



## Planning Advisory Panel – SOUTH (14 April 2020)

### Delegated Report

**Application no** DC/19/5062/FUL

**Location**

Hillbrook  
Common Lane  
Bromeswell  
IP12 2PQ

**Expiry date** 20 February 2020

**Application type** Full Application

**Applicant** Mr & Mrs Wood

**Parish** Bromeswell

**Proposal** Erection of new outbuilding for commercial use (reflexology and financial services).

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

The site is located at Hillbrook, Common Lane, Bromeswell and forms part of the front garden.

The application seeks full planning permission for erection of new outbuilding for commercial use (reflexology and financial services).

The proposal is contrary to local policies SP1; SP7 and DM21 of the local plan and recommend refusal.

The item is before the Planning Advisory Panel, because it was due to be considered by Planning Committee 24 March 2020, prior to the cancellation of the meeting, due to Government advisory restrictions on face to face meetings resulting from Covid-19.

It was due to be considered by planning committee because the Parish Council have offered their support to this application as such the committee referral process has been triggered and the application was heard by the referral panel on 4th February 2020, where it was agreed that the application should be heard before committee to enable debate of the material planning issues, including comments from the Economic Development Team.

## **Site description**

The site is located at Hillbrook, Common Lane, Bromeswell and comprises a detached two storey dwelling, set approximately 31m back from the highway. Rectangular in form, the site measures approximately 0.2 hectares.

The dwelling to the west (Oakwood) is located a similar distance from the highway as the application property, whilst the dwelling to east (Lavender House) is located closer to the highway (approximately 16m from the edge of the highway). Within the front garden of Oakwood there is an existing outbuilding set similar distance from the highway as the adjacent Church House and its outbuilding (to the west), which are approximately 4.5 to 5m from the edge of the highway.

Bromeswell does not have a settlement boundary, and therefore this site is located within the countryside for the purposes of planning policy.

## **Proposal**

The application seeks permission for erection of new outbuilding for commercial use (reflexology and financial services), within the front garden of the dwelling, approximately 2.5m from the front boundary of the application site at the closest point.

The proposed building would be 8.5m x 9.6m, with a height of 3m. It would be of a contemporary appearance with part render and part timber clad walls, and a flat roof set behind a parapet. The scheme also includes bi-fold doors onto a covered deck area.

The submitted plans show one main room to be used as an office space with three smaller rooms, to be used as a treatment room, a shower room with w.c., and a cupboard for storage. The total floorspace would be approximately 55 sqm.

The proposed block plan also includes the creation of a parking and turning area to the rear of proposed building, providing 3 additional parking spaces. It would be to the west of the existing driveway which provides vehicular access to the house and its existing parking/turning area.

In terms of the proposed use of the building, it is described within the submitted Design and Access Statement as being proposed to enable the applicants to operate their businesses from home rather than renting premises elsewhere. This statement also explains that the proposal is for:

*“.....an office space for the financial advice business to operate, with the owner and one additional member of staff. In addition, there would be a treatment room for the reflexology business to operate.*

*The financial advice business would have 1-2 clients per week, whilst the reflexology business would have 4-5 clients per week. The opening hours would be 9am-5pm Monday- Friday.”*

It is also declared on the application form, there would be one part time employee.

### **Consultations/comments**

No Third Party Representations received.

### **Consultees**

#### **Parish/Town Council**

Consultee	Date consulted	Date reply received
Bromeswell Parish Council	30 December 2019	20 January 2020
<p><i>“Bromeswell Parish Council has considered this application and supports it as it is within policy to encourage development on residential property which supports business in rural localities which does not detract from the rural landscape quality or residential amenity of adjacent properties. The Parish Council is grateful to the applicants for the care they have taken in coming forward with this design which will minimise impact on the street scene and neighbouring properties.</i></p> <p><i>The Council notes that the proposal will be screened by existing established trees and hedges but is concerned that root disturbance might inadvertently lead to damage to these trees and hedges. Please can you require the applicants to ensure that attention is paid to this issue. The Parish Council would have no objection if the precise position of the proposed outbuilding needed to be slightly amended to achieve this if necessary.”</i></p>		

### **Statutory consultees**

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	30 December 2019	16 January 2020
<p>Summary of comments: No objections raised, a condition recommended to ensure the parking area is completed.</p>		

## Non Statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Council – Head of Economic Development		13 February 2020
Summary of comments: Supportive of any increase on A1, A2, A3, A4, A5, B1 or B8 floorspace, whether by means of conversion or new build, that would create room for existing businesses to expand or new businesses to move in. The economic growth ambitions outlined in the East Suffolk Growth Plan, the East Suffolk Business Plan, the Suffolk Growth Strategy and the Norfolk and Suffolk Economic Strategy. This requires suitable premises to be available in order to meet the needs of start-up businesses and growing businesses.		

## Publicity

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

Category	Published	Expiry	Publication
Archaeological Site			East Anglian Daily Times

## Site notices

General Site Notice	Reason for site notice: May Affect Archaeological Site Date posted: 8 January 2020 Expiry date: 29 January 2020
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## Planning policy

On 1 April 2019, East Suffolk Council was created by parliamentary order, covering the former districts of Suffolk Coastal District Council and Waveney District Council. The Local Government (Boundary Changes) Regulations 2018 (part 7) state that any plans, schemes, statements or strategies prepared by the predecessor council should be treated as if it had been prepared and, if so required, published by the successor council - therefore any policy documents listed below referring to "Suffolk Coastal District Council" continue to apply to East Suffolk Council until such time that a new document is published.

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.

East Suffolk Council's Development Plan, as relevant to this proposal, consists of:

- East Suffolk Council Suffolk Coastal District Local Plan – Core Strategy and Development Management Development Plan Document (Adopted July 2013);
- East Suffolk Council Suffolk Coastal District Local Plan – Site Allocations and Site Specific Policies Development Plan Document (Adopted January 2017); and
- The ‘Saved’ Policies of the Suffolk Coastal Local Plan incorporating the first and second alterations.

The relevant policies of the Suffolk Coastal District Local Plan – Core Strategy and Development Management Development Plan Document (Adopted July 2013) are:

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))

SP7 - Economic Development in the Rural Areas (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP28 - Other Villages (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))

DM21 - Design: Aesthetics (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))

The new Local Plan (covering the former Suffolk Coastal area) was submitted to the Planning Inspectorate (PINS) for examination on Friday 29 March 2019, the examination took place between 20th August and the 20th September 2019. Full details of the submission to PINS can be found through this link: [www.eastsuffolk.gov.uk/localplanexamination](http://www.eastsuffolk.gov.uk/localplanexamination) .

Presently, only those emerging policies which have received little objection (or no representations) can be given more weight in decision making if required, as outlined under Paragraph 48 of the National Planning Policy Framework (2019). There are no policies of that nature relevant to the consideration of this application.

## Planning considerations

The proposed location of the building in part reflects the pattern of development along the street, with both properties to the east (Oakwood and Church Farm House) comprising similar buildings at the front extent of the site. However, these are much smaller in scale than the that proposed structure, in terms of footprint, and are not set as close to the road.

The scale of development is also of a size which could potentially attract a number of staff and customers on a daily basis, it is larger than would constitute 'working from home', and is in effect a new business unit within the countryside.

With regard to the proposed use, there is limited information in terms of the scale of the business; other than the floor area proposed is 55sqm; the application form state that an additional 3 car parking spaces will be provided and that there will be one part time member of staff employed at the site. The opening times proposed are Monday - Friday 9am-5pm.

Bromeswell is noted as an 'other village' in the settlement hierarchy where there are no physical limits boundary and limited scope for development, this settlements are noted to form part of the countryside as such new development will be subject to policies SP7; SP28 and SP29. SP7 relates to Economic development in the Rural Areas and seeks to maximise opportunities to secure employment locally; these employment opportunities relate to small scale farm and rural diversification enterprises that are compatible with objectives in respect of the environment and sustainability and that accord with the settlement hierarchy; support agricultural; and/or expand tourism.

The business noted on this application relate to reflexology and financial services, neither business in this instance is supported by policy SP7, as neither is a small-scale farm or rural enterprise compatible with objectives in respect of the environment and sustainability, not in support of agriculture or tourism.

The Economic Development team seeks to support those planning applications where the application clearly supports the economic growth and regeneration of the economy within the district. The team advise that they would be supportive of any increase in A1, A2, A3, A4, A5, B1, B2 or B8 floorspace, whether by means of conversion or new build, that would create room for existing businesses to expand or new businesses to move in. However, within their supportive comments, they state that in order to achieve the economic growth ambitions, there is a requirement for "suitable premises" to be available in order to meet the needs of start-up businesses and growing businesses.

It is interesting to note that the Economic Development Team have not stated that the current scheme would represent "suitable premises". As outlined above and below, in terms of planning policy, the proposed building is not considered suitable by virtue of its location, and the nature of the intended use.

Also of note is that technically the proposed use of the building would be a mixed use combining financial services and reflexology so would be *Sui Generis* and therefore as a whole not fall into any specific use class. Whilst the intended financial service element of the proposal maybe considered either a B1 or A2 use (dependant upon the specific nature of the use), the use of part of the building for reflexology would not fall into any of the classes specified as being supported by the economic development team as it falls into a D1 (Non-residential institutions).

Whilst the Parish Council notes their support for this application, the overarching aim of the councils local polices and those nationally is to promote sustainable development. Policy SP1 states that this can be achieved by reducing the overall need to travel; maintaining and enhancing a sense of place. In this instance the site is considered unsustainable in terms of its location within the countryside devoid of any local amenities which could support the business and without a local client base that could access the site on foot or via public transport.

On balance, whilst the council are generally supportive of applications which support the economic growth ambitions of the district, the site is not considered suitable for commercial use by way of reflexology/financial services business of this scale, given its unsustainable location and impact the business will have on the small residential community located within Bromeswell.

Furthermore, the scale of the unit to the front of the property is out of character with the prevailing pattern of development in terms of its overall scale, and proximity to the highway. Policies SP15 and DM21 seek to ensure that proposals relate well to the scale and character of their surroundings particularly in terms of their siting, height, massing and form. In this instance officers consider the large scale footprint of the proposed building, and proximity to the highway is out of scale with the neighbouring pattern and character of development.

## **Conclusion**

The proposal is contrary to local polices SP1, SP7, SP15 and DM21 of the local plan and therefore refusal is recommended.

## **Recommendation**

Officers recommend refusal.

The reasons for the decision to refuse permission are:

1. The overarching aim of the councils local polices and those nationally is to promote sustainable development. Policy SP1 states that this can be achieved by reducing the overall need to travel; maintaining and enhancing a sense of place.

In this instance the site is considered unsustainable in terms of its location within the Bromeswell devoid of any local amenities which could support the business and without a local client base which could access the site on foot or via public transport, as such the scale of business associated with the development is not considered to be of a scale or nature appropriate to the rural locality . Therefore, this proposal represents an unsustainable form of development contrary to the objectives of the NPPF, and East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013) policies SP1 and SP7.

2. The scale of the proposed outbuilding is some 55 sqm in footprint, it is located to the front of the Hillbrook, which whilst there are outbuilding within front gardens nearby, the surrounding outbuildings within front gardens are of a smaller size, ancillary to their host dwellings, and are located further from the highway than this proposal. The current proposal would create a building with the ability to function as a separate commercial entity at the

front of a private residential property, which would be of a larger scale to those surroundings buildings and be largely detached from the host dwelling with separate vehicular parking. Therefore the scale and siting of the unit is contrary to East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013) Policies DM21 and SP15, which seek to safeguard visual amenity, by requiring proposals to relate well to the scale and character of their surroundings.

**Informatives:**

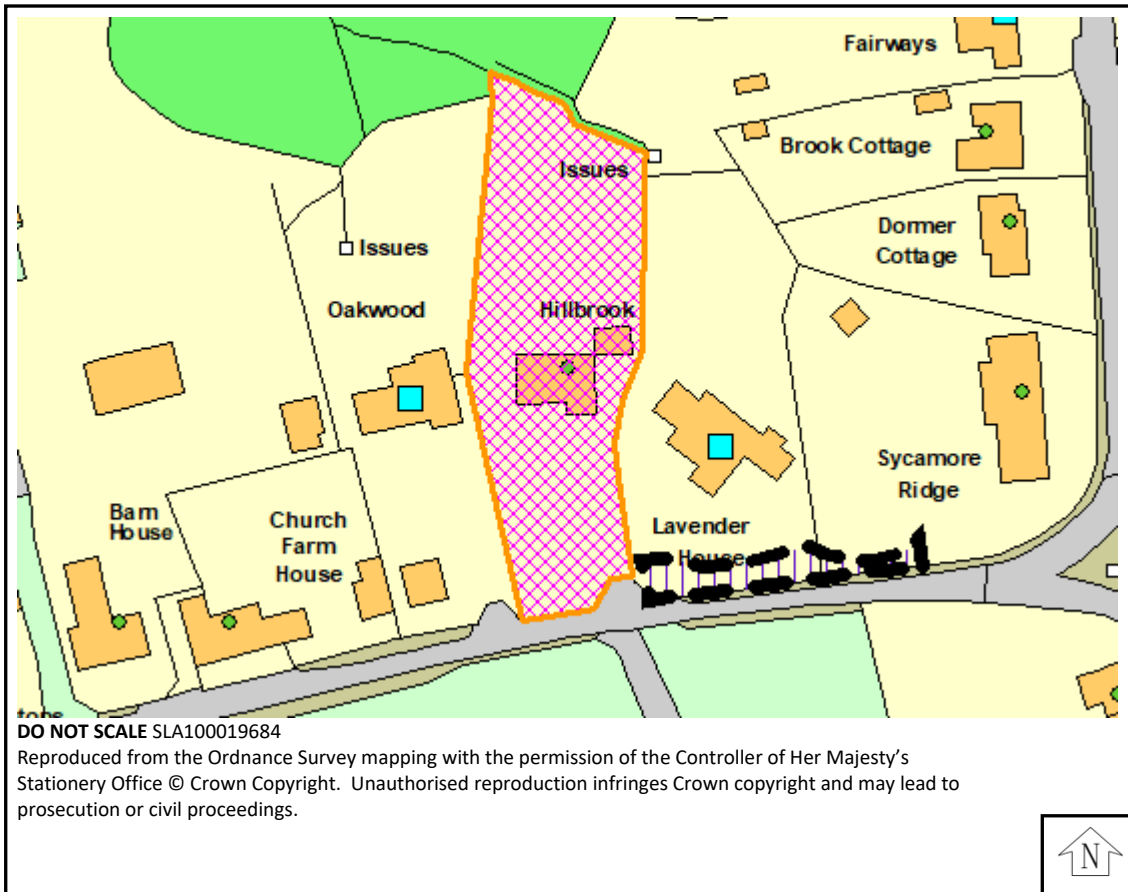
1. The local planning authority has identified matters of concern with the proposal and the report clearly sets out why the development fails to comply with the adopted development plan. The report also explains why the proposal is contrary to the objectives of the National Planning Policy Framework and local plan to deliver sustainable development.
2. For the avoidance of doubt drawings PW998\_PL01 and PW998\_PL02 have been considered in the determination of this application.

**Background information**





See application reference DC/19/5062/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q36KCAQXGTT00>



# Map



## Key

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