



Committee Report

Planning Committee - 19 December 2019

Application no DC/19/3546/FUL

Location

Stables
Yarmouth Road
Lound
Suffolk

Expiry date 3 November 2019

Application type Full Application

Applicant The Trustees of the 1971 Somerleyton Settlement

Parish Lound

Proposal Change of use and alterations to barns to create a single dwelling and associated landscaping and creation of a second vehicular access.

Case Officer Chris Green
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1. Summary

- 1.1. This proposal is for the conversion of barns to a single residential dwelling including a link element. The proposal requires full planning permission as it is not permitted development under Part 3 Class Q of the GPDO, which allows for some conversions of agricultural buildings to dwellinghouses.
- 1.2. The proposal is brought to committee as the works are considered to exceed those deemed a true conversion, because of the need to rebuild the roof over one of the two ranges that comprise this barn group.
- 1.3. The applicant or landowner is not East Suffolk Council; the applicant, or agent, is not an East Suffolk Councillor or an East Suffolk Council employee, or close relative of a Councillor or employer.

- 1.4. The 'minded to' decision of the Planning Officer was initially contrary to comments received from Suffolk Highways. This has been addressed. The proposal is not contrary to expressed views of the Parish Council, Ward Member or other statutory consultee. The parish had raised concerns over highway matters, resolved in the amended plans.
- 1.5. The proposal is considered to be acceptable and officers are seeking authority to approve the application.

2. Site description

- 2.1. There is no relevant planning history to report. This is a brownfield site with former agricultural function; while in poor condition, some storage of silage has occurred in recent times. The land is outside Lound village physical limits. The site stands on higher ground to the north of Lound village with Yarmouth Road passing along the east site boundary; and Border Lane serving Ashby and Somerleyton to the north, with the road junction in the north east corner of the site. The building itself is set on a flat area that is to the north of a slight counter gradient such that the site is difficult to see from the southern approach now that the surrounding field hedges are in full leaf.
- 2.2. Within the site are two ranges of single storey, pantile pitched roof local brick barns - running north to south and extended into the site on each side with later, corrugated sheet clad low pitch roof additions.
- 2.3. The south roofs are hipped, that of the west range has collapsed but the walls suggest both ranges hipped at the south and both are gabled to the north. The north gable walls have been entirely replaced with blockwork, and this is presumed to represent a partial demolition.
- 2.4. There are no proximate footpaths around the site. The buildings are not listed and of limited heritage value, though not unattractive in their rural landscape context. There is ecological potential, and appropriate survey work has been provided.

3. Proposal

- 3.1. The proposed development seeks permission to convert the barns to create a single new home. The existing corrugated roof structures will be removed. A new link will be created between the two barns which will re-instate an existing structure that was shown in the 1927 OS plan and which was then removed. A new flat roofed, glazed extension will be created to improve the internal layout.
- 3.2. The proposal retains the vertical scale of the two existing ranges of barns and links them on the south side to create one dwelling with a central courtyard. Existing brickwork is shown as repaired and reinstated. The submitted plans, form and D and A statement do not specify the roof finish, so a condition is required.
- 3.3. The submitted planning statement considers these barns could be converted under Part 3 Class Q of the 2015 GPDO were it not for alteration to the building envelope required to provide a link between the two existing barns so that it can function as a single dwelling.

4. Consultations/comments

4.1 No third party representations received.

Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Parish Council	11 September 2019	30 September 2019
<p>Summary of comments:</p> <p>Lound Parish Council has viewed the documentation for this application and has no objection in principle to the proposed development, and takes a positive view of the re-use of what has become a neglected and derelict brownfield site, subject however to the following observations and limitations:-</p> <ul style="list-style-type: none">o special consideration needs to be given to the safety of the two vehicular accesses proposed, particularly the eastern-most one. This will be very close to a blind corner in a very narrow lane, which itself has high hedges and poor visibility. The gates of any access will need to be set back from the road edge by at least a car-length plus a metre, in order to allow drivers to open and close gates safely, i.e. to stop outside the gates, but well off the road.o on the same basis the Council considers that the north-east corner/hedge of the site, from Yarmouth Road into Boundary Lane should be taken back and kept clear of high hedging in order to provide a better and safer visibility splay in both directions.o consideration will need to be given to foul drainage; how will this be managed? As far as the Council is aware there is no main sewer near the site and nearby properties have septic tank drainage.o clarification is required regarding CIL payment calculations. The Planning Application Form Pt.17 states 315 sq. metres; the CIL Form Pts 6 & 7 states 321 sq. metres.		

Consultee	Date consulted	Date reply received
Lound Parish Council	19 November 2019	20 November 2019
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- clarification is required regarding CIL payment calculations. The Planning Application Form Pt.17 states 315 sq. metres; the CIL Form Pts 6 & 7 states 321 sq. metres.

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	19 November 2019	18 October 2019
Summary of comments: County Council as Highway Authority recommend conditional approval: that access is laid out before commencement with an entrance width of 3.0 metres. Visibility splays shall be provided before use to the amended plan, that a bound material surface is used. That gates be set back a minimum distance of 5 metres from the edge of the carriageway. Details of bin storage and presentation before use are asked for.		

Non statutory consultees

Consultee	Date consulted	Date reply received
Ecology (Internal)	25 September 2019	15 October 2019
Summary of comments: No objection providing the recommendations of the Ecological Appraisal (BasEcology, February 2019) are secured by condition. A RAMS financial contribution must be secured prior to the determination of this application.		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	11 September 2019	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	11 September 2019	26 September 2019
Summary of comments: No objection providing unexpected contamination condition is added.		

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	11 September 2019	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	19 November 2019	20 November 2019
Summary of comments: No objection subject to compliance with our requirements, and a condition that a water connection made onto our Company network.		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	19 November 2019	19 November 2019
Summary of comments: No objection: The Unexpected Contamination condition is required.		

5. Publicity

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

Category	Published	Expiry	Publication
Departure	29 November 2019	20 December 2019	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Departure	29 November 2019	20 December 2019	Lowestoft Journal

6. Site notices

General Site Notice	Reason for site notice: Contrary to Development Plan Date posted: Expiry date:
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7. Planning policy

- 7.1. In addition to considering applications in accordance with the National Planning Policy Framework (NPPF 2019) and the National Planning Policy Guidance (NPPG), Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Local Planning Authority's Development Plan, unless material considerations indicate otherwise.
- 7.2. The Development Plan consists of:
- East Suffolk Council – Waveney Local Plan (March 2019)
 - Relevant Neighbourhood Plans
- 7.3. The relevant policies of the East Suffolk Council – Waveney Local Plan (March 2019) are:
- WLP8.29 - Design (East Suffolk Council - Waveney Local Plan (March 2019)
 - WLP8.11 - Conversion of Rural Buildings to Residential Use (East Suffolk Council - Waveney Local Plan (March 2019)
 - WLP7.1 - Rural Settlement Hierarchy and Housing Growth (East Suffolk Council - Waveney Local Plan (March 2019)
 - WLP1.1 - Scale and Location of Growth (East Suffolk Council - Waveney Local Plan (March 2019)
- 7.4. There is no adopted Neighbourhood Plan covering this area of the district.

8. Planning considerations

- 8.1. Section 38(6) of the Planning and Compulsory Purchase Act requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, determination must be made in accordance with the plan unless material considerations indicate otherwise.

Principle and Sustainable Development

- 8.2. This site is outside physical limits in open countryside and needs therefore to be considered in the context of policy WLP8.11 - Conversion of Rural Buildings to Residential Use which states that *"the conversion of redundant rural buildings in the Countryside to residential use will be permitted where it secures or safeguards a heritage asset or...the building is locally distinctive and of architectural merit"*.
- 8.3. The building is not of great merit architecturally. It is however a traditional barn in brick and tile. The government's permitted development relaxations are reflected in the National Planning Policy Framework paragraph 83 where the rural economy is supported

by conversion of existing buildings and the recent Local Plan policy reflects this liberalisation, in making such conversions easier by removing the sequential preference for commercial conversion over other uses (such as residential)

- 8.4. WLP8.11 also requires that *"The conversion requires only minimal alteration"*; this is not the case with this proposal in that the two main ranges will be retained and adapted, but one will require an entirely new roof, though the proposed replacement will follow the pitch and form of that once in place as evidenced by the gable end. Upon the proposition that there is a need to replace the roof, the proposal goes beyond the works that are necessary to qualify as a true 'conversion'. Officers consider that there is some conflict with WLP8.11 through elements of re-building; the proposal is not strictly a conversion and thus represents a departure from the Local Plan. The item has been referred to committee and advertised as a departure.
- 8.5. WLP8.11 requires that the design maintains or enhances the structure, form and character of the rural building; the design submitted is considered to fulfil this requirement, as an attractive building emerges from the current situation of partial ruin.
- 8.6. The policy requires that the creation of a residential curtilage does not have a harmful effect on the character of the countryside or settlement; with the careful landscape strategy shown this should be the case here, if reinforced by a condition restricting permitted development rights for curtilage buildings and residential paraphernalia in areas that are sensitive around the site.
- 8.7. The conversion should enhance the immediate setting of the area according to policy. Given the neglected current state of the site and the result of the proposal which would be a well-designed residential development with appropriate landscaping, this criterion is considered to be fulfilled.
- 8.8. The site is served by an appropriate existing access. In this regard there was initially concern expressed by the County Council Highways Authority given the speed limit; the access, however, is at a point where speeds cannot be high due to the junction and road geometry. The County also criticised the in-and-out driveway and the resulting distance of the closest access to the corner and requested the formation of vision splays. This matter is addressed in the latest drawings and the County now offer a positive recommendation, with conditions.
- 8.9. In this case, the development when considered cumulatively with other developments in the Countryside would not result in a level of development which would be contrary to the strategy outlined in Policies WLP1.1 where 10% of housing growth over the plan period is predicted as occurring in the smaller villages and also WLP7.1 which identifies Lound as benefitting from a settlement boundary thus becoming a village where some development can occur in a manner considered sustainable.

Visual Amenity, street scene and landscape

- 8.10. The existing barns are quite visible at the highway junction as a result of the rising nature of the land. This area is characterised as estate farmland with enclosure fields and the proposed change is small scale in character providing domestic paraphernalia in the landscape is carefully controlled by condition. Barns are often diminished aesthetically by

21st century industrial agriculture clutter. The domestic curtilage is sufficient for the property created. The proposal is therefore considered compliant in this regard with policy WLP8.29 (Design) of the Adopted East Suffolk (Waveney Area) Local Plan Policies.

Heritage Considerations

- 8.11. There are no designated Heritage assets affected directly or indirectly by the proposal. The site is not in or adjacent to a conservation area, the application site itself can be considered an undesignated asset, where the work proposed will positively preserve the building. The proposal is therefore considered compliant in this regard with policy WLP8.37 - Historic Environment of the Adopted East Suffolk (Waveney Area) Local Plan Policies

Residential Amenity

- 8.12. There is no material impact on other residences as these are across the other side of Yarmouth Road. The proposal is therefore considered compliant in this regard with policy WLP8.29 (Design) of the Adopted East Suffolk (Waveney Area) Local Plan Policies.
- 8.13. Design amenity: The mood board in the design and access statement shows proposed materials that utilise the basic historic fabric with modern insertions of non-domestic high-tech character judiciously used to retain the more robust flavour of barn character. There is some indication that carbon footprint reducing measures are part of the proposal. This development is below the threshold of 10 dwellings and therefore does not require assessment under Policy WLP8.28 - Sustainable Construction, although the inclusion of sustainable technologies is encouraged.

Highway Safety and Parking Provision

- 8.14. Suffolk County Council Highway development team have recommended conditional approval of the revised scheme. There is adequate space on site for the parking needs created. This does require a slight relaxation of vision splays by the County, justified by the low speeds achievable close to a junction. In the wider planning balance, the desire of the estate to preserve native hedgerow as much as is possible given safety needs is considered to represent a good compromise. The proposal is therefore considered compliant in this regard with policy WLP8.29 (Design) of the Adopted East Suffolk (Waveney Area) Local Plan Policies.

Flood Risk / SUDS/ Protected Aquifers

- 8.15. This proposal is in Flood Zone 1, the low risk zone and there is no record of localised surface water flooding. The site is not within a "source protection zone" but is close to the drinking water safeguard zone associated with Lound Water Works, but this does not impinge on planning consideration for this site.
- 8.16. The proposal does not significantly alter land permeability so no requirement for Sustainable Drainage (SUDs) requires imposition and building regulations will deal with surface water drainage for this site.

Biodiversity and Geodiversity

- 8.17. The Ecological Appraisal (BasEcology, February 2019) is considered satisfactory, providing the implementation of the recommendations made within the report are secured by condition.
- 8.18. The site is within the Suffolk RAMS Zone of Influence (Zone B) and therefore a financial contribution to the scheme (or equivalent mitigation identified via a Habitats Regulations Assessment (HRA)) is required in order to mitigate in-combination recreational disturbance impacts on habitats sites (European designated sites). This was received 18 October 2019 with the requisite form. The local planning authority can conclude there would be no likely significant effects on the integrity of European sites and the proposal accords with WLP8.34 (Biodiversity and Geodiversity).

Trees and hedgerows

- 8.19. There are no trees with Tree Preservation Orders in the vicinity of this site and no protected hedgerows. The site is within the "settled estate farmland" character area where a single storey building is relatively suppressed as a landscape feature by the mature "Enclosure Act" hedgerows. The character of the landscape is considered protected in terms of Policy WLP8.35 - Landscape Character, providing domestic paraphernalia is restricted beyond the immediate area of the dwelling created. Permitted rights for extensions to the proposed dwelling need to be restricted as this is not a part Q, permitted development conversion.

9. Conclusion

- 9.1. This application is contrary to policy due to the works proposed exceeding those representing true conversion. However, the proposal does make use of existing built form but extends it and re-roof's the more incomplete range to create a well-designed dwelling. The divergence from policy is therefore of note, but not substantial. The proposal will preserve a modest yet characterful building in the rural landscape. There would be enhancement of the site in its immediate setting and the proposal will deliver public benefits through return to the economy of the area in build terms and modest contribution to housing supply. It is therefore considered that the proposal is acceptable and planning permission should be granted.

10. Recommendation

- 10.1 The Town and Country Planning (Development Management Procedure) (England) Order 2015 (The DMPO) requires that any application that does not accord with the statutory provisions of the development plan in force in the area in which the land to which the application relates is situated, be advertised by site notice and in the local press. That publication process has been undertaken and will close on 20 December 2019. Any representations received prior to the committee meeting on 19 December 2019 will be reported to members via the update sheet and verbally at the meeting. Officers therefore are seeking authority to approve the application, subject to no material planning objections being received post-committee, and prior to the 21 December 2019.

- 10.2 AUTHORITY TO APPROVE, subject to no material planning objections being received post-committee, and prior to the 21 December 2019.

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 PL372 A02-02A, floor plan and PL372 A02-03A elevations, received 10 September 2019, and site layout PL371 A02-01B and the updated design statement received 18 October 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. No other part of the development hereby permitted shall be commenced until the existing vehicular access has been improved, laid out and completed in all respects in accordance with DM01; and with an entrance width of 3.0 metres. Thereafter the access shall be retained in the specified form.

Reason: In the interests of highway safety to ensure that the layout of the access is properly designed, constructed and provided before the development is commenced.

4. Before the access is first used visibility splays shall be provided as shown on the Amended Plan with an X dimension of 2.4 metres and a Y dimension of 42 metres (West) and 20.8 metres (East) and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To secure appropriate improvements to the vehicular access in the interests of highway safety.

5. Prior to the dwelling hereby permitted being first occupied, the vehicular access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.

Reason: To secure appropriate improvements to the vehicular access in the interests of highway safety.

6. Gates shall be set back a minimum distance of 5 metres from the edge of the metalled carriageway.

Reason: In the interests of road safety.

7. Before the development is commenced details of the areas to be provided for storage and presentation of Refuse/Recycling bins 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 for no other purpose.

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

8. Before the development is commenced 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.

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

NOTE: The garage is required to have a minimum internal depth of 7.0 metres to be considered as adequate cycle storage.

9. The use shall not commence until the area within the site shown on the Amended Plan for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area 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.

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2015 (or any order revoking and re-enacting that Order) (with or without modification), no building or structure permitted by Classes A (extensions or alterations), B (changes to the roof) or E (buildings or enclosures within the curtilage of the house) of Schedule 2 Part 1 of the Order shall be erected, with the exception of a storage shed for bicycles 2 x 1m footprint on plan x 2.5m maximum height within 10m of the dwellinghouse, without the submission of a formal planning application and the granting of planning permission by the Local Planning Authority.

Reason: To secure a properly planned development.

12. The recommendations of section 5 of the Ecological Appraisal (BasEcology, February 2019) for limiting and mitigating impacts on Ecology shall be implemented in full and mitigation features shall be retained thereafter.

Reason: To protect and enhance ecology.

13. Details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority before development commences. Development shall be carried out in accordance with the approved details.

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

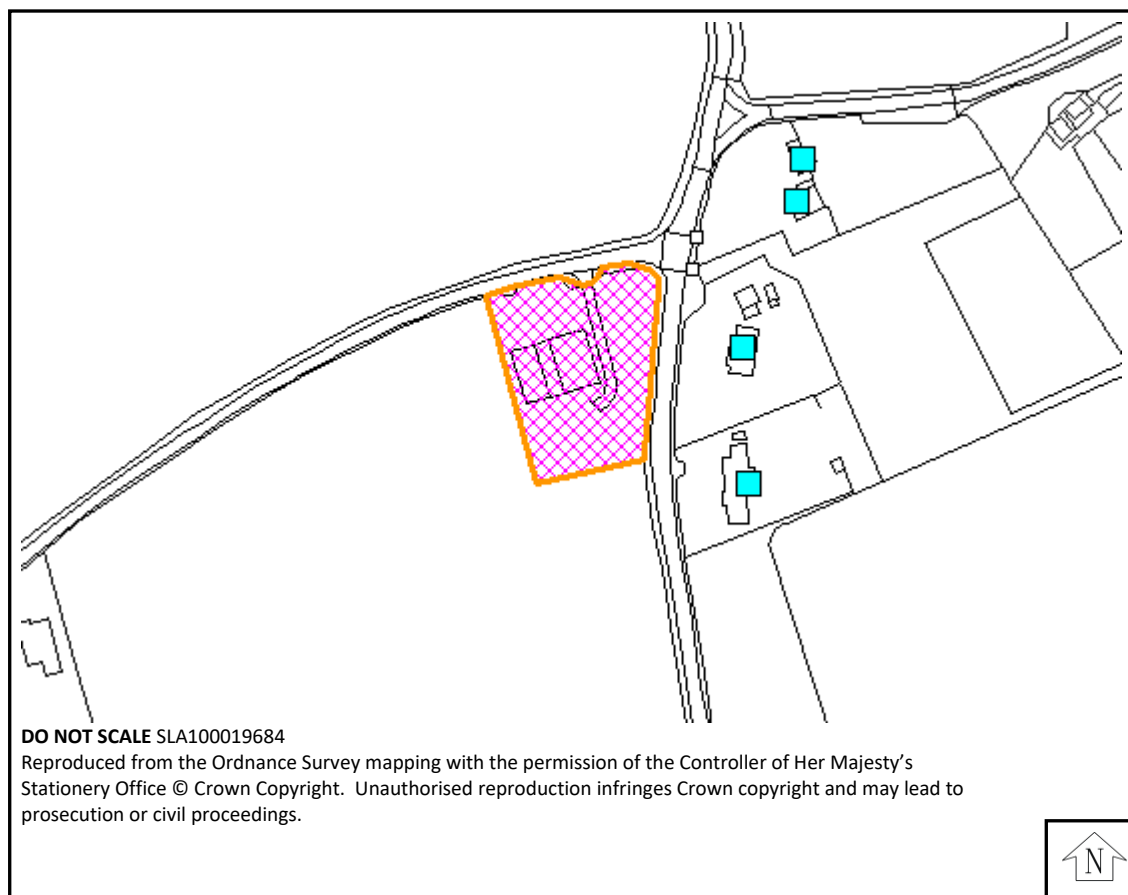
Informatives:

1. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.
Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.
The customer services contact number is 0345 606 6171 and Information regarding dropped kerbs is available at <https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb/>
A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.





Background information

See application reference DC/19/3546/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PXKK5VQXMERO0>

Map



Key

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