

Planning Committee

26 March 2021

Agenda item number 8.1

BA/2020/0408: Westerley & The Moorings, Borrow Road, Oulton Broad – Demolition of existing and erection of replacement dwelling (Westerley) and erection of new dwelling on neighbouring plot (The Moorings)

Report by Senior Planning Officer

Proposal

Demolition of existing dwelling (Westerley) and erection of replacement dwelling and erection of new dwelling on neighbouring plot (The Moorings).

Applicant

Mr and Mrs Swietlik

Recommendation

Approve subject to conditions

Reason for referral to committee

There have been several representations that have raised material considerations.

Application target date

20 January 2021

Contents

1.	Description of site and proposals	2
2.	Site history	3
3.	Consultations received	3
	Parish Council	3
	Environment Agency	4
	Suffolk County Council (SCC) Highways	4

BA Environment Officer	4
BA Tree Officer	4
BA Historic Environment Manager	4
ESDC Environmental Health Officer	5
BA Landscape Officer	5
4. Representations	5
5. Policies	6
6. Assessment	6
Principle of development	6
Design and Materials	7
Impact upon the Conservation Area and landscape	7
Amenity of residential properties	8
Flood Risk	9
Impacts on biodiversity	9
Other issues	9
7. Conclusion	10
8. Recommendation	10
9. Reason for recommendation	10
Appendix 1 – Location map	11

1. Description of site and proposals

- 1.1. The application site lies on the northern banks of Oulton Broad at the western end of Broad View Road, a suburban road consisting of mainly substantial, detached properties which sit on large plots, frequently positioned relatively close to the road and in close proximity to one another, with long gardens running towards the Broad. The site is within the Oulton Broad Conservation Area.
- 1.2. Westerley is a detached, two storey, flat-roofed property clad in vertical timber boards. It is situated close to the southern boundary of the plot, adjacent to its residential neighbour, Beechside. There is a flat-roofed double garage to the north-east corner of the plot, a small, thatched shed towards the northern boundary and a mooring at the edge of the broad to the west. The remainder of the plot is laid to lawn and the land declines towards the water.
- 1.3. The existing plot at The Moorings is separated from Westerley by a 1.8m tall hedge extending west to east along the boundary. The majority of the plot is laid to lawn and

there is a thatched boathouse, slipway and mooring at the western end by the Broad. The northern and eastern edges of the site have several large, mature trees. There are residential properties to both the north and east of the site as well as a public footpath forming part of the Angles Way which runs along the eastern boundary.

- 1.4. The proposals are for the erection of two, two-storey dwellings at the eastern ends of the plots known as Westerley and The Moorings. The new dwelling at Westerley will replace the existing and will be positioned in a similar position to that of the existing property. The new dwelling at The Moorings will be situated directly north of this, in line with the neighbour further to the north, The Croft.
- 1.5. The two proposed dwellings are laid out in an upside-down style with the main living areas on the first floor to take advantage of views across the Broad. The ridge heights of the proposed dwellings were calculated by taking the average height of the ridges of Beechside (to the south) and The Croft (to the north). The highest point of the new dwellings is 6.9m. Both properties have matching gables that project towards the water and result in an overhang over the main balcony. The dwelling at Westerley is proposed to be 'L' shaped with an integral garage. The width at the eastern elevation (widest point) is approximately 17m. The dwelling at The Moorings is 'T' shaped with no garage. The length of the northern elevation (widest point) is approximately 18m including the enclosed balcony area.
- 1.6. The access point from Broadview Road will remain the same and parking areas are provided for both properties. The existing boathouse at The Moorings will be retained as will the quay heading and mooring cuts at the edge of the broad.

2. Site history

- 2.1. BA/1976/5504/HISTAP Erection of two bedroomed bungalow. Refused.
- 2.2. BA/1976/5599/HISTAP Erection of house and garage. Refused.
- 2.3. BA/1980/5600/HISTAP Erection of dwelling and garage. Refused & appeal dismissed.
- 2.4. BA/2011/0225/FUL Erection of new fence to replace existing. Approved.

3. Consultations received

Parish Council

3.1. **Original response:**

Over development replace one house with two. Overall height of the new houses thereby overbearing on the neighbours property loss of light, sunlight privacy. Over development of the moorings site, allowing larger boats. There will also be an impact on footpath 33 and the wildlife.

3.2. **Response to latest amended plans:**

Our recommendation has not changed.

Environment Agency

- 3.3. No objections.

Suffolk County Council (SCC) Highways

- 3.4. No objections.

BA Environment Officer

- 3.5. No objection to the proposed new development subject to the listed enhancements and conditions.

BA Tree Officer

- 3.6. **Original response:**

Given the size of the site it seems unfortunate that the northernmost dwelling requires the loss of two large trees, a sycamore and beech tree, the beech being a key landscape feature at on the eastern boundary of the site immediately adjacent to the entrance. Both of the trees to be lost are healthy specimens with good life expectancy. I would therefore like to see the plot(s) redesigned to allow the sustainable retention of the trees.

- 3.7. **Response to latest amended plans:**

I consider the amendments acceptable subject to the recommendations of the arboricultural consultants being implemented. If the proposal is deemed acceptable, we should condition the submission of a detailed Arboricultural Method Statement for our approval prior to commencement, detailing all proposed construction methodology, foundations services, drainage, levels, piling plan (including piling mat construction details & plant size) and associated Tree Protection Plans for works within the RPA and provide details of proposed arboricultural monitoring and reporting throughout any permitted development.

BA Historic Environment Manager

- 3.8. **Original response:**

To summarise, although I am generally supportive of the proposal and the principle of development I have the following concerns that I would like to see addressed:

- Scale sections across the sites showing neighbouring properties. These do not need to be detailed elevations but do need to show accurate building heights and ground levels so that the relative heights of the proposed and neighbouring buildings can be compared.
- The north elevations are long, blind and relatively prominent elevations and I would suggest that their impact is reduced.
- I need to see a sample of the Pigmento blue zinc. I question whether it is an appropriate material for such a large area on the north elevations.
- The loss of two trees within the conservation area.

3.9. Response to latest amended plans:

- I have no objection to the zinc, which varies in shade between grey and blue-grey depending on its position and the light / weather conditions. This variation in tone should work well and relate successfully to the red bricks and timber that form the other materials in the palette.
- The removal of the garage block reduces the extent of the built form at the eastern end of the site, which is beneficial to the setting of the building and the wider conservation area, as well as improving conditions for the trees in the vicinity.
- The amendments to the north elevation of the proposed house at The Moorings give it a more domestic and less austere appearance. I therefore have no objections to the application.

ESDC Environmental Health Officer

- 3.10. The Homescreen report submitted with the application is not sufficient to rule out contamination that may be present on the site. This work, together with any other investigation, remediation and validation which may subsequently be required should be secured using appropriately worded conditions.

BA Landscape Officer

- 3.11. No objection to amended plans.

4. Representations

- 4.1. Responses have been received from 16 households. 10 object and 6 are in support.

Object:

- Overdevelopment of the area.
- Out of character for the area.
- The proposed dwellings are too high.
- Loss of light and overshadowing.
- Adverse impact on the footpath.
- Loss of privacy.
- Loss of public amenity.
- Concerns about services to the plots.
- Concerns about impact on wildlife.
- Flooding and drainage issues.
- Concern over accuracy of plans.
- Concern about loss of trees.
- A smaller replacement would be preferred.
- Sets a precedent for other mooring plots.

- Detrimental to the area.

Support:

- Well thought out design, height and spacing.
- An improvement to the area.
- No detriment to adjacent properties.
- Views to the Broad will remain.
- The proposals will enhance the area both from the broad and the public footpath.
- No loss of views or light.
- Plenty of space for development.

5. Policies

- 5.1. The adopted development plan policies for the area are set out in the [Local Plan for the Broads](#) (adopted 2019).
- 5.2. The following policies were used in the determination of the application:
- DM5 – Development and flood risk
 - DM11- Heritage Assets
 - DM113 – Natural environment
 - DM16 – Development and Landscape
 - DM21 – Amenity
 - DM23 – Transport, highways and access
 - DM35 – Residential development within defined development boundaries
 - DM43 – Design
- 5.3. The National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) are material considerations.

6. Assessment

- 6.1. The main considerations in the determination of this application are the principle of development, the design of the new buildings and the impacts on the Conservation Area, trees, biodiversity, flood risk, neighbour amenity and highways.

Principle of development

- 6.2. In terms of the principle of development, both national and local planning policy seek to focus new development towards existing settlements in order to protect the countryside. The development boundary for Oulton Broad is drawn quite tightly around the existing dwellings along Broadview Road and does not include the majority of gardens extending towards the Broad. The eastern parts of both Westerley and The Moorings are within the Oulton Broad Development Boundary.

- 6.3. The application seeks permission for both a replacement dwelling and the erection of a new dwelling within the development boundary for Oulton Broad and so Policy DM35 of the Local Plan for the Broads applies. Policy DM35 states that new dwellings within development boundaries are supported where compatible with other policies within the Local Plan and where they are of a scale that is suitable and appropriate for the size of the site and reflect the character of the area. The principle of development on this site is therefore acceptable.

Design and Materials

- 6.4. Policy DM43 of the Local Plan for the Broads requires all development to be of a high standard of design and that it integrates effectively with the surroundings, reinforces local distinctiveness and landscape character and preserves or enhances cultural heritage.
- 6.5. The proposed buildings relate well to neighbouring properties in terms of their height and the elevations work well in terms of the way in which they break up the massing of the buildings. In terms of materials, the limited palette works well and the proposed vertical timber cladding and red brick are acceptable in principle, being materials local to the area. The roof material is pigmento blue zinc which, although not traditional, varies in shade between grey and blue-grey depending on its position and the light and weather conditions and it is considered that this variation in tone will work well and relate successfully to the red bricks and timber that form the other materials in the palette.
- 6.6. Other criteria of the policy will be discussed in detail below but the proposal is considered to be in accordance with Policy DM43.

Impact upon the Conservation Area and landscape

- 6.7. The application is accompanied by an Arboricultural Impact Assessment, a Landscape Visual Impact Assessment and Landscape Plan and Heritage Statement. Following initial consultations, amendments were made to these documents and the amended versions are considered here.
- 6.8. The existing property at Westerley is not of any architectural merit and does not enhance the character of the Conservation Area. The principle of its demolition and replacement with a more contemporary form of development in this location is considered acceptable. As the existing thatched boathouse does contribute to the character of the Conservation Area, its retention is welcomed.
- 6.9. Whilst the new dwelling proposed at The Moorings will inevitably result in a denser form of development than at present, a new dwelling on the plot situated in relatively close proximity to its neighbours is not out of keeping with the form and pattern of development found within this part of the conservation area along Broadview Road. It is acknowledged that it would result in a more restricted view to the Broad from Broad View Road but the view itself will still be maintained.

- 6.10. The revised plans addressed the need to remove trees on the north and west boundaries to facilitate the development (which was not supported), by reducing the scale of the dwelling at The Moorings and creating a better relationship between the building and the existing trees. The BA Tree Officer has no objection to the revised scheme subject to a condition requiring the submission of a Method Statement for works within the Root Protection Areas.
- 6.11. The Broads Landscape Character Assessment [*6 Waveney - Boundary Dyke, Barnby to The Fleet, Oulton*] identifies the distinctly contrasting character between the busy eastern and the quieter more natural western end of Oulton Broad. The site is located in an area whose character is one of large dwellings within large plots which tend to have extensive, well vegetated gardens which provide a visual foil, filtering views of development and reducing the effect built development has on both the character of the area and in views from the Broad.
- 6.12. The Landscape Visual Impact Assessment has been carried out by a suitably qualified professional, accords with relevant guidelines and its findings are accepted. The design and materials of the proposed dwellings do seek to minimise the visual effects particularly from views across the Broad and the revised landscaping scheme are acceptable, whilst the new dwelling at The Moorings replicates this pattern of development. The mooring and quay heading at the Broad's edge are existing and will be retained.
- 6.13. The revised proposals are not considered to result in an adverse visual impact on the character of the Oulton Broad Conservation Area nor will they result in the unnecessary loss of trees within the site. The proposals are therefore considered to be in accordance with Policies DM11 and DM16 of the Local Plan for the Broads.

Amenity of residential properties

- 6.14. Policy DM21 of the Local Plan for the Broads seeks to protect the existing amenity of neighbouring properties as well as providing new occupiers with a satisfactory level of amenity. The replacement dwelling at Westerley is situated in a similar position to the existing dwelling and has the main habitable windows facing east to west, as existing. Windows on the side elevations are high level or rooflights to prevent overlooking.
- 6.15. There is some concern among local residents that the new dwelling at The Moorings will result in a detrimental impact on their amenity due loss of light, overlooking and loss of a view through to the Broad. The agents therefore provided a supplementary report on direct sunlight carried out by Geologic and additional plans which address the issue of loss of light for both neighbouring properties Hiwood and The Croft. In accordance with the best practice methodology within Building Research Establishment (BRE) guidance document on Loss of Light REP 209 'Site Layout Planning for Daylight and Sunlight: a guide to good practice' 2nd Edition, it can be demonstrated that the new dwelling at The Moorings falls well inside the 25° rule and would not result in a detrimental impact in terms of loss of daylight.

- 6.16. The north-east elevation of the new property at The Moorings has only one window at first floor level facing Hiwood and this serves a kitchen. The distance between the dwellings at first floor level is over 20m and there is additional screening from the mature trees on the boundary and so direct overlooking and loss of privacy is not considered to be a concern here.
- 6.17. The issue of a loss of view from the footpath through to the Broad is not a material planning consideration. However, the revised site layout plan does demonstrate that there is a sufficient gap between the two new dwellings to retain a view of the Broad from Broadview Road and the footpath and so the proposal will not result in an unacceptable impact on the amenity of neighbours and users of the footpath. The proposals are considered to accord with the requirements of Policy DM21.

Flood Risk

- 6.18. The application is accompanied by a Flood Risk Assessment. Whilst parts of the site fall within flood zones 3a and 3b, the buildings themselves are proposed within flood Zone 1. The floor levels proposed are 2.355m AOD which is above the 0.5% and 0.1% modelled flood levels inclusive of climate change and refuge is provided on the first floor. The access and egress routes for the site fall within flood zone 1 and both flood resilient construction techniques and a flood response plan are proposed. The proposal is therefore considered to be in accordance with Policy DM5 of the Local Plan for the Broads.

Impacts on biodiversity

- 6.19. The application is accompanied by an Ecological Appraisal, Bat Survey and Reptile Survey and there is no objection from the BA Environment Officer subject to the enhancements recommended by the reports.
- 6.20. The [Suffolk Coast Recreation Disturbance Avoidance and Mitigation Strategy \(RAMS\)](#) is a partnership between East Suffolk Council, Ipswich Borough Council and Babergh and Mid Suffolk District Councils. Its aim is to reduce the impact of increased levels of recreational use on habitat due to new residential development in the Suffolk Coast area and to provide a simple, coordinated way for developers to deliver mitigation for their developments. In smaller developments mitigation is most efficiently achieved through payment of the RAMS contribution only.
- 6.21. The site lies within the strategy's Zone of Influence and so a Habitat Regulations Assessment was carried out by the BA Environment Manager and it was concluded that a RAMS contribution was required. This payment was made to East Suffolk District Council. The proposal is therefore considered to be in accordance with Policy DM13 of the Local Plan for the Broads.

Other issues

- 6.22. The access and parking arrangements are unchanged by the development and so there is no objection from the Highways Authority. In addition, the proposals will not adversely impact on the public right of way adjacent to the site.

6.23. There is an outstanding enforcement case in relation to damage caused to the beech tree on the north-east boundary of the site and this was brought before the Planning Committee on 5 March 2021. Whilst this incident is regrettable, it is not a material planning consideration in the determination of this application and is being dealt with through a separate process. In response to concerns from the BA Tree Officer in relation to the proposed new dwelling's impact on this tree, the agent has reduced the scale of the building and moved the new build elements away from the root protection area.

7. Conclusion

7.1. In summary, the proposal is for the replacement of one dwelling and the erection of a new dwelling within the development boundary for Oulton Broad. The design of the dwellings is modern but the use of traditional materials coupled with the proposed landscaping will result in a development that blends well with the existing character of the surrounding Conservation Area. The position and angles of the dwellings will ensure there is no direct overlooking, overshadowing or loss of privacy for existing neighbours. In addition, there are no issues raised with regards to biodiversity, highways or flood risk. The proposals are therefore considered to be in accordance with the policies of the Local Plan for the Broads.

8. Recommendation

8.1. Approve subject to the following conditions:

- Time Limit
- In accordance with plans & documents
- Submission of exact materials
- Submission of Arboricultural Method Statement, Construction Methodology & Arboricultural monitoring.
- Ecological conditions recommended
- Removal of permitted development rights for extensions, alterations, outbuildings.

9. Reason for recommendation

9.1. The application is considered to be in accordance with Policies DM5, DM11, DM13, DM16, DM21, DM23, DM35 and DM43 of the Local Plan for the Broads 2019.

Author: Cheryl Peel

Date of report: 17 March 2021

Appendix 1 – Location map

Appendix 1 – Location map



© Crown copyright and database rights 2020 Ordnance Survey 100021573. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.