



## Committee Report

**Planning Committee South - 29 June 2021**

**Application no** DC/21/1486/FUL

**Location**

Stone Farm  
Station Road  
Blaxhall  
Suffolk  
IP12 2DF

**Expiry date** 3 June 2021

**Application type** Full Application

**Applicant** Mr & Mrs G Thorne

**Parish** Blaxhall

**Proposal** Change of Use of Land and Conversion of Agricultural Building to one dwelling (following prior approval reference DC/20/4270/PN3).

**Case Officer** Rachel Smith  
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### 1. Summary

- 1.1 The application site is located in the countryside in the Parish of Blaxhall. The proposal involves the conversion of a modern agricultural barn to a residential dwelling. Prior approval has previously been granted for a similar conversion. The current application is a full planning application for the conversion of the barn to a residential dwelling. Given the barn is of a relatively modern construction, it is not considered to make a positive contribution to the character of the landscape' as required by Policy SCLP5.5 and therefore the proposal is considered to be contrary to the Local Plan. However, given the fallback position of the existing prior approval, it is considered that the application should be supported as a departure to this policy. The application is therefore being presented to Planning Committee for determination.

## **2. Site description**

- 2.1 The application site is located in the countryside within the Parish of Blaxhall. It is at the southern end of a group of other buildings. These buildings were mainly former agricultural buildings however some are now occupied as residential dwellings following their conversion and others have permission for a residential conversion. There is an existing agricultural building located on the site. This was constructed around 2012 and has one main form with three distinct internal areas including storage for straw and farm machinery. It covers an area of 377 square metres and is constructed from concrete aerated blocks, steel frame, box profile steel sheeting and vertical timber boarding on the North, East and West elevations.
- 2.2 Access to the site is off an existing track leading south from Station Road. This track also serves the existing dwellings and other farm buildings and also serves as a public right of way which follows the eastern site boundary. To the west of the site is a menage which is outside of the applicant's ownership. The site is otherwise surrounded by agricultural land.
- 2.3 The building benefits from prior approval for its conversion to a residential dwelling under application DC/20/4270/PN3.

## **3. Proposal**

- 3.1 The proposal seeks to convert the existing agricultural barn into a three-bedroom, single storey dwelling and create a residential curtilage belonging to the proposed dwelling. As with the previous prior approval, all alterations will be within the existing footprint and mass of the existing structure.
- 3.2 The barn is orientated parallel with the East boundary, with the principle elevation facing North. The proposals look to introduce glazing on the East, South and West elevations, utilising existing openings with floor to ceiling glazing into the living space. The design approach has intentionally retained a Utilitarian Aesthetic, in order to avoid over-domestication. All living spaces are proposed within the South of the barn, to make the most of the light throughout the day. The curtilage incorporates a rear garden to the South and utilises an existing concrete bay as outdoor kitchen and seating area.

## **4. Consultations/comments**

- 4.1 No third party comments received.

## 5. Consultees

### Parish/Town Council

Consultee	Date consulted	Date reply received
Blaxhall Parish Council	12 April 2021	6 May 2021
<p>“Blaxhall Parish Council Object to this application on the following grounds:-</p> <p>They would like to reiterate the fact they objected to the application for change of use and feel the design proposed is not suitable and any development should be synthetic to the rural environment and in keeping with the traditional adjacent buildings and access road vehicular frequency should be kept to a minimum.”</p>		

### Statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	22 April 2021	21 April 2021
<p>Summary of comments: Insufficient information supplied to assess contaminated land implications</p>		

Consultee	Date consulted	Date reply received
SCC Highways Department	12 April 2021	22 April 2021
<p>Summary of comments: No objections. Suggests conditions</p>		

Consultee	Date consulted	Date reply received
SCC Rights Of Way	12 April 2021	No response
<p>Summary of comments: None received</p>		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	12 April 2021	29 April 2021
<p>Summary of comments: The Phase 1 Report has recommended a Phase 2 intrusive survey be carried out to explore a variety of plausible contaminant linkages and therefore they will need to carry this out in</p>		

accordance with the second part of condition 1 in my original comments. If they do not wish to do this prior to determination condition 1 of the contaminated land condition suite can be amended as follows and applied along with the rest of the contaminated land conditions

### Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Ecology	12 April 2021	4 May 2021
Summary of comments: Comments included in report		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	12 April 2021	No response
Summary of comments: None received		

### Reconsultation consultees

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	4 June 2021	No response
Summary of comments: Further comments to be included in updates sheet		

## 6. Publicity

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

Category	Published	Expiry	Publication
Departure	22 April 2021	14 May 2021	East Anglian Daily Times

### Site notices

General Site Notice

Reason for site notice: General Site Notice  
Date posted: 15 April 2021  
Expiry date: 7 May 2021

## **7. Planning policy**

National Planning Policy Framework 2019

SCLP3.2 - Settlement Hierarchy (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP3.3 - Settlement Boundaries (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.3 - Housing Development in the Countryside (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.5 - Conversions of Buildings in the Countryside for Housing (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP7.1 - Sustainable Transport (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.1 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

## **8. Planning considerations**

### Principle of Development

- 8.1 The application site is located in the countryside where, in accordance with the Settlement Hierarchy (Policy SCLP3.2), new residential dwellings would not normally be permitted. There are some exceptions to this rule which are set out in Policy SCLP5.3. One of these exceptions is where a proposal involves the conversion of an existing building (in accordance with Policy SCLP5.5).
- 8.2 Policy SCLP5.5 permits the conversion of buildings in the countryside, subject to a number of criteria. One of these criteria is where the building provides a positive contribution to the landscape. While there is no definition or guidance within the policy or supporting text detailing what a 'positive contribution to the landscape' means, the supporting text does recognise that some conversions may be permitted development and in some cases the policy can help to safeguard heritage assets. The existing building is of a modern, functional design and while it is not out of character with its rural setting, it is not considered that it makes a positive contribution to the character or appearance of the countryside such that there would be a benefit in its retention.
- 8.3 Having said this, if this application was refused, there is a real possibility that the prior approval recently granted for the conversion of the building to a dwelling could be

implemented. While the design of the proposed dwelling is slightly different to that previously agreed, the principle of the conversion has been accepted and the design is not significantly different to that now proposed. The current application will therefore result in a very similar development that can already go ahead. It is therefore considered that the principle has been established and this scheme can not reasonably be resisted on matters of principle.

- 8.4 In relation to the other criteria in the policy, the application states that the barn will not be returning to agricultural use and therefore is redundant by any reasonable understanding of the term.
- 8.5 For a conversion to a residential dwelling to be acceptable under Policy SCLP5.5, it should also not require significant alteration, the design should maintain or enhance the structure, form and character of the rural building, should not have a harmful effect on the character of the landscape, mitigate any impacts on the natural environment, enhance the immediate setting of the area and be served by an appropriate existing access.
- 8.6 While the proposed design does include a number of new openings in the building which would alter the character of the building from agricultural to domestic, the resulting appearance or character would not be materially different from that previously approved. The Parish Council are again concerned about the resulting appearance of the building not being sympathetic to the rural environment however, in this case, the fall back position is such that the local planning authority does not consider that this concern has significant weight in this case. It is considered that the remainder of the policy criteria are complied with.

#### Design

- 8.7 The principle to re-use and convert this agricultural building to a dwelling has already been established. This proposal ensures that the external size and scale of the existing building remains unchanged, as per the previous approval. The resulting external appearance of the proposed dwelling would also be similar to that previously proposed with relatively minor changes to the design and location of openings. With the exception of the domestication of the building as a result of the fenestration, the external appearance of the building would not change significantly. The design is therefore considered to be acceptable and in accordance with SCLP11.1.

#### Residential Amenity

- 8.8 The nearest neighbouring dwelling is located to the north of the site however it is not in close proximity where the proposed conversion would adversely impact on the light or privacy to the property nor the outlook from it. The proposal is therefore in accordance with SCLP11.2.

#### Ecology

- 8.9 The application has been submitted with a Preliminary Ecological Appraisal (PEA) (BasEcology, October 2020). The conclusions of the consultant are considered satisfactory, providing that the development is carried out in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified. This should be included as a condition on any permission.

- 8.10 In addition to the above, the site is within the Suffolk Coast RAMS Zone of Influence (Zone B - within 13km of the Sandlings SPA; the Deben Estuary SPA; the Deben Estuary Ramsar Site; the Alde-Ore Estuary SPA; the Alde-Ore Estuary Ramsar Site; the Alde-Ore and Butley Estuaries SAC and the Orfordness-Shingle Street SAC) 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). Such a contribution was secured as part of the previous approval (DC/20/4270/PN3), which can be carried over should this application be approved.

#### Highways

- 8.11 Access to the site is off Station Road, a single width rural lane. While this access road wouldn't be suitable for a large scale development, the proposed increase in one dwelling is not likely to result in a significant increase in the number of trips and the highways authority have raised no objections in this regard. There is an existing access track from Station Road to the site, in between the existing buildings. While the Parish Council have raised concerns regarding the increase in use of this, and while it is an unmade track, it is relatively wide and therefore the minimal additional use is not likely to result in any safety issues of users of the right of way or onto the highway.

#### Environmental Protection

- 8.12 A Phase II land contamination survey has been received and is currently with the Council's Environmental Protection Team for comment. Any additional comments or conditions received as a result of this consultation will be reported via the updates sheet.

#### Permitted development rights

- 8.13 It is considered appropriate to remove permitted development rights for extensions, alterations and outbuildings. If the Class Q permission were implemented, the dwelling would not benefit from these rights and given the rural character of the area and agricultural character of the building, it is considered necessary to control any further changes.

### **9. Conclusion**

- 9.1 While the proposal is not considered to comply with SCLP5.5 of the local plan that requires buildings to be converted make a positive impact on the landscape, given this is a relatively modern, functional agricultural building, the fallback position of the earlier Class Q approval is not materially different to this scheme and therefore it is not considered that the proposal should be resisted in this case.
- 9.2 There are no other material considerations which differ significantly from the existing approval which make this application unacceptable.

### **10. Recommendation**

- 10.1 Approve subject to no objections being raised by Environmental Protection which cannot be dealt with by condition and further conditions as detailed below.

## Conditions:

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.  
Reason: This condition is imposed 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 A 02-04 and A02-05A received 25 March 2021 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. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (BasEcology, October 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.  
Reason: To ensure that ecological receptors are adequately protected and enhanced as part of the development.
5. The use shall not commence until the area within the site on dwg. no. A02-04 for the purposes of Loading, Unloading, manoeuvring and parking of vehicles has been provided and thereafter that area shall be retained and used for no other purposes.  
Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety.
6. Before the development is commenced details of the areas to be provided for secure cycle storage and electric vehicle infrastructure 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 promote sustainable transport choices
7. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number A02-04 shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.  
Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) England (Order) 2015 (as amended) or any Order revoking or re-enacting the said Order, no development of any kind specified in Part 1, Classes A-E and Part 2, Class A of Schedule 2 of the said Order shall be carried out unless otherwise agreed in writing with the

local planning authority. (These Classes refer to alterations, extensions, outbuildings and means of enclosure).

Reason: In order that the local planning authority may retain control over this particular form of development in the interests of amenity and the protection of the local environment.

### **Informatives:**

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority.

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

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

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

CIL forms can be downloaded direct from the planning portal:

[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

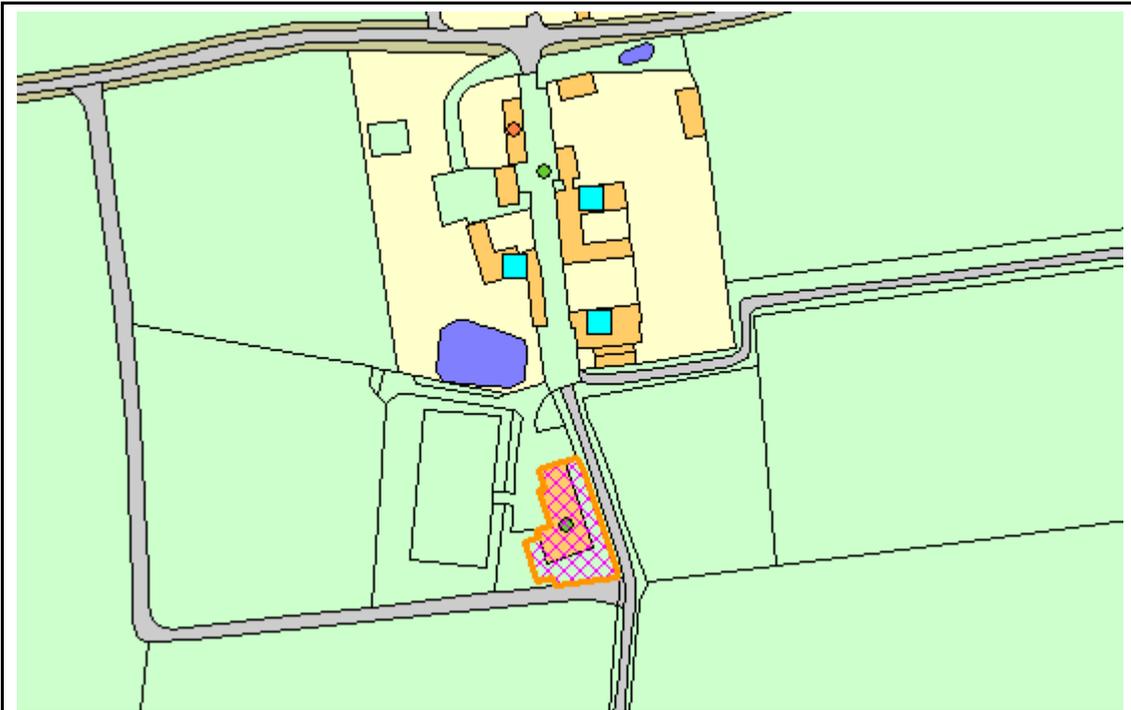
Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>

3. The applicant is advised that the proposed development may require the naming of new street(s) and numbering of properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. This is only required with the creation of a new dwelling or business premises. For details of the address charges please see our website [www.eastsuffolk.gov.uk/planning/street-naming-and-numbering](http://www.eastsuffolk.gov.uk/planning/street-naming-and-numbering) or email [lpg@eastsoffolk.gov.uk](mailto:lpg@eastsoffolk.gov.uk)

### **Background information**

See application reference DC/21/1486/FUL on [Public Access](#)

## Map



**DO NOT SCALE** SLA100019684

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## Key



Notified, no comments received



Objection



Representation



Support