



Planning Advisory Panel – NORTH (14 April 2020)

Delegated Report

Application no DC/20/0309/FUL

Location

Agricultural Building Valley Farm
Kings Lane
Henham
Suffolk

Expiry date 30 March 2020

Application type Full Application

Applicant Mr Rous

Parish Wangford With Henham

Proposal Conversion of agricultural building following Class Q approval DC/19/4310/PN3, including alterations to plan and elevation

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Summary

Case for development

Conversion of agricultural building following Class Q approval DC/19/4310/PN3, alterations include, elevational, floor plan and block plan details. The proposal retains the existing agricultural building and the number of residential units permitted under DC/19/4310/PN3, but seeks to make additional external alterations to the building and provide amenity and parking spaces for the properties.

The proposal is not considered to adhere to Policy WLP8.11 as the barn to be converted is not considered to be a Heritage Asset or locally distinctive and of architectural merit. However, given the fallback position of the recently approved prior approval it is deemed that the principle of the proposal is acceptable. Further, it is considered that the proposed works have an acceptable impact on the building and wider surrounding area, and would result in no additional adverse

amenity impacts to the surrounding area. It is therefore recommended that planning permission be approved.

Reason for referral

The proposal is considered to represent a departure from Policy WLP8.11, insofar as it not deemed to be a heritage asset or locally distinctive. Furthermore, the Parish Council have recommended refusal of this application, which is contrary to the officer recommendation of approval.

Site description

The site is located outside of the Settlement Boundary. To the west is a set of Listed Barns which have recently been given permission for conversion and that appear to be in the process of being converted. Approximately 90m to the north-west of the barn is a residential dwelling, and to the west and south is agricultural land.

Prior approval has previously been granted under Class Q for the conversion of this agricultural building into 5 dwellings

Proposal

Conversion of agricultural building following Class Q approval DC/19/4310/PN3, alterations include, addition cut in balcony areas and outside seating, amenity space, and parking spaces.

Consultations/comments

No third party letters of representation have been received.

Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Wangford With Henham Parish Council	4 February 2020	12 February 2020
Summary of comments: The Parish Council stand by their objections previously made to DC/19/431/PN3 & DC/19/3093/PN3		

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	4 February 2020	20 February 2020
Summary of comments: No objections subject to conditions		

Non statutory consultees

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	4 February 2020	12 February 2020
Summary of comments: No objections		

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	4 February 2020	6 February 2020
Summary of comments: No objections		

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	N/A	18 February 2020
Summary of comments: No objections		

Publicity

The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Affects Setting of Listed Building	14 February 2020	6 March 2020	Beccles and Bungay Journal
Affects Setting of Listed Building	14 February 2020	6 March 2020	Lowestoft Journal

Site notices

General Site Notice

Reason for site notice: Affects Setting of Listed Building
May Affect Archaeological Site
Date posted: 12 February 2020
Expiry date: 4 March 2020

Planning policy

WLP8.11 - Conversion of Rural Buildings to Residential Use (East Suffolk Council - Waveney Local Plan (March 2019))

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan (March 2019))

WLP8.34 - Biodiversity and Geodiversity (East Suffolk Council - Waveney Local Plan (March 2019))

National Planning Policy Framework

Planning considerations

Principle

Policy WLP8.11 sets out a number of criteria that conversions of rural buildings to residential use should adhere to. One criteria is that the proposal should either be safeguarding a heritage asset or that the building is locally distinctive and of architectural merit. In this instance it is not considered that the agricultural building to be converted fits within either of these criterions.

However, consideration should be given the history of the building. Prior Approval was previously granted under DC/19/4310/PN3 for the conversion of the agricultural building into 5 separate residential units, which was considered compliant with Class Q of the GDPO. The current proposal is to still convert the building but make additional alterations to the external appearance of the building and provide amenity and parking spaces for each. Therefore, in this instance given the similar fallback position of DC/19/4310/PN3 it is considered that the principle of the conversion is acceptable. As such the main points of consideration are whether the proposed alterations have a significant impact on the character and appearance of the building and surrounding area.

Character and appearance considerations

Policy WLP8.29 sets out proposed development should respect the character, design and scale of the host building and the character and appearance of the surrounding area. The proposed alterations largely involve the removal of sections of roof on the rear elevation of the building to provide balcony areas for the properties. These alterations are considered to have minimal additional impact on the character and appearance of the building, and they would not significantly alter the appearance that it would completely loss is agricultural character. Furthermore, the design alterations are considered to result in a more rounded design for the proposed dwelling, with a more contemporary take on a conversion. The proposed fencing shown on the elevation drawing is post and rail which is considered to minimise the impact that proposal has on the wider rural character as it would still allow views through the site. It is therefore deemed given the above points that the proposed development would respect the character, design and scale of the host building and the character and appearance of the surrounding area.

Amenity Considerations

The proposed amendments to the design approved under DC/19/4310/PN3, are considered to have no additional adverse amenity impacts on nearest residential dwellings. Furthermore, the proposed gardens are considered to be of a suitable comparable size to the accompanying proposed dwellings. Therefore, the proposed development is considered to have no adverse impacts on the amenity of neighbouring residents and would provide a suitable amenity space for future residents.

Highways Considerations

The proposal will use the existing access to the site, which was agreed as part of the previous prior approval application. The number of residents and access details are as previously agreed and are therefore considered acceptable.

Ecological Considerations

The previously approved scheme was considered unlikely to result in significant adverse impacts on designated sites, protected species or UK Priority species or habitats (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)). The current proposed scheme is considered to have no additional impacts to protected species

The site is located within 13km of a nearby European protected site, and therefore a per-dwelling RAMS contribution for the 5 dwelling has been made via an up front payment. This will need to be retained until the expiry of the period during which an appeal can be made, and if such an appeal is made it will need to be retained until the appeal is determined as a minimum. With mitigation the proposal impact on European sites is acceptable. This contribution has been transferred from the previously approved scheme.

Conclusion

In conclusion, the principle and detail of the development is considered to be acceptable and although not in compliance with relevant development plan policies, the principle has been established so cannot reasonably be resited in this case.

Recommendation

It is recommended that planning permission be granted subject to conditions

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:

- Proposed Block Plan, 18-115-249, received 24/01/2020
- Proposed Elevations, 18-115-252F, received 24/01/2020
- Proposed Floorplans, 18-115-251E, received 24/01/2020
- Proposed floorplans, 18-115-250E, received 24/01/2020
- Existing plans, 18-115-052, received 24/01/2020
- Existing Block plan, 18-115-051, received 24/01/2020
- Bat Survey, received 04/11/2019

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. Prior to their first use on site, details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved materials.

Reason: To ensure the satisfactory external appearance of the development.

4. Prior to the occupation of the dwelling, hereby approved, details of the areas to be provided for the secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose. Suffolk Guidance for Parking (SPG) 2019 states that a minimum of 2 secure cycle spaces should be associated with a Class C3 dwelling.

Reason: To ensure that the minimum cycle parking provision outlined within SGP 2019 is achieved and to promote sustainable transport.

5. The use shall not commence until the area(s) within the site shown on Drawing No. 18-115-249 for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

6. The areas to be provided for storage of Refuse/Recycling bins as shown on Drawing No. 18-115-249 shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.

7. 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. Unless agreed in writing by the LPA 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 BS 10175:2011+A1:2013 and CLR11) 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.
2. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority.

The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of any size or convenience retail, your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to CIL@eastsuffolk.gov.uk

A CIL commencement Notice (CIL Form 6) must be submitted at least 24 hours prior to the commencement date. The consequences of not submitting CIL Forms can result in the loss of payment by instalments, surcharges and other CIL enforcement action.

CIL forms can be downloaded direct from the planning portal:

https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5

Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>

3. The applicant is advised that the proposed development may require the naming of new street(s) and numbering of properties/businesses within those streets and/or the

numbering of new properties/businesses within an existing street. This is only required with the creation of a new dwelling or business premises. For details of the address charges please see our website www.eastsuffolk.gov.uk/planning/street-naming-and-numbering or email llpg@eastsuffolk.gov.uk





Background information

See application reference DC/20/0309/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q4RG4GQX07400>

Map



Key

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