

Development Control Committee 7 September 2022

Planning Application DC/22/0585/FUL – The Folly, Hargrave Road, Chevington

Date registered:	4 April 2022	Expiry date:	9 September 2022
Case officer:	Adam Yancy	Recommendation:	Refuse application
Parish:	Chevington	Ward:	Chedburgh and Chevington
Proposal:	Planning application - vehicular access from Hargrave Road		
Site:	The Folly, Hargrave Road, Chevington		
Applicant:	Mr T Fance		

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:

Adam Yancy

Email: adam.yancy@westsuffolk.gov.uk

Telephone: 01638 719264

Background:

The application has been referred to the Development Control Committee following consideration by the Delegation Panel. The Parish Council supports the application. The application is recommended for REFUSAL.

Proposal:

1. Planning permission is sought for the creation of a vehicular access onto Hargrave Road. This involves the removal of the frontage hedge which, it is understood, has already been cleared in anticipation of approval. The removal of part of the hedge does not require any consent from the Local Planning Authority.

Site details:

2. The site consists of a detached dwelling situated within the Chevington settlement boundary. The site is currently accessed off an existing vehicular access which also serves The Greyhound public house.
3. The site is not within or close to a Conservation Area, and the nearest Listed Building, Mill House, is located to the north of the site. Despite the location within the defined settlement boundary the immediate and wider area is defined by the extensive soft landscaping and generally sylvan character, with a grass verge and no footway along both sides of the road. Vehicular accesses, where present, are generally well separated and interspersed by soft landscaping.

Planning history:

Reference	Proposal	Status	Decision date
DC/13/0377/FUL	Planning Application - Erection of 1 no. new dwelling with parking	Application Granted	10 January 2014
E/80/3347/P	Alterations and extension	Application Granted	13 November 1980
E/80/1628/P	Erection of bathroom by enlarging existing first floor extension	Application Granted	10 April 1980

Consultations:

4. Suffolk County Council as Local Highway Authority – Have no objections to the proposal subject to conditions on the decision.

Representations:

5. Chevington Parish Council – Support the application

Policy:

6. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.
7. The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy 2010 & Vision 2031 have been taken into account in the consideration of this application:

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM11 Protected Species

Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity

Policy DM24 Alterations or Extensions to Dwellings, including Self Contained annexes and Development within the Curtilage

Core Strategy Policy CS3 - Design and Local Distinctiveness

Other planning policy:

8. National Planning Policy Framework (NPPF)

The NPPF was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 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 policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2021 NPPF that full weight can be attached to them in the decision making process.

Officer comment:

9. The issues to be considered in the determination of the application are:
 - Principle of Development
 - Impact on street scene on surrounding area
 - Highway Related Impacts

- Other Matters

Principle of Development

10. The application seeks planning permission for the provision of a new vehicular access via Hargrave Road. In locations such as this, within a settlement boundary, developments of this nature within the curtilage of a dwelling would generally be considered acceptable subject to compliance with policies relating to design, scale and location. Development will also need to be in accordance with policy DM2 and is generally acceptable provided that proposals respect the character and appearance of the immediate and surrounding area, and also providing that there is not an adverse impact upon residential amenity, highway safety or important trees within the street scene. Along with CS3, DM2 requires development to conserve and where possible enhance the character and local distinctiveness of the area.
11. On this basis the principle of providing a new vehicular access can be supported.

Impact on Street Scene and Surrounding Area

12. Policy DM2 states that proposals for all development should maintain or create a sense of place, recognise and address key features and characteristics, produce designs which respect the character, scale, form and massing of the locality, and not adversely affect the distinctive historic character and architectural or archaeological value of the area and/or building. Policy DM24 requires development proposals to respect the character and appearance of the immediate and surrounding areas.
13. The proposed access would be located on Hargrave Road and would be in close proximity to the existing access that currently serves The Greyhound and the application site. It is noted that there are some accesses located in the street scene and the immediate and wider vicinity of the site. However, the character of the immediate area is defined by the generally spaciouly sited and well separated accesses, interspersed by substantial soft landscaping.
14. As explained, the road in this location is generally characterised by well-spaced accesses, thereby having a verdant rural character. In this regard strong concerns are held arising from the provision of an additional hard surfaced access that would be located in such close proximity to the existing access to The Greyhound and the host property, and which would almost appear as one large access, resulting in an intrusive and materially harmful urbanisation of this section of the street and proving harmful to the character of the area and to the provisions of policies DM2, DM24 and CS3. The property already benefits from a vehicular access and there is no overwhelming justification therefore for an additional one, and certainly not one which is so insensitively sited and harmful therefore to the character and appearance of the area.
15. The application site and The Greyhound Public House are currently within the same ownership. When the dwelling was approved in 2013 under application DC/13/0377/FUL, the access was purposely integrated with the access to the existing pub to ensure that the development is screened

from the main road limiting its visual impact. The applicant has stated that The Greyhound is currently in the process of being sold. This would mean that the ownership of the pub and the dwelling would be separate and there are concerns that they would no longer have access to the site via the existing access. However, this is not considered to be a sufficient justification for the proposed works as a legal agreement could be sought to ensure that the occupiers of The Folly would still retain access via the existing access.

Highway Related Impacts

16. Given the proposal is for a new access onto Hargrave Road, consideration must be given to the impact of the proposed access on the safety of the highway.
17. Suffolk County as Local Highway Authority has reviewed the details in relation to the proposal and has offered no objection to the proposed access. The Local Highway Authority has, however, suggested conditions relating to the laying out of the access, the provision of suitable visibility splays, the surfacing of the access, the gradient of the access, and the piping of the ditch.
18. The conditions recommended are reasonable and, were the application recommended for approval, could be included on any decision notice in order to ensure that the effects of the proposal upon highway safety were acceptable.

Other Matters

19. The site is in Flood Zone 1 and not in an area at risk of surface water flooding.
20. The Natural Environment and Rural Communities Act 2006 (NERC) imposes a duty to all public authorities in England and Wales to have regard, in the exercise of their functions, for the purpose of conserving biodiversity. Policies DM10, DM11 and DM12 refer to protected species and the importance of biodiversity, and as a result the Local Planning Authority should consider and have regard to the potential impacts of development. Measures should be included, where appropriate, for the protection of biodiversity and the mitigation of any adverse impacts. Additionally, enhancement should be included in all proposals commensurate with the scale of development.
21. In this regard the biodiversity related implications are considered acceptable. The site is not close to water and the frontage area crossed does not appear, based on officer's inspections, to be a ditch, rather it is a shallow roadside depression, albeit the applicant has indicated that it will be necessary to pipe it in the event that permission was granted.
22. The removal of the hedge is regrettable in respect of the impacts upon character, but no control is otherwise available to restrict its removal in any event and, if the recommendation were for approval, biodiversity enhancement measures could otherwise be sought. As the hedge has already been removed any adverse biodiversity related implications arising as a result are the responsibility of the site owner.

23.As such, no objections are raised in this regard to this proposal on the grounds of biodiversity impacts and the Local Authority has discharged its duty under the NERC Act.

Conclusion:

24.In conclusion, the detail of the development is considered to be in conflict with relevant development plan policies and the National Planning Policy Framework due to the adverse impacts upon the character and appearance of the area arising from the provision of an additional access in such close proximity to the existing vehicular access which would result in an intrusive and materially harmful urbanisation of this section of the street. In addition, the justification for the works is not considered to outweigh to the visual impact that the proposal would have.

Recommendation:

25.It is recommended that planning permission be **REFUSED** for the following reason:

1. Policy DM2 states that proposals for all development should maintain or create a sense of place, recognise and address key features and characteristics, produce designs which respect the character, scale, form and massing of the locality, and not adversely affect the distinctive historic character and architectural or archaeological value of the area and/or building. Policy DM24 requires development proposals to respect the character and appearance of the immediate and surrounding areas.

The proposed access would be located on Hargrave Road and would be in close proximity to the existing access that currently serves The Greyhound and the application site. The road in this location is generally characterised by well spaced accesses, thereby having a verdant rural character. The property already benefits from a vehicular access and there is no overwhelming justification therefore for an additional one, and certainly not one which is so insensitively sited and harmful therefore to the character and appearance of the area. In this regard strong concerns are held arising from the provision of an additional access that would be located in such close proximity to the existing access to The Greyhound and the host property, and which would appear as one large access, resulting in an intrusive and materially harmful urbanisation of this section of the street and proving harmful to the character of the area and to the provisions of policies DM2 and DM24 of the Joint Development Management Policies Document 2015 and policy CS3 of the St Edmundsbury Core Strategy 2012.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/0585/FUL](https://www.stedmundsbury.gov.uk/DC/22/0585/FUL)