

Replacement dwelling

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PREPARED FOR

Mr & Mrs Gardiner

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1. INTRODUCTION

This application is following appeal reference APP/C1570/W/20/3261408.

This report has been prepared at the request of Mr & Mrs Gardiner to outline the facts considered relevant to the proposed replacement dwelling at The Bungalow Little Bardfield Road Little Bardfield CM7 4TW.

Information within this report should enable the Local Authority to assess the application in the light of current Government Guidance contained within the National Planning Policy Framework and Planning Practice Guidance.

2. BACKGROUND

2.1 Background of the site

The current bungalow has been owned by the family for 60 years, the current bungalow has 2/3 bedrooms, However the property is limited in size, in terms of floor space, the property is in need of renovation internally and externally, the property sits amongst a range of outbuildings.

As a result a redevelopment scheme is proposed to essentially replace the existing building to create a modern family home, commensurate with the plot on which it sits. This will enable a high standard agricultural style family dwelling, meeting the necessary building regulation and environmental standards whilst improving design quality.

2.2 Existing dwelling

The existing dwelling is modest in size, for a two / three bedroom bungalow with a range of outbuildings and is limiting in terms of layout and size.

3 APPEAL DECISION

The previous application (UTT/20/1559/FUL) was appealed under (APP/C1570/W/20/3261408) please see below the reasons for refusal

4. The appeal site comprises a small bungalow and outbuildings and is one of three dwellings located at a T-junction of minor roads. The site lies next to a large detached residential property of 1.5 storeys. Immediately across from the appeal site is Wainsford Farm, a Grade II listed building built of brick dating from the early seventeenth century. The farmhouse comprises an L shaped plan with the wings extending to the north and east. Beyond these buildings is open countryside laced with hedge lined roads.

5. The proposed scheme involves the demolition of the existing bungalow and outbuildings and the erection of a large detached 2 storey residential property which would use the existing access. The proposed house would be designed with two gable ends with an overall ridge height of around 7.4m and eaves 2 height of 4.3m with the side located closest to the listed building of 6.5m ridge height with an eaves height of 3.25m.

6. The context for the appeal scheme is the existing dwelling together with its collection of outbuildings.

The proposed replacement dwelling is significantly larger than the existing bungalow and would extend across a larger portion of the appeal site. Whilst the bungalow has a subservient relationship to its wider context the appeal scheme would be much larger but due to the topography and hedgerows would not unduly dominate the surrounding countryside. There is not a street scene in a typical 'urban' context and the proposed scheme can be accommodated on the appeal site without causing harm to the character and appearance of the wider area. For this reason, I do not find conflict between the proposals and Policy S7 which seeks to protect the countryside.

7. In respect of the impact of the proposed scheme on the setting of the listed Wainscot farm house, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on decision makers, to have regard to the desirability of preserving the listed building or its setting.

8. The Framework defines 'setting' as the surroundings in which a heritage asset is experienced. The farmhouse enjoys views across the surrounding countryside; these views include the appeal site. Its design comprising 2 storeys with front gables and with a steeply pitched roof results in it being the dominant building in the immediate locality.

9. Due to its proximity and orientation the farmhouse has an intimate relationship with the appeal site. The proposed building would extend across the appeal site, compared to the existing bungalow and would, due to its position and topography dominate the listed building at this point. Furthermore, it would replace the farmhouse as the dominant building at the crossroads and for this reason would adversely impact on its setting.

10. Although the existing bungalow and sheds are in a poor state of repair they are at least subordinate with minimal impacts on the setting of the farmhouse. Their redevelopment would, in contrast, have a negative impact. The degree of harm resulting from the scheme cannot be readily mitigated through vernacular features including, gables, rendering and clay roof tiles as required by the Council's local design statement.

11. I note the computer generated images provided by the appellant, but it is evident from my site visit that the appeal scheme would encroach on the setting of the listed farm house. Furthermore, although the existing bungalow could be extended under permitted development the nature of the proposed extensions would to my mind have less impact on the listed farmhouse than the proposed scheme due to its position.

12. The appellant has referred to a decision of an Inspector colleague which granted permission for 3 dwellings. However, this scheme did not involve the added constraint of a listed building and for this reason alone, can be distinguished from the scheme before me.

13. For these reasons I conclude that the appeal scheme would be in conflict with Policies H7 and GEN2 which require new or replacement dwelling to be in scale with neighbouring properties and Policy ENV2 which relates specifically to the design considerations regarding listed buildings and Paragraph 196 of the Framework.

4. PROPOSAL

The proposal is to replace the existing dwelling with a modern "new build" providing quality of housing and good design. Full plans and elevations are submitted.

The proposals seeks to improve existing housing stock of the area. In this instance this is sought through a replacement dwelling. Any increased impact is sought to be minimized by keeping scale as close to the

surrounding dwellings as possible whilst achieving the requirements of policy to justify the proposal.

5. PLANNING POLICY

5.1 Local Planning Policy

Policy S7 – The Countryside

The countryside to which this policy applies is defined as all those parts of the Plan area beyond the Green Belt that are not within the settlement or other site boundaries. In the countryside, which will be protected for its own sake, planning permission will only be given for development that needs to take place there, or is appropriate to a rural area. This will include infilling in accordance with paragraph 6.13 of the Housing Chapter of the Plan. There will be strict control on new building. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there.

Policy S7 is relevant to this application given the site is not in green belt nor is it within the settlement boundary, given that this proposal is for a Replacement Dwelling it would fit within the special reasons category, as such there will be no net increase in dwellings on the site.

The proposal will enhance the setting it sits within, given the existing property is dated and in poor condition, the new property has been designed in a sympathetic manner to its surrounding and in keeping with properties in the local area.

The proposal incorporates traditional design methods, including clay roof tiles, flint walls for the property to fit in with the surrounding rural landscape.

Policy GEN1 – Access

Development will only be permitted if it meets all of the following criteria:

- a) Access to the main road network must be capable of carrying the traffic generated by the development safely.**
- b) The traffic generated by the development must be capable of being accommodated on the surrounding transport network.**
- c) The design of the site must not compromise road safety and must take account of the needs of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired.**
- d) It must be designed to meet the needs of people with disabilities if it is development to which the general public expect to have access.**
- e) The development encourages movement by means other than driving a car.**

The access to be used will be as per the existing access, as such there will be no increase in journeys.

Policy GEN2 – Design

Development will not be permitted unless its design meets all the following criteria and has regard to adopted Supplementary Design Guidance and Supplementary Planning Documents.

- a) It is compatible with the scale, form, layout, appearance and materials of surrounding buildings;**
- b) It safeguards important environmental features in its setting, enabling their retention and helping to reduce the visual impact of new buildings or structures where appropriate;**
- c) It provides an environment, which meets the reasonable needs of all potential users.**
- d) It helps to reduce the potential for crime;**
- e) It helps to minimise water and energy consumption;**
- f) It has regard to guidance on layout and design adopted as supplementary planning guidance to the development plan.**
- g) It helps to reduce waste production and encourages recycling and reuse.**
- h) It minimises the environmental impact on neighbouring properties by appropriate mitigating measures.**
- i) It would not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.**

The proposal is for a 1.5 storey 3 bedroom dwelling, which will be part Render and part flint exterior walls, with a Tiled roof as per the submitted drawings. The materials used are in line with surrounding dwellings and will be traditional in appearance in order to match the surroundings.

The existing dwelling is a detached bungalow, the proposal is for 1.5 storey dwelling, given the existing and proposed planting and hedgerows on the site, the site will be well screened, as such will have minimal visual impact upon its surroundings.

The revised design from the appeal is considerably smaller in terms of size and scale, with it now reduced in height and size, in order to be more in line with the current bungalow and neighbouring property.

The proposal will far more efficient in terms of energy consumption that the existing dwelling on site with the advances in modern design, engineering and regulations.

As a replacement dwelling there would be no environmental impact upon any neighbouring properties.

An indicative landscaping scheme is shown on the submitted site plan.

Policy GEN7 – Nature Conservation

Development that would have a harmful effect on wildlife or geological features will not be permitted unless the need for the development outweighs the importance of the feature to nature conservation. Where the site includes protected species or habitats suitable for protected species, a nature conservation survey will be required. Measures to mitigate and/or compensate for the potential impacts of development, secured by planning obligation or condition, will be required. The enhancement of biodiversity through the creation of appropriate new habitats will be sought.

The submitted Bat Survey and Ecology report demonstrates that there will be no impact from the proposal.

Policy ENV2- Development affecting Listed Buildings

Development affecting a listed building should be in keeping with its scale, character and surroundings. Demolition of a listed building, or development proposals that adversely affect the setting, and alterations that impair the special characteristics of a listed building will not be permitted. In cases where planning permission might not normally be granted for the conversion of listed buildings to alternative uses, favourable consideration may be accorded to schemes which incorporate works that represent the most practical way of preserving the building and its architectural and historic characteristics and its setting

The proposal is situated opposite The Wainford Farmhouse which is a Grade II Farmhouse.

A Heritage assessment has been submitted alongside this application in view of the new scheme, this report concluded the below.

“In this case no harm is caused to the heritage asset or to the setting of the proposed replacement dwelling within the countryside. The proposal is wholly within the spirit of the guidance contained in the NPPF and satisfies local planning policies which seek to protect the historic environment.”

This proposal has been designed in a way that will complement the listed dwelling and will enhance the surrounding setting and not cause harm to the listed dwelling.

Policy H7– Replacement Dwellings

A replacement dwelling will be permitted if it is in scale and character with neighbouring properties. In addition, outside development limits, a replacement dwelling will not be permitted unless, through its location, appearance and associated scheme of landscape enhancement it would protect or enhance the particular character of the countryside in which it is set.

The proposed replacement dwelling is in character with neighbouring properties in terms of both size and design, the existing bungalow and outbuildings are not of good standard and in order to enhance the site you would need to replace that bungalow, the proposed would incorporate an indicative

landscaping scheme that will be of benefit to the site and neighbouring properties, this will be achieved by the planting of both native species of hedging and trees.

5.2 National Policy

National policy is found within the NPPF with relevant policy set out below;

11. Plans and decisions should apply a presumption in favour of sustainable development.

For **plan-making** this means that:

a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;

b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas⁶, unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area⁷; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

119. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

120. Planning policies and decisions should:

a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;

b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;

c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;

d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)⁴⁸; and

e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.

12. Achieving well-designed places

126. The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

130. Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

134. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or

b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

6. PLANNING COMMENTS

6.1 Proposed Development

The proposed development is for the replacement of an existing bungalow and outbuildings, with a dwelling design that incorporates a traditional agricultural style design, but is in line with modern standards and requirements. The proposal will enhance its surroundings with a landscaping plan and traditional design style of the replacement dwelling.

With the introduction of the updated NPPF in July 2021 there is now significant emphasis on good and beautiful design. The existing bungalow does not meet this and is of a low standard.

Therefore an opportunity has been taken to improve design and quality in the surrounding area.

The proposal will also make best use of a site, redeveloping an already developed site, again something that is supported.

The bungalow and outbuildings on site are of poor quality, whilst this could in theory be upgraded, it would not be economically viable to do so, given the limited size, and cost that would be involved to bring up to a modern standard.

The existing outbuildings situated on site are of poor quality and semi dilapidated and are need of replacement.

Although there could be scope for an extension, given the restrictions the property holds in terms of layout and height this would not be viable in terms of design and cost.

Sustainability is the key issue running through national policy. The proposal as presented will enable a low quality dwelling, both in terms of design and energy usage, to be replaced with a modern sustainable home meeting modern standards.

There will also be an economic benefit from the proposal through the employment of local tradesman. And a social benefit through the creation of a usable family home. It must be noted that the home is for a local person and his family, who have lived in the area all their life and operate a business in the village.

The site already has a dwelling and outbuildings in situ. The design proposal put forward is sympathetic to the site and existing development, with regard to minimising any impact over and above the existing situation.

6.2 Re-Design

Careful consideration has been taken in the re design of this proposal, following comments received at both the appeal and by the Local Planning Authority during the Pre Application Advice.

The Key issue raised were the size, the scale, materials and the affect upon the listed dwelling due to the size. As such a comprehensive re design of the scheme has been undertaken.

Areas of Change

- Useable floor area has been reduced by 20%.
- Single storey in design with one bedroom incorporated into the eaves with a viewpoint to the rear of the property.
- New look elevations in single storey design with a more sympathetic utilitarian appearance with no gables to front.
- The dwelling in the main has been designed to give a mixture of both traditional and modern design, in order to be in line with surrounding dwellings.
- The dwelling has been situated further back into the site at the rear of the footprint of the existing bungalow.
- The dwelling has been designed in way for it appear subservient to the opposite listed dwelling.
- The materials used will be a combination of flint and rendered panels above a traditional brick plinth and brick detailing around the windows, Quoins/junctions to break up the appearance

and give a agricultural feel to the dwellings front elevation.

- The main roof will be red plain tile (as commonly found in the locality) The roof will be pitched with the gables on the rear elevation of the property.
- The front porch roof will be zinc to provide an agricultural feel and appearance.
- Windows will be a aluminium and wood composite to give a traditional agricultural feel.
- The primary front elevation will utilise flint work, which is commonly found in local outbuildings and walls, as such it will be in line with surrounding buildings and features.
- Main openings and socialising rooms to be at the rear of the dwelling.

The overall redesign of the property can be seen to address concerns raised within the appeal. The proposal is now far more in line in with neighbouring properties in terms of appearance and scale.

6.3 Access

The current access for the site is proposed to be used, this is of good quality, and serves an existing dwelling already.

6.4 Ecology

No ecological impact is thought to occur from this proposal. Ecological enhancement schemes can be conditioned if necessary. There is the opportunity for further planting on the site if required.

An ecological report has been submitted alongside the proposal that concluded there would be no harm.

6.5 Landscaping

The applicants propose native tree and hedge row planting around the site, with particular emphasis on the northern and eastern boundaries, further landscaping would be considered to be acceptable via a condition.

The landscaping proposed will help soften the appearance of the dwelling and enhance the setting of the listed building further.

An indicative landscaping scheme is shown on the submitted site plan.

7. CONCLUSION

The proposal is an opportunity to enhance an existing site through the replacement of a poor dwelling, with a modern sustainable, energy efficient dwelling of good and beautiful design, as is required by National Planning policy. The opportunity to be able to do this should not be withheld by the planning system.

Whilst the site sits next to a Listed building, the ability to improve the design from the existing dwelling, will allow the setting of the listed building to enhanced and maintained.

Given there is a dwelling already in situ on site, together with good level of existing mature screening, there is thought to be little impact on views from public highway/footpath, with important views enhanced.

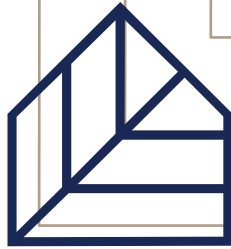
Therefore on a planning balance, the opportunity to provide a good, beautifully designed family home, designed to minimise impact, to replace a home which has essentially come to the end of its life should be supported. Any adverse impact over and above the existing scenario is minimised, and the setting of

the listed building will be preserved.

The reasons for refusal have been addressed via the re design of the replacement dwelling, with the proposal now less impactful upon the listed dwelling

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