



## Planning Advisory Panel 28 April 2020

### Delegated Report

**Application no** DC/20/0616/FUL

**Location**

Seventeen Acres Barn  
East Lane  
Bawdsey  
Suffolk

**Expiry date** 8 April 2020

**Application type** Full Application

**Applicant** Mr Chris Mann

**Parish** Bawdsey

**Proposal** Demolition of side wings and conversion of barn to a dwelling, erection of associated cartlodge, lifting of concrete apron and associated landscaping.

**Case Officer** Danielle Miller  
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### Summary

This application seeks full planning permission to convert a modern agricultural building to a dwelling and erect a large outbuilding at East Lane, Bawdsey. It is within the countryside, the Suffolk Coast and Heaths Area of Outstanding Natural Beauty, and the Suffolk Heritage Coast.

The scheme is recommended for refusal on matters of principle and harm to the landscape, in line with national and local planning policy.

This recommendation is contrary to the views of Bawdsey Parish Council, who support the proposals, which triggered the need for the item to be presented to the Planning Advisory Panel.

## **Site description**

The application site lies on the southern side of East Lane, within the parish of Bawdsey. It is located to the west of a pair of red brick semi-detached cottages (nos 47 and 48 East Lane), which front the road, and to the west of Elf Barn and The Stables, which are accessed from the road by driveways either side of the cottages.

East Lane is a dead-end narrow road, which leads from The Street, past the village school and at the junction with School Lane, it heads in an easterly direction becoming single-track running past the application site, ending in a car parking area adjacent to several WW2 structures and the sea.

It is located within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty, and the Suffolk Heritage Coast. The Suffolk Coast path also runs directly past the application site.

It is also located within the countryside outside the defined physical limits of Bawdsey Village.

The existing building which is the subject of this application is of twentieth century in character with breezeblock walls and sheet cladding on the gables and roof.

The planning history shows Planning Permission being granted in May 1964 for "Erect dutch barn" (reference E8517).

Whilst the building which is the subject of this application does not have the appearance of a dutch barn as it has enclosed sides, it could have originally been constructed as a dutch barn and then had the sides infilled, without gaining planning permission. It is clearly of twentieth century metal framed construction.

Unfortunately due to the current Covid-19 situation, the original plans for that consent cannot be recalled from deep storage in order to check if that consent relates to the building which is the subject of the current application, but based upon its external appearance as outlined above, the fact it is the only building of this style within the group of buildings, and the date on which it appears on historic OS Maps concurs with the date of the above consent, it appears to be the building permitted under E8517, with some subsequent alterations (it is not shown on the Historic national Grid 1927-1956 Map but appears on the Historic National Grid 1970+ map).

## **Proposal**

This application seek planning permission to convert the twentieth century barn type structure into a dwelling with four bedrooms, three bathrooms and a terrace on the first floor.

The ground floor is proposed to comprise a main open plan living space on the ground floor with a series of small rooms at the northern end including a utility/boot room, home office and gym, and a partially enclosed and covered terrace at the southern end.

A loft space accessed via a spiral staircase is also proposed above the first floor at the northern end of the building.

In order to facilitate this 'conversion' significant physical works are proposed, including but not limited to:

- Remove the eastern and western lean-to elements, making the western and eastern elevations of the main structure external walls.
- Replacement cladding to walls and roof
- Works to create fenestration and external walls below cladding
- Creation of semi-enclosed balcony/terrace at first floor,
- Creation of undercover terrace on ground floor at southern end,
- Creation of three-sided courtyard on the western side.
- Insertion of rooflights and flue
- Insertion of internal walls, stairs etc.

In addition to the works to facilitate the 'conversion', a new building is proposed within the frontage. It is proposed to have an asymmetrical roof, be clad in black finished corrugated cladding and a block work plinth. It would have three bays for cars and a workshop on the southern side. It is proposed to have a ridge of approximately 5.5m, with the carport element having a width of approximately 10.2m and depth of approximately 6.6m, and the workshop element having an approximate width of 4m and depth of 5.1m.

### Consultations/comments

There have been no third party representations

### Consultees

#### Parish/Town Council

Consultee	Date consulted	Date reply received
Bawdsey Parish Council	19 February 2020	13 March 2020
<p>Summary of comments:            2Conclusion: Approval</p> <p>Councillors duly considered this application and fully support the change of use from barn to dwelling as laid out in the planning statement and sanctioned by Policy SCLP5.5 Conversion of Buildings in the Countryside for Housing. The council was impressed by the imaginative conversion of the existing barn to a handsome and well-designed dwelling and the associated landscaping.</p> <p>Councillors wished to make a couple of recommendations in terms of materials. Firstly, it would be preferable if the cladding were to be dark grey rather than black and secondly it would be more in keeping if the front boundary wall were a fence rather than brickwork.</p> <p>A further suggestion related to window lights; in order to take the maximum advantage of natural light, it would be beneficial to consider more windows on both ends of the building, (using opaque glass if overlooking an adjacent property) and possibly roof lights.</p> <p>ESDC mentions flooding in its Constraints List and one assumes this will be considered in Phase 2 of the Geo-Environmental Study. It might be useful to explore the suitability of installing ground source heating at the same time.</p> <p>In conclusion, the council was of the opinion that the proposal will greatly improve the scene visually and will also reduce the noise and traffic associated with the barn as a place of work."</p>		

## Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	19 February 2020	5 March 2020
<p>Summary of comments:</p> <p>No Objections, recommend conditions relating to:</p> <ul style="list-style-type: none"><li>- Means to prevent surface water entering the highway (submission of details and subsequent implementation),</li><li>- Areas for the storage and presentation of refuse and recycling bins (submission of details and subsequent implementation),</li><li>- creation of vehicular access prior to commencement,</li><li>- surfacing of first 5m of the access prior to occupation with a bound material (submission of details and subsequent implementation),</li><li>- gradient of the access to be no steeper than 1 in 20 for first 5m,</li><li>- gradient of the driveway to be no steeper than 1 in 8,</li><li>- provision of parking and turning areas prior to occupation.</li></ul> <p>and an informative relating to works in the highway.</p>		

## Non statutory consultees

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	19 February 2020	No response
<p>Summary of comments:</p> <p>No response</p>		

Consultee	Date consulted	Date reply received
Ecology (Internal)	19 February 2020	9 March 2020
<p>Summary of comments:</p> <p>Internal Planning Services Consultee, comments included within the planning considerations section of this report.</p>		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	19 February 2020	20 February 2020
<p>Summary of comments:</p> <p>There is insufficient information submitted in relation to contaminated land. Therefore as the proposed use would be sensitive to contamination it is recommended that the full suite of contaminated land conditions are included if consent is granted.</p>		

**Publicity**

None

**Site notices**

General Site Notice

Reason for site notice: General Site Notice

Date posted: 28 February 2020

Expiry date: 20 March 2020

**Planning policy**

National Planning Policy Framework

SP1 - Sustainable Development (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP1a - Presumption in Favour of Sustainable Development (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP14 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP15 - Landscape and Townscape (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP18 - Infrastructure (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP19 - Settlement Hierarchy (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP29 - The Countryside (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM3 - Housing in the Countryside (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM4 - Housing in Clusters in the Countryside (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM13 - Conversion and Re-Use of Redundant Buildings in the Countryside (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM21 - Design: Aesthetics (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM22 - Design: Function (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM23 - Residential Amenity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM27 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

## **Planning considerations**

### Principle

The proposal seeks to create a new dwelling in the countryside. In accordance with paragraph 79 of the NPPF, and adopted Local Plan Policies SP1, SP19, SP29, DM3, DM4 and DM13, the creation of additional dwellings are only permitted in such locations in exceptional circumstances as defined within those policies, which are:

- Replacement dwellings on a one for one basis, where they are no more intrusive in the countryside,
- The sub-division of an existing larger dwelling where this would meet a local need,
- Affordable housing on 'exception' site in accordance with Policy DM1,
- Conversions of existing buildings subject to certain controls (Policy DM13),
- Minor infilling within clusters of dwellings well relates to existing sustainable settlements (policy DM4) or
- Development which would otherwise accord with the special circumstances outlined in paragraphs 77-79 of the NPPF

This proposal fails to meet any of the defined exceptions in that

- It is not a replacement dwelling on a one for one basis (it is seeking to convert a relatively modern agricultural building)
- It is not the sub-division of an existing larger dwelling where this would meet a local need ((it is seeking to convert a relatively modern agricultural building, not sub divide an existing dwelling, and no local need has been demonstrated)
- It is not proposed as affordable housing, and in any case it would not meet the criteria within DM1, as it is detached, not well related to the physical limits, and it is only for one unit.
- It is seeking to convert a relatively modern agricultural building, so does not represent the optimal viable use of a heritage asset as required by policy DM13 to permit a conversion to a residential use.
- The site does not meet the definition of a cluster as set out in policy DM4, in that the building is on the western edge of a group of buildings, not within the group and that group contains less than 5 dwellings,
- And it does not meet the exceptions defined in paragraphs 77-79 of the NPPF because it is not proposed to meet the essential need for a rural worker, it is not the optimal viable use of a heritage asset or appropriate enabling development to secure the future of heritage assets, it would not re-use redundant or disused building to enhance its immediate setting (detailed further in the visual amenity and landscape impact section below), it would not involve the subdivision of an existing dwelling and the scheme is not of exceptional design quality that is truly outstanding or innovative (reflecting the highest standards in architecture, and would help to raise standards of design more

generally in rural areas; and - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area).

There is also a significant question as to whether the buildings is actually redundant as required by policy DM13. Whilst it is accepted in the submitted planning statement, that the agent is trying to argue the building is redundant as in their view it is unlikely to be required for another commercial entity because "The barn in question is redundant and highly unlikely to be needed by another commercial entity because of its location..... The site is accessed from East Lane and the main road off the peninsula is the B1083. Mann Farms owns the agricultural land on this part of the peninsula so we know that there will be no local agricultural need for this barn; other agricultural land owners are too far away and will not want to haul materials, crops or equipment this far from their own land holding. The site is some 10 miles from the A12 at Woodbridge and 14 miles from the A12 at Wickham Market (via Campsea Ashe). There are multiple farm sites and employment sites in the Deben Peninsula area which are better located to the A12 than this site. Bentwaters, an allocated general employment area, has a range of buildings available for commercial entities wishing to acquire a building of this nature which are far better related to the strategic road network beyond the peninsula than this site. In addition, the narrow roads leading to the site from Bawdsey, and eitherside of the local school, may be inappropriate for a change of use to B2 or B8 uses."

However, that statement does not demonstrate or explain why the building is redundant or no longer required for the agricultural holding on which it is based, or acknowledge that they are not the only agricultural operation on the Deben Peninsula (e.g. Simpers).

The comments from the Parish Council also state "... the proposal will greatly improve the scene visually and will also reduce the noise and traffic associated with the barn as a place of work.", which is suggestive that the building has been recently or is still in use.

The building does not appear to be redundant. At the time of the officers site visit it contained farm machinery, which was visible through the open doors, and the concrete apron in front of the building contained significant piles of very fresh manure.

Therefore, for the reasons outlined above the principle of this development is contrary to both National Planning Policy and adopted local planning policy.

It is noted that in their representation of support, Bawdsey Parish Council rather than referring to current adopted planning policy, they have stated they consider the proposal accords with Policy SCLP5.5 of the emerging Local Plan.

That policy was the subject of representation during the pre-submission process of the continuing Local Plan examination process, and the Local Plan modifications are yet to be published or consulted on. Therefore, policy SLP5.5. can only be given limited weight in the determination of planning applications at the current time.

However, in the view of officers the proposal would also fail to meet the requirements of the emerging policy SCLP5.5, which states:

*"The conversion of buildings in the countryside for residential use will be permitted where:*

- a) The building is redundant;*
- b) The building provides a positive contribution to the landscape;*
- c) The conversion does not require significant alteration;*

- d) The design maintains or enhances the structure, form and character of the rural building;*
- e) The design of the conversion, including any necessary works to the curtilage, does not have a harmful effect on the character of the landscape;*
- f) Any impacts on the natural environment are adequately mitigated for;*
- g) The conversion enhances the immediate setting of the area; and*
- h) The site is served by an appropriate existing access."*

The scheme is contrary to emerging policy SLP5.5 as the building is a relatively modern agricultural building, which does not appear to be redundant, does not provide a positive contribution to the AONB landscape in which it is situated, the creation of a curtilage within this relatively flat landscape would have a harmful effect, and the conversion would do little to enhance the immediate setting of the area (detailed further in the visual amenity and landscape impact section below).

### Visual Amenity and Landscape Impact

The application is in a sensitive location within the designated landscape of the Area of Outstanding Natural Beauty (AONB). Due to the flat and open nature of the landscape in this area the building is visible from a considerable distance, and would remain so once the proposed works were undertaken.

Paragraph 170 of the NPPF requires that planning decisions should contribute and enhance the natural environment by protecting and enhancing the valued landscapes, recognise the intrinsic character and beauty of the countryside.

Paragraph 172 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues, and that the scale and extent of development within such areas should be limited.

Paragraph 180 of the NPPF states that decisions should ensure new developments are appropriate for their location, taking into account likely effects of pollution on health, living conditions and the natural environment. In doing so, decisions should limit the impact of light pollution from artificial light upon local amenity, intrinsically dark landscapes and nature conservation.

These requirements are transferred into Local Planning Policy within Policy SP15 (townscape and landscape) which seeks to protect and enhance the landscape.

This proposal seeks to retain and convert a building which whilst is appropriate for agriculture and thus expected in a rural environment, is not attractive or worth of retention as it has no historic or architectural merit. Even in its converted form it would fail to make a positive contribution to the designated landscape. This scheme would neither preserve or enhance this part of the AONB.

Additional visual harm would be created by the construction of the large outbuilding to accommodate parking and a workshop, through the introduction of an additional build form within the AONB, which is not of a modest scale.

In addition, there would be the potential for additional light pollution within the rural landscape and other visual harm through the creation of a residential curtilage and the associated



paraphernalia that goes with a domestic use, which would be out of character with the modern agricultural form of the building.

Therefore, the principle of converting this building is therefore contrary to the above paragraphs of the NPPF and Local Planning Policy SP15.

### Residential Amenity

The scheme had clearly been designed to attempt to avoid overlooking of the gardens of the adjacent dwellings which lie to the east, with the first floor terrace/balcony being enclosed on the eastern elevation, and the only first floor level opening being a bathroom window which could reasonably be obscurely glazed.

Due to the distances involved there are also unlikely to be any adverse impacts upon sunlight and daylight reaching the neighbours.

In terms of noise, as mentioned by the Parish Council a residential use is likely to generate less noise and traffic than the agricultural use. Therefore, there are no significant concerns regarding residential amenity and the scheme accords with policy DM23.

### Highway Safety

The Local Highway Authority raise no objections, recommending conditions relating to the provision of the access, driveway, parking areas and bin provision. Therefore, there are no significant concerns from officers regarding highway safety, although if permission were to be granted the conditions recommended by the Local Highway Authority would need to be considered closely, as a number do not appear reasonable on this site. For example, the gradients for the access as the site is so level there would be barely any gradient, and the site is more than large enough to accommodate bin storage and presentation.

### Contaminated Land

The proposed residential use would be sensitive to sources of contamination. However, the application did not include appropriate contaminated land assessments

### Flood Risk

The site is within zone 1, so the scheme is not at risk of flooding.

### Ecology

The Local Planning Authorities Ecologist has advised that they are satisfied with the findings of the submitted Preliminary Ecological Appraisal, and recommend a condition to secure the implementation of the measures identified within that appraisal.

The site is within 13km of European Designated Sites. Therefore in accordance with HRA requirements an Appropriate Assessment has been undertaken. In order to ensure appropriate mitigation is provided to avoid adverse impacts upon the European Protected sites there is requirement for a financial contribution to the RAMS scheme. This payment has been received.

## Community Infrastructure Levy (CIL)

As the proposal is for a residential unit, it would be CIL liable if consent were to be granted.

## Planning balance

The potential benefits of providing an additional dwelling in this location are very limited, as it would only provide one dwelling in a district which is able to demonstrate a five year housing land supply, and there would be limited economic benefits arising from the period of construction and one additional household within the parish.

Conversely the harm arising would be significant in terms of the negative impacts upon the environment, within the designated landscape of the AONB.

The potential benefits are significantly outweighed by the adverse impacts of this scheme.

## **Conclusion**

The principle of this proposal fails to accord with any of the defined exceptions for dwellings in the countryside, and there are no material planning considerations to justify an exception to planning policy.

The proposal is also located within an area of the AONB, which is very flat, and therefore the unattractive building is visible at a distance, which means that the visual harm created by the building is much wider. The scheme both in terms of the alterations to the existing building and the associated features (including the new build outbuilding) fails to preserve or enhance the designated landscape.

Therefore, the scheme is contrary to policy in terms of the principle of the use, and the visual harm which would result to the landscape.

## **Recommendation**

Refuse for the reasons outlined above, and as set out below.

The reasons for the decision to refuse permission are:

1. This application seeks full planning permission to convert a modern agricultural building to a dwelling and erect a large outbuilding at East Lane, Bawdsey. It is within the countryside, the Suffolk Coast and Heaths Area of Outstanding Natural Beauty, and the Suffolk Heritage Coast.

The principle of this proposal fails to accord with any of the defined exceptions for dwellings in the countryside as set out in the NPPF and the East Suffolk Council Suffolk Coastal District Local Plan Core Strategy and Development Management Development Plan Document and there are no material planning considerations to justify an exception to planning policy.

Therefore the scheme is contrary to paragraphs 77-79 of the NPPF, and East Suffolk Council Suffolk Coastal District Local Plan Core Strategy and Development Management Development Plan Document Policies SP1, SP15, SP19, SP29, DM3, DM4 and DM13, as it

represents an unsustainable form of development and does not meet any of the defined exceptions permitting new dwellings in the countryside.

2. Due to the flat open nature of the surrounding landscape, the unattractive building is and would remain visible from a considerable distance within this designated landscape. The scheme both in terms of the alterations to the existing building and the associated features (including the new build outbuilding) would create visual harm, and fails to preserve or enhance the designated landscape of the Area of Outstanding Natural Beauty.

Therefore, the scheme is contrary to the NPPF, and East Suffolk Council Suffolk Coastal District Local Plan Core Strategy and Development Management Development Plan Document Policies SP15 and DM21, which seek to ensure all proposals are of good design which either preserves or enhances designated landscapes.

### **Informatives:**

1. The local planning authority has identified matters of concern with the proposal and the report clearly sets out why the development fails to comply with the adopted development plan. The report also explains why the proposal is contrary to the objectives of the National Planning Policy Framework and local plan to deliver sustainable development.
2. In determining this application, the Local Planning Authority has considered the following submitted documents:

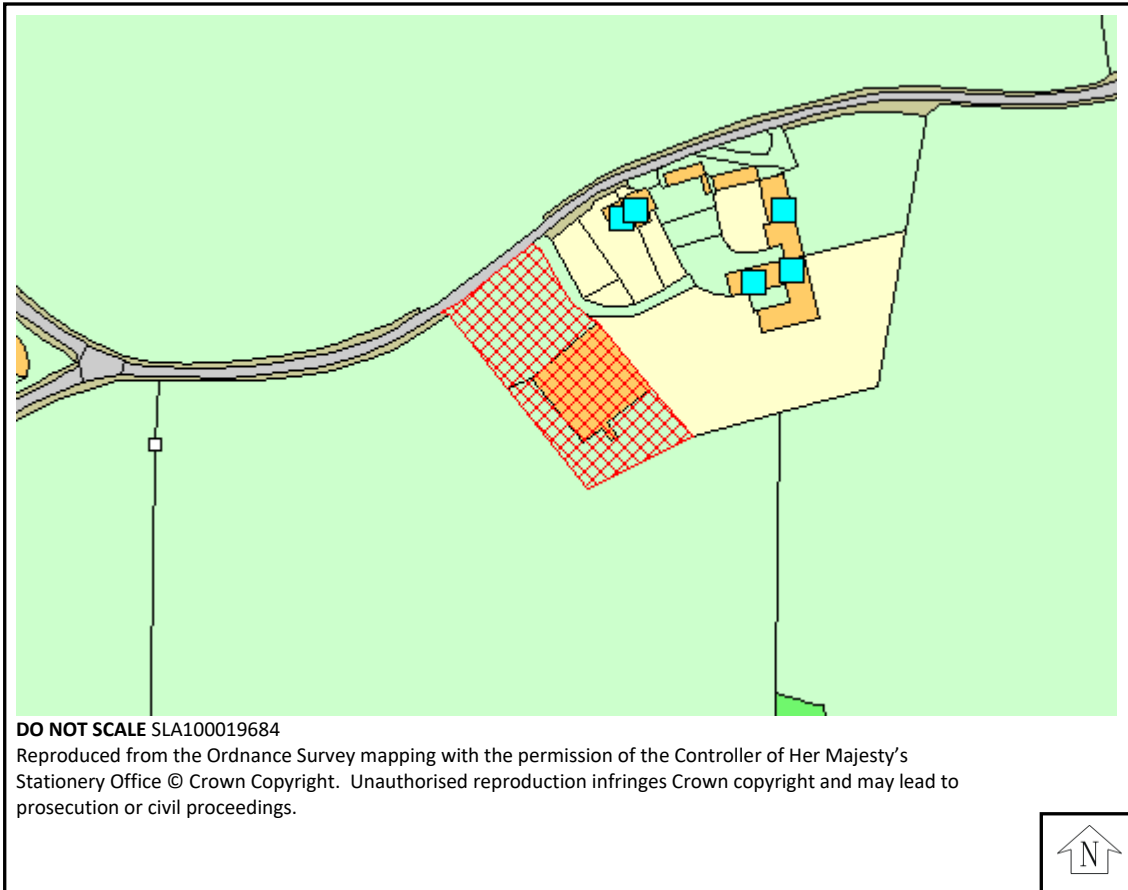
Proposed Works in Context Plan,  
The Site and Context Sheet,  
Site Constraints Sheet,  
Proposed Site Plan,  
Existing Site Plan  
Proposed Elevations,  
Proposed Floor Plans,  
Existing Elevations,  
Proposed Cartlodge (Floorplan and elevations) (Sheet 8),  
Planning Statement dated February 2020,  
Residential Units Supporting information sheet,  
Landscape and Visual Analysis dated January 2020,  
Preliminary Ecological Appraisal dated August 2019,  
Phase 1 Geo-Environmental Desk Study, produced by EPS, dated 18 July 2019,

All received 13 February 2020





### **Background information**

See application reference DC/20/0616/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q5NATYQXHQN00>

## Map



## Key

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