



St Edmundsbury
BOROUGH COUNCIL

WORKING PAPER 1

Development Control Committee 4 May 2016

Planning Application DC/16/0163/FUL Land east of Bobbys Way, Stanton, IP31 2FE

Date	27 January	Expiry Date:	Extension of Time
Registered:	2016		agreed until
			13 May 2016
Case	Marianna	Recommendation:	Refuse
Officer:	Christian		
Parish:	Stanton	Ward:	Stanton

Proposal: Planning Application - 2 no. dwellings with car ports and parking.

Site: Land east of Bobbys Way, Stanton, IP31 2FE

Applicant: M and D Developments

Synopsis:

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

Recommendation:

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

CONTACT CASE OFFICER:

Email: marianna.christian@westsuffolk.gov.uk

Telephone: 01284 757351

Background:

This application is presented to the Development Control Committee following consideration by the Delegation Panel. The application was referred to the Delegation Panel at the request of Councillor Jim Thorndyke as Ward Member. The Parish Council has also supported the proposal and officers are recommending refusal of the scheme.

A Committee site visit will be undertaken on Thursday 28 April 2016.

Proposal:

1. Planning permission is sought for the erection of a pair of semi-detached three-bedroom bungalows on land adjacent to No. 8 Bobbys Way in Stanton. The dwellings would each have an attached cartlodge and the existing road would be extended to provide access to both properties together with a turning head. The bungalows would be finished in painted render with brick plinths and brown concrete pantiles.

Application Supporting Material:

2. Information submitted with the application as follows:
 - Application Form
 - Local Requirements
 - Design and Access Statement
 - Land Contamination Questionnaire
 - Enviroscreen Certificate
 - Site and block plan
 - Elevations and floor plan

Site Details:

3. The application site comprises part of an open grassed area to the south of No. 8 Bobbys Way. Bobbys Way is a small residential development located to the east of the main settlement of Stanton. The properties were formerly owned by the RAF and provided housing for service personnel. To the east of the site is agricultural land and to the west is High Wood, an ancient woodland.
4. The site is located outside of the defined housing settlement boundary for Stanton and is therefore within the countryside for planning purposes.

Planning History:

5. SE/12/1696/FUL Planning Application - Erection of 4 no. new dwellings, parking and access. Refused 11.02.2013. Appeal Dismissed 23.09.2013.

Consultations:

6. Parish Council: Support. Proposal is on the site of dwellings demolished

some years ago. Consider plans to be in keeping with current properties. Would not wish to see further plans to extend additional dwellings onto the greenfield site.

7. County Highway Authority: Condition recommended regarding manoeuvring and parking.
8. Natural England: No comments.
9. Environment Team: Information submitted with the application indicates that the risk from any contamination is low.
10. Public Health and Housing: No objection.
11. Forestry Commission: Advisory comments provided regarding nearby ancient woodland.
12. Environment Agency: No objection. Advisory comments provided regarding risks to controlled waters from contamination and regarding foul drainage.

Representations:

13. Ward Member (Stanton) Councillor Thorndyke:

- *Appears to be a replacement for a similar property which existed in the 1950s/60s. Two driveways still exist and may be being used in this application.*

14. Neighbours:

Letters of representation have been received from numbers 6, 8 and 12 Bobbys Way making the following summarised objections:

- Site is in the countryside.
- Residents would be reliant on a car to access the village.
- There are no facilities nearby.
- Village is already increasing in size.
- No demand for more housing in Stanton.
- Would be detrimental to the character and appearance of the countryside.
- Concerned about contamination.
- Site is utilised by wildlife.
- Concerned about loss of light and disturbance from building works.
- Increased traffic on a private road.

Officer note – comments have also been made regarding the applicant which are not material planning considerations and as such have not been repeated here.

Policy: The following policies have been taken into account in the consideration of this application:

15. St Edmundsbury Core Strategy (December 2010):

- Policy CS1 St Edmundsbury Spatial Strategy
- Policy CS2 Sustainable Development

- Policy CS3 Design and Local Distinctiveness
- Policy CS4 Settlement Hierarchy and Identity
- Policy CS7 Sustainable Transport
- Policy CS13 Rural Areas

16. Rural Vision 2031 (September 2014):

- Policy RV1: Presumption in Favour of Sustainable Development
- Policy RV3: Housing Settlement Boundaries

17. Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document (February 2015):

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places – Development Principles and Local Distinctiveness
- Policy DM5 Development in the Countryside
- Policy DM13 Landscape Features
- Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- Policy DM22 Residential Design
- Policy DM27 Housing in the Countryside
- Policy DM46 Parking Standards

Other Planning Policy:

18. National Planning Policy Framework (2012).

19. National Planning Policy Guidance.

Officer Comment:

20. The issues to be considered in the determination of the application are:

- Principle of development
- Impact upon the surrounding area
- Highway safety
- Residential amenity

Principle of development

21. The application site is within the countryside for planning purposes, being outside of the defined settlement boundary for Stanton. Whilst the NPPF does not preclude new housing development in the countryside, as part of its core planning principles (at paragraph 17) it does require the recognition of the intrinsic character and beauty of the countryside and the need to actively manage patterns of growth and focus significant development in sustainable locations. In addition the NPPF at paragraph 55 seeks to promote sustainable development in rural areas and to avoid new isolated homes in the countryside.

22. Core Strategy Policy CS4 states that development outside of the settlements will be strictly controlled, with a priority on protecting and enhancing the character, appearance, historic qualities and biodiversity of

the countryside while promoting sustainable diversification of the rural economy.

23. JDMP Policy DM5 states that areas designated as countryside will be protected from unsustainable development but allows for small scale residential development of a small undeveloped plot in accordance with policy DM27.
24. Development Management Policy DM27 states that proposals for new dwellings will be permitted in the countryside subject to satisfying the following criteria;
 - a) the development is within a closely knit 'cluster' of 10 or more existing dwellings adjacent to or fronting an existing highway.
 - b) the scale of development consists of infilling a small undeveloped plot by one dwelling or a pair of semi detached dwellings commensurate with the scale and character of existing dwellings within an otherwise continuous built up frontage.Permission will not be granted where a proposal harms or undermines a visually important gap that contributes to the character and distinctiveness of the rural scene, or where development would have an adverse impact on the environment or highway safety.
Policy DM27 clarifies that a small undeveloped plot is one which could be filled by one detached or a pair of semi-detached dwellings where the plot sizes and spacing between dwellings is similar to adjacent properties and thereby respects the rural character and street scene of the locality.
25. Planning permission has been previously refused for four single-storey dwellings on a larger plot which included the application site, ref. SE/12/1696/FUL, and this decision was upheld at appeal. The Inspector at that time considered that the development would have an adverse effect on the character and appearance of the area and harm the aim of securing a sustainable pattern of development given the site's countryside location. This was prior to the adoption of the Joint Development Management Policies, including Policy DM27 which permits appropriate small scale residential development in the countryside. The agent's Local Requirements statement indicates that the current proposal has been submitted as it is considered to be compliant with Policy DM27.
26. The application site is located adjacent to No. 8 Bobbys Way which is the last property in the row of bungalows running southwards. To the south of the site lies the remainder of the grassed area of open space (of which the site forms part), beyond which is agricultural land and buildings. As such the site is at the end of a row of housing, as opposed to being within a cluster of dwellings as required by Policy DM27. The site is not considered to consist of a small undeveloped plot as it forms part of a much larger area of open land. Furthermore, the proposal cannot be considered as infill development within an otherwise continuous built up frontage given the absence of any existing dwellings adjacent to the site on its southern side. For these reasons, the proposal is not considered to comply with Policy DM27.
27. The NPPF confirms that isolated new homes in the countryside should be

avoided unless there are special circumstances. These circumstances relate to the essential need of a rural worker, the optimal viable use of a heritage asset, the re-use of a redundant or disused building or where exceptional or innovative design is involved. Policy DM5 of the Joint Development Management Policies states that areas designated as countryside will be protected from unsustainable development. Residential development may be permitted where it is for affordable housing for local needs, a dwelling for a key worker essential to the operation of agriculture, forestry or a commercial equine-related business, small scale residential development of a small undeveloped plot in accordance with Policy DM27, or the replacement of an existing dwelling on a one for one basis.

28. It is understood that there were dwellings previously on the site that were destroyed by a plane crash in 1962 and the proposal would, in part, replace these. The appeal Inspector for application SE/12/1696/FUL held however that given the time scale involved together with there being no remnant of the original dwellings and the site having been put to an alternative use, the proposals could not be considered as 'replacement' dwellings. This remains the view of Officers in this regard, not least given the time frame of over 50 years that have elapsed since the site was last developed.
29. The proposal does not therefore meet any of the special circumstances set out within the NPPF or Policy DM27.
30. As noted by the appeal Inspector for SE/12/1696/FUL, the nearby A143 which provides access to the Key Service Centre at Stanton has high traffic speeds with no associated cycle lanes or pedestrian footpaths, making it difficult to access the village by means other than by car. Occupiers of the dwellings would therefore be dependent on the use of the private car for most needs and services, and there would therefore be conflict with the underlying intention of the NPPF and Core Strategy which aim to direct development to the most sustainable locations.
31. For the reasons set out above, officers consider that this proposal for two new dwellings in the countryside would not meet current policy requirements. As such the principle of development is not acceptable in this case.

Impact upon surrounding area

32. The proposed dwellings are of a similar scale and appearance to existing properties in Bobbys Way, and are not of an objectionable design. The site however currently forms part of an open grassed area with agricultural land beyond and an ancient woodland (High Wood) directly opposite. The construction of two new dwellings together with the associated road and turning head would intrude into this open countryside setting, to the detriment of the character and appearance of the area.

Highway safety

33. The proposals provide adequate access and parking arrangements for the dwellings and the County Highway Authority has raised no objections to the scheme.

Residential amenity

34. The dwellings would be single storey in scale and are not considered to have an adverse effect on No. 8 Bobbys Way by reason of overshadowing, overlooking, or having an overbearing impact.

Other matters

35. The application is accompanied by an environmental report and land contamination questionnaire, and the Council's Environment Officer is satisfied that the risk from contaminated land is low in this case.

Conclusion:

36. Whilst Development Management Policies DM5 and DM27 provide for small scale residential development of small undeveloped plots in the countryside, the proposal in this case is not considered to represent infill development within an otherwise continuous built up frontage and within a closely knit cluster of dwellings. The scheme would introduce new housing in an unsustainable location and would intrude into open countryside, to the detriment of the character and appearance of the area. The proposal is therefore considered contrary to policy and it is recommended that planning permission be refused.

Recommendation:

It is **RECOMMENDED** that planning permission be **Refused** for the following reason:

The National Planning Policy Framework (NPPF) states that planning should recognise the intrinsic character and beauty of the countryside and actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus development in sustainable locations (para. 17). Local Planning Authorities should avoid isolated new homes in the countryside unless there are special circumstances. Core Strategy Policy CS4 states that development outside of the settlements will be strictly controlled, with a priority on protecting and enhancing the character, appearance, historic qualities and biodiversity of the countryside while promoting sustainable diversification of the rural economy. Policy DM5 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document states that areas designated as countryside will be protected from unsustainable development, and restricts new residential development in such locations to affordable housing for local needs, dwellings for key agricultural, forestry and commercial equine workers, small scale residential developments of small undeveloped plots in accordance with Policy

DM27 and the replacement of existing dwellings. Policy DM27 sets out the circumstances where small scale residential developments in the countryside will be permitted.

The application site is within the countryside for planning purposes, being outside of the defined settlement boundary for Stanton. The site lies adjacent to a row of housing and forms part of a larger area of open space with agricultural land beyond. The site is not therefore within a cluster of dwellings and the proposal would not constitute the infilling of a small undeveloped plot within an otherwise continuous built up frontage, as permitted under Policy DM27. The proposal furthermore does not meet any other special circumstances for residential development in the countryside set out within the NPPF and Policy DM5. The development would erode the existing countryside setting in this location to the detriment of the character and appearance of the area. In addition, the site's location outside of the village of Stanton would require future occupiers of the proposed dwellings to travel to the village and beyond to access shopping, education, employment, recreation, and social facilities. The majority of these journeys would foreseeably be by car. The proposal for two new dwellings in this countryside location therefore represents an unsustainable form of development.

For the above reasons the proposals are considered contrary to Policies CS2, CS3 and CS13 of the St Edmundsbury Core Strategy (December 2010), Policy RV1 of the Rural Vision 2031 (September 2014), policies DM1, DM2, DM5 and DM27 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document (February 2015) and the National Planning Policy Framework.

Documents:

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

<https://planning.westsuffolk.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

Case Officer: Marianna Christian

Tel. No. 01284 757351