

# Forest Heath District Council

**DEVELOPMENT  
CONTROL COMMITTEE**

**4 FEBRUARY 2015**

**DEV/FH/15/004**

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

**PLANNING APPLICATION DC/14/0263/FUL - LAND REAR OF 12 TURNPIKE  
LANE, RED LODGE**

## **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**

Case Officer: Sarah Drane  
Tel. No 01638 719432

# Committee Report

**Date:** 20.02.2014      **Expiry Date:** 17.04.2014  
**Registered:**

**Case Officer:** Sarah Drane      **Recommendation:** Refuse  
**Parish:** Red Lodge PC      **Ward:** Red Lodge

**Proposal:** Planning Application DC/14/0263/FUL - Erection of a one and a half storey dwelling and garage

**Site:** Land rear of 12 Turnpike Lane, Red Lodge

**Applicant:** Mr & Mrs Clark

## Background:

**This application is referred to Development Control Committee following consideration by the Delegation Panel.**

**The application is recommended for REFUSAL.**

## Proposal:

1. Full planning permission is sought for a one and a half storey, 4 bed dwelling (as originally submitted it was described as single storey which is incorrect as there are rooms in the roof). Access is off Turnpike Lane, with parking and a double garage.

## Application Supporting Material:

2. Information submitted with the application as follows:
  - Local Requirements
  - Design & Access Statement
  - Enviroscreen Certificate
  - Plans

## Site Details:

3. The site falls within the Settlement boundary of Red Lodge. The site forms land to the rear of No. 12 Turnpike Lane which is a modern one and a half storey dwelling and has an extensive rear garden. The entire depth of the existing plot stretches back approx. 270m. There is an existing access off Turnpike Lane. The side boundary to No. 14 is a low brick wall towards the front and a 1.8m close boarded fence towards the back. The access

continues along the south western boundary to the application site, past another plot for a dwelling which was allowed on appeal and currently under construction. The application site is unused and open in character with vegetation cleared to assist the building of the new dwelling.

**Planning History:**

4. **F/2002/494** - Erection of one and a half storey dwelling and detached garage. (permission for No. 12) – approved

**F/2004/0927/OUT** - Outline application: erection of 3 dwellings and one garage – refused

**F/2012/0576/FUL** - Erection of a single storey dwelling and associated garage / workshop – refused – appeal allowed

**Consultations:**

5. Environmental Health – No objection  
SCC Archaeology – No objection subject to conditions  
SCC Fire & Rescue – no objection

**Representations:**

6. Parish Council: no comments made  
7. No other third party representations have been received.

**Policy:** The following policies of the Forest Heath Development Plan have been taken into account in the consideration of this application:

8. Forest Heath Core Strategy (2010):
- Policy CS1: Spatial Strategy
  - Policy CS5: Design Quality and Local Distinctiveness
9. Forest Heath Local Plan (1995)
- Saved Policy 4.14: Windfall Sites
  - Saved policy 4.15: Windfall Sites

**Other Planning Policy:**

10. The objectives of the National Planning Policy Framework (2012) and guidance contained within National Planning Policy Guidance have been taken into consideration.

**Officer Comment:**

11. The issues to be considered in the determination of the application are:
- Principle of Development
  - Impact on residential amenity

### Principle of development:

12. The site forms part of a wider site to the north west and is being considered for residential development as part of the Strategic Housing Land Availability Assessment (SHLAA site RL08). This wider site is allocated in the draft Site Specific Allocation Development Plan Document but this has yet to go out for consultation (issues and options), so has very limited weight.
13. The site is within the settlement boundary of Red Lodge. Given the adjacent plot which was allowed at appeal, it cannot now be argued that there are no other examples of backland type plots along this stretch of Turnpike Lane which is varied in character. Planning permission was granted for the adjoining plot to the south east on appeal. The Inspector commented on this matter as follows:  
*'Given the absence of distinctive features I am of the view that the proposed backland development would not adversely affect the character or appearance of the area due to its design or location.'*  
(see working paper 1)  
The applicant refers to a similar development along Turnpike Lane – this is the Rhodabourne site and is a more comprehensive redevelopment of 9 dwellings, so cannot be considered in the same way. However, given the Inspector's comments the proposed development could not be refused for its backland location or being out of character.

### Impact on residential amenity:

14. On this matter in relation to the adjoining appeal site the inspector concluded that a single dwelling would only generate a limited number of vehicular movements each day. This would be doubled with the proposed four bed family dwelling.
15. The access to the site would be shared with both No. 12 and the new plot currently under construction, so the access to the proposed plot would be intimately related and likely to impact on their residential amenity. The use of the driveway by those occupying a further dwelling at the rear is likely to cause noise and disturbance to the detriment of neighbouring occupiers. The main entrance into No. 12, as well as 3 windows, all face out onto the access, which at its narrowest is 4m wide (where the porch protrudes). The new plot also fronts onto the access as well as several windows which all face onto the access, with no means of separation. The further intensification of use of the access is therefore likely to lead to noise and disturbance at an unacceptable level to all adjoining occupiers.

### **Conclusion:**

16. There is nothing particularly objectionable about the proposed dwelling and garage, which is modern in design. It is also not possible to object to the principle of developing this back land site given the conclusions made by the Inspector in relation to impact on character and appearance when the adjacent plot was being considered. However, the intensification of use of the access is considered to be detrimental to the amenity of

neighbouring occupiers resulting in unacceptable levels of noise and disturbance. The application is therefore recommended for refusal as set out below.

**Recommendation:**

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

1. In the opinion of the Local Planning Authority the proposed development would result in the intensification of use of the access. This would lead to unacceptable levels of noise and disturbance and would therefore be detrimental to the amenity of neighbouring occupiers. The application is, therefore, contrary to Policy 4.14 and 4.15 of the Forest Heath Local Plan 1995 (particularly criterion b)) and the guiding principles set out in the National Planning Policy Framework (2012).

**Documents:**

Application documents:

All planning application 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=N0VUCYPDIDF00>

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

Other background documents

Working Paper 1 – Appeal Decision