



Committee Report

Planning Committee - 8 September 2020

Application no DC/20/1127/FUL

Location

North Green Farm
North Green
Kelsale Cum Carlton
IP17 2RL

Expiry date 11 May 2020

Application type Full Application

Applicant Alison Coad

Parish Kelsale Cum Carlton

Proposal Erection of 1 no. single storey dwelling

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1. Summary

- 1.1 The application seeks full planning permission for the erection of a single storey detached dwelling, with vehicular access from the road to the south.
- 1.2 The application is required to go to planning committee as the application is a departure from the Local Plan with the officer recommendation for approval. The application is deemed to represent a sustainable form of infill housing development that can be supported.

2. Site description

- 2.1 The application site is a parcel of land to the west of North Green Farm, within the parish of Kelsale-cum-Carlton. The existing parcel of land features no existing buildings or outbuildings, and the application site is outside the Kelsale-cum-Carlton Conservation Area.

- 2.2 The site is adjacent to a Grade II listed farmhouse building which lies to the east; the listing of which is *"Farmhouse. C16 with later additions to rear. Timber framed and plastered, roof 2.3 plaitiled to front, pantiled to rear. 2 storeys to left hand side, 2 storeys and attic to right hand side. C20 casement windows with diamond leaded panes; C20 doorway in C16 style: boarded and battened entrance door with depressed 4-centre arched head, bracketed hood. 2 internal stacks, the heavier one to the right hand side"*.
- 2.3 To the west of the application site lies a detached existing one-and-a-half storey dwelling with associated outbuildings, screened by hedgerow from the streetscene.
- 2.4 The site itself is outside any defined settlement boundaries and is therefore considered the countryside for planning purposes.
- 2.5 The site is largely down to grass with some ornamental tree planting.

3. Proposal

- 3.1 The application seeks full planning permission for the erection of a single storey detached dwelling, with vehicular access from the road to the south.
- 3.2 The dwelling is shown with two-gables joined by a flat-roofed section on the southern elevation fronting the road, and a pergola on the eastern elevation.
- 3.3 The plans also show a car port within the front garden and circular driveway. The car port is proposed to have a dual pitched roof.

4. Consultations/comments

- 4.1 One adjacent neighbour has objected to the application, raising the following material planning considerations (inter alia):

- this is greenfield agricultural land, previously used as an orchard.
- lack of sustainability for a dwelling at North Green.
- the proposed car port would be in front of the building line.
- the choice of metal for the roof would be out of character with the dwellings in North Green.
- the orientation of the roof/house would prevent the fitting of solar panels in the future.
- impacts upon amenity of future residents - little thought appears to have gone into the internal layout to maximise the sun and the views.
- precedent that would be set for further dwellings in North Green.
- accuracy/inaccuracy of plans - North Green Cottage is shown with incorrect orientation.
- the plans don't show the footpath, the fence is proposed across the footpath, and the driveway turning circle probably impinges on the footpath.
- drainage issues.
- this is not a 'recognisable gap' and this clearly isn't an infill. The farmhouse is distant from the proposal.
- question the number of jobs that would be created by the construction of one house.
- potential contamination to/from the well to the east of the plot.
- believe 1 dwelling would contribute little towards any perceived housing shortfall.

4.2 The representation of objection also refers to the following matters which although not directly related to the current proposals are of note:

- filling of existing roadside ditch has already taken place, an access created, and a gate has been installed,
- potential impacts of the application upon the deeds for the property.
- land ownership issues in relation to the boundary with North Green Cottage.
- inclusion of photographs of the neighbouring property with their car and registration number.
- question if North Green Farm is habitable (believe it was condemned, so shouldn't be considered as a dwelling).

4.3 A representation of support has also been received, although this is from the landowner of the application site.

5. Consultees
Parish/Town Council

Consultee	Date consulted	Date reply received
Kelsale-cum-Carlton Parish Council	17 March 2020	30 March 2020

Summary of comments:
Kelsale-cum-Carlton Parish Council object to this planning application for the following reasons:

a. Ecological Habitats: Great Crested Newts are present at Fir Tree Farm, Main Road and also East Green. As this area lies in between it is likely they would be present.

b. Access & Highway safety: Proposed Sizewell Link Road would have an impact should this Nationally Significant Infrastructure project proceed. In addition there has been a Mitsubishi in the ditch and a car accident at nearby North Green Railway Crossing in the last 5 years. There is no public transport in North Green (or East) or in fact little in Kelsale at all. Kelsale cum Carlton takes most of its services from Saxmundham as it simply has a Primary School/Village Hall and Pub. There is a commercial scaffolding business at North Green Farm bringing Commercial Traffic early in the morning.

c. Site History: The Public Right of Way was moved several years ago from the middle of North Green Farm to the left and would be between the proposed property and North Green Cottage

d. Design and appearance: Aesthetically / design wise; whilst the layout consisting of a long and narrow pair of single storey units is made to reference the existing barns, the strong symmetry of the road (SW) elevation seriously compromises this intention.

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	17 March 2020	30 March 2020

Summary of comments:
Require visibility splays to be demonstrated otherwise would object.

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	17 March 2020	19 March 2020
Summary of comments: No objections, recommend standard condition.		

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

Non statutory consultees

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	21 May 2020	9 June 2020
Summary of comments: No objections in principle.		

Consultee	Date consulted	Date reply received
Suffolk County - Rights Of Way	17 March 2020	26 March 2020
Summary of comments: No objections. Advice given.		

6. Publicity

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

Category	Published	Expiry	Publication
Public Right of Way Affected	28 May 2020	18 June 2020	East Anglian Daily Times

Category	Published	Expiry	Publication
Public Right of Way Affected	26 March 2020	20 April 2020	East Anglian Daily Times

Site notices

General Site Notice

Reason for site notice: In the Vicinity of Public Right of Way

Date posted: 26 March 2020

Expiry date: 20 April 2020

7. Planning policy

SP3 - New Homes (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))

DM3 - Housing in the Countryside (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM21 - Design: Aesthetics (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM22 - Design: Function (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))

National Planning Policy Framework

SCLP5.4 (Housing in Clusters in the Countryside) – East Suffolk (Suffolk Coastal) Final Draft Local Plan (2019)

8. Planning considerations

Principle of Development

- 8.1 The proposal seeks the provision of a new residential dwelling in the countryside. The principle of new residential dwelling(s) in the countryside is considered to be generally unacceptable unless the proposal meets the exceptional circumstances outlined in local planning policy DM3; Emerging local planning policy SCLP5.3; or Paragraph 79 of the NPPF. DM3 also links to policy DM4 - Housing within Clusters (similar emerging local planning policy is SCLP5.4).
- 8.2 Local Plan Core Strategy policy DM4 relates to the provision of new housing in the countryside within existing clusters. Clusters are defined within the existing local plan as consisting of:

*"- Consists of a continuous line of existing dwellings or a close group of existing dwellings adjacent to an existing highway;
- Contains 5 or more dwellings; and
- Is located no more than 150 metres from the edge of an existing settlement identified as a Major Centre, Town, Key Service Centre or Local Service Centre. This distance may be extended to 300 metres if a footway* is present."*

8.3 The current application site is considered to be located within a group of less than 5 dwellings and significantly more than 150 metres from the edge of a sustainable settlement along a road without a footway (approximately 1.5 miles on the shortest route via road). On that basis the principle is contrary to existing Core Strategy policies DM3 and DM4.

8.4 The National Planning Policy Framework (NPPF) is a material consideration, and paragraph 79 states that:

"Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;

b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;

c) the development would re-use redundant or disused buildings and enhance its immediate setting;

*d) the development would involve the subdivision of an existing residential dwelling; or
e) the design is of exceptional quality, in that it:*

- is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and

- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area."

8.5 The proposal is within a built-up domestic area as there is clearly a small pattern of residential development here. On that basis, the proposal does not represent an isolated new home, in NPPF terms.

8.6 The Final Draft East Suffolk (Suffolk Coastal) Local Plan (2019) is at a very advanced stage and the policies therein can now be given significant weight. Emerging Policy SCLP5.4 (Housing in Clusters in the Countryside) sets out that proposals for new dwellings within 'clusters' in the countryside will be supported where:

"a) The proposal is for up to three dwellings within a cluster of five or more dwellings;

Or

The proposal is for up to five dwellings within a cluster of at least ten existing dwellings which is well related to a Major Centre, Town, Large Village or Small Village;

And

b) The development consists of infilling within a continuous built up frontage, is in a clearly identifiable gap within an existing cluster, or is otherwise located adjacent to existing development on two sides;

c) The development does not represent an extension of the built up area into the surrounding countryside beyond the existing extent of the built up area surrounding, or adjacent to, the site;

and

d) It would not cause undue harm to the character and appearance of the cluster or, result in any harmful visual intrusion into the surrounding landscape.

Where more than three dwellings are proposed under criterion b) above, applicants must be able to demonstrate that the scheme has the support of the local community and that the mix of dwellings proposed would meet locally identified needs.

Particular care will be exercised in sensitive locations such as within or in the setting of Conservation Areas, the Area of Outstanding Natural Beauty and the special qualities and features of Landscape Character Areas in accordance with Policy SCLP10.4.

The cumulative impact of proposals will be a consideration in relation to the criteria above.

A 'cluster' in the context of this policy:

- *Consists of a continuous line of existing dwellings or a close group of existing dwellings adjacent*
- *to an existing highway; and*
- *Contains 5 or more dwellings."*

- 8.7 The application site would be within a group of four dwellings, all fronting the highway. The site represents an identifiable gap between existing dwellings, and it would not result in development extending farther out into the countryside than the existing situation. It is noted that the cluster of four dwellings is one short of meeting the definition of a 'cluster', within the emerging policy (which is 5 dwellings or more). However, in all other respects the site represents infilling within a group in the manner the policy seeks to promote, and thus it is felt that the principle of development can be supported, subject to the scheme being acceptable in respect of all other matters.

Heritage Considerations

- 8.8 The proposed new dwelling would be located to the west of North Green Farm, which features a Grade II listed Farmhouse. The farmhouse is C16th in origin, timber framed and rendered and a typical example of the Suffolk farmhouse vernacular. Its principal elevation faces towards Town Farm Lane and not towards the application site. The farmhouse has an associated group of farm buildings to its immediate north. The application site lies opposite the entrance driveway to its north-west but does not, in the view of officers, form part of the listed building curtilage, thereby. The site appears from historic mapping to always have been undeveloped and may have been planted as orchard in the C19th. It is likely, therefore, that the application site has always had an historical and possibly functional relationship to

the farmstead. It forms, therefore, part of the farmhouse's setting and contributes moderately to its significance.

- 8.9 The wider setting to the farmhouse, however, has been altered in the 20th century with the construction of dwellings north-westwards along Town Farm Lane in the immediate vicinity of the application site. This has introduced built form of a domestic character into the setting of the farmhouse and it is officer's view that the application proposal would simply do more of the same and without harm. It would represent a further dwelling into a group of existing dwellings (including the farmhouse, itself). This would represent a change to the setting of the farmhouse but the effect of the change would not give rise to any harm to the farmhouse's significance, as it will be very similar to the existing effect arising from the existing houses. The single storey linear character of the dwelling and its straightforward and pleasant design would not compete with the listed building and the farmhouse would remain the dominant dwelling in this group.
- 8.10 On these bases, therefore, the proposal will preserve the setting of the listed North Green Farmhouse.

Visual Amenity

- 8.11 The proposed design, size and scale of the dwelling is considered to be acceptable. The design is a simple bungalow that relates to the scale and character of the more modern housing development in the group. It is a modest dwelling appropriately sized for the plot, providing ample curtilage for future occupiers.
- 8.12 The proposal also involves a new car port ahead of the dwelling. Whilst the car port is of a standard size, it will be forward of the building line which will have an associated visual impact upon the streetscene. However, this is not considered to be harmful to the character and appearance of the area. The proposal is considered to be compliant with local planning policy SP15 -Landscape and Townscape and DM21- Aesthetics.

Residential Amenity

- 8.13 The proposed dwelling is unlikely to cause any detrimental issues in terms of residential amenity, due to its single storey form and good separation from neighbouring dwellings. There would be no unacceptable overlooking or privacy issues. The proposed dwelling will have a suitable amount of amenity space provided and will not have any detrimental impacts in terms of impacting neighbour's access to daylight/sunlight. The proposal is considered to be compliant with DM23 of the local plan.

Function/Highways

- 8.14 The proposal also includes a new access onto the associated highway. The application site is located on an unrestricted countryside road with two existing accesses either side of the application site. Traffic speeds in this location are likely very low, and it is not a route heavily used by vehicles. The Highways Authority seek more information on visibility splays, but it is clear that access to-and-from the site can be safely achieved, with good visibility in both directions. The proposal is acceptable in terms of highways safety.

Ecology

- 8.15 The application site has no recordings of protected species on site and there are no existing buildings or outbuildings on site which may feature roosting bats or any other protected species; no further surveys are considered to be required.
- 8.16 Any new residential development within the Zone of Influence of European (Habitats) Site will be required to mitigate the effects of the development and show how this will be achieved prior to approval of planning permission. The application site falls within this Zone of Influence and therefore a Suffolk (Coast)Recreational Avoidance Mitigation Strategy (RAMS) mitigation payment is required, this will be required prior to determination at planning committee.

9. Conclusion

- 9.1 Whilst the principle of this proposed dwelling is contrary to planning policy, as it would result in a dwelling outside of the defined settlement boundary, it would represent a sustainable form of development. It would provide a well-designed dwelling infilling within an existing group and, subject to the receipt of appropriate RAMS mitigation, the scheme is acceptable in terms of all other material planning considerations. Planning permission can therefore be granted.

10. Recommendation

- 10.1 Recommend for approval.

11. Conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with A1-LOC-01, B1-LOC-01, B2-SIT-01, B2-SIT-02, B2-SIT-03, B3-PLN-01, B4-SEC-01, B5-ELE-01, B5-ELE-02 & B5-ELE-03 received 11/3/2020 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity

4. None of the trees or hedges shown to be retained on the approved plan shall be lopped, topped, pruned, uprooted, felled, wilfully 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.

5. 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.

2. Note: It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

The County Council's East Area Manager must be contacted on Telephone: 01728 652400. Further information can be found at: www.suffolk.gov.uk/environment-and-transport/highways/dropped-kerbs-vehicular-accesses/

A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

3. 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

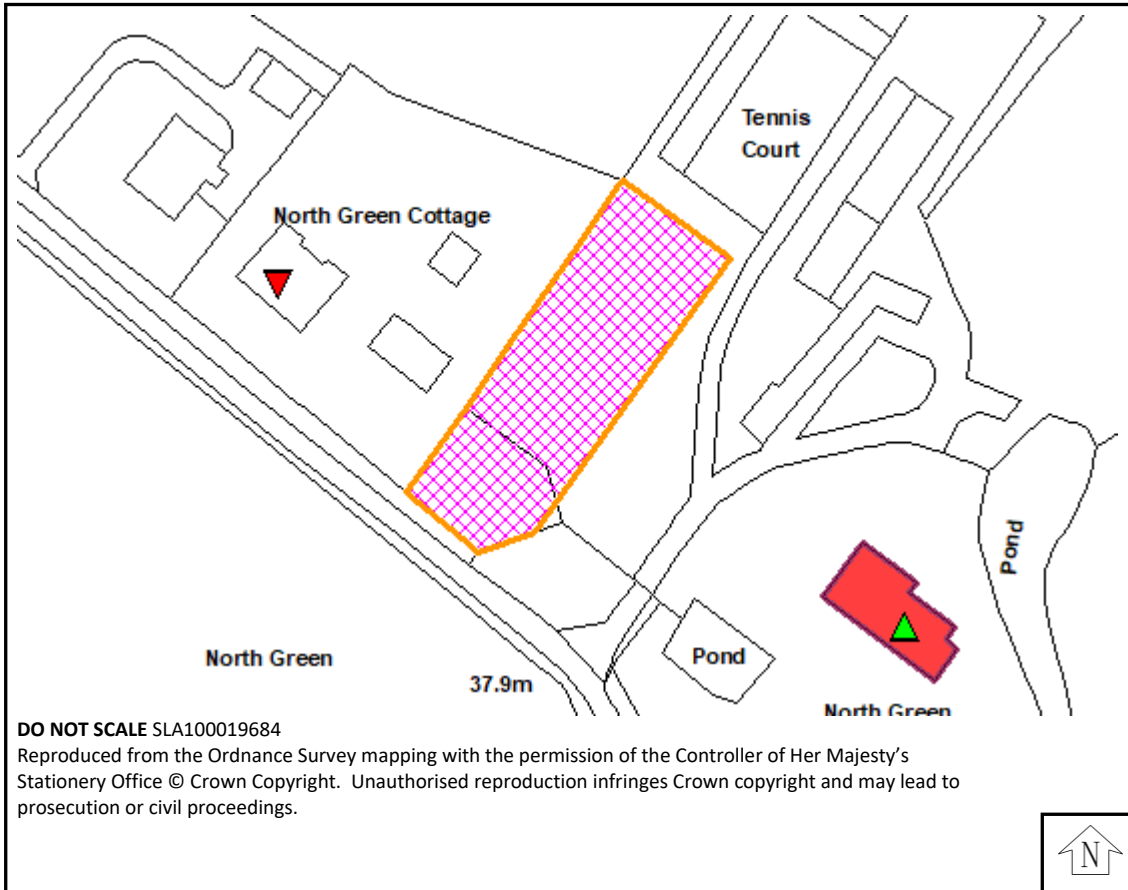
Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>

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





Background papers

See application reference DC/20/1127/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q715A9QXIAN00>

Map



Key

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