



## Committee Report

**Planning Committee South** – 20 December 2022

**Application no** DC/22/2599/FUL

**Location**

708 Foxhall Road  
Rushmere St Andrew  
Ipswich  
Suffolk  
IP4 5TD

**Expiry date** 22 August 2022

**Application type** Full Application

**Applicant** Mr Eaton

**Parish** Rushmere St Andrew

**Proposal** Proposed Annexe

**Case Officer** Jamie Behling  
07919 303788  
Jamie.Behling@eastsuffolk.gov.uk

### 1. Summary

- 1.1. The application seeks permission to erect a detached annexe within the rear garden of 708 Foxhall Road in Rushmere St Andrew.
- 1.2. Officers are of the view that the proposed annexe would comply with local policy in that it is well related to the house and would not harm the residential amenity of neighbours nor the visual amenity of the area. It is also believed that the annexe would not lead to a greater danger to highway safety than the existing situation at the property.
- 1.3. The application was referred to Planning Committee South by the Referral Panel on 22 November 2022 to consider the relationship between the annexe and the main dwelling, and highway safety due to the parking arrangement.

## 2. Site Description

- 2.1. 708 Foxhall Road is a detached bungalow situated on the south side of the road. It has a detached single garage to the side with parking in front for up to four cars. The rear garden has an L-shaped layout with a small area wrapping around the rear of the adjacent neighbours' garden at No.706.
- 2.2. The main house has recently been extended at the rear with a flat roofed extension under planning permission DC/20/2910/FUL.

## 3. Proposal

- 3.1. The proposal seeks to erect a detached, self-contained annexe within the rear garden area of No.708 Foxhall Road. The building will be 12 metres in length and 4.2 metres in width. It will have a flat roof and be positioned one metre off the east boundary. It will contain a bedroom, bathroom, sitting area and kitchenette.
- 3.2. The proposed scheme has been revised during the course of this application. The annexe was originally proposed in the area of the garden that sits behind the garden to No.706. A revised plan was submitted on 25 October 2022, which relocated the proposed position of the annexe to be within the main area of rear garden, to the rear of the existing garage. It is those revised plans that are for consideration in the determination of this application.

## 4. Consultees

### Third Party Representations

- 4.1. One representation of objection was received prior to the scheme being amended, raising the following concerns:
- Annexe is being built within 4 back gardens with large trees adjacent to the plot with risk of garden fires due to drought and no direct access for fire services to the annexe.

### Parish/Town Council

Consultee	Date consulted	Date reply received
Rushmere St Andrew Parish Council	20 July 2022	11 August 2022
Summary of comments: "Rushmere St Andrew Parish Council recommends REFUSAL. The proposal is against policy SCLP5.13 of the Suffolk Coastal Local Plan and the emerging Rushmere St Andrew Neighbourhood Plan. The annexe is not well related to the main dwelling, the parish council is concerned that it will have a detrimental impact on the amenity of neighbouring properties notably Nr 706 and it is considered that insufficient parking is available."		

## Statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	20 July 2022	1 August 2022
Summary of comments: No objections. Full suite of land contamination conditions recommended.		

Consultee	Date consulted	Date reply received
SCC Highways Department	24 November 2022	25 November 2022
Summary of comments: No objections.		

## Reconsultation consultees

Consultee	Date consulted	Date reply received
Rushmere St Andrew Parish Council	31 October 2022	3 November 2022
Summary of comments: "Rushmere St Andrew Parish Council recommends REFUSAL. The proposal is against policy SCLP5.13 of the Suffolk Coastal Local Plan and the emerging Rushmere St Andrew Neighbourhood Plan. The annexe is not well related to the main dwelling, the parish council is concerned that it will have a detrimental impact on the amenity of neighbouring properties notably nr 706 and it is considered that insufficient parking is available."		

## Publicity

None

## Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 26 July 2022

Expiry date: 16 August 2022

## 5. Planning policy

National Planning Policy Framework 2021

SCLP5.13 - Residential Annexes (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

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

SCLP7.2 - Parking Proposals and Standards (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.3 - Environmental Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

## **6. Planning Considerations**

### Principle

- 6.1. Local Planning Policy SCLP5.13 (Residential Annexes) states that an annex to an existing dwelling will be supported where:
- a) The annex is smaller in scale and clearly ancillary to the host dwelling;
  - b) The proposal does not involve the physical separation of the residential curtilage;
  - c) No separate access is required;
  - d) The annex is either an extension or is well related to the host dwelling;
  - e) In the case of a new build annex, it is not feasible to create the annex through an extension or the conversion of an outbuilding;
  - f) There is sufficient off-road parking; and
  - g) There is no significant adverse effect on the landscape or visual amenity.
- 6.2. The proposed new annexe would have a flat roof and a simple design, almost like a mobile home. It is smaller in scale and visually recessive to the host dwelling, which is located to the north of the proposed annexe. Ideally the annexe would be positioned closer to the host dwelling, however, it is accepted that this would be difficult to achieve due to the water mains running through the middle of the site and the old air raid shelter built behind the existing garage.
- 6.3. The proposed annexe will not involve the physical separation of the existing residential curtilage and no separate access will be required. The applicant has set out that it is not feasible in this case to extend the property to provide the annexe accommodation, as the property has already been recently extended. The applicant has also explained that it is not feasible to convert the existing garage as this has an air raid shelter that runs underneath, accessed at the rear of the garage, which the applicant wishes to retain. As such, a detached annexe is proposed which is to be sited as close to the garage as possible, taking into account the location of the manhole and sewer line. As the annexe will not appear as a separate dwelling, will not have its own curtilage and will share the access and parking area of the host dwelling it is considered well related and would not easily be separated from the main home if attempted in the future.
- 6.4. The proposal is also not considered to result in adverse landscape, visual or street scene impact given its single storey scale and its location to the rear of the property. The

proposal is therefore considered to be compliant with the criteria set out in SCLP5.13. A condition will also be applied to limit the approved residential annexe's use to prevent it being used as a separate residential unit.

#### Design, Visual Amenity and Street Scene

- 6.5. The proposed annexe is of a simple form and has a proportionate footprint to the host dwelling. It does not appear overly large, and due to its simple form with a flat roof it appears as an ancillary outbuilding and does not compete with the dwelling. The site is well screened by either tall hedges or 6ft high fencing which conceals the new building from nearly all directions. If it were not proposed to be used as an annexe, the building is similar in scale to what could otherwise be built under permitted development (if the height was reduced by 0.5 metres, albeit part of this is the height of a roof light). Many other properties in the area have also built large outbuildings within their rear garden areas and it is not uncommon for these to have a range of uses including annexes.
- 6.6. The materials proposed to be used are sympathetic and the outbuilding is set well back from the street scene so as not to have an adverse visual impact upon the appearance or character of the area.
- 6.7. Overall, the proposal is considered to be acceptable and compliant with SCLP11.1 in terms of design.

#### Residential Amenity

- 6.8. The proposed annexe is not considered to cause any significant harm to the residential amenity of neighbours. Although it would be used as permanent accommodation for a family member, its use is not considered to be substantially more harmful to surrounding properties than the existing use as a garden area. It would not lead to any overlooking or loss of privacy. The height and distance from the boundary would not create an oppressive structure causing a sense of overbearing, nor would it lead to a loss of light or shadowing. Any noise created from the annexe would be considered minimal and would be no worse than if the noise were coming from the main home. The proposal would therefore not be considered to significantly harm the residential amenity of neighbours in compliance with policy SCLP11.2.

#### Landscaping

- 6.9. The proposal would not involve the removal of any trees or significant landscaping.

#### Parking and Highway Safety

- 6.10. The existing parking/turning area will be used along with the existing access. The existing parking on site will remain and is considered to be acceptable to provide sufficient parking for both the host dwelling and the proposed residential annexe. The site contains at least four vehicular parking spaces which comply with the dimensions required in order for them to be considered acceptable under the Suffolk County Council Guidance for Parking. Four is the highest number of spaces recommended for a residential dwelling and as this has been shown to be provided on the site, the proposal is judged compliant with the required parking standards.

- 6.11. The parking is currently arranged in a line so that vehicles either have to reverse into the road or in front of the house in order for other vehicles further back to leave the property. This is the existing layout with no alternative options available. Although having to reverse in or out on a busy road is not ideal, this is how many of the properties have been built in the area. Suffolk County Council Highways have been consulted on the application and have raised no objection to the proposal, which could be assessed similarly to the main house being extended to provide an additional bedroom. It is not believed that the proposal would significantly harm the existing vehicular access arrangement of the property or highway safety.

#### Health and Safety

- 6.12. The proposed annexe is not considered to increase the danger of fires and is no more dangerous than any other type of outbuilding which could be built through permitted development and used ancillary to the main house. It would therefore be unreasonable to refuse the application for this reason.

#### Environmental Protection

- 6.13. The land is not likely to be contaminated due to its location and previous uses. Therefore, only a condition requiring any unexpected contamination which is found during construction to be reported to the Local Planning Authority is appropriate.

### **7. Conclusion**

- 7.1. The principle of the scheme is considered to comply with the requirements of policy SCLP5.13 which seeks to ensure annexes are not turned into independent dwellings in the future through their design and separation from the host dwelling. As the design is acceptable and as noted above there is no significant impact on neighbours' amenity or highway safety, the development is considered to comply with the policies listed above.

### **8. Recommendation**

- 8.1. Approve subject to the conditions below.

#### **Conditions:**

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with 2257.01D received 25/10/2022, 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.

3. 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

4. The annex hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of 708 Foxhall Road.

Reason: Having regard to the special circumstances put forward by the applicant in relation to a proposal which is inappropriate for use as a separate dwelling.

5. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. No further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM)) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.

Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

#### **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

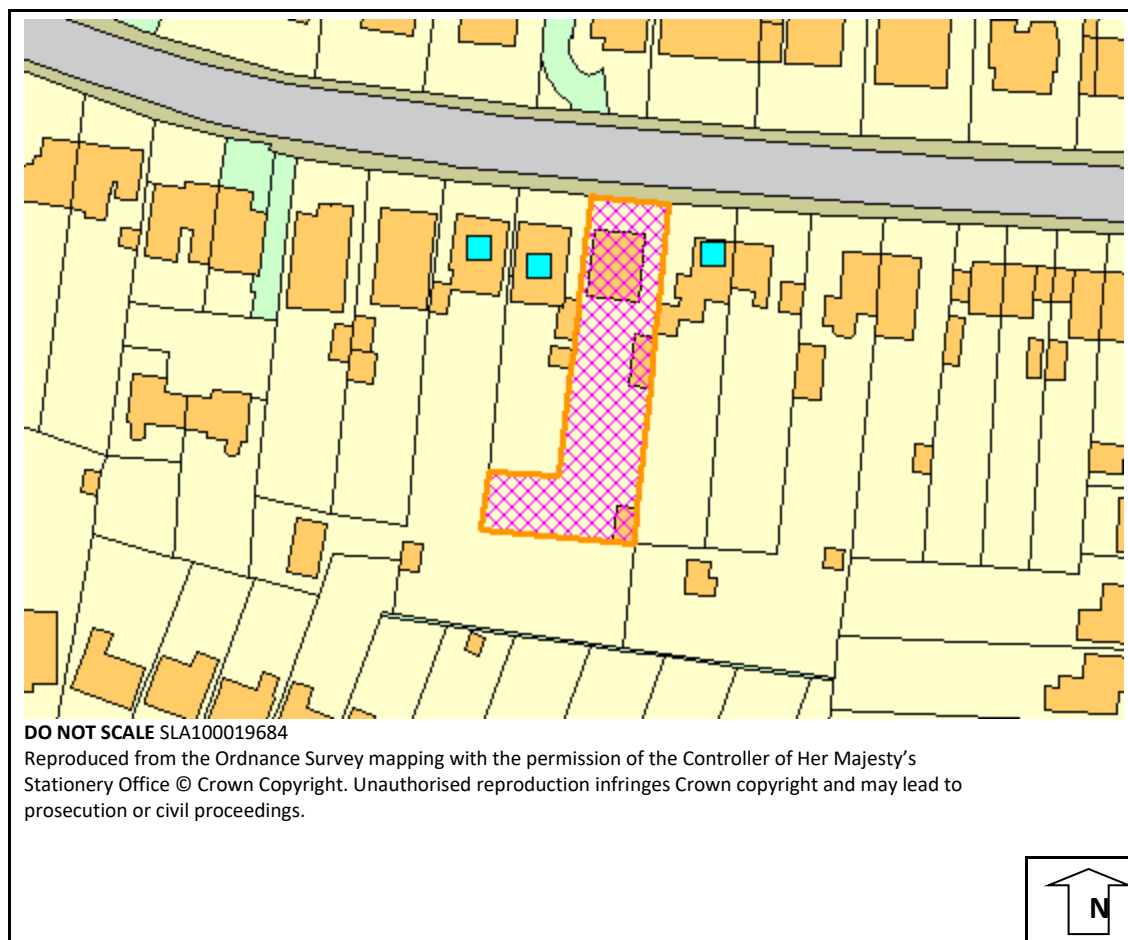
Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

**Background information**

See application reference DC/22/2599/FUL on [Public Access](#)



## Map



## Key



Notified, no comments received



Objection



Representation



Support