



St Edmundsbury
BOROUGH COUNCIL

DEV/SE/18/046

Development Control Committee 6 December 2018

Planning Application DC/18/1376/FUL – Land and Barns at Willow Tree Farmhouse, Mill Road, Brockley

Date Registered:	07.08.2018	Expiry Date:	02.10.2018 E.O.T 7.12.18
Case Officer:	Charlotte Waugh	Recommendation:	Grant
Parish:	Brockley	Ward:	Cavendish
Proposal:	Planning Application -(i) 1no dwelling with attached ancillary outbuilding, (ii) new access and (iii) associated works (following demolition of 2no existing barns)		
Site:	Land and Barns at Willow Tree Farmhouse, Mill Road, Brockley		
Applicant:	Mr & Mrs O Cornish		

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.

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Background:

This application is reported to the Development Control Committee on the basis of the identified conflict with policy, noting that, in order to progress as a delegated item, proposals otherwise need to be 'consistent' with the provisions of the Development Plan.

Members will note the conflict identified with the report as well as the material considerations that Officers believe otherwise justify an APPROVAL in these circumstances.

Proposal:

1. The application seeks consent for a new dwelling in place of an existing agricultural building within the grounds of Willow Tree Farmhouse. The dwelling would have 3 bedrooms with a flexible space that could accommodate an annexe, guest room or office. Designed with a traditional barn like appearance the building has a steep pitched roof with black stained timber boarded elevations and a clay pantile roof.
2. A new vehicular access is proposed off Mill Road to serve the dwelling with a two bay cart-lodge to accommodate parking.
3. A wooden framed curtilage listed barn is proposed to be demolished to allow the development as well as a modern steel and blockwork barn. A separate listed building consent application has been submitted for demolition of the historic barn which will be determined under delegated authority after the committee meeting.

Site Details:

4. The site comprises a collection of barns within the curtilage of Willow Tree Farm, a grade II listed building. The farmhouse itself is a two storey pink rendered building with clay peg tiles. To the north of it sits seven agricultural buildings with a vehicular access onto Mill Road and a large pond. The site is outside of any Housing Settlement Boundary.

Planning History:

5.

Reference	Proposal	Status	Received Date	Decision Date
DC/18/1377/LB	Application for Listed Building Consent - Demolition of 1no barn	Pending Decision	16.07.2018	E.O.T 7.12.18

Consultations:

6. Conservation Officer

The historic barn to be demolished is part of the historic farmstead layout but has been considerably altered in the past so little original fabric remains within the building. In addition, the replacement of the roof has robbed the building of its traditional proportions. Nevertheless, it continues to make an important contribution to the farmstead's traditional layout as a whole. The modern barn makes no contribution to the setting of the farm buildings or farmhouse and its removal would be of benefit and allow the original layout to be restored. The proposed new building is in the same location as the building it would replace and, although its orientation is slightly altered, it would maintain the traditional enclosure and relationship with the remaining agricultural buildings and farmhouse as the existing building. Its design reflects the agricultural character of the existing building, using appropriate materials (details of which are included in the application), enhancing the character and appearance of the farmstead.

The existing building is in poor condition and would, in time, deteriorate to the point where it would collapse or need to be dismantled. This would result in the loss of the traditional layout of the farmstead and enclosure which is part of the setting of Willow Tree Farmhouse. This proposal would ensure that the historic form and layout of the farmstead are maintained whilst the removal of the modern barn would further enhance the setting of the listed group of buildings.

The proposals accord with the relevant requirements of policy DM15 (Listed Buildings) and paragraph 200 of the NPPF by preserving elements which make a positive contribution to the setting and better revealing the significance of the heritage assets.

Therefore no objections to these applications and no conservation conditions are required on either application as sufficient information has been submitted.

Environment Team

No objections to phase 1 contamination report, recommend standard informative.

Public Health And Housing

No objections subject to conditions regarding hours of construction and acoustic insulation.

Suffolk Wildlife Trust	Note the findings of the ecological surveys and request that the recommendations are implemented in full as well as a condition that no works are undertaken during the amphibian hibernation season (November to March)
Environment & Transport – Highways	No objection subject to conditions
Natural England	No comment
Ecology and Landscape Officer	No objections subject to conditions
Parish Council	Support – The Parish Council believes this application is beneficial to the village as it will bring new blood into the village. And enhance the area of Willow Tree Farm. On the other hand it increases traffic flow along Mill Road and possibly increase the risk to those using Mill Road for walking. Access therefore, should have good vision.

Representations:

7. One letter of support has been received which makes the following comment:

The design of this proposed dwelling looks very good and is an improvement on what is there at present and this would be a development beneficial to the village.

Policy:

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

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 DM7 Sustainable Design and Construction
- Policy DM11 Protected Species
- Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- Policy DM15 Listed Buildings
- Policy DM22 Residential Design
- Policy DM27 Housing in the Countryside

- Policy DM46 Parking Standards

St Edmundsbury Core Strategy (December 2010):

- Policy CS1 St Edmundsbury Spatial Strategy
- Policy CS2 Sustainable Development
- Policy CS3 Design and Local Distinctiveness
- Policy CS13 Rural Areas

Rural Vision 2013 (September 2014):

- Policy RV1 Presumption in Favour of Sustainable Development

Other Planning Policy/Guidance

9. National Planning Policy Framework (2018)

Planning Practice Guidance

The NPPF was revised in July 2018 and is a material consideration in decision making from the day of its publication. Paragraph 213 is clear however that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework, the greater weight that may be given. The key development plan policies in this case are policies DM1, DM2, DM5, DM11, DM15, DM22, DM27, CS2, CS3, and CS13, it is necessary to understand how the NPPF deals with the issues otherwise raised in these policies, and to understand how aligned the DM and Core strategy Policies and the NPPF are. Where there is general alignment then full weight can be given to the relevant policy. Where there is less or even no alignment then this would diminish the weight that might otherwise be able to be attached to the relevant Policy. The policies used in the determination of this application are considered to accord with the revised NPPF and are afforded full weight in the decision making process.

Officer Comment:

10. The main considerations in determining this application are:

- Principle of Development
- Impact on Listed building and Visual Amenity
- Impacts on residential amenity
- Highway Safety
- Ecology
- Other

Principle of Development

11. The site is located outside of any Housing Settlement Boundary and as such the following policies are considered applicable, DM5 DM27, DM28, DM33 and CS1.
12. Policies CS1 and CS4 identify a spatial strategy for the Borough and a hierarchy of settlements where residential development is considered sustainable. The settlement of Brockley is considered to have such a limited range of services that it does not benefit from a Housing Settlement Boundary and as such, the site is on land considered to be countryside for planning purposes. In these circumstances, the residents predominantly rely on the motor car to get to work, shops or use other facilities. Policy CS4 states that it is considered *that in these settlements the construction of further new homes is unsustainable and it is unlikely that additional development would provide sufficient further customers to render the provision of a shop or other community facility viable*. Removal of the housing settlement boundaries prevents any further development from taking place unless exceptional circumstances apply.
13. Development Management policies outline these exceptional circumstances with DM5 listing agricultural workers dwellings, replacement dwellings and small- scale development in accordance with DM27 as instances where residential development may be acceptable within the countryside. The application has not been submitted on these grounds and as such, is not considered to be an exception to DM5 therefore, conflicting with its aims.
14. Furthermore, policies DM28 and DM33 relate to the re-use of buildings in the countryside, potentially for residential purposes on the grounds that sufficient evidence is provided to demonstrate that no other uses, such as employment, tourist accommodation, recreational and community uses, as specified in the Development Management Policies Document are viable. DM33 does allow the replacement of a building, as is the case here, in exceptional circumstances. Criteria H and I state that the proposed building will result in a more acceptable and sustainable development and will also restore the historical coherence of a group of a group of buildings which may be the true. Nonetheless, the application fails to accord with the overall provisions of this policy, principally given that no alternative uses have been explored and discounted, and consequently does not gain support from it.
15. The applicant states that there has been considerable development surrounding the site in recent years with two dwellings granted to the East on Chapel Street (DC/15/2484/FUL), two dwellings approved on Mill Road to the North (DC/17/2482/FUL) and a prior approval under Class Q to the West (within Babergh DC). Whilst this demonstrates that development in the village is not completely stagnant it does not change the policy considerations as discussed above, neither does it mean that the application accords with DM27.

16. Subsequently, the principle of development fails to accord with the development plan and this conflict weighs heavily against the scheme. As stated within the NPPF planning applications must be considered in accordance with the development plan unless there are material considerations that indicate otherwise.
17. The applicant considers that the modern barn on site proposed for demolition would comply with permitted development under Class Q, Part 3, Schedule 2 of the General Permitted Development Order which allows conversion of agricultural buildings to residential under the prior approval process and as such, this conversion is the fall-back option.
18. In assessing the barn in question against Class Q the Local Authority is satisfied with the below:
- The buildings last use was agricultural in connection with Willow Tree Farm
 - The total floor area that could be converted would be less than 450m²
 - Whilst the curtilage included in this application exceeds that allowed there is no reason why it couldn't be reduced to meet the requirement that it is no larger than the building itself as the applicant owns the entire site.
 - No agricultural permitted development has taken place within the site since 20th March 2013
 - The barn itself is not listed, within a Conservation Area, a SSSI, a safety hazard area or a military storage area.
- Prior approval is required from the Local Authority in respect of:
- Transport and Highway impacts of the development
 - Noise impacts of the development
 - Contamination risks on the site
 - Flooding risks on the site
 - Whether the location or siting of the building makes it otherwise impractical or undesirable for the change of use.
 - Design or external appearance of the building
19. The majority of these aspects are considered in more detail below in relation to the submitted proposal but for the purpose of Class Q, the Highway Authority is satisfied with the proposed access, the submitted contamination report is acceptable, the site is not in a flood zone, neither is it likely to cause a significant noise impact, or equally be subjected to such from adjacent uses. The Local Authority does not consider there to be any other reasons why this development would be impractical or undesirable in this context and with regard to external appearance it is likely that an acceptable scheme could be achieved.
20. Accordingly, whilst an application has not been submitted or formally approved, it is considered that the building could very likely obtain prior approval for residential conversion under Class Q of the General Permitted Development Order and on this basis, a high level of weight must be attributed to this as a realistic fall-back position. Officers consider that the weight of this

fall-back position outweighs the harm previously identified given the location outside of any Housing Settlement Boundary and, as such, the identified conflict with the development plan.

21. Should this option be pursued, the building to be converted, albeit potentially with new cladding and new fenestration would not contribute positively to the setting of the farm house or the village generally by virtue of its bulk and shallow roof pitch and the removal of this structure and the replacement of the historic barn has significant heritage benefit, as set out below, that also therefore weighs in favour of the proposal.

Impact on Listed building and Visual Amenity

22. The proposal involves the removal of two barns to facilitate the new dwelling. The loss of the large 20th century barn steel framed and clad barn would represent an improvement to the setting of Willow Tree Farm whose curtilage it sits within. The second barn is the remnants of a traditional Suffolk timber framed barn built in the 18th-19th century. Its roof has been replaced in the 20th century and the frame has been poorly altered and repaired. This barn is curtilage listed due to its age and this loss requires greater consideration. A separate listed building application has been submitted for its removal and this will be determined under delegated authority after this application is considered.
23. The Conservation Officer considers that the barn has been so significantly altered in the past that little historic fabric remains and replacement of the roof has robbed it of its traditional proportions. However its importance is in its contribution to the farmstead's traditional layout which would be lost when the building which is in poor condition, deteriorated to the point of collapse. This proposal would ensure that the historic form and layout of the farmstead are maintained whilst the removal of the modern barn would further enhance the setting of the listed group of buildings.
24. The proposed dwelling utilises the same span, length and plate height of the barn to be demolished as well as the original 50degree roof pitch which ensures the building retains its subservience to the farm house. Historical plans and photographs shows that the building will match in scale as well as openings and will create an authentic reproduction of the original site layout. The proposal reduces the overall mass of the buildings and introduces a dwelling which is appropriate and respectful in terms of materials, scale, form, incorporates sufficient amenity space, parking and living conditions.
25. Removal of the inappropriate barn and its replacement with a sensitively designed traditional barn like structure which successfully integrates between buildings on site will improve the character and setting of the listed building for its future. The enhancement of this setting as well as the good design and high quality of the dwelling proposed are matters which weigh in favour of the scheme.

Impacts on residential amenity

26. Policies DM2 and CS3 seek to ensure new development does not adversely affect residential amenity by reason of loss of light, privacy, overlooking or disturbance in general.
27. The site sits adjacent the listed farm house but retains sufficient separation to ensure no loss of amenity through overlooking or loss privacy. In addition, positioning the access directly onto Mill Road will remove any traffic from the farm yard. It is considered that the relationship between the proposed dwelling and host is acceptable.
28. The barn to the West has been granted consent for use as an outbuilding ancillary to the adjacent barn which has gained prior approval under Class Q to be converted, albeit this conversion has not yet occurred. Therefore, given this ancillary use, this is unlikely to cause any loss of amenity to either party.

Highway Safety

29. The application proposes a new vehicular access off Mill Road. The Highway Authority are satisfied with the plans subject to the inclusion of conditions. Suffolk County Council parking standards conclude that 3 spaces are required to serve a 4 bedroom dwelling, which this could possibly be with the inclusion of the flexible space. Sufficient parking is provided and as such, the proposal complies with these standards and consequently DM46.
30. Paragraph 110 of the NPPF states '*applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe accessible and convenient locations*'. This is echoed in Suffolk County Councils parking guidance and consequently DM46 which ensures compliance with this guidance. An electric charging point is shown on the plans and to comply with this policy a condition is recommended to secure this for the future.

Ecology

31. The application is supported by a bat and bird assessment which concludes that mortice joints within the building have been used infrequently for bat roosting. The site is a roost of moderate conservation importance at a local scale given the presence of a rare bat (barbastelle), though the site is not a maternity roost. The proposed development includes demolition and replacement of the barn. Without mitigation the works are highly likely to harm bats and destroy bat roosts. To allow the works to proceed legally a Natural England European Protected Species bat licence will be required following planning approval.

- 32.No protected birds appeared to be using the barn but White Doves were observed nesting on site and as such, mitigation measures have been detailed in the ecology report which include demolition outside of nesting bird season. Enhancements are also recommended within the ecology report and these are conditioned below.
- 33.Due to the proximity of a pond to the site a great crested newt survey was also undertaken. This established that low numbers of newts are using the pond given its dissection from surrounding ponds by roads and limited areas for foraging. The survey recommends precautionary measures to protect any present during construction. Furthermore, Suffolk Wildlife Trust recommend that no works are undertaken during amphibian hibernation season.
- 34.On this basis, providing the mitigation and enhancements as detailed are conditioned the development is not considered to have an adverse impact on protected species and complies with DM11.

Other

- 35.DM7 states (inter alia) proposals for new residential development will be required to demonstrate that appropriate water efficiency measures will be employed. No specific reference has been made in regards to water consumption. Therefore, a condition will be included to ensure that either water consumption is no more than 110 litres a day (including external water use) or no water fittings exceed the values set out in table 1 of DM7.

Conclusion:

- 36.Whilst the principle of residential development in this location conflicts with the development plan, the Class Q fall-back position which would allow conversion of the modern steel framed building is considered to outweigh this conflict.
- 37.The dwelling proposed represents an improvement to this potential Class Q scheme by virtue of its reduction in mass, the retention of historic layout, the sensitive and high quality design and consequently, the enhancement to the setting of grade II listed Willow Tree farm.
- 38.No issues are raised with regard to highway safety, parking, amenity, contamination or ecology such to warrant refusal of the application.
- 39.In conclusion, given the fall-back position, which would allow a single residential dwelling and the improved scheme which has been put forward, combined with its heritage enhancements, the application, is on balance, considered to be acceptable in principle and detail.

Recommendation:

40. It is recommended that planning permission is **APPROVED** with the following conditions:

1. Time limit
2. In accordance with approved plans
3. Removal of permitted development
4. Hours of demolition and site construction
5. Acoustic insulation of dwelling
6. Copy of Natural England licence to be submitted
7. No external lighting
8. Site clearance and demolition to be overseen by an ecologist
9. Mitigation and enhancements from Ecological surveys to be provided
10. Vehicular access to be completed in accordance with DM01
11. Access to be properly bound for 5 metres
12. Visibility splays to be provided as shown
13. Parking area to be provided prior to occupation
14. Bin storage to be provided prior to occupation
15. Surface water drainage shown shall be provided prior to occupation
16. Water efficiency measures
17. Electric charging point as shown to be provided prior to occupation

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/applicationDetails.do?activeTab=documents&keyVal=PBYKDBPD03E00>