



East Suffolk House, Riduna Park, Station Road,
Melton, Woodbridge, Suffolk, IP12 1RT

Planning Advisory Panel South

Members:

Councillor Paul Ashdown
Councillor Jenny Ceresa
Councillor Mike Deacon
Councillor Tony Fryatt
Councillor Debbie McCallum
Philip Ridley (Head of Planning and Coastal
Management)

The Head of Planning and Coastal Management has convened a **meeting of the Planning Advisory Panel South** on **Tuesday, 21 April 2020** at **10:30 am**, or earlier/later depending on the conclusion time of the preceding Planning Advisory Panel North meeting.

The purpose of the meeting is to enable the Head of Planning and Coastal Management to consult on the determination of the applications listed below, pursuant to the authority delegated to him temporarily, in Section E of Part 2 of the East Suffolk Council's Constitution.

Due to the restrictions imposed during the COVID-19 pandemic, this consultative meeting will take place remotely via Skype/Conference call.

Agenda Items

Pages

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- | | | |
|----------|---------------------------------------------------------------------------|--|
| 1 | Apologies for Absence
To receive apologies for absence, if any. | |
|----------|---------------------------------------------------------------------------|--|

2 Declarations of Interest

Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.

3 Declarations of Lobbying and Responses to Lobbying

To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.

4	DC-20-0160-FUL - 201 Hamilton Road, Felixstowe	1 - 15
5	DC-20-0295-FUL - Red House Barn, The Street, Brandeston	16 - 24
6	DC-20-0297-VOC - Red House Barn, The Street, Brandeston	25 - 36
7	DC-20-0759-FUL - Short Acre, Saxtead Road, Dennington	37 - 45
8	DC-20-0760-FUL - Little Crimbles, Saxtead Road, Dennington	46 - 54
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Planning Advisory Panel South – 21 April 2020

Delegated Report

Application no DC/20/0160/FUL

Location

201 Hamilton Road
Felixstowe
IP11 7DT

Expiry date 11 March 2020

Application type Full Application

Applicant JD Wetherspoon

Parish Felixstowe

Proposal The proposal is a 2 storey Public House. On the site of an old GP practice which has been demolished

Case Officer Natalie Webb
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Summary

The application seeks the erection of a two-storey Public House on the site of an old GP practice which has been demolished at 201 Hamilton Road, Felixstowe, IP11 7DT.

This application is referred to the advisory panel as officers are minded to refuse the application contrary to the Town Council's recommendation to approve.

Site description

The application site is an area of approximately 0.16 hectares and is located within the defined town centre boundary of Felixstowe as identified by the Felixstowe Area Action Plan Policy FFP2. The Central Surgery Medical Practise previously occupied the site, however the application for demolition of the surgery was permitted under reference: DM/2015/021 with demolition commencing on 08/01/2016. The site is therefore vacant.

The site is in a prominent location, the most northern point of Hamilton Road; as such it has an active frontage onto Hamilton Road, High Road West and the Great Eastern Square. The site is opposite Orwell Hotel and adjacent to the Railway Station.

The site is considered to be in a mixed-use area which includes commercial, retail, service, educational and residential establishments; the closest residential dwellings located on High Road West are approximately 11.5m from the site.

The site is not within the Felixstowe Conservation Area, or within any other designated areas. The main passenger buildings, concourse and station masters house which form the Railway Station and Great Eastern Square are Grade II listed.

Proposal

The application seeks to erect a two-storey Public House on the site of a former GP practice which has since been demolished.

The site has an extensive planning history for similar proposals, including:

- o DC/14/1658/FUL (extant)

Permitted - Demolition of existing Doctors Surgery (Class D1) and erect public house (Class A4).
New Two Storey Public House for JD Wetherspoon

- o DC/16/0246/DRC

Permitted - Discharge of conditions 6, 7, 8, 9, 10, 11, 13 and 14 of DC/14/1658/FUL. Condition 5 was not discharged (not pre-commencement).

- o DC/14/2898/FUL

Allowed on appeal - Demolition of existing Doctors Surgery (Class D1) and erect public house (Class A4). New Two Storey Public House for JD Wetherspoon.

- o DC/18/4507/FUL

Withdrawn - The proposal is a five-storey building and basement. Consisting of a Pub on the ground floor and the upper floors containing 24 apartments. On the site of the old GP practice which has been demolished.

- o DC/19/0298/FUL

Withdrawn - The proposal is a four storey building and basement. Consisting of a Pub on the ground floor and a 50 Room hotel on the upper floors. On the site of an old GP practice which has been demolished.

- o DC/19/1292/FUL

Withdrawn - Proposed Public House

The applicants have also sought pre-application advice on previous schemes, but no formal pre-application advice was undertaken prior to the submission of the current application.

Consultations/comments

A total of seven contributions were received during the consultation period; three of these were in support of the application, three objected and one was neutral/commented on the proposal.

Those in support raised the following material considerations:

- o Principle of development acceptable for this location;
- o The scheme has overcome concerns of previous applications (reduced height and seating areas proposed onto the Great Eastern Square).

The above points were similar to those of the neutral comments received, however did not specifically state that they were in support of the application.

Those in objection raised the following material considerations:

- o The principle of development;
- o Impact to neighbouring amenity (particularly due to outside seating areas).

Full copies of the received representations are available to view on the Council's website, the above is a summary of those received.

Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Felixstowe Town Council	17 January 2020	6 February 2020
<p>Summary of comments:</p> <p>Committee warmly welcomed this application and were pleased to note that its previous concerns in respect of proposals for this site have been largely addressed in this latest iteration.</p> <p>Committee therefore recommended APPROVAL, subject to the following considerations:</p> <p>i. we would support the Arboricultural Officer's view that trees should be re-provided on site and replacements be appropriately selected to be best suited for the town centre environment. This should result in no net loss of trees overall, ideally an increase;</p> <p>ii. we seek assurance that, any signage on the northern elevation be non-illuminated;</p> <p>iii. we note that para 7.4 of the Applicant's Transport Statement says: 'Cycle parking provision is proposed for the use and can be provided within the development.' However, we were unable to identify any cycle parking facilities within the plans and would wish to see such provision incorporated, for both staff and customers; and,</p> <p>iv. we note that, at time of consideration, no comment from SCC Highways had been received. Committee seeks assurance that proposed access arrangements will not necessitate delivery</p>		

vehicles having to take a wide track as they exit the site onto Hamilton Road the site, in order to eliminate potential conflict with oncoming traffic.

Overall, Committee was pleased to note that the design of the building was appropriate for the setting, allowing for a positive interface with Gt. Eastern Square. Members look forward to this development commencing, the consequent improvement of this derelict site and additional jobs created as a result.

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	17 January 2020	7 February 2020
Summary of comments: Holding objection - further information to be submitted.		

Non statutory consultees

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	N/A	22 January 2020
Summary of comments: Informative advice on access to water supply and fire fighting facilities.		

Consultee	Date consulted	Date reply received
Felixstowe Futures	N/A	21 January 2020
<p>Summary of comments:</p> <p>We at Felixstowe Forward would be supportive of any increase in A3, whether by means of conversion or new build, that would create room for existing businesses to expand or new businesses to move in.</p> <p>This would support the economic growth ambitions outlined in both local and regional strategies (the East Suffolk Growth Plan, the East Suffolk Business Plan, the Suffolk Growth Strategy and the Norfolk and Suffolk Economic Strategy). Our Economic Growth Plan states the importance of supporting entrepreneurs, encouraging existing businesses to grow, and attracting businesses to the area. All of this requires suitable premises to be available in order to meet the needs of start-up businesses and growing businesses. We would also welcome the increase in employment and the strengthening of our key sectors in East Suffolk.</p>		

Consultee	Date consulted	Date reply received
Felixstowe Society	17 January 2020	10 February 2020

Summary of comments:

The Felixstowe Society welcomes the proposed scheme and hopes for a speedy implementation.

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	17 January 2020	23 January 2020

Summary of comments:

Comments received and are incorporated into the Officer's report; full comments are available on the Council's website.

Consultee	Date consulted	Date reply received
Felixstowe Chamber Of Trade And Commerce	17 January 2020	No response

Summary of comments:

No response received.

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	17 January 2020	11 February 2020

Summary of comments:

Comments received and are incorporated into the Officer's report; full comments are available on the Council's website.

Consultee	Date consulted	Date reply received
Economic Development (Internal)	17 January 2020	No response

Summary of comments:

No response received.

Consultee	Date consulted	Date reply received
Landscape Team (Internal)	17 January 2020	31 January 2020

Summary of comments:

Comments received and are incorporated into the Officer's report; full comments are available on the Council's website.

Consultee	Date consulted	Date reply received
Disability Forum	17 January 2020	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	17 January 2020	No response
Summary of comments: No response received.		

Reconsultation consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	17 March 2020	27 March 2020
Summary of comments: No longer raise a holding objection, no conditions recommended.		

Publicity

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

Category	Published	Expiry	Publication
Affects Setting of Listed Building	23 January 2020	13 February 2020	East Anglian Daily Times

Site notices

General Site Notice	Reason for site notice: Affects Setting of Listed Building Date posted: 23 January 2020 Expiry date: 13 February 2020
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Planning policy

National Planning Policy Framework

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))

SP21 - Felixstowe with Walton and the Trimley Villages (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP6 - Regeneration (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM19 - Parking Standards (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))

SP15 - Landscape and Townscape (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP14 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM27 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM28 - Flood Risk (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

FPP13 - Felixstowe Town Centre (East Suffolk Council - Suffolk Coastal District Local Plan - Felixstowe Peninsula Area Action Plan Development Plan Document (January 2017))

FPP2 - Physical Limits Boundaries (East Suffolk Council - Suffolk Coastal District Local Plan - Felixstowe Peninsula Area Action Plan Development Plan Document (January 2017))

Planning considerations

Principle of Development

The site was granted consent for a public house under DC/14/1658/FUL and DC/14/2898/FUL was later allowed on appeal. The pre-commencement conditions of DC/14/1658/FUL were discharged under DC/16/0246/DRC and the demolition of the existing GP practice took place in 2016. As such it is broadly considered that this consent has been implemented and remains extant; although this is an informal opinion of Officer's not a formal legal determination (certificate of lawfulness). It is therefore considered that these consents have set a precedent for the use of the site as a public house.

The acceptability of a public house on site is further confirmed by Felixstowe Area Action Plan Policy FPP13 - Felixstowe Town Centre, which states that main town centre uses will be directed to sites and buildings within the town centre boundary; of which the application site is. The main town centre uses identified by this policy includes:

"Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment facilities, the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

The strategy for Felixstowe, as confirmed by Core Strategy Policy SP21 will be to reverse the recent trends towards a population imbalance, threats to local services and a decline in the fortunes of the town in order to enable it to fulfil its role as a major centre. It will be integrated with the objectives of 'Felixstowe and Trimleys Futures' a partnership aimed at social, economic and environmental regeneration of Felixstowe and the Trimleys.

The aim will be to achieve a thriving seaside town and port, attractive to residents of all ages, and welcoming to visitors who wish to experience the town's beautiful coastal location, proud Edwardian heritage, vibrant and diverse retail offer, café-culture and healthy outdoor lifestyle. The expansion of the retail, service and other facilities available within the town centre will be supported to meet the needs of the whole population both resident and visitor.

Overall, the strategy seeks to expand the tourism role in terms of services, facilities and accommodation, building on the qualities and facilities offered by the town of Felixstowe, and creating strong links between the seafront and town centre areas. The proposed development would provide a public house which would be utilised by those visiting the area and local residents, therefore accords with Policy SP21. Additionally, the economic regeneration of Felixstowe is supported by Core Strategy SP6 (Regeneration).

In considering the above, it is considered that the principle of development is acceptable, subject to compliance with other material considerations outlined below.

Case against Development

Design, Landscape and Visual Amenity

As noted above, the site has an extant consent for a public house, the approved elevational plans are included as a point of reference within the presentation which accompanies this report.

The site is situated in a prominent location within the town. Hamilton Road is one of the main gateways into the town centre and the scale and design of any new building on this site should reflect this. The site is currently vacant and in need of a sympathetic development that makes the most of this prominent location while also respecting the character of the area and the significance of the nearby historic buildings.

The character of the area to the north of the site is residential mainly comprised of two-storey semi-detached dwellings. To the west of the site is a single storey petrol station and autocentre. To the east of the site, on the opposite side of Hamilton Road is The Orwell Hotel. To the immediate south of the site is Great Eastern Square; further south is one of the main shopping

areas of the town made up of commercial buildings ranging in scale from single storey to three storey buildings in a variety of architectural styles.

In terms of the heritage features of the surrounding area the site lies opposite the imposing, late 19th century Orwell Hotel and adjacent to the Grade II listed railway station complex. The station buildings were converted into a shopping centre known as Great Eastern Square in the late 20th century. Both the Orwell Hotel and Great Eastern Square are built in a similar style, constructed from red brick with stone dressings in the domestic revival style with decorative features such as dutch gables. Great Eastern Square is a 1.5 storey building and the Orwell is a three-storey building. Although the Orwell Hotel is not a listed building it is a local landmark building which is of historic interest. This red brick, domestic revival style is seen throughout Felixstowe as the historic core of the town and beachfront were developed in the Victorian/Edwardian period as a seaside resort.

While it is recognised that the different elevations of this building need to address different contexts and their associated constraints there still needs to be a cohesive design which unites it together.

The scale has been reduced compared to previous proposals which ensures that it would not dominate the Orwell Hotel or the listed station buildings. However, this reduction in scale then requires the 'gateway' position of the site to be recognised in a different way, which has been presented as a bold architectural form; tile hung with a pyramidal roof. The main issue is that this is the 'back of house' part of the business so this feature is not active or welcoming but part of an otherwise very blank elevation facing onto High Road West. This is an issue that has been relevant to every iteration of design presented for this site.

Whilst the privacy of the neighbouring properties has to be taken into consideration this is a key frontage that needs to have active engagement with the street. Instead the building turns its back on this approach instead of providing an engaged gateway to the centre of the town. The obvious space to locate the back of house, would be the elevation facing towards the petrol station to the north of the site, this is already a functional, utilitarian space so it is the obvious place to put the non-public facing parts of the site. This is something which is endorsed by Core Strategy SP21 for the retail uses on Hamilton Road and albeit the site does not propose a retail use, this policy approach is somewhat relevant.

While it is recognised that access for deliveries etc is always going to be a challenge on this site if the footprint of the building was reduced then there would potentially be alternative solutions that have not been considered. The proposed solution is not ideal with a relatively large distance between the delivery area and the entrance to the back of house area and bin store.

The applicants have included an active frontage onto Great Eastern Square, which will encourage activity on the square itself. The arcade detailing is attractive but this elevation is let down by the lack of enclosure, immediately creating a large set back at first floor to create a balcony means that the presence of this building on this elevation is diminished. Combined with a low, shallow roof form that does not seem to relate to either of its neighbours this elevation feels like a missed opportunity to create a strong frontage onto the square. The curved corner section is an attractive detail but the roof form of this element is a bit contrived. The design is let down by this attractive detail, or some version of it, not being continued around the rest of the building.

The very deep, square projection in the centre of the elevation facing onto Hamilton Road challenges the Great Eastern Square elevation for dominance and as such the two elevations have little in common.

The Hamilton Road elevation is the most confused of all with three very striking but equally very distinct forms. It feels like three different design iterations have been put together on one elevation. None are considered to be lacking in architectural merit but in combination they appear confused, lacking a cohesive design approach. This impression is exacerbated by the deep set backs on either side of the central projection which highlight the disconnect between the three sections.

The application as submitted would not be supported on design grounds as it was not considered to comply with Core Strategy Policy DM21 (Design - Aesthetics). The agents were made aware of the significant concerns raised above and following discussion with the case and conservation and design officers an amended plans P201A, P202A, P203A and P204A were submitted on 17/03/2020, seeking to overcome the points raised above. However, in reviewing the amended plans, it is acknowledged that the scheme has been tweaked, but has not gone far enough to address the concerns previously expressed. A further breakdown as to why the plans are not considered to have overcome the matters raised are outlined below:

High Road West (north elevation)

Officers have consistently raised concerns about the blankness of the elevation facing on to High Road West. This site sits on a prominent corner on the approach to Hamilton Road and the heart of the retail centre of Felixstowe. The building on this plot needs to create a strong gateway in combination with the Orwell Hotel. Instead the design continues to present an elevation with large expanses of blank brickwork and high level, obscure glazed windows. The tile hung pyramidal form is intended to be the key feature of the scheme that makes it clear that this is a gateway building but it is set back behind the central section of this elevation reducing its impact when approaching from High Road West. This elevation would have no active engagement with the street and is very obviously the 'back of house' even though it should be a key frontage.

This building has clearly been designed from the inside out with generic internal arrangements taking precedence over the external appearance of the scheme and the context of the site. During discussions with the agent it was strongly advised that the internal layout was adapted so that the back of house was situated on the west elevation facing onto the adjacent petrol station site. The revised scheme has added an extra two high level, obscure glazed windows and a pattern to the brickwork. This is not considered sufficient to address the concerns raised above.

There is question over the efficiency of the proposed delivery area in relation to the back of house with a relatively large distance between the access area for delivery and waste collection lorries and the entrance to the back of house area. This is likely to result in greater noise issues to neighbouring residential amenity than a more efficient layout; this does not appear to have been addressed in the revised scheme.

Great Eastern Square (south elevation)

For the building on this site to benefit Great Eastern Square through closing in the northern side and creating a positive sense of enclosure to the space the south elevation of the building needs to have a strong presence.

The large terrace area at first floor was not considered to be a positive feature of the design as it reduces the presence of the building. This, combined with the low, shallow roofline of most of this elevation results in a missed opportunity for successfully enclosing this key space.

It was suggested that the right hand gable be increased in size to match the left and the central section of roof also raised accordingly, this alongside a reduction in the size of the terrace area has the potential to rectify this issue while still providing the desired outside space at first floor. The convoluted array of different roof forms is also perhaps most obvious in this elevation, it appears that this design has been approached one elevation at a time with little regard for the overall cohesiveness of the design.

As such the only change that has been made to this elevation is to add some decorative detail to the front of the glass balustrade. Decorative timber and metal balustrades are more common features in Felixstowe and this could be a positive change subject to detailing but it does not go far enough to address the more fundamental concerns about the design of this elevation.

Hamilton Road (east elevation)

This elevation is perhaps the most changed from the original scheme with the continuation of the attractive arcade detailing from the Great Eastern Square elevation and shrinking the central flat roofed section so it is absorbed better into the wider design rather. However, it is still considered that this elevation best shows the fundamental issue with this design; its lack of cohesiveness. There are three separate elements each with their own strong design approach connected by a range of convoluted roof forms.

On the basis of the above, it is recommended that the application is refused for non-compliance with Core Strategy DM21 Design: Aesthetics which states 'proposals that comprise poor visual design and layout, or otherwise seriously detract from the character of their surroundings will not be permitted'. Specifically, it is considered that this scheme does not meet criteria (a) of this policy which states that 'proposals should relate well to the scale and character of their surroundings particularly in terms of their siting, height, massing and form'. This scheme is also contrary to paragraphs 127 and 130 of the NPPF, particularly part (b) of para 127 which states that decisions should ensure that developments 'are visually attractive as a result of good architecture, layout and appropriate and effective landscaping'.

The Local Planning Authority had considered presenting the scheme to the Suffolk Design Review Panel for consideration in accordance with Paragraph 129 of the NPPF. However, were not able to do so due to the current COVID-19 crisis.

In addition, the landscape officer has reviewed the submitted tree survey and arboricultural impact assessment, which states that 1 category B tree and 5 category C trees will need to be removed to make way for the intended development. The existing trees are noted as being of late mature in respect of their expected life cycle; this to be a fair assessment given their urban location and they are forest and woodland species. In this respect they cannot be regarded as having a useful long-term contribution to local amenity, although it is noted that the removal of T6 will result in loss of local landscape amenity in the short term. However, T6 (Horse Chestnut) is noted as being in declining condition.

The remaining trees that do not need to be felled and are shown for retention, will require various specialist engineering measures to minimise impact on the trees from incursion into root zones from hard surfaces. Overall, there will be initial loss of amenity from the proposed tree removals.

However, it also needs to be understood that the retained trees are very likely to become in an increasingly unsustainable condition as they go into decline, and also in terms of their position next to a busy road junction and what could become a much people frequented space around the new pub.

The landscape officer has therefore suggested that all trees on site be removed, with a new tree planting scheme which is more suitable to this urban location be secured by condition should consent be granted. Officers are not opposed to this approach, as it will be important to have appropriate landscaping on this prominent site, which the current remaining landscaping will eventually not be able to provide. Any securing of new landscaping for the site is not however considered to overcome the harm which will arise through poor design, which will have an impact on the landscape and townscape, contrary to Core Strategy Policy SP15.

Ecology

Based on the information available the proposed development appears unlikely to result in any significant adverse impacts on designated sites, protected species or UK Priority habitats or species (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)). It is noted that some tree removal is proposed, this should be undertaken outside of the bird breeding season (which is considered to be March to August inclusive) or if this is not possible the trees to be felled should be checked for nesting birds by a suitably qualified ecologist immediately prior to works commencing. Subject to a condition outlining the above, the development is considered to accord with Core Strategy Policies SP14 and DM27.

Residential Amenity

Core Strategy Policy DM23 states that new development will have regard to the following:

- (a) privacy/overlooking;
- (b) outlook;
- (c) access to daylight and sunlight;
- (d) noise and disturbance;
- (e) the resulting physical relationship with other properties;
- (f) light spillage, air quality and other forms of pollution; and
- (g) safety and security.

Development will be considered acceptable where it would not cause an unacceptable loss of amenity to adjoining or future occupiers of the development. It is noted that the applicants have made considerable effort to reduce the impact to neighbouring amenity residents by reducing the potential of privacy or overlooking to residential properties, however this has affected the visual appearance of the building, as outlined above; there needs to be a balance between design and residential amenity. Additionally, the overall height of the building has been reduced from previous schemes which sought four and five storey buildings; no concern is raised in respect of outlook or access to daylight/sunlight.

The site is bordered to the north by residential properties, the occupiers of which may be adversely affected by noise and odour from the commercial kitchen operations. As such the environmental protection team has requested an odour and noise risk assessment in accordance with the updated guidance. This was not submitted as part of the application, but due to the existing extant consent, something which can be conditioned. The Local Planning Authority will

expect that a rating level (LAeq) of at least 5dB below the typical background (LA90) can be achieved.

Given that the extant consent could be implemented, it is considered on balance that the proposed development would not cause an unacceptable loss of amenity that the proposal should be refused.

Highways

Suffolk County Council (SCC) as local highway authority initially raised a holding objection to the proposed development, until additional information was received. Additional information in respect of parking, the delivery access route and cycle storage were provided on 17/03/2020. Following receipt of this information SCC highways advised that they would not be objecting to the application for a lack of vehicular parking provision.

This is due to the combination of the site being in a sustainable location and the plethora of cycle storage facilities available to encourage the use of sustainable travelling alternatives at this location. The site can be accessed well on foot or bicycle and has good public transportation links also. As such SCC does not wish to restrict the grant of permission of DC/20/0160/FUL under highway safety grounds.

Conclusion

Whilst the principle of development for a public house on site has been established, there are overriding design concerns which deem the application unacceptable in accordance with Core Strategy Policies DM21, SP15, paragraphs 127 and 130 of the NPPF. The applicant has made some amendments to the scheme; however these are not considered to have overcome the significant concerns raised.

Recommendation

Refuse for the reasons outlined above, as set out in the reasons below

The reason for the decision to refuse permission is:

1. The application seeks the erection of a two-storey Public House on the site of an old GP practice which has been demolished at 201 Hamilton Road, Felixstowe, IP11 7DT. The site is situated in a prominent location within the town centre identified by Felixstowe Area Action Plan Policy FPP2. It is on the junction between Hamilton Road and High Road West. The site is therefore prominent on a main gateway into the town centre.

The site is currently vacant and in need of a sympathetic development that makes the most of this prominent location while also respecting the character of the area and the significance of the nearby historic buildings.

The current proposal represents poor design, which fails to reflect the prominence of this site as a gateway location. The scheme contains a number of fundamental design flaws which both in isolation and in combination would result in a scheme which would comprise poor visual design and seriously detract from the character of its surroundings. These include but are not limited to

- the blankness 'back of house' style and lack of active frontage on the northern elevation facing High Road West,
 - the setback nature of the tile hung pyramidal form,
 - the generic internal layout approach which take precedent over the external appearance of the building and the context of the site,
 - the creation of a first-floor terrace on the southern elevation of the building which would reduce its presence on to Great Eastern Square, which is further reduced by the low shallow roofline of most of this elevation,
 - the lack of balance between the south facing gables,
- And
- the convoluted array of different roof forms and the three separate elements on the east (Hamilton Road) elevation contributing along with other elements to the overall lack of cohesiveness of the design approach,

The proposal as submitted is considered to be contrary to paragraphs 127 and 130 of the NPPF, and East Suffolk Council Suffolk Coastal District Local Plan Core Strategy and Development Management Development Plan Document Policies SP15 (Landscape and Townscape) and DM21 (Design: Aesthetics) which seek to safeguard visual amenity by resisting proposals "that comprise poor visual design and layout, or otherwise seriously detract from the character of their surroundings" and seek to ensure that permitted proposals "are visually attractive as a result of good architecture, layout and appropriate and effective landscaping".

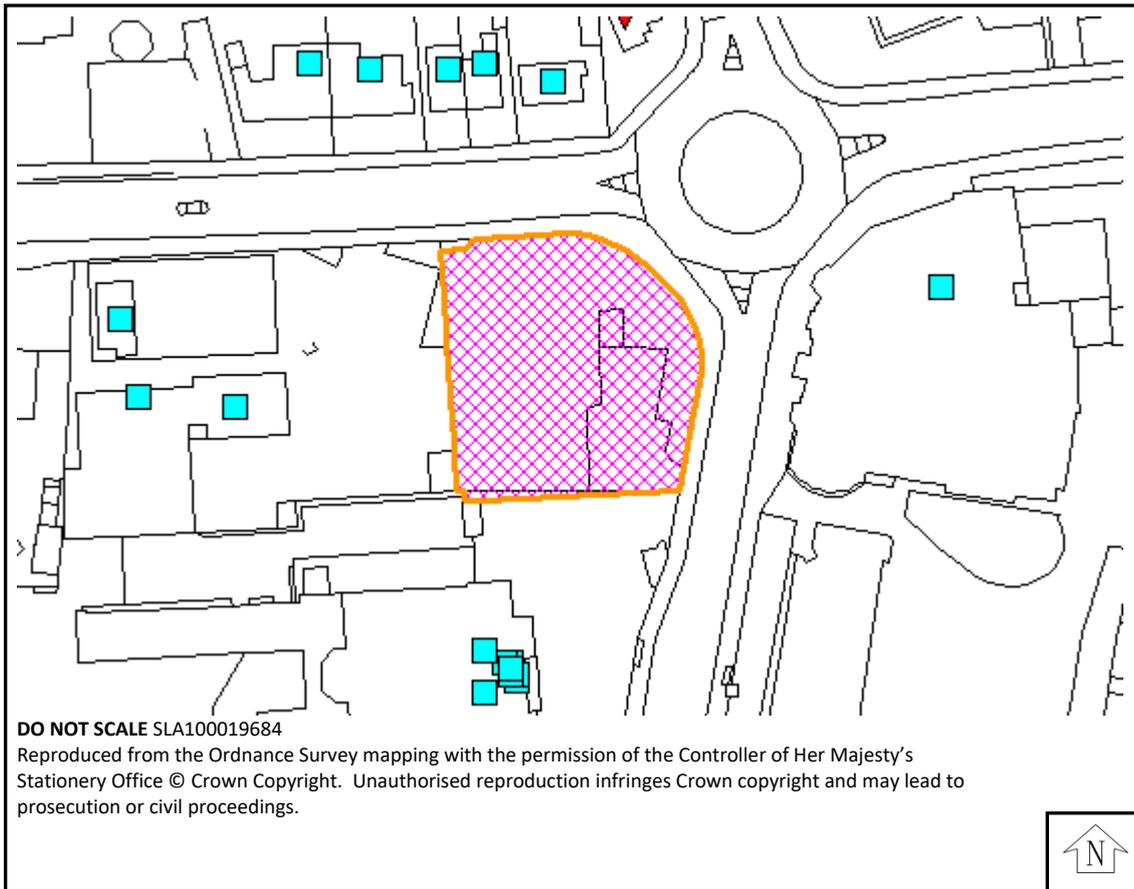
Informatives:

1. The Council offers a pre-application advice service to discuss development proposals and ensure that planning applications have the best chance of being approved. The applicant did not take advantage of this service. 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.

Background information

See application reference DC/20/0160/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q47299QXH5K00>

Map



Key

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



Planning Advisory Panel South – 21 April 2020

Delegated Report

Application no DC/20/0295/FUL

Location

Red House Barn
The Street
Brandeston
Woodbridge
Suffolk
IP13 7AB

Expiry date 24 March 2020

Application type Full Application

Applicant Mr & Mrs Ruffles

Parish Brandeston

Proposal Part retention of former agricultural building, involving alterations - to provide for storage, stables, and swimming pool facilities, with inclusion of building and land as residential curtilage

Case Officer Natalie Webb
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Summary

The application seeks the part retention of former agricultural building, involving alterations to provide for storage, stables, and swimming pool facilities, with inclusion of building and land as residential curtilage at Red House Barn, The Street, Brandeston.

The application is presented to the Advisory Panel as Officer's are minded to approve the application contrary to the parishes recommendation to refuse the application.

Site description

Brandeston is defined within the Suffolk Coastal District Local Plan as a Local Service Centre having a modest amount of facilities. The site lies at the western end of Brandeston village and is approximately 0.9 hectares in extent. The north-eastern section of the site lies within the physical limits of Brandeston and Brandeston Conservation Area. The remainder of the site is outside the defined physical limits and is countryside which forms part of the designated Special Landscape Area (Deben Valley). There is a public footpath between the curtilage of the Red House to the east passing from north to south

The site historically comprised a large threshing barn within the north-eastern section of the site which lies within the physical limits boundary and which was converted to a residential dwellinghouse under planning permission C/12/0736.

To the south of this dwellinghouse is a Dutch barn which has been replaced by a one and a half-storey outbuilding with garaging as well as annexe accommodation (later to be used as a holiday let) and to the south west is a modern barn. This outbuilding is outside the physical limits boundary but within the residential curtilage approved in 2008, 2012 and 2016.

Proposal

Two applications have been submitted for the site, DC/20/0297/VOC and this application, which seeks the part retention of former agricultural building, involving alterations to provide for storage, stables, and swimming pool facilities, with inclusion of building and land as residential curtilage (not for commercial use). Whilst separate applications, the two schemes are somewhat interlinked, as condition 6 of C/12/0736 seeks to demolish the barn; therefore will be an overlap in considerations in both reports.

Condition 6 of C/12/0736 is worded:

"Before the replica barn is occupied, the former agricultural building to the south-west of the replica barn shall be fully demolished and removed from the site. The work of demolition shall not take place between April and September unless otherwise agreed in writing by the local planning authority. Prior to removal a barn owl nesting box shall be installed in/on the new dwelling (replica barn) in accordance with details that shall have been submitted to and agreed in writing by the local planning authority; thereafter the nest box shall be retained and maintained in the approved form.

Reason: In the interest of visual amenity and the character of the locality; and to ensure protection of wildlife (nesting birds) and the provision of replacement of a barn owl nesting site."

There is an extensive planning history for the site, which has been summarised within the submitted design and access statement and outlined in the site description above. The most recent applications DC/15/3628/VOC and DC/15/3629/FUL were granted in March 2016 for proposals which are generally the same to those now sought, with the exception of three years to complete the works in lieu of the one year previously granted. The 2016 full and variation applications were not implemented within the permitted time and as such have expired.

Consultations/comments

One representation was received which raised concerns about the area contained with the red line of the site plan and whether the correct notice had been served and therefore recommended that the application be refused.

Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Brandeston Parish Council	9 March 2020	15 March 2020
Summary of comments:		

Statutory consultees

Consultee	Date consulted	Date reply received
Brandeston Parish Council	29 January 2020	15 February 2020
Summary of comments:		

Publicity

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

Category	Published	Expiry	Publication
Conservation Area	6 February 2020	27 February 2020	East Anglian Daily Times

Site notices

General Site Notice	Reason for site notice: Conservation Area Date posted: 5 February 2020 Expiry date: 26 February 2020
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Planning policy

National Planning Policy Framework

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))

SP14 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP15 - Landscape and Townscape (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

XSP19 - Settlement Hierarchy (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP27 - Key and Local Services Centres (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))

DM8 - Extensions to Residential Curtilages (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM13 - Conversion and Re-Use of Redundant Buildings in the Countryside (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM19 - Parking Standards (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))

DM27 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

Planning considerations

Case for Development

The previous approvals on site have set a precedent for the principle of development and are a material consideration in respect of the current proposal.

Policy DM13 is most relevant to the proposal to convert and re-use a redundant building in the countryside and indicates that permission will be granted if a list of criteria is met. The list of factors are addressed below but include design, alterations respect the character of the building, ability for the road network to accommodate any traffic generated, protected species will be provided for (as appropriate) and that any conversion to residential use would reflect any architectural or

historical interest of the original building, makes a useful contribution to character of the countryside or enhance the setting of a group of buildings, any curtilage would not have a harmful impact on the countryside character and it would not involve conversion of a new building which has not been used materially for agricultural purposes. In respect of the latter, the building has been used for agricultural purposes and is not a new building.

The proposal would result in the building being partly demolished and reduced in depth so that the overall impact on the character of the area would be reduced from the current impact and, in addition, the proposal would result in the existing building being reused, providing a useful and usable outbuilding. Approximately 36% of the original barn is to be retained, with 64% removed. In accordance with details submitted by the agent, the four bays on the eastern end of the building are to be completely removed, removing the number of bays from 9 to 5. On the north side with the exception of one bay, the whole of the front section of the building is to be removed, reducing the width of the building from 17m to 9.6m. The retained bay will be remodelled to provide two stables and associated storage. The barn will have a traditional design; weatherboarding with a clay pantile roof. For the north and east elevations the building will have a similar appearance to the existing, but on a reduced scale. The south and west elevations shall incorporate glazed windows/doors (not dissimilar to the rear elevations of the host dwelling). The finishes of the building are shown on the submitted plans (drawing ref 1588/5).

As the building would provide ancillary domestic facilities it may then remove some future pressure for planning applications (PD rights previously removed) to deliver outbuildings at the application site, which Officers consider would be beneficial.

As the reduced barn would provide ancillary domestic facilities, the applicant is looking to extend the residential curtilage agreed under the previous approval. Officers consider that it is reasonable that the existing residential curtilage is extended to include the building together with some ground around the building to enable access to it and to provide suitable landscaping connected with the use of the building. This would enable retention of areas in agricultural use to the north of the barn building (identified as "Paddock") and an area to the south of the Annexe. In this case, apart from the proposed extension of the driveway to the ancillary building, suitable hedging and grass could be provided as part of a landscaping scheme.

The building would be reduced in scale and would be enclosed. In enclosing the current open sides, there would be glass to the swimming pool and lounge area. The glazing would be visible outside the application site, in particular from a public footpath, however it would be viewed as part of the domestic group of buildings where a glazed swimming pool/residential outbuilding would not appear particularly out of character. The glazing would also replace some of the existing open sided sections such that as a lighter material compared with brick or block render, would continue to appear open (particular if non-reflective glass is used). Careful attention to the use of other materials would ensure that the dilapidated barn is brought into use and provided with a higher quality of design than currently.

The Brandseston Conservation Area Appraisal states as para. 13.2 Design of new development "In a conservation area such as Brandeston the prevailing historic character can make it a challenge to consider what is appropriate for the design of new development and can include high quality modern design. Pastiche or historicist re-creation can be acceptable but is not always achieved well, particularly where existing buildings abound in decorative features. Certain characteristics can be used as inspiration without resorting to copying - perhaps a high degree of modelling (three-dimensional effect), the use of projecting bays, or a bold scale or character. Such an

interpretation can ensure that new design is both creative and contextual. New development should always respect the grain of the conservation area, including preservation of building lines, relationship to gardens, streets, parking and farmland, scale, density and uses."

And "Proper account should also always be taken of the impact that new development adjacent a conservation area can have on its setting. Although a conservation area boundary represents a demarcation enclosing a special area of historic interest, changes immediately outside of it can still have a significant impact on character and appearance. The setting of the conservation area, therefore, has an intrinsic value that must be acknowledged in any proposals for change to it."

As noted above, the barn is an existing building in the Conservation Area. In its dilapidated state it is considered that it detracts from the very special character and appearance of the Conservation Area and, previously its total removal from the application site was considered to be beneficial. The current proposal would result in the reduction of the building and therefore its impact on the Character and Appearance of the Conservation Area needs to be assessed. It is considered that while the removal of the building would have resulted in the removal of a dilapidated unsympathetic structure, the proposal would enable the reuse of an existing structure and enable it to be improved. As such, it is considered that the barn as reduced and renovated, and located outside of the Conservation Area would at least preserve the character of the Conservation Area, although it may also be considered to result in some enhancement such that Officers consider that it would result in a neutral impact on the Conservation Area.

In relation to the extension of the residential curtilage on the Conservation Area, the proposed extension of the residential curtilage to include the outbuilding does not therefore result of itself in any impact on the character and appearance of the Conservation Area or its boundary as currently defined.

It is not considered that glazing to the south side of the outbuilding or minimal, low level landscaping or hedging would result in any adverse impact on the character of the wider area or the Conservation Area.

The proposal is for an outbuilding in connection with an existing dwelling. There would be no change to the vehicle access onto the highway.

Conclusion

It is considered that while a previous approval called for the total demolition of the existing agricultural building, its reduction and retention as an outbuilding would broadly meet the provisions of Policy DM13 which specifically relates to the conversion and re-use of redundant buildings in the countryside. The building has also been granted retention previously by a now lapsed consent, which is also considered to be material in the consideration of this application.

The improvements to the external appearance of the building and its resultant removal of pressure for other outbuildings connected with the host dwellinghouse and annexe are of benefit in planning terms. It is not considered that there would be any adverse impact on the character and appearance of the Conservation Area nor that its location outside the existing physical limits boundary acts as a determining factor in accepting that the building can be reused and fulfil a useful purpose. This is in line with the NPPF as it would reduce the likelihood of additional buildings in the countryside in connection with the dwellinghouse.

Therefore the part retention of former agricultural building, involving alterations to provide for storage, stables, and swimming pool facilities, with inclusion of building and land as residential curtilage at Red House Barn, The Street, Brandeston is considered acceptable in accordance with the aforementioned policies.

Recommendation

Approve subject to conditions

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 not be carried out other than in complete accordance with Drawing No's 1588/4, 1588/5, 1588/6 received on 27/01/2020 and 1588/1A, 1588/2A, 1588/3A received on 04/03/2020
Reason: For 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 by the local planning authority.
Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity
4. No removal of hedgerows, trees or shrubs, or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.
Reason: To ensure that nesting birds are protected.
5. The outbuilding shall provide a barn owl nest box; details to be submitted within 3 months of the approval and once approved implemented in accordance with the approved plans.

Reason: A barn owl nest box was originally to be approved within the converted barn and its relocation to this outbuilding will meet the requirements of the originally approved scheme in respect of biodiversity and to protect protected species

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

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:

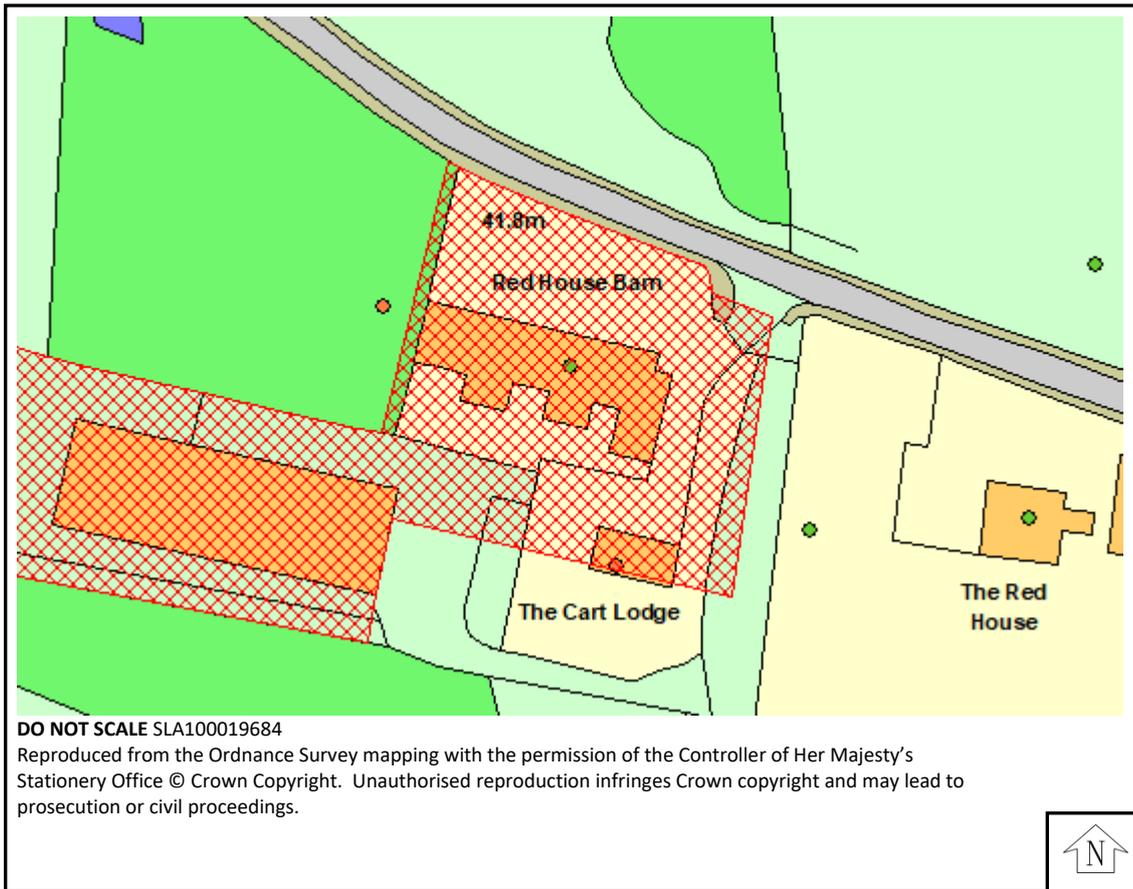
https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5

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

Background information

See application reference DC/20/0295/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q4M5LTQX06000>

Map



Key

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



Planning Advisory Panel South – 21 April 2020

Delegated Report

Application no DC/20/0297/VOC

Location

Red House Barn
The Street
Brandeston
Woodbridge
Suffolk
IP13 7AB

Expiry date 24 March 2020

Application type Variation of Conditions

Applicant Mr & Mrs M Ruffles

Parish Brandeston

Proposal Variation of Condition No.6 of C/12/0736 - Erection of dwelling replicating original barn - alterations to fenestration of the barn (south/rear elevation only). Erection of granary building to provide garaging and annexe/holiday let and erection of temporary living accommodation (3 years). For the applicants occupation up to completion of the building works (revised scheme to C/07/1987) - To allow for part retention of building - part removal to be completed within 1 year

Case Officer Natalie Webb
01394 444275
natalie.webb@eastsoffolk.gov.uk

Summary

This application seeks the variation of condition 6 of C/12/0736 - Erection of dwelling replicating original barn - alterations to fenestration of the barn (south/rear elevation only). Erection of granary building to provide garaging and annexe/holiday let and erection of temporary living accommodation (3 years). For the applicants occupation up to completion of the building works (revised scheme to C/07/1987) - To allow for part retention of building at Red House Barn, The Street, Brandeston.

The application is presented to the Advisory Panel as Officers are minded to approve the application contrary to the parishes recommendation to refuse the application.

Site description

Brandeston is defined within the Suffolk Coastal District Local Plan as a Local Service Centre having a modest amount of facilities. The site lies at the western end of Brandeston village and is approximately 0.9 hectares in extent. The north-eastern section of the site lies within the physical limits of Brandeston and Brandeston Conservation Area. The remainder of the site is outside the defined physical limits and is countryside which forms part of the designated Special Landscape Area (Deben Valley). There is a public footpath between the curtilage of the Red House to the east passing from north to south

The site historically comprised a large threshing barn within the north-eastern section of the site which lies within the physical limits boundary and which was converted to a residential dwellinghouse under planning permission C/12/0736 (therefore this consent remains extant).

To the south of this dwellinghouse is a Dutch barn which has been replaced by a one and a half-storey outbuilding with garaging as well as annexe accommodation (later to be used as a holiday let) and to the south west is a modern barn. This outbuilding is outside the physical limits boundary but within the residential curtilage as approved in 2008, 2012 and 2016 (now re-applied for under DC/20/0295/FUL).

There is also a large former agricultural barn on site, located to the south-west of the host dwelling which was previously conditioned to be removed, but is now sought to be partially retained.

There is an extensive planning history for the site, which has been summarised within the submitted design and access statement and outlined in the site description above. The most recent applications DC/15/3628/VOC and DC/15/3629/FUL were granted in March 2016 for proposals which are generally the same to those now sought. The 2016 full and variation applications were not implemented within the permitted time and as such have expired.

Proposal

Two applications have been submitted for the site; this variation which seeks to vary the wording of condition 6 of C/12/0736 which states:

"Before the replica barn is occupied, the former agricultural building to the south-west of the replica barn shall be fully demolished and removed from the site. The work of demolition shall not take place between April and September unless otherwise agreed in writing by the local planning authority. Prior to removal a barn owl nesting box shall be installed in/on the new dwelling (replica barn) in accordance with details that shall have been submitted to and agreed in writing by the local planning authority; thereafter the nest box shall be retained and maintained in the approved form.

Reason: In the interest of visual amenity and the character of the locality; and to ensure protection of wildlife (nesting birds) and the provision of replacement of a barn owl nesting site."

To allow for the part retention of the barn to be used ancillary to the host dwelling, as sought by full planning application DC/20/0295/FUL. As such both applications should be considered cohesively.

Consultations/comments

One representation was received which raised concerns about the area contained with the red line of the site plan and whether the correct notice had been served and therefore recommended that the application be refused.

Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Brandeston Parish Council	29 January 2020	17 February 2020
<p>Planning Applications DC/20/0295 & DC/20/0297/VOC</p> <p>Brandeston Parish Council Recommend that the planning applications DC/20/0295 & DC/20/0297/VOC be refused.</p> <p>The basis of the refusal are as follows:</p> <ul style="list-style-type: none"> ' There are inaccuracies with architectural drawings which Brandeston Parish Council believe are a fundamental failing in the planning application: <ul style="list-style-type: none"> o The floor levels would indicate the need for steps and stairways which are not shown. o The red line indicating the boundary of the curtilage encompasses land not owned by the applicant, Mr Ruffles. This issue is raised not only by Brandeston Parish Council but also residents of the village. ' Reassurances are required regarding the safe removal and disposal of asbestos. ' Brandeston Parish Council requests that the East Suffolk Coastal Enforcement Officer implements Condition 6 to the 2012 planning permission C12/0736 requiring that the mono-pitch cattle building is demolished upon first occupation of the replica barn (the subsequent planning permissions to vary Condition 6 having not been implemented and have now lapsed.) ' Brandeston Parish Council objects to the conversion of the mono-pitch cattle building and extension of the same to form indoor swimming pool, store room, stables as the scale and form of the mono-pitch building gives rise to unnecessary impact upon the setting of the replica barn, the adjoining Red House, the gateway to the village and the wider countryside. These elements of residential paraphernalia could be better provided with individual structures specific to their purpose, in a form subservient and complimentary to the replica barn. ' Brandeston Parish Council objects to the proposed extension to the residential curtilage as the proposed area does not relate well to the existing curtilage (and merely seeks to encompass an area of land upon which the mono-pitch building stands and otherwise protrudes into open countryside). <p>Notes setting out thought process:</p> <ul style="list-style-type: none"> ' Condition 6 to C12/0736 - applied to planning permission for a replica barn frame, as the original 		

barn frame was lost (destroyed). The planning permission gave consideration to protecting the 'feel of the gateway' to the village whilst respecting the heritage. The pay-off for this permission was for the clearance of the utilitarian mono-pitch cattle building on first occupation of the replica barn, this should be respected. (And also prevent any other future frivolous applications in this form being made.) The mono-pitch building has not been in agricultural use.

' The replica barn is in occupation, the mono-pitch cattle barn has not been demolished and cleared, and subsequent intermediary permissions to convert and retain part of the mono-pitch building have not been implemented and have now lapsed. Therefore Condition 6 to demolish the building should be implemented immediately as the replica has been in occupation for some while. The Brandeston Parish Council should seek East Suffolk Coastal to enforce Condition 6, the demolition and clearance of the mono-pitch cattle building.

' The application to create a pool, stores and stables does not justify retention of an ugly and inappropriate structure (designed for cattle and has not been used as a farm building for many years) which is much larger in scale and height than would otherwise be necessary for the provision of these 'residential type' facilities. The mono-pitch should be cleared and separate applications made for independent structures for each of the following; a pool, store room and stables. As separate structures these buildings will have less impact on the replica barn, the Red House, the gateway to the village and the wider countryside, they will follow traditional form and scale.

' The proposed extension to the residential curtilage does not relate well to the existing residential area.

' A replica barn of this scale (in residential use) merits additional facilities such as a store room, stables and pool. Support may be forthcoming for a new application for individual structures within an appropriate curtilage area and in a scale, form and design that both compliment and are subservient to the setting of the replica barn, Red House, the gateway to the village and the wider countryside.

Consultee	Date consulted	Date reply received
Brandeston Parish Council	9 March 2020	15 March 2020

Planning Applications DC/20/0295 & DC/20/0297/VOC

Brandeston Parish Council Recommend that the planning applications DC/20/0295 & DC/20/0297/VOC be refused.

The basis of the refusal are as follows:

' There are inaccuracies with architectural drawings which Brandeston Parish Council believe are a fundamental failing in the planning application:

- o The floor levels would indicate the need for steps and stairways which are not shown.
- o The red line indicating the boundary of the curtilage encompasses land not owned by the applicant, Mr Ruffles. This issue is raised not only by Brandeston Parish Council but also residents of the village.

' The revised Layout Plan 1588/1A and the revised Block Plan 1588/3A to application DC/20/0297/VOC and DC/20/2095/FUL do not accurately show the extent of the property in the control of the applicant i.e. they still appear to include a small slither of land registered to a third party. In addition; the application plans do not identify the means of access to the highway (over

third-party land) and which also require that the applicant should serve notice to the land owner.

' Reassurances are required regarding the safe removal and disposal of asbestos.

' Brandeston Parish Council requests that the East Suffolk Coastal Enforcement Officer implements Condition 6 to the 2012 planning permission C12/0736 requiring that the mono-pitch cattle building is demolished upon first occupation of the replica barn (the subsequent planning permissions to vary Condition 6 having not been implemented and have now lapsed.)

' Brandeston Parish Council objects to the conversion of the mono-pitch cattle building and extension of the same to form indoor swimming pool, store room, stables as the scale and form of the mono-pitch building gives rise to unnecessary impact upon the setting of the replica barn, the adjoining Red House, the gateway to the village and the wider countryside. These elements of residential paraphernalia could be better provided with individual structures specific to their purpose, in a form subservient and complimentary to the replica barn.

' Brandeston Parish Council objects to the proposed extension to the residential curtilage as the proposed area does not relate well to the existing curtilage (and merely seeks to encompass an area of land upon which the mono-pitch building stands and otherwise protrudes into open countryside).

Notes setting out thought process:

' Condition 6 to C12/0736 - applied to planning permission for a replica barn frame, as the original barn frame was lost (destroyed). The planning permission gave consideration to protecting the 'feel of the gateway' to the village whilst respecting the heritage. The pay-off for this permission was for the clearance of the utilitarian mono-pitch cattle building on first occupation of the replica barn, this should be respected. (And also prevent any other future frivolous applications in this form being made.) The mono-pitch building has not been in agricultural use.

' The replica barn is in occupation, the mono-pitch cattle barn has not been demolished and cleared, and subsequent intermediary permissions to convert and retain part of the mono-pitch building have not been implemented and have now lapsed. Therefore Condition 6 to demolish the building should be implemented immediately as the replica has been in occupation for some while. The Brandeston Parish Council should seek East Suffolk Coastal to enforce Condition 6, the demolition and clearance of the mono-pitch cattle building.

' The application to create a pool, stores and stables does not justify retention of an ugly and inappropriate structure (designed for cattle and has not been used as a farm building for many years) which is much larger in scale and height than would otherwise be necessary for the provision of these 'residential type' facilities. The mono-pitch should be cleared and separate applications made for independent structures for each of the following; a pool, store room and stables. As separate structures these buildings will have less impact on the replica barn, the Red House, the gateway to the village and the wider countryside, they will follow traditional form and scale.

' The proposed extension to the residential curtilage does not relate well to the existing residential area.

' A replica barn of this scale (in residential use) merits additional facilities such as a store room, stables and pool. Support may be forthcoming for a new application for individual structures within an appropriate curtilage area and in a scale, form and design that both compliment and are subservient to the setting of the replica barn, Red House, the gateway to the village and the wider countryside.

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Rights Of Way	29 January 2020	3 February 2020
<p>Summary of comments:</p> <p>The proposed site contains a public rights of way (PROW): part of Footpath 13 Brandeston. The Definitive Map for Brandeston can be seen at https://www.suffolk.gov.uk/assets/Road-s-andtransport/public-rights-of-way/Brandeston.pdf. A more detailed plot of public rights of way can be provided.</p> <p>We accept this proposal, however the Applicant must take into account the information provided by the PROW team within their full response.</p>		

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	29 January 2020	10 February 2020
<p>Summary of comments:</p> <p>This proposal is unlikely to have any impact on the highway network in terms of vehicle volume or highway safety. Therefore, Suffolk County Council as a highway authority does not wish to restrict the granting of permission.</p>		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	29 January 2020	12 February 2020
<p>Summary of comments:</p> <p>Recommends conditions in respect of land contamination.</p>		

Non statutory consultees

Reconsultation consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	9 March 2020	13 March 2020
<p>Summary of comments:</p> <p>As per advice above.</p>		

Publicity

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

Category	Published	Expiry	Publication
Conservation Area	6 February 2020	27 February 2020	East Anglian Daily Times

Site notices

General Site Notice	Reason for site notice: Conservation Area In the Vicinity of Public Right of Way Date posted: 5 February 2020 Expiry date: 26 February 2020
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Planning policy

SP1 - Sustainable Development (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

National Planning Policy Framework

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))

SP14 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

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DM8 - Extensions to Residential Curtilages (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM13 - Conversion and Re-Use of Redundant Buildings in the Countryside (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM19 - Parking Standards (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))

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DM27 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

Planning considerations

Case for Development

The principle for the demolition of the barn in its entirety was established under C/12/0736 as outlined above. This was varied under DC/15/3628/VOC which stated:

"Within 1 year of the replica barn being occupied, the former agricultural building to the southwest of the replica barn, shall be partly demolished and converted into a residential outbuilding in accordance with the plans submitted.

Reason: Works have been on-going at the site and the demolition should have been undertaken within the original approval period and to ensure that works are undertaken within a reasonable period of works finishing on the original conversion to residential use."

This application seeks a similar stance, however the replica barn has since been converted and occupied, as such the below condition is proposed:

"Within 1 year of the date of this decision, the former agricultural building to the southwest of the replica barn, shall be partly demolished and converted into a residential outbuilding in accordance with the plans submitted.

Reason: Works have been on-going at the site and demolition should have been undertaken within the original approval period and to ensure that works are undertaken within a reasonable period of works finishing on the original conversion to residential use."

The applicant has applied for works to convert the remained of the building to an ancillary outbuilding under DC/20/0295/FUL which if granted would have three years to be completed (inclusive of any time taken for the demolition).

As the building has already been considered acceptable to be retained in part, and had the previous variation application been implemented would already converted; as such Officers do not consider there to be any material considerations as to why variation could not be supported.

Conclusion

It is considered that while a previous approval called for the total demolition of the existing agricultural building, its reduction and retention as an outbuilding would broadly meet the provisions of Policy DM13 which specifically relates to the conversion and re-use of redundant buildings in the countryside. The building has also been granted retention previously by a now

lapsed variation of condition consent, which is also considered to be material in the consideration of this application.

The variation of the condition to allow for the barn to be partially retained, with works to partially demolish the barn to be undertaken within one year. The works to complete the conversion are to be commenced within three years as proposed by DC/20/0295/FUL.

Recommendation

Delegate to the head of Planning and Coastal Management.

Conditions:

1. The development hereby permitted shall be completed within one year of the date of this consent.

Reason: The applicant has only sought one year to complete the partial demolition of the barn. Works have been on-going at the site and demolition should have been undertaken within the original approval period and to ensure that works are undertaken within a reasonable period of works finishing on the original conversion to residential use.

2. The other buildings on site have been implemented in accordance with drawings approved under C/12/0736 (7486-01A received 11/12/2007 (elevations of barn), as amended by drawing 1585/5 received 10/4/2012 (south elevation of barn); 7486-02A received 11/12/2007 (floor plans), as amended by drawing 1585/4 received 10/4/12 (ground floor plan); Drawing no 1585/3A received 22/6/12 (block plan); Drawing no 1585/6 received 10/4/12 (garaging, annexe/holiday let); Drawing no 'Drft/1/Red brn/294- A received 28/5/12 (landscaping). The development hereby permitted by this variation shall not be carried out other than in complete accordance with Drawing No's Drawing No's 1588/4, 1588/5, 1588/6 received on 27/01/2020 and 1588/1A, 1588/2A, 1588/3A received on 04/03/2020.

Reason: For avoidance of doubt as to what has been considered and approved.

4. The annexe/holiday accommodation shall be limited to the areas within the building shown on drg 1585/6. The accommodation may be occupied either for purposes incidental to the use of the dwellinghouse (replica barn) on the site or for occupation by a relative or dependant of the householder or his or her spouse; or may be used as 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, or any Order revoking or re-enacting the said Order). The duration of occupation by any one person, or persons for holiday use shall not exceed a period of 56 days in total in any calendar year, unless the local planning authority agrees in writing to any variation. The owners/operators of the holiday unit 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 unit during each individual letting. The said register shall be made available at all reasonable times to the local planning authority. The accommodation shall not be occupied either as an annexe or holiday accommodation, until the main residence (replica barn) is occupied.

Reason: To ensure the development is occupied only as bona-fide holiday accommodation or as an annexe to the principal residence, having regard to planning policies, tourism objectives and the relationship of the development to frontage properties

6. Within 1 year of the date of this decision, the former agricultural building to the southwest of the replica barn, shall be partly demolished and converted into a residential outbuilding in accordance with the plans submitted.

Reason: Works have been on-going at the site and demolition should have been undertaken within the original approval period and to ensure that works are undertaken within a reasonable period of works finishing on the original conversion to residential use.

7. None of the trees or hedges shown to be retained on the approved plan shall be lopped, topped, pruned, uprooted, felled, willfully damaged or in any other way destroyed or removed without the prior written consent of the local planning authority. Any trees or hedges removed, dying, being severely damaged or becoming seriously diseased within five years of the completion of the development shall be replaced during the first available planting season, with trees or hedges of a size and species, which shall previously have been agreed in writing by the local planning authority.

Reason: To safeguard the contribution to the character of the locality provided by the trees and hedgerow.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended or any Order revoking or re-enacting the said Order) no development of any kind specified in Part 1, Class[es] A, B, C, D, E, and G; and Part 2 Classes A and C.

Reason: To ensure external alterations respect the character of the building and its setting, given the sensitivity of the location within/adjacent Brandeston Conservation Area and the designated Special Landscape Area.

13. Prior to the use commencing, details of an external lighting scheme (including position and height of mounting features, height and angle of lights including aiming points, light fixing type, size and appearance, and the luminance levels) shall be submitted to and approved by the Local Planning Authority. This scheme shall thereafter be implemented and no additional external lighting shall be installed.

Reason: In the interests of amenity, and protection of the local rural environment, including the ecological environment.

14. The residential curtilage of the property shall not exceed that area shown on drawing: 1588/3A.

Reason: In the interest of amenity.

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:

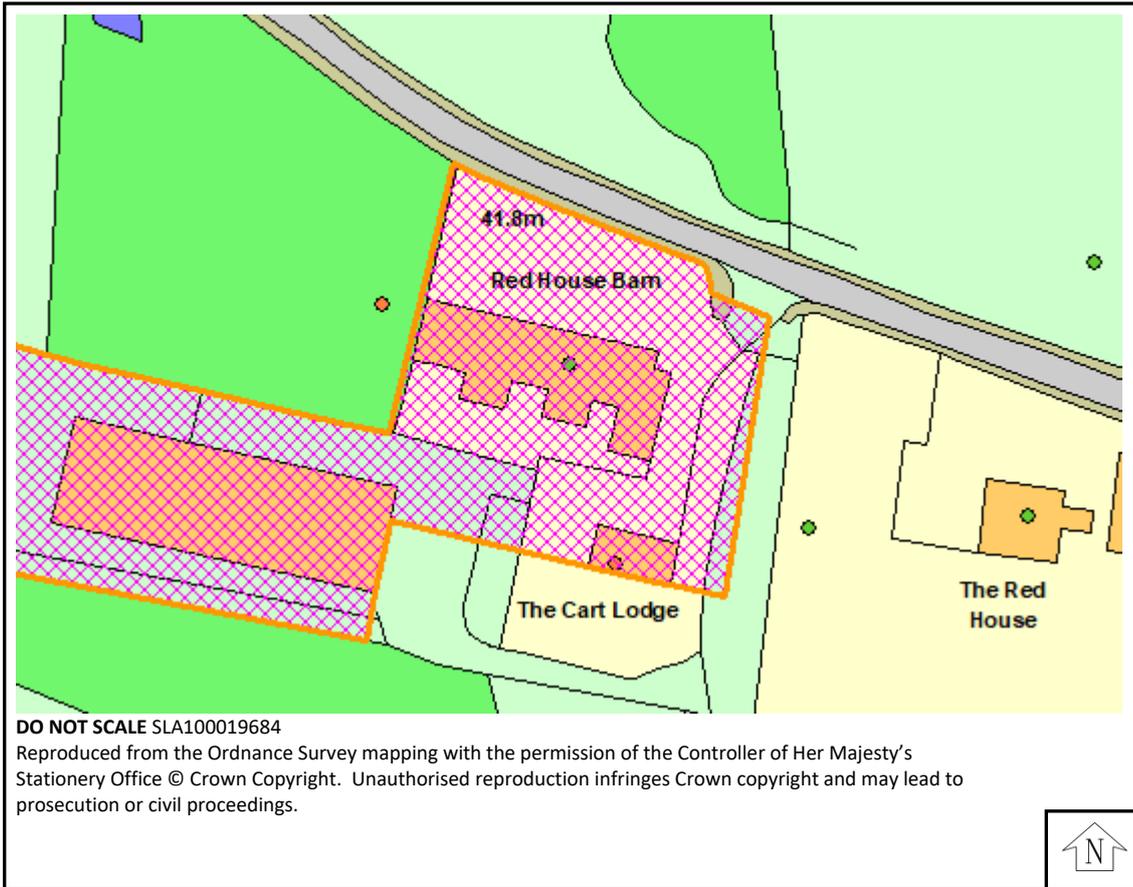
https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5

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

Background information

See application reference DC/20/0297/VOC at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q4M6OYQX07400>

Map



Key

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



Planning Advisory Panel South – 21 April 2020

Delegated Report

Application no DC/20/0759/FUL

Location

Short Acre
Saxtead Road
Dennington
Suffolk
IP13 8AP

Expiry date 16 April 2020

Application type Full Application

Applicant Mr P Frost

Parish Dennington

Proposal Change of use of part of existing paddock to residential curtilage

Case Officer Natalie Webb
01394 444275
natalie.webb@eastsoffolk.gov.uk

Summary

The application seeks to change of use of part of existing paddock to residential curtilage at Short Acre, Saxtead Road, Dennington, IP13 8AP.

This application is presented to the Advisory Panel as Officer's are minded to approve the application, contrary to the parishes recommendation for refusal.

Site description

The proposal site is part of a much larger paddock area which stretches across the rear of Reap House, Osier House, Shortacre, Little Crimbles, Bamfield and The Poplars. Access to the site is currently provided through the rear boundary of the existing curtilage.

The rear portion of the application site, is bounded to the east by arable land and to the west by the extensive residential curtilage of Wynneys Hall, a recently developed and substantial private

residence in a backland position, clearly visible from outlying areas and the public realm. The existing curtilage of Wynneys Hall extends beyond the existing settlement boundary.

Proposal

The application seeks to extend the residential curtilage of the site. A previous application to change the use of use of part of former paddocks to residential use, construction of new private shared drive and two new private custom build residential properties and associated works was withdrawn (DC/17/2270). An application for the demolition of Shortacre, construction of new adoptable access way and 8 new properties on the site of Shortacre and land to the rear, including change of use of the same and associated works (DC/14/3954/FUL) was also withdrawn.

Consultations/comments

One representation was received which objects to the proposal on the grounds that:

- o It will allow for further development of the site (residential dwellings);
- o Infilling of dwellings would erode the character of the area (no housing is sought);
- o The land falls behind other neighbouring properties, not just extending behind itself;
- o The land to change use is not within the physical limits;
- o The site is prone to flooding.

The above is a summary of comments received - full comments can be viewed on the Council's website.

Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Dennington Parish Council	24 February 2020	17 March 2020

The Parish Council OBJECTS to this application.

The Parish Council has reviewed the two applications against the current Local Plan, and the Final Draft Local Plan. Existing Policy DM8 - Extensions to Residential Curtilages and Final Draft Policy SCLP 5.14, are applicable to these applications.

Development Management Policy DM8 - Extensions to Residential Curtilages:

In considering planning applications for the extension of residential curtilages into the countryside, the District Council will seek to ensure that:

(a) the resulting size of the curtilage reflects the scale and the location of the dwelling;

The existing curtilages of Little Crimbles and Short Acre are within the physical limits of the village. These applications are to extend these curtilages beyond the physical limits of the village into open countryside. Both proposals create arbitrary boundaries in open countryside, that are poorly related to the scale and location of the dwellings. In both cases, the proposed boundaries wrap around the adjacent properties (Osier House & Reap House to the east; and Bamfield & Poplars to

the west) . As such, neither of these applications satisfy Policy DM8(a).

(b) Its use would not result in visual intrusion caused by developments ancillary to the residential use;

Whilst described as paddocks, there is no recent evidence of animal husbandry or grazing on these sites. Both plots are and have been fallow for at least 10 years. There are no structures on the curtilage claimed by Little Crimbles. Creation of lawns, plant bedding or other residential structures will create significant visual intrusion and disrupt open countryside vistas from along the Saxtead Road and the permissive footpaths to the north of these sites.

(c) It does not remove or enclose an existing native species hedgerow within the resulting curtilage unless replaced by a similar hedgerow; and

(d) the proposed boundary feature of the extended curtilage is of a form that reflects its location e.g. a native species hedgerow.

The applications do appear to conform to policy statements DM8(c) and DM8(d).

Therefore, the Parish Council OBJECTS to the applications at Little Crimbles and Short Acre, as they do not satisfy policy statement DM8.

In granting planning consent for the extension of residential curtilages, the District Council will consider the removal of Permitted Development rights.

The paddock into which the proposed curtilages would extend has previously been submitted for consideration for development as part of the Local Plan review, and rejected by East Suffolk Council as being suitable for residential development. Furthermore, there have been two previous applications for residential development at Short Acre (DC/14/3954/FUL and DC/17/2270/FUL) which use the broadly the same boundaries as the current application. These previously withdrawn applications showed access roads into the field behind Little Crimbles.

If the District Council does grant permission to extend the curtilages; given the history of applications associated with these plots, and the fact that the applications seek to change the use of open countryside, outside of the physical limits, the District Council is urged to remove Permitted Development Rights from these properties, to prevent visual intrusion and protect the open countryside from development in accordance with Policy AP28.

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	24 February 2020	6 March 2020
Summary of comments: This proposal is unlikely to have any impact on the highway network in terms of vehicle volume or highway safety. Therefore, Suffolk County Council as a highway authority does not wish to restrict the granting of permission.		

Publicity

None

Site notices

General Site Notice

Reason for site notice: Change of Use

Date posted: 6 March 2020

Expiry date: 27 March 2020

Planning policy

National Planning Policy Framework

DM8 - Extensions to Residential Curtilages (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))

SP15 - Landscape and Townscape (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

Planning considerations

Case for Development

Adopted Core Strategy Policy DM8 states that in considering planning applications for the extension of residential curtilages into the countryside, the District Council will seek to ensure that:

- a) The resulting size of the curtilage reflects the scale and location of the dwelling;
- b) Its use would not result in visual intrusion caused by developments ancillary to the residential use;
- c) It does not remove or enclose an existing native species hedgerow within the resulting curtilage unless replaced by a similar hedgerow
- d) The proposed boundary feature of the extended curtilage is of a form which reflects its location, eg a native species hedgerow

In respect of the size of the resultant curtilage, it should be noted that this is a rural location, and as such there are of examples of properties with various sized curtilages. Examples of where curtilages have been extended are noted within close proximity of the site; including Wynneys Hall, Bamfield and The Poplars.

The majority of the existing curtilage of Shortacre is in front of the property, and as such is not private amenity space. The extension of the residential curtilage in the manner proposed is considered to have no detrimental impact upon the amenity of neighbouring properties; compliant with Core Strategy DM23.

The existing paddock is not in agricultural use and is already used solely in conjunction with the houses onto which it bounds. The proposal would not however change the character of the whole area, with a substantial proportion of the paddock remaining to the north of the residential curtilage, providing further visual buffers to the proposed.

It should also be noted that at present, the paddocks provide a very low ecological value, with the area primarily grassed which is kept low by the horses. The change of use will therefore also create an additional native hedgerow boundary which will provide additional habitat for native species, comprising natural cover, an enhanced food source and an additional migration route through the site.

The Landscape Officer raised no objection to previous applications to change the use of the land on site, subject to approved boundary treatment and removal of permitted development rights; these views are upheld on the current application. The application is therefore considered compliant with Core Strategy Policies DM21 and SP15.

As there are no details regarding proposed boundary treatments within the application, the Local Planning Authority would normally condition these to be submitted prior to the implementation of the use or within 3 months of the date of consent. However, given the current national situation relating to Covid-19, it is recommended this timescale is increased to 6 months for the submission and approval of details.

In granting planning consent for the extension of residential curtilages, DM8 states that the Council will consider the removal of Permitted Development rights; it is considered that the removal of permitted development rights are appropriate in protecting the rural and otherwise undeveloped nature of the site which could otherwise be eroded by domestic paraphernalia.

In addition to the above appeal decision APP/J3530/W/16/3159011 which related to a neighbouring site the Inspector noted the following:

"1. The Council is concerned that (the development) would represent creeping domestication, to the detriment of the character and appearance of the countryside, and the setting of Dennington itself. The Council has stated that there is a clear difference in the character and appearance of land within and outwith the settlement boundary. The Council also states that in the vicinity of the appeal site the land outside the settlement boundary is open countryside with a mature landscape in a peaceful setting, with no domesticity or activity associated with domestic life. However, my observations at the site visit lead me to disagree with the Council on this point. To the immediate north of Wynneys Hall, as noted above, there is a large, well maintained expanse of grass which is lined with new tree planting. The adjoining plot, to the immediate west of the appeal site, also has the appearance of a garden, with well-maintained short grass, wood piles and ornamental trees. Whilst there is an absence of domestic buildings north of the settlement boundary as shown on the plan, in this location at least, it does not mark a clear transition between domestic and rural character.

2. I appreciate the Council's concern to prevent domestication of the countryside on the fringes of Dennington, the settlement boundary in the area of the appeal site appears to be a fairly arbitrary line that includes ancillary buildings in neighbouring garden plots and appears to cut across rear gardens in others. Moreover, although the Council's evidence refers to mature landscape character and the setting of Dennington, there is no reference to landscape character assessment or guidance which might have supported their concern regarding the landscape surrounding the village. Consequently, as the cartlodge would not be particularly visible and would be sited on land that already has a semi-domestic character, I am unable to conclude that the development would cause significant harm to the character and appearance of the area.

3. Whilst I agree with the Council that the cartlodge would encourage some domestication of land to the north of the Wynneys Hall buildings, this is land that already has a semi-domestic appearance. Furthermore, it cannot be seen except by individuals in neighbouring gardens or at distance from the adjoining agricultural land."

The Inspector in the above case was clear that the existing settlement boundary in this area does not represent a boundary to character or land use, referring specifically and positively to the 'semi-domesticated' appearance of areas outside the settlement boundary, which he saw as supportive of the application in question.

It should also be noted that the application should be considered cohesively with the neighbouring property, which also seeks to extend their residential curtilage (DC/20/0760/FUL).

Conclusion

The proposal is considered to accord with the adopted policies in the Core Strategy, primarily DM8 which allows for the extension of residential curtilages, as the proposed development is not considered to result in harmful impact upon character, any historic environment or native hedgerows; the proposed new boundaries will be in keeping and seek to positively enhance both the setting and existing biodiversity.

Recommendation

Approve planning permission, subject to conditions.

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 not be carried out other than in complete accordance with Drawing No 01 received 21/02/2020

Reason: For avoidance of doubt as to what has been considered and approved.

3. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking or re-enacting the said Order] no development of any kind specified in Part [1], Class[s] [E] and Part [2], Class[s] [A] of Schedule 2 of the said Order shall be carried out unless otherwise agreed with the local planning authority.

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 and the amenity of adjoining residents.

4. Within six months of this consent, details of the means of enclosure (i.e. hedgerows, fences, gates etc) around the external boundaries of the site have been submitted to and approved by the Local Planning Authority. The approved means of enclosure shall thereafter be retained in their approved form.

Reason: In the interests of visual and residential amenity.

5. No external lighting shall be installed without the prior submission and approval of an external lighting scheme (including position and height of mounting features, height and angle of lights including aiming points, light fixing type, size and appearance, and the luminance levels). There after only the approved lighting scheme shall be installed and maintained in that form.

Reason: In the interests of amenity, and protection of the local rural environment, including the ecological environment.

6. 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. Unless agreed in writing by the LPA 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 BS 10175:2011+A1:2013 and CLR11) 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

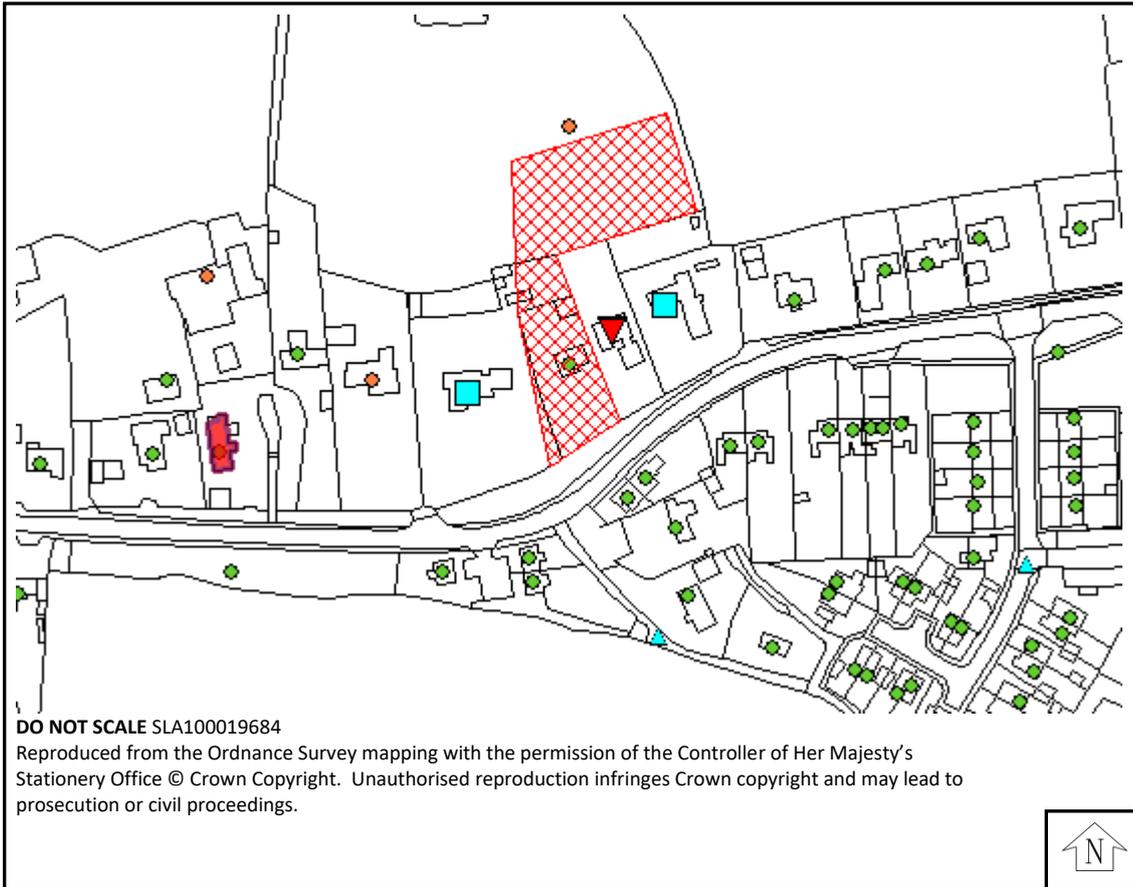
Informatives:

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.

Background information

See application reference DC/20/0759/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q60CC8QXHWS00>

Map



Key

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



Planning Advisory Panel South – 21 April 2020

Delegated Report

Application no DC/20/0760/FUL

Location

Little Crimbles
Saxtead Road
Dennington
Suffolk
IP13 8AP

Expiry date 15 April 2020

Application type Full Application

Applicant Mr T Robinson

Parish Dennington

Proposal Change of use of part of existing paddock to residential curtilage

Case Officer Natalie Webb
01394 444275
natalie.webb@eastsoffolk.gov.uk

Summary

The application seeks to change of use of part of existing paddock to residential curtilage at Little Crimbles, Saxtead Road, Dennington, IP13 8AP.

This application is presented to the Advisory Panel as Officer's are minded to approve the application, contrary to the parishes recommendation for refusal.

Site description

The proposal site is part of a much larger paddock area which stretches across the rear of Shortacre, Little Crimbles, Bamfield and The Poplars. Access to the site is currently provided through the rear boundary of the existing curtilage.

The rear portion of the application site, is bounded to the east by arable land and to the west by the extensive residential curtilage of Wynneys Hall, a recently developed and substantial private

residence in a backland position, clearly visible from outlying areas and the public realm. The existing curtilage of Wynneys Hall extends beyond the existing settlement boundary.

Proposal

The application seeks to extend the residential curtilage of the site.

Consultations/comments

Two representations were received which object to the proposal on the grounds that:

- o It will allow for further development of the site (residential dwellings);
- o Out of character with the area;
- o The use of the land has not become domesticated;
- o Infilling of dwellings would erode the character of the area (no housing is sought);
- o The land falls behind other neighbouring properties, not just extending behind itself;
- o The land to change use is not within the physical limits;
- o The development is contrary to DM8;
- o The site is prone to flooding.

Additionally, two representations of support were received on the grounds that:

- o The application should be considered against others which have been permitted along Saxtead Road;
- o Each development should be considered on its own merits;
- o A precedent has already been set to the west of the site;
- o Change of use acceptable subject to appropriate boundary treatment.

The above is a summary of comments received - full comments can be viewed on the Council's website.

Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Dennington Parish Council	25 February 2020	17 March 2020
<p>Summary of comments: The Parish Council OBJECTS to this application.</p> <p>The Parish Council has reviewed the two applications against the current Local Plan, and the Final Draft Local Plan. Existing Policy DM8 - Extensions to Residential Curtilages and Final Draft Policy SCLP 5.14, are applicable to these applications.</p> <p>Development Management Policy DM8 - Extensions to Residential Curtilages:</p> <p>In considering planning applications for the extension of residential curtilages into the countryside, the District Council will seek to ensure that:</p>		

(a) the resulting size of the curtilage reflects the scale and the location of the dwelling;

The existing curtilages of Little Crimbles and Short Acre are within the physical limits of the village. These applications are to extend these curtilages beyond the physical limits of the village into open countryside. Both proposals create arbitrary boundaries in open countryside, that are poorly related to the scale and location of the dwellings. In both cases, the proposed boundaries wrap around the adjacent properties (Osier House & Reap House to the east; and Bamfield & Poplars to the west) . As such, neither of these applications satisfy Policy DM8(a).

(b) Its use would not result in visual intrusion caused by developments ancillary to the residential use;

Whilst described as paddocks, there is no recent evidence of animal husbandry or grazing on these sites. Both plots are and have been fallow for at least 10 years. There are no structures on the curtilage claimed by Little Crimbles. Creation of lawns, plant bedding or other residential structures will create significant visual intrusion and disrupt open countryside vistas from along the Saxtead Road and the permissive footpaths to the north of these sites.

(c) It does not remove or enclose an existing native species hedgerow within the resulting curtilage unless replaced by a similar hedgerow; and

(d) the proposed boundary feature of the extended curtilage is of a form that reflects its location e.g. a native species hedgerow.

The applications do appear to conform to policy statements DM8(c) and DM8(d).

Therefore, the Parish Council OBJECTS to the applications at Little Crimbles and Short Acre, as they do not satisfy policy statement DM8.

In granting planning consent for the extension of residential curtilages, the District Council will consider the removal of Permitted Development rights.

The paddock into which the proposed curtilages would extend has previously been submitted for consideration for development as part of the Local Plan review, and rejected by East Suffolk Council as being suitable for residential development. Furthermore, there have been two previous applications for residential development at Short Acre (DC/14/3954/FUL and DC/17/2270/FUL) which use the broadly the same boundaries as the current application. These previously withdrawn applications showed access roads into the field behind Little Crimbles.

If the District Council does grant permission to extend the curtilages; given the history of applications associated with these plots, and the fact that the applications seek to change the use of open countryside, outside of the physical limits, the District Council is urged to remove Permitted Development Rights from these properties, to prevent visual intrusion and protect the open countryside from development in accordance with Policy AP28.

Non statutory consultees

Consultee	Date consulted	Date reply received
Ecology (Internal)	25 February 2020	16 March 2020
Summary of comments: Response intergrated into officers report.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	25 February 2020	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	25 February 2020	27 February 2020
Summary of comments: Recommends a condition for the unexpected discovery of land contamination.		

Publicity

None

Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 6 March 2020

Expiry date: 27 March 2020

Planning policy

National Planning Policy Framework

DM8 - Extensions to Residential Curtilages (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))

SP15 - Landscape and Townscape (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

Planning considerations

Case for Development

Adopted Core Strategy Policy DM8 states that in considering planning applications for the extension of residential curtilages into the countryside, the District Council will seek to ensure that:

- a) The resulting size of the curtilage reflects the scale and location of the dwelling;
- b) Its use would not result in visual intrusion caused by developments ancillary to the residential use;
- c) It does not remove or enclose an existing native species hedgerow within the resulting curtilage unless replaced by a similar hedgerow
- d) The proposed boundary feature of the extended curtilage is of a form which reflects its location, eg a native species hedgerow

In respect of the size of the resultant curtilage, it should be noted that this is a rural location, and as such there are of examples of properties with various sized curtilages. Examples of where curtilages have been extended are noted within close proximity of the site; including Wynneys Hall, Bamfield and The Poplars.

The majority of the existing curtilage of Little Crimbles is in front of the property, and as such is not private amenity space. The extension of the residential curtilage in the manner proposed is considered to have no detrimental impact upon the amenity of neighbouring properties; compliant with Core Strategy DM23.

The existing paddock is not in agricultural use and is already used solely in conjunction with the houses onto which it bounds. The proposal would not however change the character of the whole area, with a substantial proportion of the paddock remaining to the north of the residential curtilage, providing further visual buffers to the proposed.

It should also be noted that at present, the paddocks provide a very low ecological value, with the area primarily grassed which is kept low by the horses. The change of use will therefore also create an additional native hedgerow boundary which will provide additional habitat for native species, comprising natural cover, an enhanced food source and an additional migration route through the site.

The Landscape Officer raised no objection to previous applications to change the use of the land on site, subject to approved boundary treatment and removal of permitted development rights; these views are upheld on the current application. The application is therefore considered compliant with Core Strategy Policies DM21 and SP15.

As there are no details regarding proposed boundary treatments within the application, the Local Planning Authority would normally condition these to be submitted prior to the implementation of the use or within 3 months of the date of consent. However, given the current national situation relating to Covid-19, it is recommended this timescale is increased to 6 months for the submission and approval of details.

In granting planning consent for the extension of residential curtilages, DM8 states that the Council will consider the removal of Permitted Development rights; it is considered that the removal of permitted development rights are appropriate in protecting the rural and otherwise undeveloped nature of the site which could otherwise be eroded by domestic paraphernalia.

In addition to the above appeal decision APP/J3530/W/16/3159011 which related to a neighbouring site the Inspector noted the following:

"1. The Council is concerned that (the development) would represent creeping domestication, to the detriment of the character and appearance of the countryside, and the setting of Dennington itself. The Council has stated that there is a clear difference in the character and appearance of land within and outwith the settlement boundary. The Council also states that in the vicinity of the appeal site the land outside the settlement boundary is open countryside with a mature landscape in a peaceful setting, with no domesticity or activity associated with domestic life. However, my observations at the site visit lead me to disagree with the Council on this point. To the immediate north of Wynneys Hall, as noted above, there is a large, well maintained expanse of grass which is lined with new tree planting. The adjoining plot, to the immediate west of the appeal site, also has the appearance of a garden, with well-maintained short grass, wood piles and ornamental trees. Whilst there is an absence of domestic buildings north of the settlement boundary as shown on the plan, in this location at least, it does not mark a clear transition between domestic and rural character.

2. I appreciate the Council's concern to prevent domestication of the countryside on the fringes of Dennington, the settlement boundary in the area of the appeal site appears to be a fairly arbitrary line that includes ancillary buildings in neighbouring garden plots and appears to cut across rear gardens in others. Moreover, although the Council's evidence refers to mature landscape character and the setting of Dennington, there is no reference to landscape character assessment or guidance which might have supported their concern regarding the landscape surrounding the village. Consequently, as the cartlodge would not be particularly visible and would be sited on land that already has a semi-domestic character, I am unable to conclude that the development would cause significant harm to the character and appearance of the area.

3. Whilst I agree with the Council that the cartlodge would encourage some domestication of land to the north of the Wynneys Hall buildings, this is land that already has a semi-domestic appearance. Furthermore, it cannot be seen except by individuals in neighbouring gardens or at distance from the adjoining agricultural land."

The Inspector in the above case was clear that the existing settlement boundary in this area does not represent a boundary to character or land use, referring specifically and positively to the 'semi-domesticated' appearance of areas outside the settlement boundary, which he saw as supportive of the application in question.

It should also be noted that the application should be considered cohesively with the neighbouring property, which also seeks to extend their residential curtilage (DC/20/0759/FUL).

Conclusion

The proposal is considered to accord with the adopted policies in the Core Strategy, primarily DM8 which allows for the extension of residential curtilages, as the proposed development is not considered to result in harmful impact upon character, any historic environment or native hedgerows; the proposed new boundaries will be in keeping and seek to positively enhance both the setting and existing biodiversity.

Recommendation

Approve planning permission, subject to conditions.

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 not be carried out other than in complete accordance with Drawing No 11 received 20/02/2020

Reason: For avoidance of doubt as to what has been considered and approved.
3. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking or re-enacting the said Order] no development of any kind specified in Part [1], Class[s] [E] and Part [2], Class[s] [A]of Schedule 2 of the said Order shall be carried out unless otherwise agreed with the local planning authority.
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 and the amenity of adjoining residents.
4. Within six months of this consent, details of the means of enclosure (i.e. hedgerows, fences, gates etc) around the external boundaries of the site have been submitted to and approved by the Local Planning Authority. The approved means of enclosure shall thereafter be retained in their approved form.

Reason: In the interests of visual and residential amenity.
5. No external lighting shall be installed without the prior submission and approval of an external lighting scheme (including position and height of mounting features, height and angle of lights including aiming points, light fixing type, size and appearance, and the luminance levels). There after only the approved lighting scheme shall be installed and maintained in that form.

Reason: In the interests of amenity, and protection of the local rural environment, including the ecological environment.

6. 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. Unless agreed in writing by the LPA 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 BS 10175:2011+A1:2013 and CLR11) 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

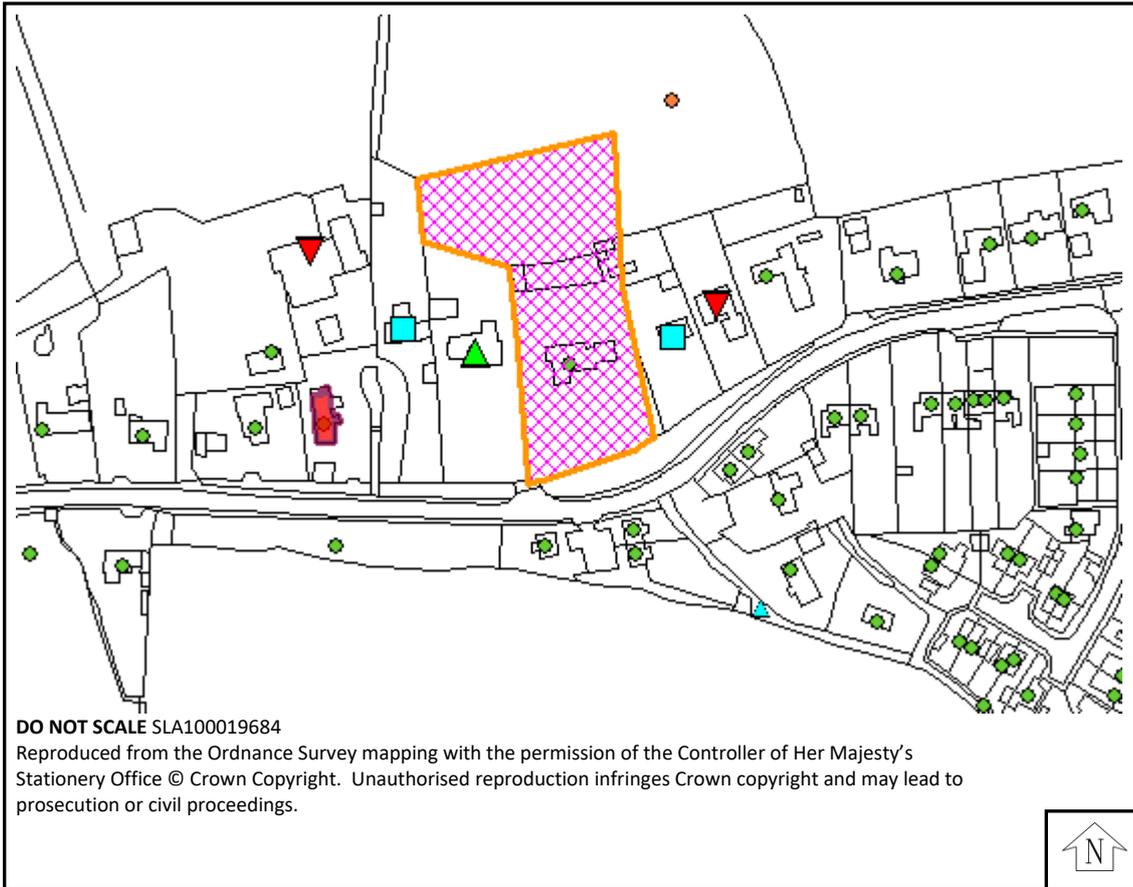
Informatives:

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.

Background information

See application reference DC/20/0760/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q60CCEQXHWU00>

Map



Key

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



Planning Advisory Panel South – 21 April 2020

Delegated Report

Application no DC/20/0766/FUL

Location

The Old School House
The Street
Kettleburgh
Woodbridge
Suffolk
IP13 7JZ

Expiry date 16 April 2020

Application type Full Application

Applicant Hoopers Architects

Parish Kettleburgh

Proposal Install 60 new solar panels which will serve an existing dwelling, and change of use to extend the current residential curtilage of the dwelling into adjoining agricultural land within its ownership.

Case Officer Jamie Behling
01394 444412
Jamie.Behling@eastsuffolk.gov.uk

Summary

The proposed development seeks to change the use of part of an agricultural field to residential curtilage for the erection of 60 solar panels servicing the host dwelling.

This application is to be considered at the Planning Advisory Panel in accordance with the scheme of delegation, as the officer's recommendation of refusal is contrary to resolution to support the application by the parish council.

The application does not accord with planning policy and as such the recommendation is of refusal.

Site description

The proposed site is an agricultural field that is owned by the applicant who resides in the dwelling to the west, adjacent to the site. The site is on the north-eastern outskirts of Kettleburgh with a road leading into the village bordering the north of the site leading around and down to the west side going south-west into the residential area. A thick vegetation lines the roadside to the north and south boundaries with it thinning on the west side. The grass field site is on a gradient rising to the east with the roadside west being the low point of the landscape with Church Road climbing opposite to the west providing open views of the terrain. An application was recently permitted at the dwelling adjacent to the site for residential extensions however this is not relevant to this application.

Proposal

The proposal seeks to convert a long strip, 95 metres x 15 metres, of the agricultural grass field in the south-west corner of the site to residential curtilage of the adjacent dwelling to accommodate 60 solar panels to provide renewable power to the home.

Consultations/comments

No third-party representations received.

Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Kettleburgh Parish Council	24 February 2020	13 March 2020
Summary of comments: Kettleburgh Parish Council "With reference to the above application a Planning Meeting was held by Kettleburgh PC yesterday 12 Mar at 1930 at St Andrew's Church, Kettleburgh. Following a discussion between the council and some clarification from the applicant it was decided that the application should be supported in its current form. It is noted that the applicant's requested location of the panels (and the corresponding area for requested change of use from agricultural to residential curtilage) is on the brow of the hill and would not present a significant degradation of the view from the rest of the village. However it is also noted that this is not the preferred location of the LPA - which would be adjacent to the road on the west side of the property. Neither the applicant nor the KPC would support the application if this were to be the chosen location because of the visual effect both to the village and to the applicant's property."		

Non statutory consultees

Consultee	Date consulted	Date reply received
Landscape Team (Internal)	24 February 2020	4 March 2020
Summary of comments: No objections subject to condition.		

Publicity

None

Site notices

General Site Notice

Reason for site notice: Change of Use

Date posted: 27 February 2020

Expiry date: 19 March 2020

Planning policy

National Planning Policy Framework

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))

SP12 - Climate Change (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP15 - Landscape and Townscape (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))

DM8 - Extensions to Residential Curtilages (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))

Planning considerations

*Planning considerations - Principle, impact upon countryside and character of the locality and visual amenity

The proposal is in, what is considered the countryside as Kettleburgh does not have a settlement boundary within the current Suffolk Coastal Local Plan. The Countryside comprises an important economic, social and environmental asset within the district which it is important to sustain. The strategy for development outside of the physical limit boundaries of any settlements is clearly described within strategic policy SP29 is that it is to be limited to which of necessity has to be located there and accords with relevant policies within the core strategy. The size and scale of the proposed residential solar panel arrangement would not be considered a necessity for the districts goals to be achieved and although the scheme supports renewable energy which is seen as a positive contribution, does not automatically make the proposal acceptable.

Strategic Policy SP12 - Climate Change looks to encourage developments promoting renewable energy which are consistent with safeguarding the countryside environment and landscape. Although the development provides renewable energy, the positioning and the size of land needed to accommodate a relatively large residential related proposal does not appear proportionate or well related to the host site for the scheme to be considered as preserving the countryside landscape.

The extension to the residential curtilage is considerable with measurements from the proposed block plan showing an increase of approx. 1400sqm with the existing curtilage being only approx. 845sqm. This is a large increase in the size of the curtilage positioned awkwardly to create a L-shaped site that projects into the countryside.

The relevant Local Plan Policy (DM8) relating to residential curtilage expansion requires consideration of "(a) the resulting size of the curtilage reflects the scale and the location of the dwelling; (b) Its use would not result in visual intrusion caused by developments ancillary to the residential use;". The proposed extension to the curtilage is too large when compared to the original dwelling and does not relate well to the layout of the site and surrounding properties.

Local Plan SP15 - Landscape and Townscape also looks to protect and enhance the various landscapes around the district including agricultural fields from developments out of character with their surroundings. Although partially screened, such a large residential curtilage extension with a development of solar panels surrounded mostly by what is considered agricultural countryside is not characterful of the location or existing pattern of residential curtilages. It is therefore contrary to SP15.

The proposal shows additional proposed planting to provide some screening from the road views. However, this would take time to grow sufficiently to fully screen the proposed panels, and any other residential paraphernalia which is likely to result within the extended curtilage.

Although it is accepted that permitted development rights could be removed for fences and other means of enclosure, sheds and other outbuildings, fuel storage tanks and pools, there are items ancillary to a residential use, which do not constitute development but would still alter the

character of the site to that of residential e.g. benches, tables and chairs, flowerbeds and other ornamental planting.

In addition, the proposed planting as part of this application would significantly alter the shape of the existing field, and the proposed planting to subdivide the proposed residential curtilage extension from the remaining agricultural field would create a visual break between the two uses, further highlighting the change from the existing pattern between residential curtilages and agricultural land which characterised this locality.

Therefore the change would result in significant detrimental harm to the character of the locality, contrary to policies SP15, DM8 and DM21 of the local plan, and the principles of good design and those related to landscape considerations outlined in Sections 12 and 15 of the NPPF.

*Planning Considerations - Residential Amenity

The proposal is kept away from neighbouring properties with dense vegetation between the site and the nearest neighbour to the south. It is therefore considered that the proposal would cause no harm to the amenity of neighbouring properties and complies with policy DM23.

Conclusion

The proposed extension to the residential curtilage would result in a curtilage out of proportion with the dwelling to which its proposed to relate, and of a shape and location which would be out of character with the pattern of residential curtilages adjacent to agricultural land which characterises the locality. Even with the proposed planting and the potential to remove permitted development rights, harm would be created through the subdivision of the existing field.

Whilst it is accepted that permitted development rights could be removed for outbuildings etc, this would not prevent residential paraphernalia from being sited within the extended curtilage which in turn would create visual harm.

The proposed panels would also result in visual intrusion and harm, changing the character of the locality, especially whilst the proposed planting matures.

The scheme is therefore contrary to the principles of good design outlined in Sections 12 and 15 of the NPPF, and Local Planning Policies SP15, DM8, and DM21.

Recommendation

The application is recommended for Refusal.

The reason for the decision to refuse permission is:

1. The proposed extension to the residential curtilage and stationing of 60 ground mounted solar panels, adjacent to The Old School House, The Street, Kettleburgh, is located within the countryside.

Whilst the potential benefits of the provision of solar panels providing green energy are recognised, the proposal would cause more harm than benefit to the local area and landscape. It would result in significant harm to the character of locality, through the

formation of a residential curtilage which would be out of proportion with the host dwelling, and those within the vicinity, in terms of size, shape and location in relation to the dwellinghouse. In addition to the proposed ground mounted solar panel arrays there is significant potential for additional residential paraphernalia, which in turn would create additional visual harm. The development is not in keeping with the character of the location and does not preserve or enhance the countryside environment.

The proposal is therefore contrary to Policies SP15, SP29, DM8 and DM21 of the Suffolk Coastal District Local Plan - Core Strategy & Development Management Policies Development Plan Document (July 2013) and the design principles set out in sections 12 and 15 of the NPPF, which seek to safeguard the countryside for its own sake and seek to ensure developments recognise and are well related to the existing pattern of development and character of the area in which they are located, by only permitting extensions to residential curtilages that are proportionate to the host dwelling, and of a form, size and location which would not adversely affect their surroundings.

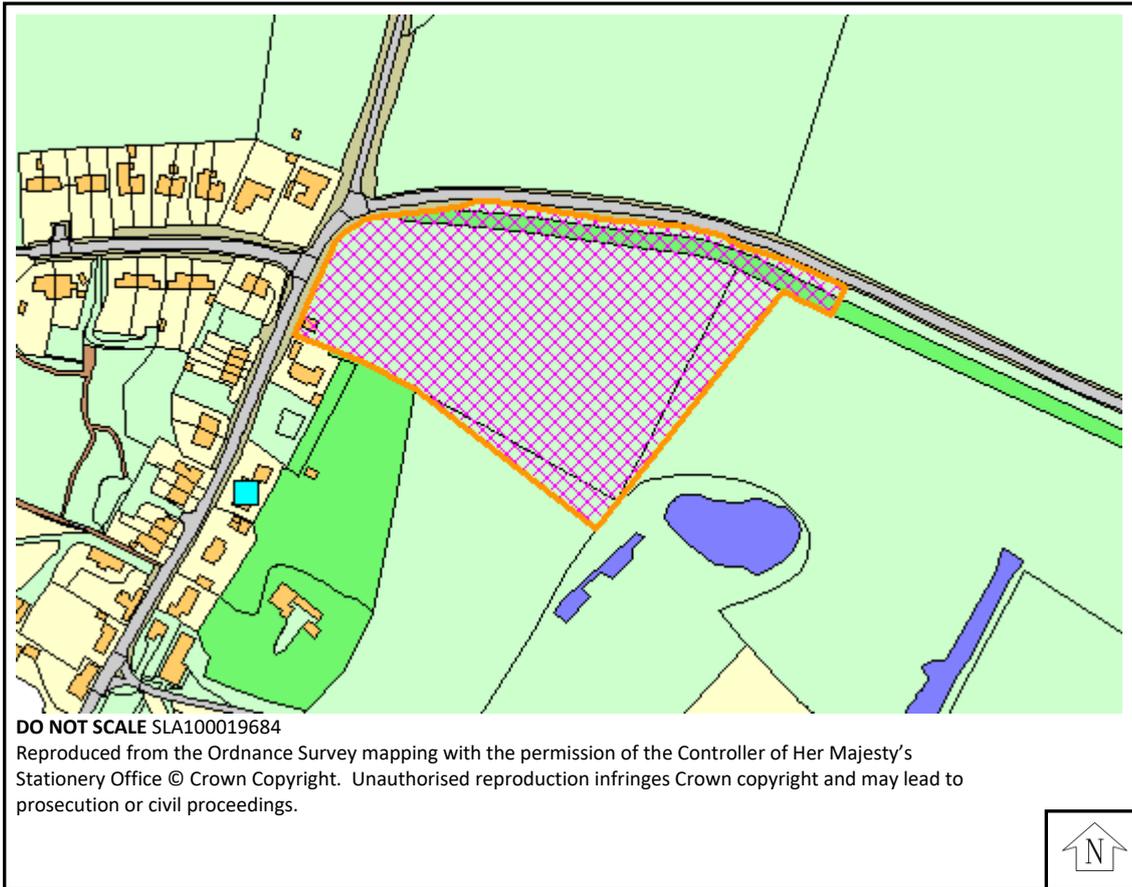
Informatives:

1. The Council offers a pre-application advice service to discuss development proposals and ensure that planning applications have the best chance of being approved. The applicant did not take advantage of this service. 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.

Background information

See application reference DC/20/0766/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q61VT3QHXF00>

Map



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