

Item: 2

Reference: B/08/01230/FUL

Parish: Bentley

Location: Erection of two-storey detached dwelling and detached double garage to be occupied by a horticultural worker

Applicant: Mr R Pooley

Case Officer: Gareth Durrant

Date for Determination:

THE SITE

1. The site forms part of the existing Bentley Plants centre on Bergholt Road, Bentley and is situated in the countryside in-between the main settlement of Bentley and East Bergholt (East End). The site of the proposed dwelling is currently laid out as a sales area for plants. The nursery holding is 2.8 hectares in size. The site is situated within the locally designated Special Landscape Area.

THE PROPOSAL

2. The application is for full planning permission for the erection of a dwelling and double garage. The dwelling would measure approximately 13 metres (plus utility room) by 8.6 metres giving a footprint of approximately 120 square metres. The dwelling would have a ridge height of 7.7 metres. It would be finished in stained weatherboarding above a brick plinth, with plain tiles proposed to the roof. The proposed garage would be 6 metres by 6 metres and 5.3 metres high.
3. The application proposes accommodation for a horticultural worker and is submitted following the grant of outline planning permission for such earlier this year. The application is accompanied by a Design and Access Statement which can be viewed in advance of the meeting by prior arrangement with the case officer.

RELEVANT HISTORY

4. 2008 – Outline planning permission granted for erection of dwelling and double garage to be occupied by a horticultural worker. Application number B/07/01022/OUT refers.
5. 2007 - Outline planning permission refused for the erection of dwelling and double garage to be occupied by a horticultural worker. Application number B/06/02140/OUT refers. The reasons for refusal were as follows;
 - *Whilst the Local Planning Authority does not question that the existing nursery business is profitable and therefore fulfills the financial tests as set out in PPS7, concern is raised with regard to the functional need for a dwelling at the site. Much of the justification for the dwelling depends upon improving security on site and upon the implementation of a proposal to propagate plants and grow them on as nursery stock, facilitated by planning permission B/06/00624/FUL for the erection of a heated poly tunnel.*
 - *The applicant suggests that a Grampian style condition could be imposed upon the grant of planning permission that prevents the construction of the house until the polytunnel is completed. As the dwelling would be largely necessitated by an*

activity that has not yet begun it would be premature to grant planning permission for a permanent dwelling at this point in time. The proposal would therefore be contrary to Policy ENV6 of the Suffolk Structure Plan, Policy CR12 of the Babergh District Council Local Plan Alteration No.2 and advice given within Planning Policy Statement 7: Sustainable Development in Rural Areas.

6. 2006 – Planning permission granted for the erection of potting shed/agricultural store and poly tunnel. Application numbers B/06/00623/FUL and B/06/00624/FUL refer.

NATIONAL GUIDANCE

7. **PPS1:** (Delivering Sustainable Development) - relates to achieving sustainable development and high quality layout and design.
PPS3: (Housing) – sets out the Government’s planning policies relating to housing.
PPS7: (Sustainable Development in Rural Areas) – sets out the Government’s policies for rural areas.

PLANNING POLICIES

8. The following Development Plan comprises the East of England Plan, adopted 2008, saved policies in the Suffolk Structure Plan, adopted 2001, and the Babergh Local Plan (Alteration No.2) adopted 2006. The following policies are relevant to this proposal:

East of England Plan, 2008

- **SS1** (achieving sustainable development)
- **SS4** (towns other than key centres and rural areas)
- **ENV7** (quality in the built environment)

Babergh Local Plan (Alteration No.2) 2006

- **HS04** (housing in the countryside)
- **HS30** (design of new housing)
- **HS32** (public open space provision – small sites)
- **CR01** (landscape quality)
- **CR04** (special landscape areas)
- **CR07** (landscaping of new development in the countryside)
- **CR12** and paragraphs 6.46-6.50 (agricultural workers dwellings)
- **CN01** (maintaining local distinctiveness)

The relevant documents can be viewed via the internet. Please see Page 4 for details.

OBSERVATIONS

9. Any observations received will be reported to the meeting.

REPRESENTATIONS

10. Any representations received will be reported to the meeting.

PLANNING CONSIDERATIONS

11. The principle of this development was established by the grant of outline planning permission for the erection of a dwelling for a horticultural worker in May 2008. That decision is a material consideration of this application for full planning permission (which is for a similar proposal on the same site). Accordingly, the principle of the erection of a dwelling at the site (for a horticultural worker) cannot be re-visited here. The issues central to the outcome of this application are i) design and impact of the proposed dwelling, and ii) highway safety issues.

Design and impact

12. The proposed dwelling is designed to appear as a vernacular barn with its timber walls clad walls and mid-strey detail. However, there are some obvious domestic features incorporated into the design which blur the agricultural character intended. These are a brick chimney stack, dormer windows (x3), a rooflight and domestic appearing and positioned windows. However, the design is generally acceptable and a refusal of planning permission on design grounds is not warranted in this case.
13. The site is situated within the locally designated Special Landscape Area, so the impact of the development on the wider landscape is an important material consideration. The dwelling would be positioned close to the position of the dwelling approved under the earlier outline planning permission and would also be of a similar scale to the approved scheme (overall height of 7-8 metres was indicated in the outline planning permission and the actual height proposed here is 7.7 metres to ridge. Furthermore, the nursery site is currently well screened and enclosed by mature conifer hedging which itself is not particularly harmonious with the local landscape character, but would screen the dwelling from wider landscape views. The proposal is therefore acceptable with regard to its impact upon the landscape.
14. The nearest existing dwellings to the site of the proposed dwelling are 'Martin Hill Cottage' to the west and 'Borderwood' to the south. Both properties are relatively distant from the site of the proposed dwelling (the closest being approximately 100 metres) and given the presence of the existing mature conifer plating on the boundaries of the nursery site, there would be no significant impacts accruing.

Highway safety issues

15. The proposed dwelling would be accessed by vehicular traffic via the existing access to the site. This access is currently also used by delivery and customer vehicles. The access is located on the outside arc of a sharp bend and benefits from visibility in both directions. There are no highway safety related concerns or objections to this proposal.

REASONS FOR APPROVAL

16. Having regard to Government Guidance in PPS7 and to the relevant provisions of the Development Plan (policies HS30, CR01, CR07, CR12 and CN01 of the adopted Babergh Local Plan, Alteration No.2 - 2006) it is considered that adequate evidence of a functional need for the agricultural workers dwelling has been provided and subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with Government planning guidance and the Development Plan, would not materially harm the character or appearance of the area or the living

conditions of occupiers of neighbouring properties and would be acceptable in terms of traffic safety and convenience.

RECOMMENDATION

That subject to the completion of, and the Chief Planning Control Officer being satisfied that no new material planning issues are raised during, the outstanding period of public consultation (17 October 2008);

- (1) The Solicitor to the Council be authorised to secure a Planning Obligation* under Section 106 of the Town and Country Planning Act, 1990, to provide:-
 - Contribution towards Public Open Space provision.
 - To secure the construction of the structures/buildings approved under planning permissions B/06/00623/FUL and B/06/00624 and their availability for use before commencing construction of the approved dwelling.
- (2) That, subject to the Planning Obligation in Resolution (1) above being secured, the Chief Planning Control Officer be authorised to grant planning permission subject to conditions, including:
 - Occupancy condition (agricultural/horticultural worker)
 - Samples of external building materials (brick and tile only)
 - Black staining of external weatherboarding and all external joinery.
 - Details of proposed boundary treatments for the new curtilage of the dwelling.
 - Landscaping scheme.
 - Withdrawal of GPDO rights for extensions to the dwelling.
 - Details and implementation of parking/manoeuvring areas.
- (3) That, in the event of the Planning Obligation referred to in Resolution (1) above not being secured, the Chief Planning Control Officer be authorised to refuse planning permission for the following reasons.
 - Inadequate provision for public open space being contrary to Policy HS32 and PPG17.
 - No agricultural/horticultural justification for the erection of a dwelling at this location, contrary to well established settlement policies (including adverse impact upon the countryside generally and unsustainable form of development).

Footnote

** NB - These are the same provisions contained in the Agreement attached to planning permission B/07/01022/OUT.*