



Committee Report

Planning Committee North: 14 February 2023

Application no DC/22/2539/FUL

Location

Garland
Lodge Road
Walberswick
Southwold
Suffolk
IP18 6UP

Expiry date 7 September 2022

Application type Full Application

Applicant Miss Julia Sowerbutts

Parish Walberswick

Proposal Replace the summerhouse which has been granted on DC/19/4812/FUL with a smaller new summerhouse/home office with extra pitched roof rather than lean to roof.

Case Officer Freya Carroll
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1. Summary

- 1.1. Planning permission is sought for the replacement of the existing summerhouse with a new summerhouse of slightly differing design, and permission to retain the moved summerhouse in the rear curtilage. This property received the approval for the location and massing of the summerhouse within DC/19/4812/FUL, which was approved December 2019. The application site is located within the Walberswick settlement boundary and within the Area of Outstanding Natural Beauty. Planning permission is required as the proposed structure does not meet the criteria for Permitted Development under the GDPO.

- 1.2. The proposal is compliant with local and national planning policy, and therefore it is recommended that planning permission be granted. The applicant is not an elected member or member of staff or close relative, the land is not owned by the district council.
- 1.3. Walberswick Parish Council object to the proposal as they believe the application is a breach of the previous permission. This application was amended so that the retained outbuilding in the rear curtilage receives planning permission. Walberswick Parish Council were reconsulted and made aware of this amendment, however they retain their objections.
- 1.4. The objection from the Town Council is contrary to the officer's recommendation of approval, therefore the Planning Referral Process was triggered. It was recommended at Planning Referral on 31 January 2023 that the application be taken to Planning Committee.

2. Site Description

- 2.1. Garland is a detached, two-storey, rendered and larch clad dwelling located within the parish of Walberswick. The dwelling is not located within a Conservation Area however it is within the Area of Outstanding Natural Beauty. Garland is located on Lodge Road, which is a residential road, located off The Street. The dwelling is of modest design for the surrounding area, with development of the site being given permission in 2019. Garland is located centrally within Lodge Road, with its front elevation facing North. The dwelling currently has a summerhouse within the rear curtilage. This summerhouse was granted permission within DC/19/4812/FUL to be situated at the front of the site but was moved to the rear curtilage as it was decided to replace it. The applicant was under the impression that moving the summerhouse would benefit from Permitted Development Rights.

3. Proposal

- 3.1. This application seeks permission to retain the existing summerhouse in its revised location and for a replacement summerhouse at the front of the site in the position that was permitted through DC/19/4812/FUL. The summerhouse is located within the north-eastern corner of the curtilage just in front of the parking area. It would be smaller than that previously there and have a pitched roof rather than lean to roof.

4. Third Party Representations

- 4.1. Two letters of objection were received in relation to the proposal. One was received 26.07.22 and the second on the 10.08.22. The main planning considerations raised within these objections were:
 - Dominating/Overbearing
 - Loss of open space
 - Loss of outlook
 - Loss of view
 - Over Development
 - Principle of Use
 - Setting of precedent

5. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Walberswick Parish Council	21 July 2022	11 August 2022
<p>Summary of comments:</p> <p>In the opinion of the Parish Council this application should be REJECTED and furthermore that enforcement action should be taken against the applicant due to work being completed without prior planning consent being given which is contrary to planning law and makes this application disingenuous.</p> <p>The Planning Approval DC/19/4812/FUL was for the existing Summerhouse to be relocated adjacent to Lodge Road (to the front of the proposed house, now built).</p> <p>In fact, the existing Summerhouse has been relocated to the rear of the house, as can be clearly seen from the footpath leading south from Seven Acre Lane. This means that a new building has been erected in the place where the relocation of the Summerhouse was proposed.</p> <p>The result of this is that on the site there are now three buildings whereas the approval was for two.</p> <p>This application shows that not only has there been work carried out contrary to the terms of the earlier approval, but that it is misleading in that it is not for a relocation of the Summerhouse but for retrospective approval of a building already constructed.</p> <p>Further the proposal is for office use and not for a Summerhouse.</p>		

Non statutory consultees

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	21 July 2022	26 July 2022
<p>Summary of comments:</p> <p>An archaeological trenched evaluation and archaeological monitoring were undertaken as part of planning permission DC/19/4812/FUL. As a result, there will be no requirement for conditions for archaeology with this new application.</p> <p>Do not recommend conditions for archaeology on this application.</p>		

Consultee	Date consulted	Date reply received
SCC Highways Department	21 July 2022	No response
<p>Summary of comments:</p> <p>No comments</p>		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	21 July 2022	23 July 2022

Summary of comments: No objection

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	21 July 2022	No response

Summary of comments: No comment

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	21 July 2022	5 August 2022

Summary of comments: No impact on the surrounding AONB landscape character and so on that basis no objections to the proposal.

Reconsultation consultees

Consultee	Date consulted	Date reply received
Walberswick Parish Council	25 October 2022	13.01.23

<p>Summary of comments:</p> <p>In the opinion of the Parish Council this application should be REJECTED and furthermore that enforcement action should be taken against the applicant due to work being completed without prior planning consent being given which is contrary to planning law and makes this application disingenuous.</p> <p>The Parish Council submitted the same recommendation in relation to the application that was submitted in August 2022. The current application changes nothing from that submitted for approval in August except that it now shows all the buildings on the same drawings. Therefore all the arguments for the Council's recommendation of refusal remain unchanged.</p> <p>The Planning Approval DC/19/4812/FUL was for the existing Summerhouse to be relocated adjacent to Lodge Road (to the front of the proposed house, now built).</p> <p>In fact, the existing Summerhouse has been relocated to the rear of the house, as can be clearly seen from the footpath leading south from Seven Acre Lane. This means that a new building has been erected in the place where the relocation of the Summerhouse was proposed.</p> <p>The result of this is that on the site there are now three buildings whereas the approval was for two.</p> <p>This application shows that not only has there been work carried out contrary to the terms of the earlier approval, but that it is misleading in that it is not for a relocation of the Summerhouse but for retrospective approval of a building already constructed.</p>

Further the proposal is for office use and not for a Summerhouse.

Publicity

None

Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 3 August 2022

Expiry date: 24 August 2022

6. Planning policy

SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.4 - Landscape Character (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

National Planning Policy Framework 2021

7. Planning Considerations

Visual Amenity and Design Quality

- 7.1. Policy SCLP11.1: Design Quality- sets out that the Council will support locally distinctive and high-quality design that clearly demonstrates an understanding of the key features of local character and seeks to enhance these features through innovative and creative means.

AONB

- 7.2. Policy SCLP10.4: Landscape Character - Development will not be permitted where it would have a significant adverse impact on the natural beauty and special qualities of the Suffolk Coast and Heaths Area of Outstanding Natural Beauty, that cannot be adequately mitigated.
- 7.3. The principle of the design and location of the summerhouse was previously approved under the application DC/19/4812/FUL. The planning considerations in relation to the summerhouse therefore remain the same as the former approval. This new permission will allow for a minor design change of the replacement summerhouse and permission for the moved original summerhouse in the rear garden.

- 7.4. The proposed summerhouse is considered to be of an appropriate design and scale in comparison to the current dwelling and previously approved summerhouse. The outbuilding will allow for the dwellings usage to be extended further, allowing for an external office/studio space to be retained at the property.
- 7.5. The summerhouse respects the size of the dwelling and plot, remaining in the same location as previously approved. The summerhouse will be largely obscured from Lodge Road by the conditioned planting scheme of birch, hornbeam and beach.
- 7.6. The scale of the new summerhouse will be slightly reduced in comparison to the currently retained outbuilding, and will implement a gabled roof design, rather than the current lean-to design. The implementation of a gabled roof will allow the development to remain modest and will allow for the design of the outbuilding to correspond with the gabled design of the main dwelling.
- 7.7. The previous summerhouse that is retained within the rear curtilage is also considered acceptable as it is a minor alteration as to what would be permitted under Permitted Development and would be less prominent within the street scene.
- 7.8. The newly proposed summerhouse will implement feather edge timber to the external elevation and cedar shingle to the roof. These materials are considered appropriate in relation to the existing dwelling and are considered common outbuilding materials. The proposal compliments the character of the current dwelling and would not cause harm to the surrounding Area of Outstanding Natural Beauty.

Residential Amenity

- 7.9. Policy SCLP11.2: Residential Amenity states that the Council will regard how developments will protect the amenity of the wider environment, neighbouring uses and provide a good standard of amenity for future occupiers of the proposed development.
- 7.10. Although the summerhouse will be located in front of the dwelling and just off Lodge Road, it is considered that the proposal would not cause detrimental harm to the amenity of the area. The summerhouse will remain in close proximity to Lodge Road, however, the proposed plans propose planting on the Northern boundary of the property. This conditioned planting will help obscure the structure from the public realm of Lodge Road and the surrounding properties.
- 7.11. As well as this, the structure will only be used in relation to the main dwelling as an ancillary office/studio space and will not be used separate to the dwelling. There will be no additional windows implement on the structure, only doors on the Southern elevation that face the proposal dwelling to enable access to the outbuilding.
- 7.12. It is considered that the retained outbuilding in the rear curtilage will not have any adverse impact on the surrounding AONB. The proposed summerhouse maintains a modest footprint with a sympathetic design that allows it to maintain and preserve the character of the AONB and main property, therefore it is concluded that the proposal will not adversely impact on residential amenity.

8. Conclusion

- 8.1. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

9. Recommendation

- 9.1. It is recommended that planning permission be granted, and the application approved subject to conditions and the strict following of submitted and considered plans.

Conditions:

1. The development hereby permitted shall be completed in all respects strictly in accordance with 040.1C, 040.2C, 040.3C, 040.4C, 040.5C, 040.6C, 040.7C received 20 December 2022, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

2. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity

3. The approved tree/shrub planting scheme proposed on plan 040.3C received 31 January 2023 shall be implemented no later than the first planting season following the grant of this planning permission (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of 5 years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

Reason: To ensure the submission and implementation of a well-laid out scheme of landscaping in the interest of visual amenity

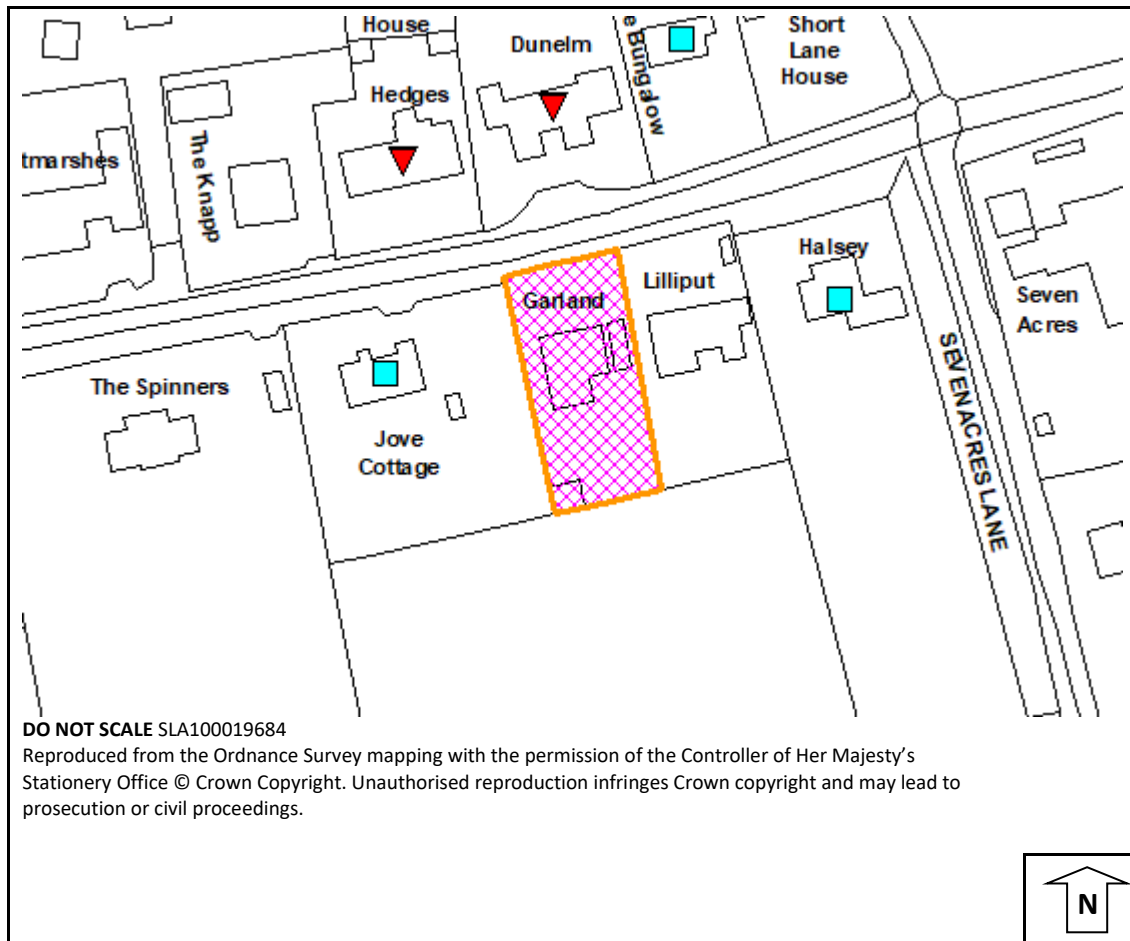
Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.





Background information

See application reference DC/22/2539/FUL on [Public Access](#)

Map



Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support