



Waldringfield Parish Council

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Waldringfield Parish Council response to DC/21/5236/ P3Q – Prior Approval - Use of Agricultural Buildings as 4 Dwellinghouses – Chapel Works Newbourne Road, Waldringfield, IP12 4PT

Waldringfield Parish Council OBJECTS STRONGLY to this P3Q prior approval application.

The site

The application site is a narrow strip of land running parallel to that of the neighbouring dwelling Windycross whose south western boundary extends to the line of the south western boundary of the application site. The site is adjacent to the AONB to the east. The site is bordered to the south east and south west by a line of mature oak trees on the boundary with the agricultural fields. Mature trees including oaks are to the north, in the grounds of neighbouring property, Windycross. (See attached satellite image) An important arm of the PROW network, Bridleway 9, runs through the site. It appears that this PROW Bridleway 9 has, at some point, been diverted without authorisation and is currently blocked by pig pens (not shown on the application drawings). Contrary to the definitive map which shows the PROW running along the northern boundary of the site, the used route now runs between barns identified as B & C. The surrounding area is made up of arable fields. It is a recognised wildlife habitat including owls, bats and badgers. The site currently has no electricity, water supply or drainage. It has been the subject of a number of development proposals in the past, all of which have been refused.

Comments on the application

To be read alongside the following attachments:

“WPC Photos DC-21-5236-P3Q – Piggeries V04-1”;
“Gorse Farm Piggeries.png” (satellite photo);
“DC 4566 CLE gorse cert.pdf”

We have found a number of discrepancies/omissions in the documents included in this application and believe that there is a lack of reliable evidence provided to show that the proposed development meets the criteria set out in Class Q – agricultural buildings to dwellinghouses Permitted development.

The following is a list (not exhaustive) of some of these discrepancies/omissions.

- i) The application form gives the site address as “Chapel Works”. This is incorrect – Chapel Works is located on the opposite side of Newbourne Road.
- ii) The plans – 21-048-PL-03 show a “Track”, starting at Newbourne Road and conveniently terminating at the boundary of the proposed development. This is extremely misleading. The applicant has omitted any reference to the PROW Bridleway 9 which runs through the development site and has therefore not shown how this PROW could be accommodated into the proposed development. The opposite is in fact true, the restricted width of the site, together with the planned new curtilage of each proposed dwelling would effectively prevent the use by horse riders of Bridleway which is clearly unacceptable. We would ask that SCC PROW officers are consulted on this matter before any decisions are made.

iii) The current access point of PROW 9 is on Newbourne Road. The vehicular use is limited to that from 1 dwelling, Windycross, plus limited and occasional agricultural traffic. Should the development of 4 houses be approved it would be reasonable to assume that at least 8 additional vehicles would travel frequently along the PROW. We would argue that the existing access point is not suitable for this increase in traffic movements. The plans show no calculations regarding visibility splays, width of access point etc. Currently the access has poor visibility, particularly when turning left.

We would ask that Highways are consulted on this matter before any decisions are made.

iiia) Drawing 21-048-PL-03 appears to show only 4 parking places, clearly not enough. The restricted width of the site precludes additional parking.

iv) The Contaminated Land Survey Report included in the application is a desk-based survey relying on published data of the surrounding area, eg. identifying the nearest landfill site etc. - the type of survey used in conveyancing searches. We say that this is not an appropriate survey for this application and that a site survey including soil samples should be conducted. This is particularly important at this site, as we understand it, has been used over a number of years as a personal landfill area for the burying of domestic and commercial (content unspecified) waste. Other waste including commercial items have been dumped on the surface/partially burnt. Consequently we believe that there is a not insignificant contamination risk on this particular site.

v) We are very disappointed that no wildlife survey has been carried out, particularly as bats, owls and badgers are regularly seen in the area. The piggeries are likely to be providing bat roosts. We would ask that such a survey is completed before a decision is made.

vi) The Structural Feasibility Report appears to be reasonably comprehensive – however we have serious concerns regarding its professional validity. The report does not show by whom it is written. It says it's prepared by "Athena Chartered Structural Engineering Consultants", but an extensive search has not identified this organisation. Professional qualifications are listed but are not attributed to an individual, neither is the report itself. There is no address, the only contact given is via a mobile number or a slightly unusual email address (for a professional entity) of Athenastructures99@gmail.com. We say that it is difficult to accept this report without the appropriate accreditation.

vii) Drawing 21-048-PL-02, existing elevations, does not reflect the existing elevations. A great deal of construction work would be required before the existing elevations look as illustrated in this drawing.

viii) The Planning Statement 1.2 states *"This application is accompanied by the following plans and reports, which are to be read in junction with this statement;"* including *"Existing Floor Plans and Elevations"*. No existing floor plans are provided.

ix) We don't understand the point that is sought to be made in the reference in the Planning Statement 3.2 to DC/20/4566/CLE.

The certificate of lawfulness (attached) states *"This Certificate only certifies that on the date it is granted the breach of the occupancy condition of Planning Permission E/3086/4 has become lawful. It does not have the effect of removing the occupancy condition."*(Original emphasis)

In any event the map forming part of the Certificate of Lawfulness explicitly excludes the site of the piggeries, see extract below.

"Second Schedule

*Land at Gorse Farm Newbourne Road Waldringfield Suffolk IP12 4PS ("the Property")
shown for identification purposes edged red on the attached plan.*

Notes

3. This Certificate applies only to the extent of the operation described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any operation which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

We will accept that the buildings and the site have been used for some agricultural purposes over time but they have also been used for non-agricultural purposes such as commercial storage. Indeed it would appear Barn B, which is secured by padlock, is currently being used for commercial storage purposes.

We would ask for evidence from the applicant to show that this site and the piggeries on it, do not fall into the **Class Q Development not permitted categories ie.**

Q.1 Development is not permitted by Class Q if—

(a) the site was not used solely for an agricultural use as part of an established agricultural unit—

(i) on 20th March 2013, or

(ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use, or

(iii) in the case of a site which was brought into use after 20th March 2013, for a period of at least 10 years before the date development under Class Q begins;

x) Re the proposed dwellings

Drawing 21-048-PL-04 & 05

We visited the site and measured where we could. The external footprint measurements appear to be within acceptable tolerance. However, what is not clear from the plans is the finished height of the ceilings.

We measured the existing eaves heights.

Barn A is 2.02m, insulation and finishing would probably take it down to around 1.8m.

Barn B is approx 2.35m, insulation and finishing would probably take it down to around 2.15m. Barn C is approx 2.02m, insulation and finishing would probably take it down to around 1.8m, however the outer eaves measured 1.2m, so with insulation and finishing this would be reduced to **1m**.

We don't have full size drawings so it is impossible for us to accurately calculate the actual usable space within the proposed dwellings. These calculations are vitally important as dwellings (including those under Class Q permitted development), must reach minimum square metre standards. From our measurements we think that the finished measurements would be very tight and might well not meet the national standards, particularly when factoring in the following from the national space standards:

- *Any area with a headroom of less than 1.5 m is not counted within the Gross Internal Area unless used solely for storage (if the area under the stairs is to be used for storage, assume a general floor area of 1 sq. m within the Gross Internal Area).*
- *The minimum floor to ceiling height is 2.3 m for at least 75% of the Gross Internal Area.*

We would therefore want to ask ESC to carefully calculate the usable space before reaching any conclusions.

In summary, for the above reasons, we say that this site has a number of significant constraints that make it unsuitable for the Prior Approval process. Any development on this particular site should be subject to the full planning application process.

Kind regards,

A handwritten signature in black ink, reading "J. Shone-Tribley". The signature is written in a cursive, flowing style.

Jennifer Shone-Tribley, Parish Clerk – on behalf of the Waldringfield Parish Council