

Rear of Bloomfield Cottage, Grange Road, Lawford

Replacement of an agricultural storage building with a two bed bungalow (in lieu of Prior Approval for conversion into a dwelling subject of application 21/00704/COUNOT)

Planning Statement

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1.0 Context of Site

1.1 Bloomfield Cottage is situated on the northern side of Grange Road, one of a pair of cottages, which were developed for agricultural workers accommodation. The property was purchased with 2.5 acres of land in 1960 by the applicant's family. The agricultural building was last used as a small holding to house pigs. The site has an existing vehicular access on to Grange Road.

2.0 Relevant Planning History

2.1 In April 2021, a formal notification was submitted pursuant to Part Q of the Town & Country Planning (General Permitted Development) (England) Order 2015 for the conversion of an agricultural building on the site into a 2 bed dwelling. Following consideration of the issues involved, the Council accepted by letter dated 17th June 2021, that Prior Approval was not required (reference 21/00704/COUNOT).

3.0 Policy Context

National Guidance

3.1 The National Planning Policy Framework advises that in determining planning applications for residential development, local planning authorities should take into account the Development Plan Policies and all other material considerations. Local planning authorities should follow the approach of the 'Presumption in Favour of Sustainable Development' and that development which is sustainable can be approved without delay. It emphasises the need to plan positively for appropriate new development; so that both plan-making and development management are proactive and driven by a search for opportunities to deliver sustainable development, rather than a barrier.

Adopted Local Plan Policies (2007)

3.2 Policy QL1 of the Adopted Local Plan (2007) defines Lawford as a named village where development is considered appropriate within the development boundaries.

3.3 The Council stipulate high design standards within Policy QL9 and QL10. Policy QL11 ensures that development is located where the proposal will be compatible to the surrounding uses. It should be of a scale appropriate to its setting and protect the privacy daylight and amenity of surrounding occupiers. The proposal should not result in the loss of important buildings of architectural interest or other landscape or ecological value. In addition, the development should not have a materially damaging impact on road traffic safety or cause pollution or a nuisance to nearby residents.

4.0 Proposed Development

4.1 The application site is located outside the defined settlement development boundary for Lawford as shown on the adopted Proposals Map. The Council has however accepted that the conversion of a farm building into a dwelling can be undertaken without further prior approval. This approval is subject to the conversion of the existing building which has a gross floor area of 73m² and a maximum height of 2.4m. The Council did not express any concern on the grounds for consideration of the notification application, namely access, flooding, design, noise or contamination. This scheme can be referred to as the 'fall back' scheme.

4.2 Since the approval, the applicant has undertaken initial preparatory work on the commencement of the development while spending a considerable amount of time researching the costs involved in the conversion of the building and in particular, ensuring the quality of the build meets his high expectations while achieving the highest code of sustainable construction and energy efficiency possible. The advice received has now shown that the conversion of the existing building can provide for a good level of construction and finish but will not necessarily meet the standards they were hoping to achieve. In this respect, the applicants have sought the advice of the appointed project technician who has advised that a scheme to replace the existing building with a purpose designed structure will be of a similar cost to the conversion but will enable far improved sustainable energy levels and higher specification.

4.3 The current application is for the replacement of the building subject of the prior approval in the same location upon the site. The new dwelling would be a 2 bedroom bungalow

having a gross floor area of 95m². While this proposal represents an enlargement upon the floorspace of the building as approved for conversion, this scheme also proposes the demolition of two other barns on the site. These two barns have a floor area of 140m², which together with the existing structure would amount to 213m² of buildings to be replaced by 95m² new-build. The existing structure has a low mono-pitch roof, hence the limited ridge height of 2.4m. The proposed scheme has taken the opportunity to provide for a 40° pitch roof to ensure the building has a more rural vernacular form within this setting. As a result, the ridge height will now be 5.2m. The external appearance of the replacement building will be a rather modest 2 bed bungalow set back from the road frontage, part in red brick and with a gable front clad in horizontal weatherboarding and a red pantiled roof. As such, the building will appear as a limited feature within the street scene and certainly no greater in terms of visual impact than the three barns to which it will replace.

- 4.4 In terms of access, the scheme would utilise the existing arrangement onto Grange Road, the side of the existing cottage. A new consolidated surface will be provided for at least the first 6m when measured back from the highway, with visibility splays of not less than 2.4m x 120m in both directions on to this minor road.
- 4.5 The relevance of the 'fall back' position is considered to be a material planning consideration. This situation was highlighted in a scheme that was subject of an appeal decision in 2017, concerning a site in Layer-de-la-Haye within Colchester Borough. In that instance the Inspector accepted that the fall-back position is a material planning consideration and fully justified support being given to the replacement of three poultry sheds with three dwellings having a maximum gross floor area of 450m². A copy of this appeal decision which was secured by ourselves, is attached as appendix PLG1. This approval also followed Counsel's opinion, a copy of which is also included within the appendix. Tendring Council has accepted this position within a number of other cases. It is also necessary for the Council to have regard to the judgement issued by the Court of Appeal in *Mansell v Tonbridge and Malling BC 2017* which follows a similar approach.
- 4.6 The replacement of this structure as a dwelling will not have any adverse impact on traffic generation, the existing highway network or noise generation. When compared

with the original agricultural use or with the approved residential conversion, the level of activity will be no greater. The access is now proposed as a consolidated drive and provided with appropriate visibility splays in both directions. Provision has been made for the parking of two vehicles together with a turning facility, enabling all vehicles being able to leave the site in a forward gear. A private amenity area would be available in excess of the Council's adopted standards.

- 4.7 Full phase electricity supply and a water supply are available while a Klargester Bio Disc package treatment plant would operate satisfactorily in this location. Such provision would have no impact visually or environmentally upon the environment and is a common solution in relation to rural dwellings.
- 4.8 Although the proposed dwelling greater in footprint to the approved scheme, it will be considerably less than 50% of the 3 barns which are to be demolished. The ridge height is appropriate for a simple bungalow design. Having regard to the set back from the road, the impact of this increased height will be limited upon the wider countryside. The external materials will also reflect the character of a rural dwelling.
- 4.9 There is no known contamination on the site. The property was not used for any activity that would have necessitated the use of any chemicals or storage of fuels, pesticides or similar material. Although a tractor and mechanical equipment have been stored on the site within other buildings there is no sign of any fuel or oil spillage on the land. There is therefore no apparent 'risk' of contamination as detailed within the NPPG.
- 4.10 The site is not at risk of flooding. The dwelling has been designed to ensure that all habitable rooms benefit from appropriate levels of natural light.
- 4.11 The building is located within the countryside, but not in a location which could be described as 'isolated'. Grange Road features similar ribbon development housing which is accessed via Bromley Road, School Lane and at the junction between Ardleigh Road and Little Bromley Road. The site is 650m from the centre of Lawford. Lawford offers places of worship, schools, bakeries, sports centres and a post office, which meets the needs of the surrounding community. The site is also 650m from a bus stop that serves

the number 2 bus route that connects Lawford with Mistley, Weeley, Little Clacton and Clacton-on-Sea. 100m from this bus stop there is another stop which is served by routes 102, 103 and 104. This connects Lawford to Harwich, Ramsey, Bradfield, Manningtree and Dovercourt. These routes run regularly all day from 0635 to 2212.

- 4.12 The development would be no less sustainable in terms of location than the permitted scheme. The development will also be constructed to higher codes of sustainability in respect of energy efficiency. As a result, the development will fulfil the Council's aims of achieving a higher quality of design for development within the countryside as advocated by adopted policies QL9 and QL10 together with the statements contained within the NPPF. The proposal will result in a bespoke, custom-built yet modest dwelling rather than a standard housing unit, demonstrating a commitment to provide a self-build project as advocated by the government within the NPPF. It is noted that the Council's adopted Local Plan is now out of date with the NPPF, with the absence of any policies to promote self build custom-built housing.

5.0 Conclusion

- 5.1 It is considered that the proposed application must be judged in the context of the Council's decision to approve the conversion of the existing barn into a self-contained dwelling issued earlier this year. The proposed scheme will be comparable to the fall back scheme. It would be constructed to a higher building code while its location will be no less sustainable to the approved scheme. The weight to be given to this material consideration is substantial. The scheme is therefore considered to be in accordance with the presumption in favour of sustainable development contained within the NPPF.