



## Committee Report

**Planning Committee North - 14 June 2022**

**Application no DC/21/4436/FUL**

**Location**

Laurel Farm  
Hall Lane  
Oulton  
Lowestoft  
Suffolk  
NR32 5DL

**Expiry date** 20 December 2021

**Application type** Full Application

**Applicant** Mr Kevin Hodgkin

**Parish** Oulton

**Proposal** Barn conversion from derelict footprint, demolition of external walls and erection of cart lodge

**Case Officer** Matthew Gee  
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## **1. Summary**

- 1.1. Planning permission is sought for the partial rebuild of an existing derelict barn and change of use to a Holiday let. The site is situated outside, but adjacent to, the settlement boundary for Lowestoft, with the barn being situated adjacent to a grouping of holiday lets located in former stables. The proposed conversion and rebuild seeks to return much of the original appearance and scale of the barn prior to it becoming derelict, thereby giving the proposal a barn conversion aesthetic. The proposed holiday let is located outside of the settlement boundary and would be contrary to policy WLP8.15 as the holiday let would comprise of a permanent building and would not meet any of the criteria as set out in policy WLP8.15.
- 1.2. However, officers consider that whilst the proposal is a technical departure from the policy, there are several mitigating factors that weigh in favour of the proposal and outweigh this conflict with the Local Plan Policy. These include the proximity of the building to the settlement boundary, that the building would form part of an existing grouping of holiday lets on the site, and that it seeks to rebuild what was originally a rather attractive rural building, as well as the additional minor economic benefits that arise from a single holiday let. As such for the reasons set out above it is considered appropriate for officers in this instance to recommend approval of this application on this basis.
- 1.3. As a departure from the Development Plan, the application has been referred direct to Planning Committee (North) to enable consideration of the application.

## **2. Site Description**

- 2.1. The application site is situated outside, but adjacent to, the Settlement Boundary, which runs along the eastern boundary for the application site blue line. The site comprises several buildings, including a two storey dwelling and an array of stables which have been converted to holiday lets located to the east of the derelict barn. To the north of the application barn is Hall Lane, to the south is an area of hard standing with fields beyond, and to the west is an agricultural barn.
- 2.2. The Design and Access Statement sets out a brief history on the barn and its current condition, stating "a main supporting beam was removed by a previous owner to accommodate three silos. This weakened the roof and years later it fell in due to a storm. The building is located within an active working farm courtyard. It is surrounded by buildings on 3 sides, including a modern agricultural shed to the west, a holiday-let facility to the east and north-east, and a smaller outbuilding to the north-west. There are extensive brick external walls and hardstandings which were previously single storey enclosures around the main barn."

## **3. Proposal**

- 3.1. Planning permission is sought for the partial rebuild of an existing derelict barn and change of use to a Holiday let. The proposal will utilise much of the existing brick and flint work using matching brickwork to build up areas that area needed, with larger areas or new extensions being clad in dark weatherboarding. The barn will be finished with rustic red clay pantiles, and timber windows and doors.

- 3.2. The works proposed would take the proposal beyond what could reasonably be considered by officers as a conversion.
- 3.3. The holiday let will comprise of 3 bedrooms, as well as parking for several vehicles and a secure cycle and bin storage area.
- 3.4. The application has been amended during the course of the application to make minor amendments to the design, including removal of a balcony on the north elevation facing the highway, in order to reduce the visual prominence.

#### 4. Consultations comments

- 4.1. No third-party letters of representation have been received.

#### Parish/Town Council

Consultee	Date consulted	Date reply received
Oulton Parish Council	1 November 2021	15 November 2021
Summary of comments: DC/21/4436/FUL Barn conversion Laurel Farm Hall Lane Oulton NR32 5DL. After careful consideration the Council agreed to SUPPORT this application. The application is an improvement to the existing structure.		

#### Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	1 November 2021	22 November 2021
Summary of comments: No objections subject to conditions		

#### Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	1 November 2021	3 November 2021
Summary of comments: No objections subject to conditions		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	1 November 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	1 November 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	1 November 2021	18 November 2021
Summary of comments: No objections		

## 5. Publicity

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

<b>Category</b>	<b>Published</b>	<b>Expiry</b>	<b>Publication</b>
Departure	29 April 2022	23 May 2022	Lowestoft Journal
<b>Category</b>	<b>Published</b>	<b>Expiry</b>	<b>Publication</b>
Departure	29 April 2022	23 May 2022	Beccles and Bungay Journal

## 6. Site notices

General Site Notice  
Reason for site notice: Contrary to Development Plan  
Date posted: 22 April 2022  
Expiry date: 16 May 2022

General Site Notice  
Reason for site notice: New Dwelling  
Date posted: 4 November 2021  
Expiry date: 25 November 2021

## 7. Planning policy

7.1. Section 38(6) of the Planning and Compulsory Purchase Act (2004) sets out that *"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."* This is reflected in paragraph 12 of the

NPPF which affirms the statutory status of the development plan as the starting point for decision-making.

- 7.2. The development plan comprises the East Suffolk Council - Waveney Local Plan ("The Local Plan") and any adopted Neighbourhood Plans. The key relevant policies of the Local Plan are listed below:
- 7.3. East Suffolk Council - Waveney Local Plan (March 2019) – policies:
- WLP1.1 - Scale and Location of Growth (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
  - WLP1.2 - Settlement Boundaries (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
  - WLP8.7 - Small Scale Residential Development in the Countryside (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
  - WLP8.15 - New Self Catering Tourist Accommodation (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
  - WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
  - WLP8.34 - Biodiversity and Geodiversity (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- 7.4. The National Planning Policy Framework (NPPF) is a material consideration.

## **8. Planning Considerations**

### Principle

- 8.1. The application site and derelict barn and located outside of, but adjacent to, the settlement boundary for Lowestoft. Policy WLP8.15 sets out that self-catering tourist accommodation comprising permanent buildings will only be permitted within the Settlement Boundaries defined by Policy WLP1.2; through the conversion of rural buildings of permanent structure; or on large scale sites where commercial, recreational or entertainment facilities are provided on site.
- 8.2. In this instance, as the works set out are considered to go beyond what could reasonably be considered a conversion, due to the extent of rebuilding required, it is not considered that it would meet that policy expectation. Furthermore, whilst the building would be within a grouping of other holiday let accommodation, the site is not a large scale site where commercial, recreational or entertainment facilities are provided on site. Therefore, for these reasons set out the proposal is not considered to comply explicitly with the exact wording of the policy requirements, however, this conflict needs to be weighed against the other material considerations of the application.

### Sustainably and Tourism

- 8.3. As previously noted, the application site is situated outside of the defined settlement boundary for Lowestoft, however, this boundary is only approximately 70m east of the derelict barn and is within relatively close proximity of services within the Town of Lowestoft, including shops and leisure activities. It is however acknowledged that there is no public footpath linking the site to these services, and therefore the sustainability of the site, whilst close, is not ideal and there would be a reliance of motor vehicles.

- 8.4. The tourism industry plays a very important role both within the economy of Lowestoft and the wider of economy of East Suffolk. The East Suffolk Report "The Economic Impact of Tourism", 2019, shows 12.5m trips to the District with an associated spend of just over £43m. The report indicates that tourism within the District continues to increase with an increase in overall trip expenditure and local business turnover supported by tourism. Furthermore, it is accepted that post Covid-19 the domestic staycation market is likely to grow.
- 8.5. The site currently has self-catering tourist accommodation comprising of several former stables that have been converted, located adjacent to the derelict barn, which would complement the existing offering on the site, and would also improve the area and site via the reuse of an existing derelict barn located adjacent to existing holiday lets. It is also not considered that one additional holiday let would result in an intensification of activity in and around the site. Therefore, the scheme is deemed to provide a positive contribution to the tourist offering in the area, and the modest economic benefits that additional tourist accommodation provides to the local and wider area.

#### Design

- 8.6. From the information provided as part of this application, the barn, prior to the damage occurring, would have been considered as a locally distinctive building of architectural merit, and any conversion could have secured what officers consider would have been a heritage asset.
- 8.7. Officers acknowledge that the proposal does require a significant level of rebuilding of the derelict barn, including the building up of several walls, as well as the erection of a new roof. However, much of the historic wall of the barn has been retained in place, and the submitted structural report submitted identifies that many of the walls can be incorporated into the scheme but will require sections of masonry to be taken down and rebuilt to secure. But there are sections of wall which are in generally in a position were with some remedial works such as openings, they can be reused within the development.
- 8.8. The proposal does involve the removal of the remains of a later lean to extension of the site, and the erection of a new gable end extension of a smaller footprint in its place. The extension will be clad in black weatherboarding in order to different it from the original sections of the barn, however, overall, the extension is considered sympathetic in form to how a barn may have historically been extended. Therefore, officers are of the opinion that the works being undertaken are in a sympathetic manner which replicates much of the original form of the barn and seeks to ensure that the finished scheme appears as an authentic conversion.
- 8.9. Furthermore, the existing derelict barn and its outbuilding can be seen within street scene along Hall Lane, and its junction with the B1074. It is considered by officers that the barn currently detracts from character and appearance of the immediate area given its current condition, and that re-use and partial rebuild of the barn would improve the visual appearance of the street scene. Additionally, given that the re-build and re-use would appear as an authentic barn conversion it is considered that the proposal respects the character and appearance of the street scene, and shows a clear understanding of form and character of the built environment.

### Amenity

- 8.10. Policy WLP8.29 sets out that proposed development should protect the amenity of the wider environment and neighbouring uses. As previously set out the proposed holiday let will be located adjacent to existing tourist accommodation on the site. It is not considered by officers that the proposal would result in a marked increase in activity on the site, and given the separation distance, approximately 95m, to the nearest dwelling it is not considered that the proposal would result in any adverse impact on the amenity of neighbouring residents.

### Highways

- 8.11. The proposal would utilise the existing access onto the site from Hall lane and will provide on-site parking for at least 2 vehicles within the car port, as well as providing secure cycle storage on site. SCC Highways have raised no objections to the application subject to conditions covering the provision of the parking area, bin storage and cycle storage prior to occupation. Officers do not consider that the proposal would result in marked increased in vehicles movement in the area, or result in any inconsiderate parking on the highway, and as such the proposal is not deemed to have any adverse impacts on highway safety.

### Other Matters

- 8.12. The site is located within 13km of the nearest European Protected Site, and therefore consideration needs to be given to the impact of new housing on these sites. In this instance a financial contribution for each dwelling has been made to the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). This is considered to acceptably mitigate against the impact on these protected sites in accordance with WLP8.34.
- 8.13. The site is also located within Flood Zone 1 and is at low risk of flooding.

## **9. Conclusion**

- 9.1. The scheme would not strictly accord with WLP8.15, as it would comprise of a permanent building outside of the Settlement Boundaries defined by Policy WLP1.2, and the extent of the works detailed could not reasonably be considered as a true conversion of a rural buildings.
- 9.2. However, there are several factors that weigh in favour of the scheme: the relationship of the site to a sustainable settlement, the existing tourist accommodation offering on the site, and that prior to the barn becoming derelict it was locally distinctive and of architectural merit. The rebuild would re-introduce the original form of the barn and appear as an authentic conversion within the street scene. For all these reasons, officers consider that this is an exceptional case where a refusal reason due to non-compliance with policy WLP8.15 would be difficult to defend in any appeal situation. This is a unique site and proposal where a departure from WLP8.16 is considered to be acceptable because of several material considerations in combination; the absence of any significant harm arising from the scheme is also relevant to that balanced judgment.
- 9.3. The overall scale of the proposed development is considered appropriate for the area, and the design is acceptable. There are no objections from Suffolk County Highways Authority, or neighbouring residents, and Parish Council Support the application.

- 9.4. In addition, the proposal would provide some additional, albeit minor, economic benefit through the construction phase and the addition of one additional holiday let. The proposal is also considered compliant with all relevant detailed development management policies within the Local Plan.
- 9.5. For the reasons set out in this report, there are material considerations that indicate for a decision other than in accordance with the Development Plan and, therefore, it is recommended that permission be granted.

## **10. Recommendation**

- 10.1. It is recommended that planning permission be granted subject to conditions.

## **11. 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:
- Site Location Plan and Existing Block Plan, 21-218 101, received 23/09/2022,
  - Proposed Block Plan, 21-218 102, received 23/09/2022,
  - Proposed Elevations - East & West, 21-218 108B, received 30/03/2022,
  - Proposed Elevations - South, 21-218 109A, received 30/03/2022,
  - Proposed Elevations - North, 21-218 107A, received 30/03/2022,
  - Proposed Ground Floor Plan, 21-218 105B, received 30/03/2022,
  - Proposed First Floor Plan, 21-218 106A, received 30/03/2022,
  - Structural Report, REPORT NO. 22-024R\_001, received 30/03/2022,
  - Design and Access Statement, C (31-03-22), received 31/03/2022,
- 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. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a site investigation consisting of the following components has been submitted to, and approved in writing by, the local planning authority:

a) A desk study and site reconnaissance, including:



- a detailed appraisal of the history of the site;
- an inspection and assessment of current site conditions;
- an assessment of the potential types, quantities and locations of hazardous materials and contaminants considered to potentially exist on site;
- a conceptual site model indicating sources, pathways and receptors; and
- a preliminary assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

b) Where deemed necessary following the desk study and site reconnaissance an intrusive investigation(s), including:

- the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- an explanation and justification for the analytical strategy;
- a revised conceptual site model; and
- a revised assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including: BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM).

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.

5. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:
- details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
  - an explanation, including justification, for the selection of the proposed remediation methodology(ies);
  - proposed remediation objectives and remediation criteria; and
  - proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.

The RMS must be prepared by a competent person and conform to current guidance and best practice, including the Land Contamination Risk Management (LCRM).

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.

6. Prior to any occupation or use of the approved development the RMS approved under condition 5 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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.

7. A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to:
  - results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
  - evidence that any RMS approved in pursuance of conditions appended to this consent has been carried out competently, effectively and in its entirety; and
  - evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

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.

8. 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.

9. The premises herein referred to shall be used for holiday letting accommodation and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987). The duration of occupation by any one person, or persons shall not exceed a period of 56 days in total in any one calendar year, unless the Local Planning Authority agrees in writing to any variation.

The owners/operators of the holiday units hereby permitted shall maintain an up-to-date Register of all lettings, which shall include the names and addresses of all those persons occupying the units during each individual letting. The said Register shall be made available at all reasonable times to the Local Planning Authority.

Reason: To ensure that the development is occupied only as bona-fide holiday accommodation, having regard to the tourism objectives of the Local Plan, and in order that the local planning authority may retain control over this development.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order) (with or without modification), no building, structures, or alterations permitted by Classes A (extensions or alterations), B (additions to the roof), C (Alteration to the roof), D (Porches) or E (buildings or enclosures within the curtilage of the house) of Schedule 2 Part 1 of the Order shall be erected or made 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, ensure the property is retained as a holiday let, and protected the character and appearance of the street and building.

11. The use shall not commence until the area(s) within the site shown on Drawing No. 21-218 105B for the purposes of secure cycle storage has been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for secure cycle storage are provided in accordance with Suffolk Guidance for Parking 2019 to promote sustainable travel.

12. The use shall not commence until the area(s) within the site shown on drawing no. 21-218 105B for the purposes of manoeuvring and parking of vehicles has / have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking 2019 where on-street parking and manoeuvring would be detrimental to the safe use of the highway.

13. The areas to be provided for the storage and presentation of refuse and recycling bins as shown on Drawing No. 21-218 105B shall be provided in their entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

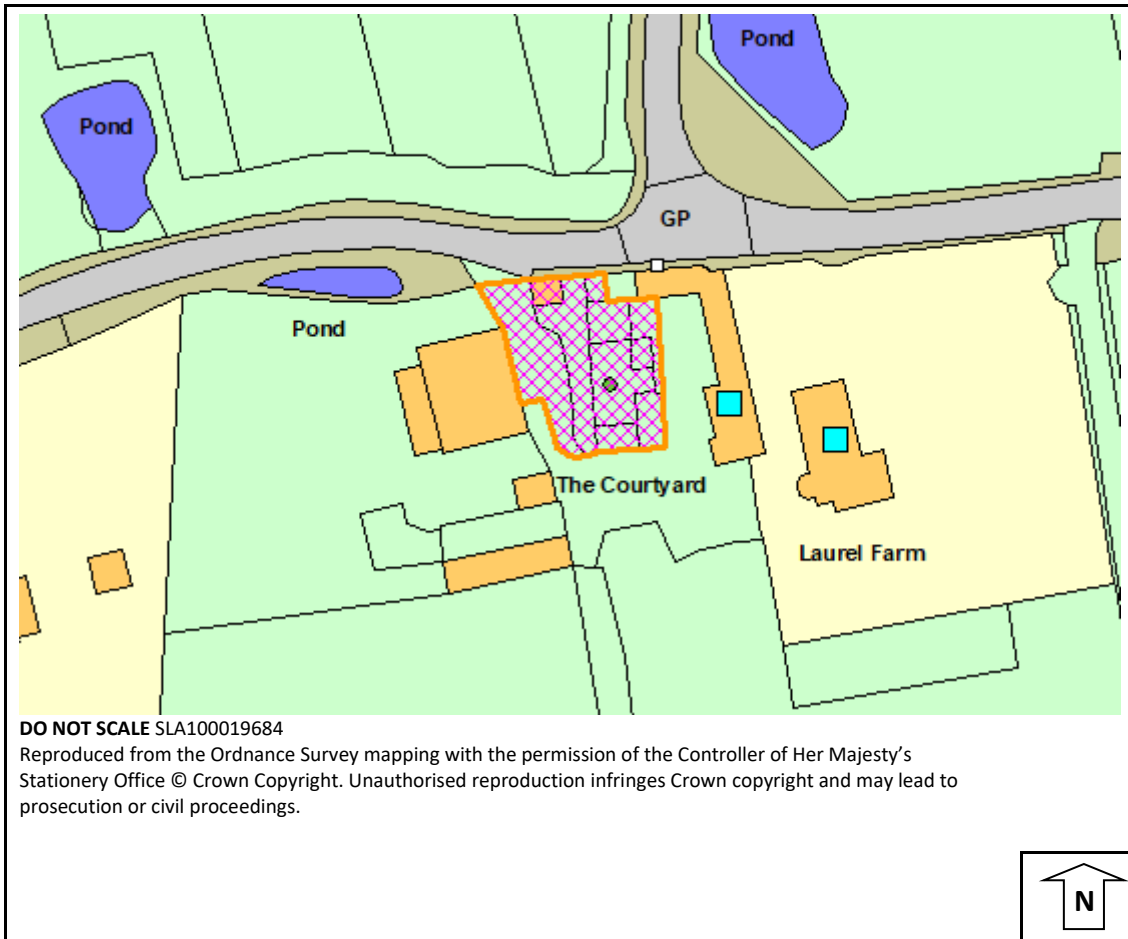
**Informatives:**

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/21/4436/FUL on [Public Access](#)

# Map



## Key



Notified, no comments received



Objection



Representation



Support