



**PLANNING ADVISORY PANEL - UPDATE SHEET**

**7 April 2020**

**NORTH AREA**

**Item 4 - DC/20/0858/FUL - Demolition of existing garage and garden room. Construction of two storey side extension and porch. New and extended dormers. Render and weatherboarding to walls, replacement roof tiles - Little Chapter, Church Field, Walberswick.**

Ward Member (Cllr David Beavan)

*"I agree with the WPC objection that this new plan does not satisfactorily address the objections to the previous plan. It may not be in the conservation area but it will impact on the iconic scene around the church, which is what most people notice as they drive into the village."*

**Item 6 – DC/19/2839/FUL – Application for 20 new dwellings and change of use of one dwelling (The Vicarage) into communal social hub at Glebe Meadow, Westleton**

Ward Member (Cllr Books) - As Ward Councillor I would ask for the above mentioned planning application be deferred until full committee meetings re-commence, as there is considerable local support as well as support from the church and local MP and district councillors. This support deserves to be heard and taken fully into consideration.

Additional information from applicant - Dear Planning Advisory Panel,

Please accept this email and the attached documents which outline the applicant's and our comments regarding the Case Officer's representation to you (the planning advisory panel) for planning application 19/2839.

The 3 documents attached include:

1. A covering letter from Glebe Meadow CIC (the applicants)
2. A commentary by Glebe Meadow CIC (the applicants) on the Case Officer's representation to you. Note this includes the case officer's representation (in BLACK with key information highlighted in RED) and then comments from the applicant (in BLUE)

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3. A re-submission of our (the agent's) comments and rebuttal to an earlier draft of the Case Officer's position. Note this rebuttal still addresses the key points in the Case Officer's current representation to you.

Lastly, I'd like to reiterate the true essence behind this proposal:

The Glebe Meadow proposal goes beyond that of just meeting local housing requirements. It also considers how housing can be designed in a manner to promote community, communal activities and tackle loneliness in older generations; it retains, refurbishes and finds a new lease of life for the vicarage, a building of noted historic value; it fully integrates the new housing into the heart of Westleton village; it reflects the highest quality of architectural design and it employs cutting edge methods of construction, fully integrated intelligent house systems and the use of eco-friendly and healthy natural materials.

We hope the council can take a balanced approach to decision making. We have demonstrated the multitude of benefits of this scheme which we consider greatly outweigh any harm caused. The Parish Council's and majority of local resident's support should also be noted.

It is intended that this proposal should lead the way in providing age appropriate housing requirements locally and is one that we hope the council will both see the benefit of and be proud of.

#### DRAFT REASONS FOR REFUSAL

##### **1. Harm to designated heritage assets**

The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to achieve sustainable development and that protection and enhancement of the historic environment is an overarching objective in this (paragraphs 7 and 8).

The NPPF states that clear and convincing justification should be made for any such harm and that 'great weight' should be given to the conservation of listed buildings and conservation areas irrespective of the level of harm caused (paragraphs 193 and 194). This weight and the justification for harm should be especially convincing where harm to buildings of a high grade of listing is concerned. Paragraph 200 also states that the Council should favour those proposals for development which preserve those elements of setting that make a positive contribution to the heritage asset or better reveal its significance.

The development of the application site is considered result in harm to the historic significance of St Peter's church (Grade II\*) and Westleton conservation area and not preserve those elements of setting that make a positive contribution to the heritage assets and better reveal their significance in terms of the NPPF, paragraph 193.

The proposal will cause less than substantial harm to the designated heritage asset that is the Westleton conservation area. That is because the area of land proposed for development is identified in our adopted conservation area appraisal as Important Open/Green/Tree Space i.e. the vicarage gardens and the glebe land. This means that the space makes a positive contribution to the character and appearance of the conservation area in its undeveloped form. The gardens also form an important open space within this part of the village when considered in conjunction with the churchyard to St Peter's.

The Vicarage grounds are described as an important green, open treed space in the Conservation Area Appraisal and all three elements of this description will be markedly compromised with both direct loss and potential embedded tree damage.

This application will fail the statutory duty to pay special attention to the desirability of preserving or enhancing the Westleton conservation area; and will cause less than substantial harm to the designated heritage asset that is the Westleton conservation area. The test at paragraph 196 of the NPPF is duly engaged and we do not believe that the public benefits of the proposal against the less than substantial harm.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

For the reasons outlined above, this proposal would neither preserve or enhance the setting of the Listed St Peters Church, and Westleton Conservation Area.

The application is therefore contrary to the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF and East Suffolk District Suffolk Coastal Local Plan – Core Strategy and Development Management Development Plan Document Policies SP15 (Landscape and townscape) and DM21 (Design: Aesthetics) , and Emerging East Suffolk – Suffolk Coastal Local Plan Policies SCLP11.1 (Design), SCLP11.4 (Listed Buildings) and SCLP11.5 (Conservation Areas).

**2. The site is located outside the settlement boundary and does not meet the exceptions to allow housing identified in para 79 of the NPPF or Policy DM3 of the Local Plan.**

Paragraph 11 of the NPPF advises decision takers to approve development proposals that accord with the development plan. East Suffolk Council has an up to date Development Plan and is positively planning for development and the emerging local plan is seeking to allocate appropriate levels of housing development to meet its identified housing requirement over the plan period. East Suffolk Council can also demonstrate appropriate delivery of housing delivery, with a current housing land supply of 7.03 years (as at March 2019), which exceeds the 5 year supply requirement laid down in legislation.

The application proposes 20 market dwellings, the majority of which would lie outside the defined settlement boundary of Westleton as defined in the SCLP Site Specific Policies DPD (2017) and the emerging Suffolk Coastal East Suffolk Local Plan. The settlement boundary has remained unaltered through the evolution of both local plans and has been drawn following public consultation. The policies and principles laid out in both the existing and emerging local plans are compliant with the NPPF.

There are a number of exceptions which allow development beyond the settlement boundary. These are laid out in Paragraph 79 of the NPPF (2049), policy DM3 of the East Suffolk District Suffolk Coastal Local Plan – Core Strategy and Development Management Development Plan Document Policy DM3 (Housing in the Countryside) and Emerging East Suffolk – Suffolk Coastal Local Plan Policy SCLP5.3 (Housing Development in the Countryside). The proposed development does not meet any of these exceptions and, taken as a whole, the limited benefits of the proposal are sufficient to set aside the policy of restraint.

### **3. Insufficient information has been provided to satisfy the Local Lead Flood Authority that suitable drainage of the site can be achieved**

Insufficient information has been provided to satisfy the Local Lead Flood Authority that suitable drainage of the site can be achieved. The proposal is therefore contrary to the requirements of paragraphs 163 and 165 of the NPPF, and Emerging East Suffolk – Suffolk Coastal Local Plan Policy SCLP9.6 (Sustainable Drainage Systems), which require that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere, and that major developments should incorporate sustainable drainage systems unless there is clear evidence it would be inappropriate.

### **4. Objection from the Councils Arboriculturist over the future pressure to fell trees**

The approval of 20 dwellings on the application site will lead to strong future pressure for the removal of additional trees. This is something the Local Planning Authority would have difficulty in resisting, as they will have permitted the development that created the pressure to fell. Such removals will be erosive of landscape amenity in this sensitive part of the Conservation Area and should be resisted.

The proposal is therefore contrary to East Suffolk District Suffolk Coastal Local Plan – Core Strategy and Development Management Development Plan Document Policies SP15 and DM21 of the Local Plan (2013), and Emerging East Suffolk – Suffolk Coastal Local Plan Policies SCLP10.4 (Landscape Character), SCLP11.1 (Design Quality) and SCLP11.5 (Conservation Areas), which seek to safeguard and enhance visual amenity, especially in relation to sites within Conservation Areas.

### **5. The scheme represents poor layout and design which does not respect its setting or character of the area and is contrary to design guidance in the NPPF**

The NPPF seeks to ensure that high quality design is secured on all development proposals and paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

The proposed development has a number of design flaws in terms of its layout which would result in a development that fails to positively acknowledge and respond positively to its setting and the village character of Westleton.

The proposal is therefore contrary to the NPPF, East Suffolk District Suffolk Coastal Local Plan – Core Strategy and Development Management Development Plan Document policies DM21 (Design: Aesthetics) and DM22 (Design: Function) of the Local Plan, and Emerging East Suffolk – Suffolk Coastal Local Plan Policy SCLP11.1 (Design Quality).

- 6. There is no suitable mechanism through an appropriate legal agreement to ensure that the dwellings remain for local people (as was the intention) and as such, with the very open cascade proposed, amount to new market dwelling. No affordable housing is proposed on grounds of viability. As such there is no public benefit arising from this development. Inappropriate mix of housing to satisfy Policy SP3 of the Local Plan.**

The proposal is for 20 two-bedroom dwellings. The application has been submitted on the grounds that it is meeting an identified need for co-hort housing in the local area, and as such should be treated as an exception to policy.

A draft S106 Agreement has been submitted to the Local Planning Authority to demonstrate how this would be achieved. Notwithstanding the intent of the applicant, there is no control in planning terms or legal terms, as presented, which would enable such controls to be exercised, with the cascade in the local plan enabling the units to be sold to anyone with a connection to East Suffolk.

In the absence of any controls which can be enforced through the planning system, the application is for uncontrolled market housing and is not sustainable given its non-compliance with policies relating to securing an appropriate mix.

Paragraph 61 of the NPPF advises that in respect of such the needs of the community are reflected in policies. In the absence of a Neighbourhood Plan, or robust evidence to the contrary, the relevant policies are SP3 of the Adopted Local Plan (East Suffolk District Suffolk Coastal Local Plan – Core Strategy and Development Management Development Plan Document) and emerging policy SCLP5.8 (Emerging East Suffolk – Suffolk Coastal Local Plan), both of which seek to ensure that there is a range of housing sizes on development proposals of more than five units. These policies also seek to secure the provision of affordable housing.

This scheme is therefore contrary to East Suffolk District Suffolk Coastal Local Plan – Core Strategy and Development Management Development Plan Document Policy SP3 (Housing Mix) and Emerging East Suffolk – Suffolk Coastal Local Plan Policy SCLP5.8 (Housing Mix).