

BRANDESTON PARISH COUNCIL

The Minutes of the meeting held on Monday 5th May 2022 at 7.30pm, in Brandeston Village Hall.

Present: Councillors Bange, B Baker, P Baker, Locke, Summers (in the chair), Clerk Catherine Bacon and 4 members of the public

14/21-22/1 The Chair welcomed Councillors and the member of the public to the meeting.

14/21-22/2 Apologies for absence was received from Cllrs Fletcher (personal) and S Williams (personal). It was resolved that these were accepted.

14/21-22/3 There were no declarations of interest.

14/21-22/4 Public Forum

The neighbour of applicant of **DC/22/1333/TCA** (14/21-22/6 Planning (a)) submitted photos to the Parish Council to raise his objection of the removal of the Horse chestnut and crown reduction of the Cherry plum. The neighbour stated that the horse chestnut was not in a state that it needs to be removed and provides enormous amenity value. The applicant of **DC/22/1333/TCA** (14/21-22/6 Planning (a)) has submitted a letter to the Parish Council with supporting arguments to the application.

The applicant of **DC/22/1625/FUL** (14/21-22/6 Planning (b)) asked the Parish Council to consider supporting the application. He believes that a pre-application has been agreed, making reference to Highways policy SP27, his understanding is that Highways do not object to the application for a new access. He also referred to two points previously raised by ESC, biodiversity and the driveway; trees and 350 metres hedging have been planted; he believes that these are the only constraints to overcoming planning objection and that the new access splay / driveway meets the requirements of Highways.

The Chair responded that the PC make decisions based on the planning policy and guidelines.

A neighbour of application **DC/22/1214/FUL** (14/21-22/6 Planning (c)) wished to state his objection, noting that the construction of the dwellings could be dominating/overbearing to their property and with hedging potential be removed cause a loss of privacy. Other issues raised include a loss of light and noise.

14/21-22/5 It was resolved that the Chair should sign the Minutes of the Meeting 11th April 2021 as a true and accurate record. (Circulated and on website)

14/21-22/6 Planning

- a) **DC/22/1333/TCA T1 - Horse chestnut - remove due to poor health and storm damaged T2 - Cherry plum - up to 2m crown reduction as over neighbours boundary. Ivy Lodge, The Street, Brandeston, Woodbridge, Suffolk IP13 7AD**

The application was discussed at the parish council meeting on the 11th April in conjunction with other similar applications – the application was only received by the Clerk on the day of the meeting and therefore not on the agenda. The Clerk noted that it was on the agenda of 4th May in order to formally record the discussions and the applicant and neighbour have since raised points for discussion.

Cllr B Baker agreed that Brandeston is in a conservation area but questioned whether the Parish Council could exercise some discretion; the tree does not have a TPO, it has no special attachment to the village, it is not visible from the street and it is not a tree that has been in

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situ for centuries. Cllr Summers could see this point of view and agreed that the PC should not be heavy-handed however, because the neighbour had made an objection to the application the PC needed to consider the valid reasons for the objection, (several of the neighbours' reasons were not material considerations). Cllr B Baker noted that if the tree did fall, it could do damage to the neighbour's plot. Cllr Summers raised the safety of the tree with the neighbour, the neighbour confirmed that they believed that the tree did not need to come down, and if it was to fall and damage their summer house, they acknowledged that their objection to its removal would probably annul their insurance or a claim against the owner of the tree. Cllr Bange stated that there is a process and that is why the Parish Council is requested to respond.

The councillors decided that since submitting the original response additional information is required, Cllr Summers stated that the PC did not have the experience in these matters to determine if the tree was so diseased that it needed to be felled. The PC refined their original response to request that the applicant has an arboricultural survey/assessment report undertaken on both trees to advise on the lopping/felling. Cllr Summers suggested to the neighbour that it would be in the joint interests of both the applicant and the neighbour to have this report and perhaps the neighbour would consider going 50:50 on the costs of such a report.

It was agreed the Clerk will submit an additional response to ESC Planning. Brandeston PC request that an arboricultural survey to be undertaken on both trees to advise and help determine the outcome of the application, a report will guide whether the health/damage is sufficient to remove horse chestnut and provide advice upon management of Cherry plum accordingly.

- b) **DC/22/1625/FUL - Proposed dwelling, involving construction of new vehicular access. Conversion of part retained former agricultural building currently approved to be used ancillary to existing dwelling. Red House Barn, The Street, Brandeston, Woodbridge, Suffolk, IP13 7AB**

The Parish Council noted that previous separate applications have been submitted for the construction of new vehicular access and another for part conversion the retained shed, this current application combines the two elements.

Cllr Bange questioned what had materially changed. Cllr Summers noted that nothing had changed.

Cllr Summers noted that although the applicant states in his view that this application has overcome previous points made by ESC, including various approvals from highways, biodiversity etc., these do not always conjoin with planning policy and guidelines etc.

The Chair took the opportunity to reiterate to the applicant that the Parish Council respond to the application on material matters and that responses are not personal.

In the event that ESC planning authority do not refuse the application under officer delegated powers, the Parish Council agreed to ask District Cllr Lydia Freeman to make a submission to ESC requesting that the application be determined at committee.

DC/22/1625/FUL, Proposed New Dwelling, involving construction of new vehicular access. Conversion of part retained structure currently approved to be used (as a swimming pool) ancillary to the existing dwelling. Red House Barn, The Street, Brandeston, Woodbridge, Suffolk IP13 7AB

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The Parish Council Object to the application:

1. Creation of a new home in the countryside that would not normally be permitted under Policy SCLP5.3.
 - Design & Access statement does not identify Planning Policy/Guidelines to Materially support this application.
 - The existing structure does not warrant preservation for its own sake.
 - Development of the existing structure (to a dwelling) is not available under Permitted Development rights.
 - Extension of development outside of the village settlement.
 - Not an in-fill plot and no Planning Policy/Guidelines to support the building of a new dwelling in open countryside.
 - Impacts upon the setting of the Red House and Red House Barn, the need to protect the character of the building and impact upon Brandeston Conservation Area and the designated Special Landscape Area.
 - The Red House Barn and associated ancillary annexe should be retained as a single planning unit in order to protect the setting of the Red House, setting within the landscape and the gateway to the Village and the Conservation Area.

Reference to the Conservation response 4th December 2020 – Robert Scrimgeour ESC.

(Composed at the time regarding the proposed access driveway to the same site – subsequently refused.)

‘The barn dwelling falls within the Brandeston Conservation Area, although the Proposal site falls outside but is immediately abutting. The site of the proposed access road lies within the immediate setting of this part of the Conservation Area to its west – see extract below from our adopted appraisal (2012) (north upwards):

Please note that the Red House Barn is identified in the appraisal as an unlisted building that makes a positive contribution to the character and appearance of the Conservation Area. It is also noteworthy that the boundary clearly extends to include this site, as it forms part of the historic village. Indeed, the Conservation Area.’

2. The property forms a key part to the gateway of the village, preservation of this gateway is key to the nature and environmental setting of Brandeston village.
3. The original access historically served a farmyard cluster, access being between the Red House and the Red House Barn. Creation of a new and separate driveway will materially detract from the appearance and the way in which the original cluster of buildings functions.
4. Traffic approaching Brandeston from the Earl Soham direction, turning right into the proposed entrance, has restricted forward vision and does not encourage safe turning manoeuvres into the proposed entrance against on-coming traffic. This is traffic which, according to recent traffic survey data, is accelerating out of the 30mph zone in excess of the speed limit.
5. The applicant does not have a housing ‘need’ but a housing ‘desire’, there is a four-bed detached family house for sale in Brandeston.

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c) **DC/22/1214/FUL Erection of two new dwellings. Land To The Rear Of Brandeston Queen The Street Brandeston Suffolk IP13 7AD**

Cllr Summers noted that there is policy to potentially support residential development.

Cllr Summers stated that The Queen is a Non-Designated Heritage Asset (NDHA); the development would result in The Queen no longer sitting within its plot and would be left without sufficient rear garden and privacy for its residential tenants/landlord/occupants and no area for residential paraphernalia with new dwelling backing on tightly to the rear of the byre and the pub. The plans also do not accurately detail the location of the hedging, trees and pond.

Cllr Bange highlighted the 'planning policies and decisions should ensure that developments' stated in the Heritage document with the planning application.

Cllr B Baker noted that the plans show no garages affiliated with the properties. There potentially is limited storage and he raised the issue of potential future planning applications for storage units/garages.

Cllrs agreed that the properties could help fulfil the 'desire' for houses as highlighted in the Housing Need Survey undertaken by the Parish Council.

Cllr B Baker broadly approved of the application but had concerns about the size. He wondered whether the design could be tweaked, and the reconfiguration would make them more usable.

Cllr Bange noted that the houses looked aesthetically pleasing and was good use of infill land. He was concerned about the impact on the neighbours. The site is out of sight of the street, and he didn't believe it has an impact on the conservation area. He noted that it is a decent plot size but also that moving the builds could increase the impact on neighbours.

Cllr P Baker was overall supportive but with supplementary comments. He suggested that the number of storeys to be questioned. Perhaps a single storey property may be better – a bungalow with garage would fit in more with the results of the HNS.

Cllr Summers noted that an access had already been formed across the 'important open space' adjacent to a NDHA, did this constitute groundworks and if so, is this permitted development in an area of 'important open space' adjacent to a NDHA? Access through a busy car park during construction could be an issue.

Cllr Summers questioned whether there would be an impact on the opening hours of The Queen during the construction period and for the length of the time the impact may be, would the pub have to shut for a period and whether this may have longer term implications. Cllr B Baker questioned whether part/full closure for any period during construction would be required.

Cllr Fletcher submitted feedback prior to the meeting:

1. No new or altered vehicular access to or from the highway is required. I don't think this is true. There is a rough gravelled track to the rear of the property which is insufficiently well made to withstand vehicular movement on a daily basis. It is also unclear as to whether this track should have gone through a planning application before it was made.
2. The application also states that surface water will be disposed of via a soakaway. The land is heavy clay and a soakaway would not function correctly during prolonged wet periods e.g., winter. No attenuation tank is shown on the drawings. What will happen to excess surface water?
3. Foul sewage is to be connected to mains sewer - this will presumably require a new connection in the highway – or will it connect to the pub's? If the later this could lead to maintenance and repair issues for any proposed housing.
4. The housing will be visible from the road; however, the application states the opposite.

Observations re the Design and Access Statement:

The pub's seating area shown on top right photograph is incorrect. There are to the left (as shown on the photo) of the drive is also used for seating, as is the byre. This would mean

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the general public, including small children would be exposed to traffic movement through the pub's car park and round to the rear of the byre.

The article marked as Proposal indicates the proposed housing matches the style of those found in Pond Piece. However, the proposed style of the housing would clash with that of the Pub and its outbuildings, which are identified as 'Unlisted buildings that make a positive contribution' as identified in the East Suffolk document Conservation Area Appraisal July 2012. The general size and height do not fit with the Policy SCLP 11.3, 11.1 and 11.5 C&D

Submitted drawings – comments

Drawing ref 21-055-200

Generally contrary to Policy SCLP11.2

The proposed housing will have a negative impact on the existing housing I Pond Piece and Mutton Lane. The size, style and massing of the proposed houses will block sun light and cast shadows on the neighbouring properties.

The plan does not truly reflect the existing trees and hedging, which will inevitably have to be removed to make way for any building.

Access to the houses will require crossing the pub car park and land, which may not be available if the pub changes ownership. The proposed housing could become landlocked and unable to reach via vehicle, which could be especially troublesome for emergency services.

New utility services will be required and there isn't any indication of how this will impact the pub and its contribution to a conservation area. Telecoms, in Brandeston, are generally via overhead lines (many power lines were buried some years ago) and the installation of new telegraph poles would not be aesthetically pleasing.

The proposed building plot is currently a useful and welcome facility used by visitors to the area. East Suffolk's policy encourages tourism and the loss of this land for visitors will have a negative impact on the pub and other local retail outlets and attractions.

Drawing ref 21-055-201A

The drawing does not truly reflect the hedges and trees that exist at the moment. The proposed building would require removal of hedging and trees thus exposing the neighbours to the area behind the pub which is currently used as a camp site with fixed tents (yurts) and shepherd's huts.

The boundary to the front of the properties is not clearly identified and the construction of the driveway is extremely close to the pond.

The proposed houses and especially their rear gardens will be in shade for much of the day. Natural sunlight is vital for the wellbeing of any occupants and the design does not allow for this.

Drawing ref 21-055-001-B

The red line outline of the site location includes the pub car park and entrance. If this is the case will the pub (an unlisted building that make a positive contribution) will be compromised and the village may lose a valuable asset.

The Cllrs agreed that whilst there are reasons to in part support some form of residential development, guidance on the interpretation of the planning policy and guidelines is required particularly as the site is in a conservation area, abutting a NDHA in 'important open space'.

The Parish Council noted that contrary to the Comments Made by the Supporters;

- This is not a brownfield site.
- Brandeston does not have a Neighbourhood Plan.
- The HNS did not identify 'need' for six homes in the village.
- Families may 'desire' to live in Brandeston, this is open market desire not a housing need. Driven by open market pricing / demand.

DFG 16/8/22

**DC/22/1214/FUL Erection of Two New Dwellings I Land to the rear of the Queen, The Street,
Brandeston, Suffolk IP13 7AD**

The Parish Council Object to the application as submitted but have indicated that a revised application to comprise single storey dwellings may find some support subject to the applicant first being able to adequately demonstrate that the following concerns can be properly overcome:

1. A driveway has already been formed (without planning permission) across an area of land designated as 'important open space', on land in front of a NDHA in a conservation area, close to the pond. Should use of the access route be regulated by permission and its construction by retrospective consent?
2. Access through 'important open space' within a conservation area is a conflict of use, changing the setting of the NDHA pub as a single planning unit, fracturing the setting of a prominent building in the core of the village, a conservation area. Prior to approval of any residential development access needs to be given careful consideration to take into account, the conservation area, important open space, the NDHA pub building, the health and safety of the operation of the NDHA pub.
3. The Brandeston HNS did not identify 'need' for this type of housing. The HNS survey identified a 'desire' for open market two/three bed bungalows for older residents to move to more suitable housing while continuing to live in their community, releasing their homes for sale on the open market for families.
4. A single-storey dwellings would cause less harm to the setting of the NDHA pub and more of a neutral contribution in a conservation area, having in mind good quality of the design and sympathetic use of materials.
5. The proposed housing will have a negative impact on the existing housing in Pond Piece and Mutton Lane, the style and size will block sun light and overshadow neighbouring property and the gardens.
6. The NDHA Queen pub will no longer sit within a plot and will be left without sufficient rear garden and privacy for its residential tenants/landlord/occupants and no area for residential paraphernalia. With new dwelling backing on tightly to the rear of the byre and the pub.
7. The plans do not accurately detail the location of the hedging, trees and pond.
8. The plans do not accurately show the detail and location of the pub seating area at the front on the drive and by the byre.
9. The boundary is not clearly identified.
10. The 'important open space' is routinely used for overflow parking, how is this to work if an access to housing is firmly established. Health & safety with cars exiting and entering, children and families walking to and from their vehicles.
11. There is genuine concern that to carry out this development, the pub would need to cease trading for a period of time. A construction traffic/development project sharing access off the main road could interrupt trade especially summer outside dining/trade when the majority of house building takes place. Any period of closure would be hugely costly and also additional costs required to start-up after a period of closure/limited trading hours.
12. The village/parishioners would not want to lose the community pub.
13. Any development must make provision for dray and delivery vehicles and the location and safe collection of the pub bins.
14. Any residential development should at the outset include garaging or storage area for residential paraphernalia.
15. Any permitted residential development to have permitted development rights withdrawn.
16. Any development will require a construction management plan.

DPH 14/5/22

14/21-22/7 It was agreed that the clerk would investigate applying to the local authority for an 'Asset of Community Value' status for village assets following a request from a parishioner.

14/21-22/15 Date of next PC Meeting (APCM), Monday April 9th 2022 at 7,30pm, Brandeston Village Hall.

DF 14/5/22