



Delegated Report

Planning Committee South - 29 June 2021

Application no DC/21/0861/FUL

Location

Coach House Cottage
The Street
Eyke
Suffolk
IP12 2QG

Expiry date 18 April 2021

Application type Full Application

Applicant Mr & Mrs Driscoll

Parish Eyke

Proposal Construction of new detached single-storey dwelling and double garage, within part rear garden

Case Officer Jamie Behling
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1. Summary

- 1.1. The proposed development seeks permission to erect a single-story dwelling and detached garage/ cart lodge in the rear garden of Coach House Cottage, The Street, Eyke.
- 1.2. The application is presented to the Planning Committee due to part of the site falling outside of the settlement boundary of Eyke and therefore the proposal is considered contrary to policy in regard to the erection of housing within the countryside. Due to the existing curtilage of Coach House already extending into the countryside and the overall site not being enlarged beyond this existing curtilage, it is considered acceptable on this basis.
- 1.3. The application is recommended for Approval subject to controlling conditions.

2. Site description

- 2.1. Coach House Cottage, is a large detached, two-storey, residential dwelling on the main road through the centre of Eyke. The dwelling is set back from the road due to the historic coach house, previously part of the site being converted into two dwellings, sitting in front of the proposed site.
- 2.2. The site has a vehicular access to a parking area at the rear the house, off Ufford Lane, which runs parallel to the southwest side of the plot. The site has a large, long rear garden which extends beyond the settlement boundary of Eyke and backs onto an open field.
- 2.3. The plot has a residential neighbour to the northeast with a long rear garden also, however, not as long as Coach House Cottages curtilage which wraps around the back of this neighbours garden.

3. Proposal

- 3.1. The proposal seeks planning permission to erect a single storey, residential dwelling and detached garage and cart lodge by sub-dividing the site of Coach House Cottage.
- 3.2. The dwelling would be formed of a single pitched roof with outer canopy facing northwest across the countryside while a flat roofed element is proposed on the front facing Coach House Cottage to the southeast.
- 3.3. A semi-shared parking area will be positioned between the existing dwelling and the new proposal both sharing the current access to the site from Ufford Lane.

4. Consultations/comments

- 4.1. One representation of Objection raising the following material planning considerations:
 - Location and Accessibility - The proposal falls partly outside of the settlement boundary and is accessed off Ufford Lane which contains no footpath to the main road and therefore is not sustainable. It would neither be safe nor accessible to local services.
 - Unsuitable access - The access is on a steep hill with no footpaths, no refuge for pedestrians and no street lighting. The access is steep and unsuitable for the disabled, wheelchair users and the elderly. Substantial work would have to be completed to the access to make it suitable for use. Development will be required outside of the development site boundaries on land likely to be owned by highways in order to meet the visibility splays. The creation of these visibility splays would be harmful to the character and appearance of the lane.
 - Levels - No topographical survey has been submitted which is required for improvement works for the access, the effect to adjoining roadside trees, the effect of the foundations on the stability of the bank and the need for cut and fill operations

across the site. Although there are sections provided there is no evidence to show if this is accurate and no sections of the existing site.

- Trees and Landscape Setting - No Arboricultural report has been submitted and plans only show trees indicatively and clearly under-represent the extent of the canopy spread and therefore the effect on implied root protection zones.
- Residential Amenity Overlooking/Loss to privacy - No provision is made to enclose the curtilage of the original dwelling allowing for overlooking into the new proposed dwelling. No provision is also made to screen the side boundaries to inhibit overlooking from the proposed dwelling to the neighbouring property on the other side of Ufford Lane to the southwest, toward Hill House. The tree line, if not adversely affected by the development, does not supply a good enough cover between dwellings during the winter months and will allow overlooking between properties.
- Design - The proposal departs from the pattern of development while the siting, form, detailing and materials depart from its surroundings. It would have an adverse visual impact on the character of Ufford Lane.

Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Eyke Parish Council	26 February 2021	9 March 2021
Summary of comments: Eyke Parish Council "The parish council supports this application."		

Statutory consultees

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	26 February 2021	4 March 2021
Summary of comments: No objections subject to pre-commencement Archaeological assessment.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	26 February 2021	12 March 2021
Summary of comments: No objection with a standard contaminated land condition.		

Consultee	Date consulted	Date reply received
SCC Highways Department	26 February 2021	11 March 2021
Summary of comments: No objections with standardised conditions recommended.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	26 February 2021	No response
Summary of comments: No comments received.		

Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Ecology	26 February 2021	No response
Summary of comments: No comments received.		

Reconsultation consultees

Consultee	Date consulted	Date reply received
East Suffolk Ecology	12 April 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	12 April 2021	No response
Summary of comments: No additional comments received.		

Consultee	Date consulted	Date reply received
Eyke Parish Council	12 April 2021	26 April 2021
Summary of comments: Eyke Parish Council		

"The parish council supports this application. However, the council takes note that the dwelling, although within the curtilage of the applicant's property, falls outside the settlement boundary of Eyke, and would not wish this to be used as a precedent for any future applications within the village."

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	12 April 2021	No response
Summary of comments: No additional comments received.		

Consultee	Date consulted	Date reply received
SCC Highways Department	12 April 2021	No response
Summary of comments: No additional comments received.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	12 April 2021	No response
Summary of comments: No comments received.		

Publicity

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

Category	Published	Expiry	Publication
Departure	15 April 2021	7 May 2021	East Anglian Daily Times

Site notices

General Site Notice

Reason for site notice: New Dwelling

Date posted: 4 March 2021

Expiry date: 25 March 2021

5. Planning policy

National Planning Policy Framework 2019

SCLP3.1 - Strategy for Growth (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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)

SCLP5.2 - Housing Development in Small Villages (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)

SCLP5.4 - Housing in Clusters in the Countryside (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.7 - Infill and Garden Development (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

SCLP7.2 - Parking Proposals and Standards (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)

SCLP10.4 - Landscape Character (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)

SCLP11.7 - Archaeology (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

6. Planning considerations

Planning principle

- 6.1. Part of the site falls outside a defined Settlement Boundary (SCLP3.3); and is therefore partly located within the 'Countryside' as categorised within the Settlement Hierarchy (SCLP3.2) of the adopted development plan.

- 6.2. SCLP3.3 (Settlement Boundaries) states that proposals for new residential development outside of the Settlement Boundaries and outside of land which is allocated for development will be carefully managed in accordance with national planning policy guidance and the strategy for the Countryside.
- 6.3. SCLP3.1(Strategy for Growth) allows for appropriate growth in rural areas that will help to support and sustain existing communities.
- 6.4. SCLP3.2 notes that the development requirements of the countryside will come forward through windfall sites in accordance with other policies of the Local Plan, including SCLP5.3 (Housing development in the countryside).
- 6.5. The erection of new dwellings is permitted within small villages such as Eyke under Policy SCLP5.2 (Housing Development in Small Villages). These will be permitted within defined Settlement Boundaries where it is Infill development (in accordance with Policy SCLP5.7). Development of new housing in such settlements can help to support existing local services as well as contributing to the mix of housing within the village. As the access and the front door fall within the settlement boundary, the dwelling can be considered to be in a sustainable location and more weight given to its village location rather than the part that falls marginally within the countryside.
- 6.6. It is therefore judged that although part of the dwelling may fall within the countryside and could be argued contrary to policy, on balance, it is seen to be in a reasonable, sustainable location within the context of the wider village and therefore can be supported.
- 6.7. Policy SCLP5.7 (Infill and Garden Development) allows for development within existing gardens so long as through design it relates well to the character of the area and street scene. It has a good relationship with surrounding neighbours, there would be no significant harm to the residential amenity of the existing or proposed dwellings and it would have sufficient curtilage.
- 6.8. Subject to a satisfactory assessment of the dwelling's impact on the character and appearance of the area and impact to residential amenity (see below), it is considered that the proposal meets the requirements of SCLP5.7 and that the planning principle is therefore acceptable.

Visual amenity and landscape

- 6.9. The proposed dwelling would be orientated to reflect other neighbouring properties in that its front facing elevation would be set down and relatively simple, facing back to the rear of the existing dwelling, with the main bulk of the building proceeding backwards into the plot.
- 6.10. While all other dwellings surrounding the site are for the most part two-storey, the proposal would be single storey in response to varying ground levels that descend to the west. In this way, the proposal both respects the height of the existing property (Coach House Cottage), while providing a sympathetic response to the topography of the site.

The relatively low height allows for views over the dwelling from the first floor of Coach House Cottage.

- 6.11. The proposed siting of the new dwelling, behind Coach House Cottage, enables the host dwelling to retain its prominence and identity as the dominant form within the street scene. The new dwelling will only be partly visible from Ufford Lane due to the floor level of the dwelling being significantly above street level and set slightly back from the top of the verge which forms the boundary. The proposed dwelling's single storey footprint is larger than surrounding neighbouring properties to make up for the lack of first floor accommodation but retains a suitable degree of separation between dwellings, such that the proposal would not result in an overdevelopment of the site.
- 6.12. Moderate front and rear private amenity areas are also provided, along with appropriate hard and soft landscaping provision, in the spirit of the wider area and disabled access from the parking area has been provided to the front door.
- 6.13. The proposed dwelling is positioned in line with Hill House to the southwest and does not significantly extend the line of development beyond that of the existing built line that forms the northwest boundary of Eyke. The development is adjacent to a road and although does not connect directly onto the main road through the centre of Eyke, many other smaller roads which contain houses within the village also connect onto The Street in this manner.
- 6.14. In-line with the above assessment, the proposal is deemed not to have any significant impact to the street scene and local pattern of development.
- 6.15. The addition of the detached garage would not appear overly large and respects the size and layout of the site. It would appear as an ancillary building to the main house and would not detract from the character of the wider area due to its simple design.
- 6.16. The application would result in the creation of a new market dwelling in an area of otherwise mixed forms and dwelling sizes, with any harm outweighed by the efficient use of land that the proposal represents. Accordingly, it is judged that the proposal fulfils the requirements of the NPPF, as well as SCLP5.7 (Infill and Garden Development), SCLP10.4 (Landscape Character) and SCLP11.1 (Design Quality) of the adopted development plan.

Highway safety and parking

- 6.17. The proposed level of parking/manoeuvring provision is also deemed adequate when considered within the context of the NPPF (para.109) and SCLP7.2 (Parking proposals and standards) of the adopted development plan. Although concerns have been raised over the access to the site, the existing access is considered acceptable with no objections raised by Suffolk County Council Highways Authority. Although SCC Highways had recommended conditions requesting that visibility splays are improved, the Local Planning Authority do not find this necessary as the existing access connects to a, single lane, unclassified, road close to a junction where vehicles would not be expected to be found speeding while vision is relatively good when exiting the site. Any further part of the verge that would have to be removed to meet these splay expectations would not be necessary and would cause significant harm to the rural character of the lane.

- 6.18. The pre-commencement conditions to provide plans showing cycle storage, electric vehicle charging points and bin storage were also not found to be necessary within the application as the site has ample room for cycle and bin storage which includes a detached garage and car port while electric vehicle charging points could easily be incorporated onto the site at a later date.

Residential amenity

- 6.19. Given the proposed dwelling's form and proximity in relation to the host property, The Coach House (Southeast), it is considered unlikely that the proposal would result in any negative impact to its amenity from loss of light or an obstructed outlook. The new dwelling is approx. 30 metres from Coach House and due to being at a lower ground level with an overall low height, would not cause any significant level of harm to its residential amenity. The same can be said for the neighbour to the east No. 1 New Cottages whose garden would extend along the side of the new dwelling but the house itself is over 40 metres away.
- 6.20. The only other neighbour is Hill House to the southwest on the opposite side of Ufford Lane. Between the two properties are trees and hedges which make up the two verges either side of the lane. The only openings on the southwest elevation which faces Hill House are three ground floor windows, one of which is a high-level window and are the secondary windows to two bedrooms and for a bathroom. Although it may be possible to see Hill House through these windows during the winter months, it is not considered necessary to obscure these windows or create a fence, as the view would be partly obscured by the vegetation, the approx. 18 metre gap would reduce any significant perception of being overlooked and the windows on Hill House form a fully glazed corner of the property but do not create a situation whereby the occupants will be easily visible within their home for a majority of the time.
- 6.21. It is otherwise concluded that no unacceptable loss of privacy would result to any surrounding neighbours due to overlooking or loss to privacy. The proposal is thus found to be broadly acceptable when considered against the provisions of the NPPF, as well as SCLP5.7 (Infill and Garden Development) and SCLP11.2 (Residential amenity) of the adopted development plan.

Landscaping

- 6.22. The proposed dwelling is positioned approximately four metres away from the top of the verge which contains the vegetation and trees which make up the boundary. This is at a much lower ground level and due to this it is expected that the works would not cause any significant harm to the vegetation along the southwest boundary. The majority of the vegetation on the verge is not within the red line of the site and therefore can be assumed to be the responsibility of Suffolk County Council Highways. The proposal does not propose the removal of any of this vegetation and therefore it is expected to be retained and protected during construction.

Archaeology

- 6.23. In consultation with the Suffolk County Council Archaeological Unit, the site has been identified as an area of archaeological potential recorded on the County Historic

Environment Record, within the historic core of Eyke (EKE 025) and within a landscape dense with evidence of previous occupation. Therefore in accordance with the National Planning Policy Framework (Paragraph 199), a pre-commencement condition has been added to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

Contributions

- 6.24. The proposed development referred to in this planning permission will be a chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).
- 6.25. In addition to the proposed creation of a new dwelling being liable for contributions attributed to the Council's Community Infrastructure Levy (CIL), it is noted that the site is situated within the 13km protection zone of European Designated Sites, as set out in the emerging Suffolk Recreational Disturbance Avoidance and Mitigation Strategy (RAMS).
- 6.26. The strategy, which aligns with Policy SCLP10.1 (Biodiversity and geodiversity), seeks to support Article 6(3) of the Habitats Directive and requires certain developments, including new dwelling's, that could have a direct or indirect adverse effect on the integrity of internationally and nationally designated areas to mitigate and, where appropriate, compensate in order to reduce net impacts of the development to a level below that which would outweigh the benefits of development.
- 6.27. East Suffolk Council are obliged to seek a proportionate financial contribution in relation to the proposed new dwelling, which would be sited within Zone B of the adopted charging schedule.
- 6.28. As such, the applicant will be required to provide a payment of £321.22, along with the payment forms. An Appropriate Assessment will also be undertaken by the Case Officer.

7. Conclusion

- 7.1. Although the site partially falls outside of the settlement boundary of Eyke, the majority of the proposed dwelling would be within the settlement boundary, including its access and front door. It therefore presents itself as sustainable development in almost exactly the same form as a new dwelling entirely within the boundary, which would fully comply with SCLP5.2. In this case the rear garden and partial presence of some of the dwelling outside of the settlement boundary is of limited consequence on the merits of SCLP5.2 and the support it lends to a substantial part of this site. The proposed site is also considered to be a suitable garden development plot within the countryside and would comply with the requirements of Policy SCLP5.7 - " Infill and Garden Development ".
- 7.2. The design and scale of the proposal are acceptable, and the amenities of surrounding neighbours would be protected as required by policy SCLP11.1 - Design and SCLP11.2 - Residential Amenity.
- 7.3. Therefore, the scheme is acceptable and should be approved subject to conditions.

8. Recommendation

- 8.1. Authority to Determine with APPROVAL being recommended subject to the receipt of RAMS payment and subject to the following controlling conditions.

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 PW1123/ PL02 Rev A and PL03 Rev A received 09/04/2021, 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. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of

archaeological assets affected by this development, in accordance with Policy SCLP11.7 of Suffolk Coastal Local Plan (2020) and the National Planning Policy Framework (2019).

5. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 4 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP11.7 of Suffolk Coastal Local Plan (2020) and the National Planning Policy Framework (2019).

6. The use shall not commence until the area(s) within the site on dwg. no. PW1123_PL02 for the purposes of Loading, Unloading, manoeuvring and parking of vehicles has been provided and thereafter that area(s) 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

7. 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.

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@eastsuffolk.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:

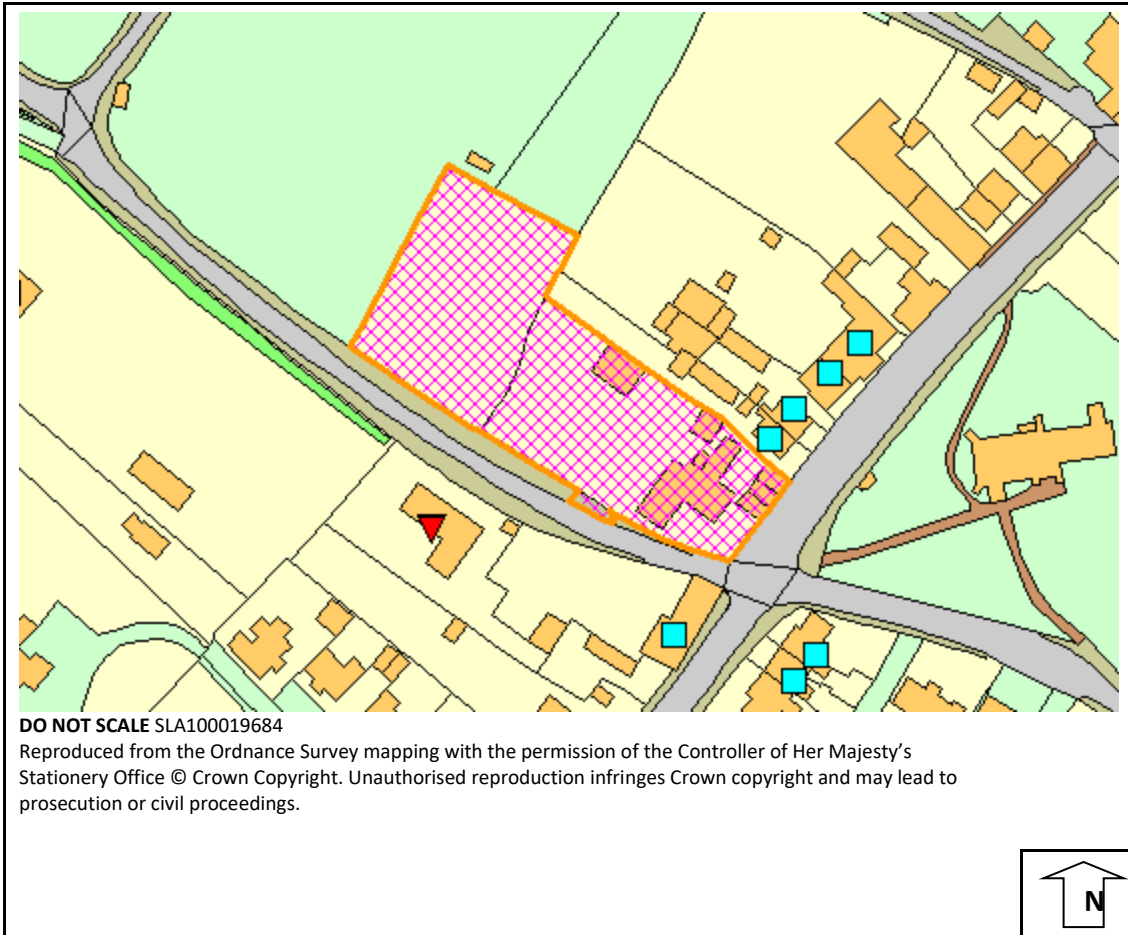
https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5

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

Background information

See application reference DC/21/0861/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support