

# Forest Heath District Council

**DEVELOPMENT  
CONTROL  
COMMITTEE**

**5 FEBRUARY 2014**

**DEV14/101**

**Report of the Head of Planning and Regulatory  
Services**

**PLANNING APPLICATION DC/13/0472/FUL - THE FORGE, 8 CHURCH ROAD,  
MOULTON**

## **Synopsis:**

Application under the Town and Country Planning Act 1990 and the Planning (Listed Buildings and Conservation Areas) Act 1990 and associated matters.

## **Recommendation:**

**It is recommended that the Committee determine the attached application and associated matters.**

## **CONTACT OFFICER**

Sarah Drane (Case Officer)  
Tel. No. 01638 719432

# Committee Report

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**Parish:** Moulton **Committee Date:** 5<sup>th</sup> February 2014

**App. No:** DC/13/0472/FUL **Date Valid:** 11 November 2013

**Expiry Date:** 20 December 2013

**Proposal:** Erection of 4 one-and-a-half storey dwellings, associated detached outbuildings and alterations to existing vehicular accesses (off Church Road and off St Peters Close) (demolition of existing dwelling and Class B2 structures and change of use of whole site to residential only) (Development Affecting the Setting of a Listed Building)

**Site:** The Forge, 8 Church Road, Moulton, Suffolk CB8 8SF

**Applicant:** Logan Homes Ltd

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## Background:

**This application is referred to Development Control Committee following consideration by the Delegation Panel. No objections have been received from consultees, but the Parish Council and a number of residents object to the proposals. The application is recommended for APPROVAL.**

## Application Details:

1. The application seeks planning permission for 4 one and a half storey dwellings, associated outbuildings and alterations to the existing vehicular accesses. Plot 1 fronts Church Road, adjacent to No. 10A. This is a three bed detached dwelling, with a garage and parking to the rear. Plot 2 is also a three bed detached dwelling also fronting Church Road, with a garage and parking at the rear. Both plots 1 and 2 are accessed off Church Road adjacent to No. 6. Plot 3 is a 4 bed detached dwelling with garage and parking. Plot 4 is ¾ bed with garage and parking. Plots 3 and 4 are accessed off St Peters Close. The designs of the dwellings are traditional to reflect the character of the Conservation Area and the adjacent Listed cottages (Nos 2-6 Church Road).

## Site Details:

2. The site is within the Conservation Area, the boundary of which runs along the rear of the site adjacent to properties on St Peters Close. The site is also within the settlement boundary of the village. To the west are 3 Grade II Listed cottages (No. 6 being the former blacksmiths house), to the north the site faces an area of open common land. To the east are 1970s semi-

detached bungalows. To the south is a public footpath connecting St Peter Close to Church Road and a 1970s 2 storey residential development (St Peters Close). The site itself has an existing detached bungalow on it, along with a number of outbuildings, including a 1950s workshop and the forge building itself. There are trees on the site, but no specimen trees of any particular merit.

### **Application Supporting Material:**

3. Information submitted with the application as follows; application form, plans, tree survey, contaminated land information and Design & Access Statement

### **Planning History:**

4. None

### **Consultations:**

5. **SCC Highways** – No objection subject to conditions

**SCC Archaeology** – No objection subject to conditions

**Natural England** – see standing advice (commented on further below)

### **Ecology, Tree & Landscape Officer:**

*'In general the trees on the site provide a backdrop to the several contrasting developments in the vicinity and provide some cohesion but also visual separation to the different building styles. Whilst the trees are not remarkable in themselves their loss will represent an impact on the existing landscape. The layout of the new development does not allow room for significant replacement trees as gardens will be small (for reference look at the canopies of the trees being removed).'*

Conditions are suggested.

### **Conservation Officer –**

*'The existing site does not make a positive contribution to the character or appearance of the conservation area. I have no objection to the demolition of the existing buildings although the forge should be recorded prior to its demolition.*

*The proposed development reflects the scale of neighbouring building and the traditional design and materials of buildings within the conservation area.*

*The development would enhance the conservation area and would not harm the setting of the adjacent listed buildings. I therefore have no objection to this application subject to conditions'.*

**Environmental Services** – No objection

### **Representations:**

6. Moulton Parish Council:

*'The Parish Council and 12 members of the public attended a meeting to consider this planning application.*

*It was accepted, that whilst regrettable, the village will have to lose the employment potential at The Forge, and it will inevitably become a desirable residential development site in the heart of the conservation area.*

*However, it was unanimously agreed by councillors and villagers that the current plans resulted in overdevelopment, and this site was not capable of sustaining 4 large family homes. It is suggested that 3 properties should be reconfigured on this site. This would permit greater turning and access for vehicles, additional parking spaces for residents and visitors, and would prevent over crowding and visual intrusion, and lack of privacy for the existing single storey adjacent properties.*

*It is proposed that one dwelling only should be built on the frontage of Church Road, and this plot should be set back to allow the carriageway to be increased in width at the point where it currently narrows, and restricts the through passage of large commercial, agricultural or emergency vehicles should any car be parked on the kerbside. This situation will only become exasperated with a new development accessing Church Road. In addition, the road crossing at the ford is already viewed as hazardous, due to the large number of pedestrians and children who enjoy this open space by the river, especially in the summer months, and any increase in traffic movements will add to the risks at this idyllic waterside location. This narrow rural road is already congested and there are further concerns regarding increased vehicle movements accessing the junction of the B1085 where vision is obscured. There are also highway concerns for St Peters Close – it is proposed that two 4 bedroomed homes will gain access to the site, where the turning space is tight, and currently there are number of cars parked at the kerbside. Unless adequate garage and parking spaces are made available on site, for say 3 cars per 4 bed unit (2 adults plus one dependent living at home), plus visitors, there will be an unacceptable number of parked vehicles, off site, on the carriageway'.*

7. A number of representations have been received raising the following concerns:

- Existing parking issues will be made worse due to number of houses proposed
- Consideration should be given to widening Church Road to ease congestion
- Safety concerns for children given extra traffic
- Overlooking
- Proposed dwellings will dominate Church Road street scene
- Proposed estate railings out of keeping with the rural nature of village
- Parking areas won't be used which will lead to more on-street parking making car and pedestrian access on Church Road extremely dangerous
- Efforts to market site for light industrial use have been inadequate
- Overdevelopment of the site
- Development will not preserve or enhance the character of the Conservation Area and will be detrimental to the adjacent listed buildings.
- The junction between Church Rd and the B1085 has poor visibility resulting in several accidents
- Large bat population feeds from the gardens of the existing property and

- no evidence to suggest a bat survey has been done
- Previous appeal at 2 Church Road for a new dwelling was dismissed due to impact on setting of the listed buildings, cramped development and failed to preserve/enhance the character of the Conservation Area
  - Proposals do not comply with Core Strategy policies or the NPPF
  - Noise and disturbance from access and parking areas off Church Rd adj. to no. 6

**Policies:**

**Development Plan**

8. FHLP policies 4.14 & 4.15

Core Strategy 2013 – CS1, CS3, CS5, CS13

**Other Planning Policy**

9. [National Planning Policy Framework \(2012\)](#)

**Officer Comment:**

10. The starting point for the consideration of this application is the development plan. The site falls within the settlement boundary of Moulton which is designated as a secondary village within the settlement hierarchy as set out in Core Strategy policy CS1. Secondary villages will only provide nominal housing growth. The site in question is part residential and part employment. Saved FHLP policy 4.15 considers new housing development to take the form of infill or small groups, subject to satisfying the criteria set out in policy 4.14. Criterion A is met as the site is within the settlement boundary of the village. The following paragraphs set out the consideration of this proposal under the remaining criteria.

**Loss of residential or visual amenity?**

11. One of the objections raised by local residents is the scheme results in overlooking. There are no overlooking issues caused by plots 1 and 2. Plot 1 does have 1<sup>st</sup> floor side facing windows towards 10A. One will be an obscure glazed bathroom window. The other is a landing window, but this is positioned so that it would not overlook the private rear garden space of 10A. Plot 2 also has 1<sup>st</sup> floor side facing windows towards No. 6. One will be an obscure glazed bathroom window. The other is a landing window, but this is positioned so that it would not overlook the private rear garden space of No. 6.
12. Plot 3 has first floor front and rear facing bedroom windows. The stand off distance to No. 10 (back to back) is approx. 21m (plot 3 has a rear garden of 12.5m – 14m) which is considered acceptable. The front facing windows are 12.5m away from the boundary to No. 6 and would face towards an area of rear garden to No. 6 approx. 13m away from their rear wall. Any potential view would also be obscured by the proposed garage block.
13. Plot 4 also has first floor front and rear facing bedroom windows. The stand off distance to No. 12a (back to back) is approx. 22.5m (plot 4 has a rear garden of approx. 11.5m) which is also considered acceptable. The front facing windows are 12m away from the boundary to No. 6 and would face

towards an area of rear garden to No. 6 approx. 22m away from their rear wall.

14. The visual amenity of the area needs careful consideration given the sites location within the conservation area and adjacent to listed buildings. This is considered further below.

**Loss of a viable employment site:**

15. The forge business that was run from the site became unviable and closed in April 2013. No one has been employed on the site since. The applicant argues that the site has a relatively unrestricted B2 (General Industrial) use which could easily create a 'bad neighbour' issue given all adjoining properties are residential. Marketing the site as a viable business premises is further hindered by the investment required and inevitable financial risk required to bring the site back to a reasonably modern standard to create a facility for long term employment of a number of staff. The marketing campaign conducted included marketing with Cheffins from 3<sup>rd</sup> May 2012 to 27<sup>th</sup> June 2013. During that time there were 5 viewings and 2 offers, the second of which was made by the applicant and was accepted. William H Brown also marketed the property from 9<sup>th</sup> January – 30<sup>th</sup> April 2013. During that time they had 5 enquiries, 2 viewings, but no offers. Given the extended period of marketing there were no offers to continue this site within employment use. This also needs to be balanced against the removal of a potentially noisy neighbour within what is predominantly a residential area and the enhancement to the conservation area (see further comments on this below) that this development would bring. It is therefore concluded that on this issue alone it would be difficult to robustly defend a reason for refusal.

**Impact on nature conservation interests:**

16. The submission includes a biodiversity report for the site. Evidence of bats was recorded in the house at the site and emergence survey detected a pipistrelle bat leaving the property and using the garden. Natural England standing advice has been used to assess the bat survey and mitigation strategy and this indicates that although the development will be harmful to bats and a licence will be required, planning permission may be granted so long as the mitigation is implemented (this can be conditioned).
17. No other protected species were considered to be an issue on the site; however impact avoidance for nesting birds was recommended in the report and needs to be implemented (this can be conditioned).
18. The site contained one Schedule 9 invasive plant (*Cotoneaster horizontalis*) and removal and control recommendations are recommended and need to be implemented (this can be conditioned).

**Layout and design respects the existing pattern and character of development in the locality?**

19. The pattern and character of development in the immediate area is principally linear with dwellings fronting the road to which they relate. Plots 1 and 2 sit on the same building line as the adjacent listed buildings to the west facing Church Road. Plots 3 and 4 read as a continuation of and accessed off St Peters Close. The design of the proposed dwellings is

considered appropriate given the setting within the Conservation Area, with traditional detailing so as not to detract from the adjacent listed buildings. Officers do not consider the proposals to be overdevelopment of the site. Each plot has a rear garden of at least 10m in depth and sufficient parking/access for 2 cars. There is nothing within policy that says an infill site cannot be developed to a higher density, subject to it relating appropriately to surrounding development.

### **Impact on the Conservation Area and listed buildings:**

20. The site has been carefully assessed by the Conservation Officer. The following comments are made:

*'In its current form, the site does not particularly enhance the character or appearance of the conservation area. The forge itself, whilst dating from the late 19<sup>th</sup> century, is surrounded by modern structures which negate any positive contribution to the conservation area it may have made. The southern site boundary also forms the boundary of the conservation area and is demarked by a modern brick wall. Beyond this, the setting of the conservation area consists of modern development (St Peter's Close). The principal view of the site and new development is therefore from the north - Church Street and the open space beyond.'*

*Plots 1 and 2 would have the greatest impact on the setting of the listed buildings and the character and appearance of the conservation area. The new buildings would follow the building line of the listed buildings and the slight turn in the road. The ridge and chimney heights of the proposed buildings are very similar to those of the listed buildings. Plot 2 is positioned further away from 6 Church Road than the existing forge, so reducing its impact on the setting.*

*The new buildings have been designed to reflect the traditional character of the conservation area and the proposed materials and detailing of the buildings are suitable.*

*Plots 3 and 4 are set a sufficient distance away from the rear elevations of the listed buildings that they would not impinge on their setting. Drawing 13/32/02 refers to 1m high estate railings to be provided the fronts of plots 1 and 2, but no details of these have been provided. A simple railing may be acceptable but details are required for approval.'*

21. The proposed development is considered to reflect the scale of neighbouring building and the traditional design and materials of buildings within the conservation area. The development would enhance the conservation area and would not harm the setting of the adjacent listed buildings.

### **Access & Parking:**

22. The Highways Authority has raised no objections to the proposed development subject to conditions to secure the layout. Each dwelling has space to park 2 cars and it would be unreasonable to require additional spaces given the current parking standards.

### **Conclusion:**

23. The parish council and third party comments are noted, but for the reasons given above, the application could not be robustly refused on the concerns

cited. The NPPF seeks to promote growth and given the location of the site within the village, the proposed residential redevelopment is considered acceptable and satisfies local and national policies. The application is therefore recommended for approval as set out below.

## **Recommendation**

24. Grant Permission subject to the following CONDITIONS:

1. Time limit
2. Compliance
3. Archaeological Investigation
4. Completion of post investigation assessment
5. Details of materials
6. Details of railings to the front of plots 1 and 2
7. Recording of historic features on site
8. Details of windows in north and east elevations of plot 1 and the north and west elevations of plot 2 only
9. Details of new external doors on the north elevations of plots 1 and 2 only, and including the central gate
10. No mechanical and electrical extract fans, ventilation grilles, security lights, alarms, cameras, and external plumbing, including soil and vent pipe shall be provided on the exterior of the building until details of their location, size, colour and finish have been submitted to and approved
11. Access laid out and completed as shown
12. Parking and turning provided and retained as shown
13. Restrict Construction times
14. Details of boundary treatments to be agreed
15. Hard and soft landscaping to be agreed
16. Landscaping implementation
17. Scheme for provision of bird/bat boxes within the site
18. Implementation of recommendations within ecology report
19. Bat mitigation strategy

A unilateral Planning Obligation has been signed which secures £19,530.00 towards play and open space in accordance with the Council's adopted SPD.

## **Documents:**

25. All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

<http://planning.stedmundsbury.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=MUPGRDPD03F00>

Alternatively, hard copies are also available to view at Planning, Planning and Regulatory Services, Forest Heath District Council, District Offices, College Heath Road, Mildenhall, Suffolk, IP28 7EY