council (Appellant)), which defined the narrow interpretation with regard to housing policies. It is considered a matter of

planning judgement for the decision-maker to have regard to the amount of weight attributed to such policies in their decision-making, and in this case full weight has been given to relevant Mid-Suffolk local plan policies along with relevance of the NPPF.

3.4 The three strands of sustainability as set out in the NPPF are social, economic and environmental. The development would have a minor positive benefit on social aspects as two new dwellings in close proximity to Woolpit are likely to use the facilities and services within the village, the development would also have a minor positive benefit on the local economy both during construction phase and once built, as the occupiers of the dwellings are likely to contribute to the local economy within the village. The proposed development would have a detrimental effect on the environmental aspects of sustainability, due to the negative impact on the street scene and the Countryside, as set out in the remainder of this report. It is considered that the detrimental environmental impact would outweigh the minor social and economic benefits; the principle of the development is therefore unacceptable.

4. Nearby Services and Connections Assessment Of Proposal

4.1. Woolpit has a good of facilities, including a health centre, primary school and co-op food store. The site is 500 metres from the edge of Woolpit along a safe and convenient footpath. The site is 780m from the primary school and 900m from the health centre via the footpath.

5. Site Access, Parking And Highway Safety Considerations

5.1. The indicative layout shows that a safe access and off site parking can be provided, in accordance with the Suffolk Parking standards.

6. Design And Layout [Impact On Street Scene]

6.1. Policy CS5 of the Mid Suffolk Core Strategy (2008) states that development will be of a high quality design that respects the local distinctiveness and the built heritage of Mid Suffolk. The indicative layout shows two large detached dwellings with large detached garages. The dwellings would be in large plots of a significant width compared to those of the surrounding dwellings; where generally built development occupies most of the width of much narrower sites. The dwellings are proposed to be two storey in height, the majority of development in Woolpit Green in single or 1 ½ storey in height. It is accepted that the tree root protection area provides a constraint on development on the East of the site. The site is part of a larger paddock area and is currently open on the Southern aspect. The development will have a detrimental impact on the street scene by the introduction of two, 2 storey dwellings, on plots which are of a larger size and width than the prevailing character of Woolpit Green.

7. Landscape Impact, Trees, Ecology, Biodiversity And Protected Species

7.1. Policy CS5 of the Mid Suffolk Core Strategy (2008) states that the Council will protect and conserve landscape qualities taking into account the natural environment. There is currently a significant tree belt to the rear of the properties on Green Road (at a 45 degree angle to the site). This provides a physical boundary between the built-up area of Woolpit Green and the surrounding Countryside. While it is proposed to retain and protect the trees, development on the site will intrude into the Countryside. The subdivision of the site from a larger paddock and the size and in particular the width of the site and lack of any existing boundary at the rear of the site will significantly increase the impact on the Countryside.

7.2 The agent has suggested that there are direct comparisons with dwellings at approved adjacent to Melbury, also on Green Road. These sites were physically separated from Woolpit Green by open

countryside, which allowed the boundary of the settlement to be retained. The sites are also much better contained, being former gardens rather than subdivision of open fields and therefore has a better relationship with the wider landscape.

7.3 Following objections from the arboricultural officer in relation to the mature TPO tree belt to the East of the site an indicative layout has been received showing the development located further away from the trees. Although there are still concerns regarding the position of one of the dwellings close to the tree belt, the application is outline only and it is considered there is sufficient space within the site to site the two dwellings in a location which would not conflict with the trees.

7.4 An ecological assessment has been provided. This indicates that nearby ponds are unlikely to be suitable habitats for Great Crested Newts, that the mature trees and hedgerows are likely to provide roosts and commuting/foraging habitats for bats and the hedgerows are likely to provide habitats for breeding birds and hedgehogs.

7.5 The ecological assessment concludes that subject to mitigation, the development would not have a detrimental impact on habitat. While the introduction of the access will involve some loss of hedgerow this will be minimal and the mature trees will be retained.

8. Heritage Issues

8.1. The site lies in the setting of four listed buildings. To the north of the site stands The Grange, the site lies opposite the eastern end of the garden of The Grange and with suitable landscaping, design and layout would have little impact on the setting.

8.2 Abbey Farmhouse and Abbey Farm Cottage stand at the south of an open area, formally the green. There would be an increase in built development in their setting, eroding the rural character of the former green, but given the other developments to the east and near Green Farmhouse, impact and harm would be quite low.

8.3 Green Farmhouse faces east across the former green. To its east are two later 1900s dwellings which have considerably eroded the historic character of the setting. To add further dwellings to the east would represent additional erosion of the rural surroundings, but given the extent of compromise to the setting, it is considered that harm to its setting is low. Accordingly, even through setting would once have made an important contribution to the building's significance, harm to significant is very low.

9. Impact On Residential Amenity

9.1. Subject to detailed design, the proposed development would not have a detrimental impact on the residential amenity of the neighbouring properties to the East of the site, The Oaks and Ashbridge.

PART FOUR – CONCLUSION

10. Planning Balance and Conclusion

10.1. Paragraph 49 and 14 of the NPPF requires housing applications to be considered in the context of the presumption in favour of sustainable development. The introduction of two new dwellings, would have some benefits, including minor economic benefits during the construction period and modest

support for local services from the occupiers of the new dwellings. However, these benefits do not outweigh the environmental impact of a development which would introduce a form of development not in keeping with the prevailing character of development and detrimental to the character of the Countryside.

The proposed development is not considered to represent a sustainable development, having due regard to the three tests (social, economic and environmental) set out in the NPPF, by virtue of the detrimental impact on the character of Woolpit Green and the Countryside which outweighs the modest benefits of two additional dwellings outside the development boundary having acknowledged the material consideration in the lack of a five year land supply.

For this reason, the proposed development is contrary to the aims of the NPPF to secure sustainable development, acknowledging the advice in paragraph 49. The proposed development would have significant and demonstrable adverse impact on the environmental considerations contrary to paragraph 14 of the NPPF and Policy CS05 of the Mid Suffolk Core Strategy (2008).

Conclusion

When applying paragraph 14 of the NPPF in this case there is a presumption against new residential dwellings, and the negative impacts identified in this report demonstrate there are no overriding benefits this proposal would bring to outweigh the environmental harms identified, as such the proposal would be contrary to assessed policies in this report and this proposal is unsustainable in accordance with paragraph 14 and 49 of the NPPF.

RECOMMENDATION

That authority be delegated to Corporate Manager - Growth & Sustainable Planning to refuse planning permission.

The proposed development is considered to have a detrimental impact on the character of the area as the proposal would erode the open nature of the locality by developing an area that positively contributes to its distinctive semi-rural nature by its existing undeveloped form. In addition the size and width of the proposed plots are out of keeping with the prevailing character of the area and will have a detrimental impact on the streetscene. The proposal would therefore conflict with Policy CS5 of the Core Strategy (2008), Policy FC1.1 of the Mid Suffolk Core Strategy Focused Review (2012) and Policy GP1 of the Mid Suffolk Local Plan 1998 requiring that development conserve and enhance the local character of the different parts of the district be of a high quality design that respects the local distinctiveness and the built heritage of Mid Suffolk