Target Decision Date: 26/01/2024 **Expiry Date: 09/02/2024**

OFFICER'S REPORT AND RECOMMENDATION

CASE OFFICER: Nikita Mossman
CASE REFERENCE: DC/23/05779

The Openness of Local Government Bodies Regulations 2014

The national regulations on openness and transparency in local government require the recording of certain decisions taken by officers acting under powers delegated to them by a council. The written record should include the following: The decision taken and the date the decision was taken; the reason/s for the decision; any alternative options considered and rejected; and any other background documents. This report and recommendation constitutes the written record for the purposes of the regulations and when read as a whole is the reason for the decision.

PROPOSAL: Submission of Details (Reserved Matters) Application for Outline Planning Application DC/21/03012 Allowed at Appeal APP/W3520/W/21/3282019. Appearance, Landscaping, Layout and Scale for the erection of 2no dwellings, associated garaging and new vehicular access to highway.
LOCATION: Broad View Farm, Lower Farm Road, Ringshall, IP14 2JF
PARISH: Ringshall.
WARD: Battisford & Ringshall.
APPLICANT: Hart Build Ltd

SITE NOTICE DATE: 28/12/2023
PRESS DATE: 03/01/2024

BACKGROUND DOCUMENTS

This decision refers to drawing number 554-SL1 received 14/12/2023 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

The plans and documents recorded below are those upon which this decision has been reached:

Proposed Plans and Elevations 554-02 REV F - Received 14/12/2023
Block Plan - Proposed 554-01 REV D - Received 14/12/2023
Block Plan - Proposed 554-03 REV E - Received 14/12/2023
Proposed Landscaping Plan 554-LP1 REV A - Received 14/12/2023
Defined Red Line Plan 554-SL1 - Received 14/12/2023
Site Plan 554-01 REV E - Received 03/01/2024
Ecological Survey/Report - Received 15/01/2024
Application Form - Received 14/12/2023
BIODIVERSITY ENHANCEMENT STRATEGY - Received 15/01/2024
MCS ASHP ASSESSMENT PLOTS 1 AND 2 - Received 03/01/2024

The application, plans and documents submitted by the Applicant can be viewed online at www.babergh.gov.uk or www.midsuffolk.gov.uk.

SUMMARY OF CONSULTATIONS AND REPRESENTATIONS

Great Bricett Parish Clerk Comments Received - 05/01/2024
The Parish Council has no objection to this application.

Environmental Health - Noise/Odour/Light/Smoke Comments Received - 04/01/2024
No objection, subject to condition.

SCC - Highways Comments Received - 11/01/2024
No objection.

Environmental Health - Land Contamination Comments Received - 12/01/2024
No objection.

Ecologist Comments Received - 29/01/2024
No objection.

LOCAL REPRESENTATIONS
None received.

PLANNING POLICIES

SP03 - The Sustainable Location of New Development
SP09 - Enhancement and Management of the Environment
SP10 - Climate Change
LP15 - Environmental Protection and Conservation
LP16 - Biodiversity & Geodiversity
LP17 - Landscape
LP23 - Sustainable Construction and Design
LP24 - Design and Residential Amenity
LP29 - Safe, Sustainable and Active Transport

NPPF - National Planning Policy Framework

PLANNING HISTORY

REF: DC/19/02616	Planning Application. Demolition of piggery building. Erection of single storey dwelling with associated parking & landscaping. Installation of sewage package treatment plant. Upgrade to existing vehicle access.	**DECISION:** GTD
REF: DC/20/02586	Retention and completion of erection of 1no. dwelling with associated parking & landscaping; installation of sewage package treatment plant; alterations to existing vehicular access (following demolition of piggery building) revised scheme to that granted by DC/19/02616	**DECISION:** GTD
REF: DC/21/03012	Application for Outline Planning Permission (some matters reserved, access to be considered) Town and Country Planning Act 1990 - Erection of 2No. dormer style	**DECISION:** REF – APPEAL ALLOWED

	dwellings with associated detached garaging, and new vehicular access to highway.	
REF: DC/23/05305	Application for a Non Material Amendment relating to DC/21/03012 - Change of wording to the planning approval description to erection of 2No. dwellings and associated garaging, and new vehicular access to highway.	**DECISION:** GTD
REF: 1147/16	Erection of 3 bay cartlodge.	**DECISION:** GTD
REF: 1150/16	Conversion and extension of residential outbuilding to holiday let accommodation with upgrade to existing highways access and associated landscaping	**DECISION:** GTD
REF: 1160/16	Conversion of residential outbuilding (barn structure) to annexe accommodation including raising the height of the former threshing barn.	**DECISION:** GTD
REF: 0414/88/OL	Residential development involving creation of new vehicular access and septic tank drainage	**DECISION:** REF
REF: 0554/77	Alterations and extensions to form kitchen, lobby, bedroom and bathroom.	**DECISION:** GTD
REF: 0455/76	Alterations and additions to from study, garage, porch, bedroom and bathroom.	**DECISION:** GTD
REF: 4066/07	Two storey timber framed extension to side.	**DECISION:** GTD
REF: 0329/89/OL	CONVERSION OF REDUNDANT BARN TO DWELLING AND GARAGE WITH SEPTIC TANK DRAINAGE	**DECISION:** REF

ASSESSMENT

From an assessment of relevant planning policy and guidance, representations received, the planning designations and other material issues the main planning considerations considered relevant to this case are set out including the reason/s for the decision, any alternative options considered and rejected. Where a decision is taken under a specific express authorisation, the names of any Member of the Council or local government body who has declared a conflict of interest are recorded.

Site and Surroundings

The site comprises amenity land to the rear (north) of Broad View Farm, which includes two dwellings, one a barn conversion, fronting the northern side of Roman Road midway between the settlements of Ringshall and Wattisham. The site is not located on any designated or protected landscapes, not in a

Conservation Area, and there are no listed buildings in close proximity. There is open countryside to the north, with Broad View Farm forming a small cluster of dwellings in all other directions.

Proposal

This application seeks approval of the Reserved Matters (Appearance, Landscaping, Layout and Scale) for outline application DC/21/03012 (allowed under Appeal APP/W3520/W/21/3282019) for the erection of 2no. dwellings, associated garaging and new vehicular access to the highway. The site is located within Flood Zone 1, in ana rea at very low risk of surface water flooding.

Principle of development

The NPPF provides that it "does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise".

As of the 21st of November 2023, the Babergh and Mid Suffolk Joint Local Plan (JLP) was formally adopted and is now the Development Plan.

The principle of development is considered acceptable in accordance with the Policies of the development plan. Policy SP03 of the JLP seeks to direct development to within the defined settlement boundaries. Although this site is located outside of any defined settlement boundary, the application is for approval of Reserved Matters only, with the principle of the development of two dwellings in this location having already been established with the granting of the outline permission under reference DC/21/03012. Policy SP03 allows for development where it comes through extant permissions, which is the case of this proposal; and is therefore, considered in accordance with Policy SP03 of the JLP.

Additionally, the Reserved Matters associated with this application are also considered appropriate, and in accordance with the Policies of the JLP, notably Policy LP24 in regard to the proposals layout and design. Planning considerations and other material considerations are detailed where relevant below.

Design and Layout

Policy LP24 of the Joint Local Plan seeks to ensure that all new development be of a high-quality design, featuring a clear vision as to the positive contribution to the context of the site, along with being of an appropriate scale and nature.

The proposal includes two dwellings to the rear of Broad View Farm, with detached double garages. The proposed dwellings would be adjacent to one another, with large gardens and a shared access and driveway. The boundary treatments would remain as the existing hedgerow, which would be enhanced where necessary. The proposed dwellings would be detached, two-storey with 4no. bedrooms; the roofs would be pitched at a maximum height of 8.5m. Both of the proposed dwellings would be of a traditional form, with some contemporary additions of large openings on the west, north and south elevations. The walls would be finished in vandersanden maltings antique facing bricks with white mortar and horizontal timber featheredge larch cladding; the roofs would be finished in Sandtoft humber plain tiles in Tuscan red and natural Spanish slate; and the windows and doors would be slate grey timber framed.

The proposed layout is considered acceptable, this is because it is well spaced out, reflecting the existing well-spaced dwellings immediately adjacent to the site, as well as providing a good amount of amenity space for the future occupants. The design of the dwellings is also considered appropriate, this is because the design largely reflects the character of the surrounding barn conversions and existing dwellings through the use of cladding and facing brickwork. The colour of the cladding proposed however, is unclear, and it is considered appropriate for the location that in order to blend well within the

surroundings, the cladding should be black. This will reflect the surroundings dwellings and would prevent the proposed dwellings from becoming too visually intrusive in the landscape by contrasting with the other dwellings. A condition has been imposed to ensure the cladding is black.

The proposed design, materials, form and scale are considered to reflect and respect the character of the host site and its surroundings, not constitute overdevelopment and not harm local distinctiveness. The proposal is therefore, considered to be in accordance with Policy LP24 of the JLP.

Highway Safety (Parking, Access, Layout)

In respect of Policy LP29 and Paragraph 115 of the NPPF, development should not adversely affect the highway network and associated safety.

The new access was considered as part of the outline planning permission under ref: DC/21/03012. Therefore, this part of the proposal has been accepted. SCC Highways were consulted on this application, and they advised that they had no further comments to make.

The proposal includes detached double garage's for both plot 1 and plot 2. The proposed garages provide an appropriate amount of parking for the size of the dwellings and are of an acceptable size. The proposal is not considered to cause any adverse harm to highway safety to warrant refusal. It is considered to be in accordance with Policy LP29 of the JLP, as well as Suffolk Guidance for Parking (2023).

Residential Amenity

Policies within the adopted development plan require, inter alia, that development does not materially or detrimentally affect the amenities of the occupiers of neighbouring properties. It is considered that this proposal does not give rise to any concerns of loss of neighbour amenity by reason of the proposed dwellings are located a reasonable distance from the existing properties so as to not cause any overshadowing or light blocking potential or adverse overlooking potential. The layout offers large gardens providing a good amount of amenity space, which separates the proposed dwellings from their neighbours. The boundary treatments would remain as existing, and would therefore, not cause any further light blocking potential. The proposal is therefore, considered in accordance with Policy LP24 of the JLP.

During the course of determination, Environmental Health – Noise/Light/Smoke/Odour were consulted. The Officer raises no objection to the proposal, subject to a condition regarding chimney flues. Originally, the Officer had requested more conditions, however, since the submission of clarification and explanation by the applicant, the comments have been withdrawn, leaving only a condition for chimney flues required.

Other Matters

Regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 (Implemented 30th November 2017) provides that all "competent authorities" (public bodies) to "have regard to the Habitats Directive in the exercise of its functions."

During the course of determination, the Council's Ecologist was consulted. The ecologist raised no objection to this proposal.

Policy LP16 requires all developments to deliver 10% biodiversity net gains.

As the principle of development has already been established, and planning permission has already been granted, biodiversity net gain cannot be secured under reserved matters.

CONCLUSION

The scale, siting and design of the proposed dwellings would not result in such unacceptable harm to the character of the area. Sufficient parking and private amenity space has been provided. The proposed dwellings would be read in conjunction with the adjacent dwellings. The layout and design ensures the amenity of neighbouring properties would not be detrimentally impacted by the development. The development accords with relevant development plan policies and national planning policy. The proposal is acceptable, and the recommendation is to grant reserved matters consent.

RECOMMENDATION

I have considered Human Rights Act 1998 issues raised in relation to this proposal including matters under Article 8 and the First Protocol. I consider that a proper decision in this case may interfere with human rights under Article 8 and/or the First Protocol. I have taken account of exceptions to Article 8 regarding National Security, Public Safety, Economic and wellbeing of the Country, preventing Crime and Disorder, protection of Health and Morals, protecting the Rights and Freedoms of others. I confirm that the decision taken is necessary, not discriminatory and proportionate in all the circumstances of the case.

RECOMMENDED DECISION:	Granted

Case Officer Signature: Nikita Mossman