

Development Control Committee 2 August 2023

Planning Application DC/23/0550/FUL – Half Acre Bungalow, Colethorpe Lane, Barrow

Date registered:	6 April 2023	Expiry date:	6 June 2023 (EOT requested)
Case officer:	Savannah Cobbold	Recommendation:	Approve application
Parish:	Barrow cum Denham	Ward:	Barrow
Proposal:	Planning application - a. subdivision of Half Acre Bungalow to create two dwellings with associated alterations; b. single storey side extension to Half Acre Cottage c. two roof lights to West elevation of Half Acre Cottage		
Site:	Half Acre Bungalow, Colethorpe Lane, Barrow		
Applicant:	Ridley Godfrey Holdings Ltd		

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:

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Background:

The application is referred to Development Control Committee as the proposal represents a departure from the Development Plan.

The Scheme of Delegation states that the Committee determines all matters falling within their remit including departures from the provisions of the Development Plan where planning permission is recommended for approval.

In this case, the application is recommended for APPROVAL and the Parish Council have no comments to make.

Proposal:

1. The application seeks planning permission for the subdivisions of Half Acre Bungalow to create two dwellings with associated alterations, a single storey side extension to Half Acre Cottage (Grade 2 listed) and two roof lights to the west elevation of Half Acre Cottage.

A separate application for listed building consent has been submitted and subsequently approved on the site for works relating to Half Acre Cottage under delegated powers.

Application supporting material:

- Application form
- Existing floor plans
- Existing block plan
- Location plan
- Block plan
- Proposed floor plans
- Proposed elevations and floor plans
- Visibility splays
- Design and access statement
- Heritage statement
- Schedule of works

Site details:

2. The application site sits outside of any defined settlement boundary within Barrow. The site comprises a detached bungalow, known as Half Acre Bungalow and towards the north-west of this sits Half Acre Cottage which is a grade II listed building. Opposite the site sits Barrow Primary School with the settlement boundary located approximately 60 metres towards the east.

Planning history:

Reference	Proposal	Status	Decision date
DC/23/0550/FUL	Planning application - a. subdivision of Half Acre Bungalow to create two dwellings with associated alterations; b. single	Pending Decision	

	storey side extension to Half Acre Cottage C. two roof lights to West elevation of Half Acre Cottage	
DC/23/0551/LB	Application for listed building consent - a. single storey side extension; b. two roof lights to West elevation; c. creation of doorway from living room to bedroom at ground floor; d. first floor partition wall to create shower room	Pending Decision

Consultations:

3. Conservation Officer

No objections.

Suffolk County Council Highways Authority

15 May 2023 – holding objection offered until further information is submitted in relation to visibility splays and utilisation of the access.

3 July 2023 – no objections subject to conditions.

Public Health and Housing

No objections subject to conditions.

Natural England

No comments received.

Environment Team

No comments to make.

Parish Council

No comment.

Ward Member

No comments received.

Representations:

4. Neighbours

No representations have been received following a 21 day consultation and display of site notice.

Policy:

5. 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.
6. 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 DM5 Development in the Countryside

Policy DM11 Protected Species

Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity

Policy DM15 Listed Buildings

Policy DM22 Residential Design

Policy DM27 Housing in the Countryside

Policy DM46 Parking Standards

Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy

Core Strategy Policy CS3 - Design and Local Distinctiveness

Policy RV1 Presumption in Favour of Sustainable Development

Policy RV3 Housing Settlement Boundaries

Other planning policy:

7. National Planning Policy Framework (NPPF)
8. 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 character and appearance of the area
- Impact on residential amenity
- Highway impact
- Other matters

Principle of development

10. Policy DM1 states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

11. Policy CS1 of the St Edmundsbury Core Strategy deals with spatial strategy and states that the protection of the natural and historic environment, the distinctive character of settlements and the ability to deliver infrastructure will take priority when determining the location of the future development.

12. The application seeks planning permission for the subdivision of Half Acre Bungalow to create two dwellings as well as works to Half Acre Cottage, including a single storey extension and two roof lights to the west elevation. In this case, the general works to Half Acre Cottage appear to comply with the requirements of policies DM2 and DM15, however the subdivision of Half Acre Bungalow represents a technical departure from the Development Plan given that the site lies outside the development boundary of Barrow where the countryside policies of the development plan apply. Half Acre Bungalow was historically two planning units and was converted without the need for planning permission into a singular planning unit. As the proposal seeks to subdivide an existing dwelling to create an additional planning unit, Officers must therefore assess this proposal as a new dwelling within the countryside. The starting point is the Development Plan.

13. At a local level, the relevant policies that would apply are policies DM5 (Development in the Countryside) and DM27 (Housing in the Countryside). Firstly, policy DM5 states:

Areas designated as countryside will be protected from unsustainable development. A new or extended building will be permitted, in accordance with other policies within this Plan, where it is for:

- a. *purposes directly related to agriculture or forestry;*
- b. *affordable housing for local needs in accordance with other policy;*
- c. *development relating to equine related activities and the horse racing industry;*
- d. *essential small scale facilities for outdoor sport or recreation or other uses of land which preserve the openness, appearance and character of the countryside, leisure activities, and new tourism facilities;*
- e. *a dwelling for a key worker essential to the operation of agriculture, forestry or a commercial equine-related business in accordance with the requirements of Policy DM26;*
- f. *small scale residential development of a small undeveloped plot, in accordance with policy DM27; or*
- g. *the replacement of an existing dwelling on a one for one basis where it can be demonstrated that: i. the proposed replacement dwelling respects the scale and floor area of the existing dwelling, and, ii. the curtilage of the development is only greater than the curtilage of the existing dwelling where it can be justified with reference to Policy DM25.*

In this case, point f within DM5 would apply which allows for small scale residential development of a small undeveloped plot, in accordance with policy DM27.

14. Policy DM27 deals with Housing in the Countryside and states:

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 semidetached 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.*

For the purposes of these policies, a small undeveloped plot is one which could be filled by one detached, or a pair of semi-detached dwellings where plot sizes and spacing between dwellings is similar to adjacent properties and thereby respects the rural character and street scene of the locality.

On an assessment of the site, this does not appear to represent a 'closely knit cluster', noting the spacious nature of the eastern aspect of the site as well as the provision of only eight dwellings towards the west of the site, the siting of a new dwelling would conflict with the requirements of policies DM5 and DM27.

15. At a national level, the National Planning Policy Framework (NPPF) was most recently updated in July 2021. This is a land-use planning policy in England that sets out the Government's planning policies for England and how these should be applied. Paragraph 80 of the NPPF 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:

... (d) the development would involve the subdivision of an existing residential building"

16. The starting point of any proposal relates to a consideration of the Development Plan and based on the assessment above the proposal is seen to conflict with Policies DM5 and DM27, and with the spatial policies of the Core Strategy and, by implication, with Policy RV3 which permits housing within settlement boundaries. It should be noted that the site is not within open countryside, and is located close to existing house, and the degree therefore to which this proposal conflicts with these policies is therefore limited.

17. Consideration is therefore needed as to whether there are any material considerations that outweigh this conflict otherwise with the development plan. National planning policies and in this case, the NPPF actively supports development in isolated locations where the development would involve the subdivision of an existing residential building. This matter is not as immediately straightforward as that however because, noting the location of the site relative to Barrow and to existing dwellings, the application site cannot be considered 'isolated'. The proposal will not therefore lead to an isolated new dwelling and the provisions of Para. 80 would technically not apply. However, Officers are satisfied that a degree of pragmatism can be applied in this case, as based on this interpretation, which Officers are satisfied as correct, would mean the subdivision of an isolated dwelling would benefit from support, but this, which is substantially better located relative to the settlement and to existing dwellings, would not. As the proposal represents a subdivision of Half Acre Bungalow into two residential units, Officers are content that the scheme can draw some support from paragraph 80 of the NPPF, sufficient to outweigh the conflict otherwise with local plan policies, such as DM5 and DM27. In any event, the development site relates well to the wider settlement of Barrow. This is a unique circumstance and therefore represents justification for a departure from the Development Plan.

Impact on character and appearance of the area

18. Policy DM2 and requires proposals to respect the character and appearance of the immediate and surrounding area, and to ensure that there is not an adverse impact upon residential amenity. Along with CS3, DM2 requires development to conserve and where possible enhance the character and local distinctiveness of the area.

19. Policy DM22 states that all residential development proposals should maintain or create a sense of place and/or character by basing design on an analysis of existing buildings and landscape and utilising the

characteristics of the locality to create buildings and space and strong sense of place and distinctiveness.

20. Half Acre Bungalow was historically two residential dwellings, and this is evident from a site visit. The main changes to Half Acre Bungalow relate to an additional door on the front elevation to allow access to a second dwelling. The existing dormer windows on the rear elevation are also being replaced. A small porch canopy is being added to the eastern elevation. Given that minimal changes are being proposed to Half Acre Bungalow, Officers are content that the scheme complies with policies DM2 and DM22.
21. In terms of works to Half Acre Cottage, this includes the addition of a small single storey side extension which sits subserviently to the host dwelling. Two roof lights are also being added to the western elevation on a single storey roof pitch to serve light to a new bedroom.

Impact on residential amenity

22. The existing arrangements of Half Acre Bungalow and Half Acre Cottage remain unchanged. Towards the rear of the site is open countryside whereby Officers are content that the provision of replacing existing dormer windows on rear elevation will not adversely impact residential amenity in line with DM2, noting the existing arrangement of the site. As a result of the proposal, the footprint of Half Acre Bungalow is not set to increase.
23. The provision of a single storey rear extension on Half Acre Cottage will not adversely impact the amenity of the dwelling towards the west of the site noting the separation distance and single storey nature of the development.

Highway impact

24. Policy DM2 requires development to produce designs in accordance with standards, that maintain or enhance the safety of the highway network. The proposed block plan shows six car parking spaces along the frontage of the site, with a turning area and gravel driveway. In this case, Suffolk County Council as Highways Authority provided a holding objection to the scheme.
25. It was requested that visibility splays be provided to determine the level of visibility the existing access can achieve noting that the existing access will see an intensification in traffic due to the increase of bedrooms and parking. Clarification was also sought regarding the accesses and their utilisation as it was unclear whether both accesses will be used by residents.
26. As a result of this consultation response, the agent provided a plan showing the visibility splays of the existing access and suggested that a splay of 2.4 metres x 43 metres can be achieved by reducing the boundary wall as indicated on the plan. The agent also provided detail regarding the road being a 30mph speed limit, with a 20mph speed limit near the school, opposite the site.

27. Suffolk County Council removed their objection on 3 July 2023, and have recommended conditions relating to cycle storage, vehicle parking and visibility splays. These are considered reasonable and compliant therefore with Policy DM46.

Other matters

28. Half Acre Cottage is a grade II listed building. A separate listed building application has been submitted and is recommended for approval.

29. As such, Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing a listed building or its setting or any features of special architecture or historical interest which it possesses.

30. Policy DM15 states that proposals to alter, extend or change the use of a Listed Building or development affecting its setting will be permitted where they are of an appropriate scale, form, height, massing and design which respects the existing building and its setting and respect the setting of a Listed Building. The proposed works relate to alterations to Half Acre Bungalow a relatively modern building in close proximity to Half Acre Cottage a listed building. The separation of the Cottage from the Bungalow appears largely established. Comments have been made regarding the parking arrangement and how this could impact the setting of the listed Cottage. However, Officers note that the parking area could be rearranged as proposed under Permitted Development rights. Otherwise, no objections are offered and no conditions are required from a conservation point of view.

31. Officers are content with the proposed parking arrangement, as parking areas such as the proposed can be created using a property's permitted development rights.

32. Biodiversity enhancement is conditioned, in accordance with Policies DM11 and DM12.

Conclusion:

33. In conclusion, the principle and detail of the development is considered to be a departure from Local Development Plan Policies, however the proposal is considered to be acceptable as otherwise drawing support from the requirements set out within the National Planning Policy Framework, paragraph 80, noting that this proposal represents the subdivision of an existing dwelling to two, and in fact reverts the building back to its original form, with no obvious or material planning harm arising from the development.

Recommendation:

34. It is recommended that planning permission be **APPROVED** subject to the following conditions:

1. Time limit

The development hereby permitted shall be commenced no later than 3 years from the date of this permission.

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

2. Compliance with plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:

Plan type	Reference	Date received
Existing floor plans	001	6 April 2023
Existing floor plans	002	6 April 2023
Existing block plan	003	6 April 2023
Location and block plan	101 A	6 April 2023
Proposed floor plans	102 A	6 April 2023
Proposed elevations and floor plans	103 A	6 April 2023
Visibility splays	7508-104	14 June 2023
Design and access statement		3 April 2023
Heritage statement		3 April 2023
Schedule of works		3 April 2023
Application form		3 April 2023

Reason: To define the scope and extent of this permission, in accordance with policy DM1 and DM2 of the West Suffolk Joint Development Management Policies Document 2015 and all relevant Core Strategy Policies.

3. Construction hours

Demolition or construction works shall not take place outside 8am hours to 6pm hours Mondays to Fridays and 8am hours to 1:30pm hours on Saturdays and at no time on Sundays, public holidays or bank holidays.

Reason: To protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

4. Limit water use

The dwelling(s) hereby approved shall not be occupied until the requirement for water consumption (110 litres use per person per day) in part G of the Building Regulations has been complied with and evidence of compliance has been obtained.

Reason: To ensure that the proposal meets with the requirements of sustainability, in accordance with policy DM7 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the

National Planning Policy Framework and all relevant Core Strategy Policies. The higher standards for implementation of water efficiency measures set out in the Building Regulations are only activated if they are also a requirement of a planning condition attached to a planning permission.

5. Visibility splays

Before the access is first used visibility splays shall be provided as shown on Drawing No. 104 with an X dimension of 2.4 metres and a Y dimension of 43 metres [tangential to the nearside edge of the carriageway] and thereafter retained in the specified form.

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

6. Parking

The use shall not commence until the area(s) within the site shown on drawing no. 104 for the purposes of loading, unloading, manoeuvring and parking of vehicles has / have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking 2019 where on-street parking and or manoeuvring would be detrimental to the safe use of the highway, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

7. Cycle storage

The use shall not commence until the area(s) within the site shown on Drawing No. 101 for the purposes of secure cycle storage has been provided and thereafter the area(s) shall be retained, maintained, and used for no other purposes.

Reason: To ensure that sufficient areas for secure cycle storage are provided in accordance with Suffolk Guidance for Parking 2019 to promote sustainable travel, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015,

Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

8. Ecological enhancement

Prior to occupation details of biodiversity enhancement measures to be installed at the site, including details of the timescale for installation, shall be submitted to and approved in writing by the Local Planning Authority. Any such measures as may be agreed shall be installed in accordance with the agreed timescales and thereafter retained as so installed. There shall be no occupation unless and until details of the biodiversity enhancement measures to be installed have been agreed in writing by the Local Planning Authority.

Reason: To secure biodiversity enhancements commensurate with the scale of the development, in accordance with policies DM11 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/23/0550/FUL](#)