

Nayland with Wissington Conservation Society

Registered Charity No.268104

Comment submitted to Babergh Mid Suffolk Planning Authority

Date: 3 July 2017

Case Officer: Samantha Summers

To access the BDC web site: <https://planning.baberghmidsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ZZZW26CMPM026>

B/17/01128 | Full Planning Application - The Bungalow Harpers Hill Nayland With Wissington Colchester CO6 4NT - Erection of 5 No residential units, with associated garages, parking, private drive and access

Reasons for comment:

- Conflict with local plan
- Development too high
- Dominating/Overbearing
- Drainage
- Inadequate Access
- Information missing from plans
- Landscape Impact
- Light Pollution
- Loss of Open Space
- Loss of privacy
- Loss of View
- Not enough info given on application
- Other - give details
- Out of Character
- Over development
- Overlooking
- Residential Amenity
- Sustainability
- Traffic or Highways
- Trees
- Wildlife

Dear Sir/Madam,

PLANNING APPLICATION B/17/01128.

PROPOSED RESIDENTIAL DEVELOPMENT, THE BUNGALOW, HARPERS HILL, NAYLAND.

I write with reference to the above, on behalf of Nayland Conservation Society to object to the application. Our objections are set out in detail below. However, I also express concern that Essex Place Services have not been consulted on the application, the providers of your landscape advice. Bearing in mind the very sensitive national designation of the site within an AONB, I consider this to be a serious oversight, and would ask that this be carried out before your officers assess the application.

Contrary to the environmental strand of sustainability.

It is recognised that the NPPF presumes in favour of sustainable development. However, there are three strands to sustainability, one of them being environmental.

I refer particularly to Paragraph 109 of the NPPF that states that the planning system should contribute and enhance the natural and local environment by 'protecting and enhancing valued landscapes'. Paragraph 115 continues to state that: 'Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.'

Paragraph 116 continues stating that: 'Planning permission should be refused for major development in a National Park, the Broads or an Area of Outstanding Natural Beauty except in exceptional circumstances and where it can be demonstrated to be in the public interest.'

Whether a proposed development in these designated areas should be treated as a major development or not is discussed in the Natural Environment Guidance Note, where it says this will be a matter for the relevant decision taker, taking into account the proposal in question and the local context. However, this Guidance note continues to state that: 'The Framework is clear that great weight should be given to conserving landscape and scenic beauty in these designated areas irrespective of whether the policy in paragraph 116 is applicable.'

I conclude, therefore from this guidance, that the main planning consideration is whether the proposal conserves the landscape and the scenic beauty of this designated area. I do not consider that this will be the case, as demonstrated by the applicant's own Landscape Assessment. This states:

'...all of which will soften the built form and overtime help it settle into the local landscape.....overtime the materials will weather to the muted colours of the surrounding village edge character.'

This does not suggest that the development would conserve the landscape. It is making it clear that it would have a negative impact, but over time this would lessen when planting becomes established and materials tone down. A negative impact is not suggested in the NPPF as being acceptable in the AONB. Development must conserve character, i.e. have a neutral or positive impact.

However, in the absence of professional landscape input the Council, officers are not in a position to make an informed assessment of landscape character.

It is the Society's opinion that the proposal would adversely affect the landscape and scenic beauty of this part of Nayland. The fact that it is not visible from the A134 is irrelevant, in the same way that an inappropriate development on the back of a Listed Building does not deem it to be acceptable. The development would be clearly visible from a public highway, the old A134, that is an adopted highway open to pedestrians and vehicles. Therefore, the site would be visible from the public perspective, and demonstrable visual harm would be caused for a number of reasons.

1) Firstly the site is raised above the road and therefore any development would be prominent. The plans do not show a measured survey with levels, or a perspective from the public highway, and as a result it is difficult to assess its dominance. However, a site visit provides an accurate perspective in this respect. The dwellings near the frontage would be clearly visible, but also the in depth houses being raised above the road would be equally prominent in the landscape.

2) Currently the site provides a green swathe between the main built-up part of the village that comprises continuous in-depth development, that is immediately to the south-east of the site, and the open countryside to the north and west. The Westerings and remainder of the housing estate provide a definite and defensible boundary to this part of the village, as identified by the Council in the drawing of the development limits. North of this estate is attractive, rolling open countryside interspersed with trees and hedges. The ground rises up towards the north rendering the open countryside even more prominent. The application site provides a green and attractive swathe, providing glimpses through from the road to this open countryside. It also acts as a transition between the built-up area and the sporadic development north-west of it, comprising a former farmyard, now a small industrial estate, and a couple of dwellings set in spacious grounds. Beyond these is open countryside. The extension of the continuous built-form along the frontage and also in depth beyond the current village limits would adversely affect the approach to the village, urbanising it and detracting from the current soft, green, spacious approach.

3) The green approach to the village is strengthened by the existence of the county wildlife site on the island between the old and new A134 immediately in front of the site. The proposed development would adversely affect its backdrop and context.

4) There is a substantial tree on the frontage that is worthy of protection. An assessment of its condition is made in the applicant's arboricultural report but no root protection area is shown on the plans. As the site slopes up to such an extent at this point, it has not been demonstrated that access can be obtained without damage to the root protection area. Furthermore, the full extent of the crown is unknown, as there is no survey, and it is likely that the access would impede into the crown of the tree that would result in damage. The loss of this tree would be detrimental to the rural character and the County Wildlife Site, as well as the AONB. I am concerned that the Council's tree officer has not been consulted on the application.

5) The site is visible from the public footpath to the north-east of the site. Currently when looking due west from the path the estate development that is clearly visible but then beyond this there is a definite change in character to a gap, the application site, open countryside, and then a small amount of sporadic development glimpsed through the trees before open countryside prevails. The infilling of this current gap, extending the built form in a more solid and harsh manner than the current sporadic development would harm views across the Dedham Vale and AONB.

The applicant's landscape appraisal stated that it would assess and establish the potential effects of the proposed residential development and cites Policy CS15: Implementing Sustainable Development that states that proposals should; i) respect the landscape, landscape features, streetscape / townscape, heritage assets, important spaces and historic views; and ii) make a positive contribution to the local character, shape and scale of the area. It also quotes Saved Policy CR02 that says: 'The landscape of the Dedham Vale Area of Outstanding Natural Beauty will be safeguarded through the strict control of development'; and the Dedham Vale and Stour Valley Management Strategies that aim to ensure that the area retains and enhances its special qualities. Finally it quotes DM7 Design Objectives and Requirements, highlighting the importance of setting and potential effects on designated and non designated historic elements, local character and patterns of development and Policy DM9 Landscape, that aims to protect and, where possible, enhance the landscape, taking account of its natural beauty, features of archaeological or historic interest.

For all the reasons cited above, it is considered that the proposal fails to comply with these Local Planning Policies. It has also been demonstrated that it does not meet the environmental strand of sustainability.

Loss of residential amenity.

Again the submission, in the absence of survey and sections plans, fail to illustrate the significant impact the proposal would have on the residential amenity of properties in Westerings. Those immediately abutting the application site have extremely shallow rear gardens, with ground and first floor habitable room windows facing into the site. Again the applicant's landscape report highlights this as follows:

'Semi-detached chalet bungalows are located close to the south eastern boundary with direct views into and across the whole site, where there are gaps in the hedgerow and from first floor windows, with unobstructed views over the tall hedgerow into the site.'

The relationship between these properties and the application site is very apparent when carrying out a site visit. The application is in outline only, but the suggested layout shows extremely shallow rear back gardens to plots 4 and 5, and as this is due south, where openings are generally concentrated, it is difficult to ascertain how the dwellings, albeit it single storey, will be fenestrated without direct overlooking from and into first floor windows of Westerings properties. There will be an unacceptable loss of privacy and residential amenity.

Indeed the layout shows that the overall development of the site would be cramped, with small gardens, lack of un-overlooked private space, and this in conjunction with the three two-storey forms proposed, would add to the harmful visual impact.

For all these reasons the Council is requested to refuse planning permission. I summarise the objections as follows:

- Harmful to the AONB and landscape character.
- Demonstrable harm to the current loose knit approach to the village, urbanizing the current loose knit form.
- Potential loss of an important tree on the frontage.
- The fact that the site rises above the road and The Westerings renders the proposed development even more prominent in the public perspective.
- Loss of residential amenity to The Westerings and unacceptable low levels of amenity for the proposed dwellings, especially plots 4 and 5.
- Overdevelopment of the site and the subsequent impact on landscape and visual amenity.

Finally, I am concerned that the Council has not sought Landscape advice in respect of the effect of the development on the vegetation on the site and the impact on the AONB. Therefore, an informed judgment and assessment cannot be made.

Yours faithfully,

M. Hunter
Chairman,
Nayland with Wissington Conservation Society