

Application for Householder Planning Permission

OFFICER'S REPORT AND RECOMMENDATION

CASE OFFICER: Finlay McKenzie
CASE REFERENCE: DC/24/03722

The Openness of Local Government Bodies Regulations 2014

The national regulations on openness and transparency in local government require certain decisions to be recorded where they are 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. When read as a whole, this report and recommendation, alongside the accompanying decision notice, constitute the written record for the purposes of the regulations.

PROPOSAL: Householder Application - Erection of front entrance porch.

LOCATION: Woodlands Farm, Bildeston Road, Ringshall (part In the Parish of Battisford), Stowmarket, Suffolk, IP14 2LY,
PARISH: Ringshall. Battisford.
WARD: Battisford & Ringshall.

APPLICANT: Mr C Drinkald

SITE NOTICE DATE: 28/08/2024
PRESS DATE: 28/08/2024.

PLANS, DOCUMENTS AND SUPPORTING INFORMATION

The application, plans and documents submitted by the applicant can be viewed online at:
<https://www.midsuffolk.gov.uk/w/application-search-and-comment>

SUMMARY OF CONSULTATIONS

Ringshall Parish Council Comments Received - 25/09/2024.

Ringshall Parish Council discussed this consultation at their meeting held on Tuesday 24th September 2024 and had no comments to make on this application.

Battisford Parish Council
None Received.

Ecologist Comments Received - 11/09/2024.

I note no ecological report has been provided, however, no European Protected Species appear to be affected by the proposed works. With regards to Biodiversity Net Gain, de minimis exemption applies. The submitted Ecological Addendum (Skilled Ecology Consultancy Ltd., April 2023) is out of date and relates to a different application. I have no further comments to make.

SUMMARY OF REPRESENTATIONS

No representations were received.

All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.

PLANNING POLICIES

SP03 - The sustainable location of new development
SP09 - Enhancement and Management of the Environment
SP10 - Climate Change
LP03 - Residential Extensions and Conversions
LP16 - Biodiversity & Geodiversity
LP19 - The Historic Environment
LP23 - Sustainable Construction and Design
LP24 - Design and Residential Amenity
LP27 - Flood risk and vulnerability
LP29 - Safe, Sustainable and Active Transport
NPPF - National Planning Policy Framework
PPG- Planning Practice Guidance

PLANNING HISTORY

REF: DC/21/03201	Householder Application - Erection of single storey extension and front porch replacing existing door with window, replacement of all contemporary windows, insertion of French doors replacing existing window, insertion of windows to ensuite and cloakroom, replace external render and erection of 1.8m boundary fence.	DECISION: REF 30.07.2021
REF: DC/21/03202	Application for Listed Building Consent - Erection of single storey extension and front porch replacing existing door with window, replacement of all contemporary windows, insertion of French doors replacing window, insertion of windows to ensuite and cloakroom, replace external render and internal alterations as per schedule of works.	DECISION: REF 30.07.2021
REF: DC/21/04314	Householder Application. Erection of single storey extension, replacement of all contemporary windows, insertion of French doors replacing window, insertion of windows to ensuite and cloakroom, replace external render and internal alterations.	DECISION: GTD 02.12.2021
REF: DC/21/04315	Application for Listed Building Consent. Erection of single storey extension, replacement of all contemporary windows, insertion of French doors replacing window, insertion of windows to ensuite and cloakroom, replace external render and internal alterations.	DECISION: GTD 02.12.2021
REF: DC/22/00331	Discharge of Conditions Application for DC/21/04315- Condition 6- Part Discharge (Details of Repair)	DECISION: GTD 03.03.2022

REF: DC/22/00849	Discharge of Conditions Application for DC/21/04315- Condition 3 (Fenestration)	DECISION: GTD 21.03.2022
REF: DC/22/02688	Application for Listed Building Consent - Strip and re-roof existing building, re-using existing tiles with new vapour permeable underlay and tile battens and sheepswool insulation to voids.	DECISION: GTD 29.07.2022
REF: DC/22/02690	Discharge of Conditions Application for DC/21/04315 - Condition 6 (Details of Repair) (Part-discharge relating to schedule of insulation/render backing only)	DECISION: PGR 18.08.2022
REF: DC/23/01103	Householder Application - Erection of two storey rear extension (following demolition of existing) including annexed accommodation for elderly relatives and catslide dormer roofs to existing flat roof dormers (amended scheme to withdrawn application DC/22/04409).	DECISION: GTD 03.07.2023
REF: DC/23/01104	Listed Building Consent - Erection of two storey rear extension (following demolition of existing) including annexed accommodation for elderly relatives and catslide dormer roofs to existing flat roof dormers.	DECISION: GTD 03.07.2023
REF: DC/23/01796	Listed Building Consent - Repairs and replacement timber work to external wall timber frame structure.	DECISION: GTD 07.06.2023
REF: DC/23/02769	Discharge of Conditions Application for DC/22/02688 - Condition 3 (Repairs to Underlying Fabric)	DECISION: GTD 31.07.2023
REF: DC/23/03509	Discharge of Conditions Application for DC/22/02688 - Condition 4 (Additional Tiles) (Part Discharge for pantiled range).	DECISION: GTD 29.08.2023
REF: DC/23/03972	Discharge of Conditions Application for DC/22/02688 - Condition 3 (Underlying Roof Fabric - Part Discharge) and Condition 5 (Insulation Details)	DECISION: REF 18.10.2023
REF: DC/23/04820	Discharge of Conditions Application for DC/22/02688 - Part discharge of Condition 4 (Additional Tiles)	DECISION: PGR 08.11.2023
REF: DC/23/04934	Discharge of Conditions Application for DC/22/02688 - Condition 3 (Underlying Roof Fabric) - Part Discharge and Condition 5 (Insulation Details)	DECISION: GTD 08.11.2023
REF: DC/23/05780	Discharge of Conditions Application for DC/21/04315 - Condition 7 (External Render)	DECISION: GTD 26.01.2024
REF: DC/24/01284	Discharge of Conditions Application for DC/23/01103 - Condition 4 (Wildlife Sensitive Design Scheme), 5 (Biodiversity Enhancement	DECISION: GTD 02.04.2024

Strategy), 6 (Great Crested Newt Method Statement) and 7 (Bat Precautionary Method Statement)

There is no relevant planning history for this site in relation to the current application.

ASSESSMENT

Details of Amended Plans

During the course of determination, the application was in receipt of amended plans which amended the designs following the comments received by the Heritage Officer.

Site and Surroundings

Woodlands Farmhouse is a 16th century two storey farmhouse. The site is a Grade II listed building, described on the National Heritage List for England (NLHE):

Farmhouse, built in two stages: the hall and service cell to right probably C16, the parlour block added to left in early C17. 1 storey and attics, and 2 storeys and attic. 3-cell plan with lobby-entrance. Timber-framed and plastered. Pantiled lower range probably once thatched; the parlour block plaintiled with axial chimney of red brick with a central pilaster. The lower range has mid C20 flat-roofed casement dormers. Mid C20 small-pane casements. Boarded C20 door at lobby-entrance. A C17 ovolo-mullioned window at the rear. A rear range of mid C20 is not of special interest.

The site is within Flood Zone 1, and the setting of nearby Grade II listed buildings. The site is outside of any settlement boundary, conservation area, SSSI, Public Right of Way, or Tree Protection Order.

Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, then that determination must be made in accordance with the development plan unless material considerations indicate otherwise.

An integral material consideration in the determination of all planning applications is the National Planning Policy Framework (NPPF) which contains the Government's planning policies for England and sets out how these are expected to be applied.

The NPPF is supported and complemented by the national Planning Practice Guidance (PPG). The PPG provides advice on procedure and elaboration of existing NPPF policies and can also provide statements of new national policy. It is an online reference as a living document and is a material consideration alongside the NPPF.

The assessment and balance made throughout this application is centred on the proposed development's level of accordance with the Development Plan, weighed against and relative to any material planning considerations.

The proposed development has been primarily assessed having had regard to the:

Babergh and Mid Suffolk Joint Local Plan (2023)
National Planning Policy Framework (NPPF) (2023)

The principle of development is considered acceptable when assessed against Joint Local Plan policies SP03 and LP03. JLP Policy SP03 (2) states that

“Outside of the settlement boundaries, development will normally only be permitted where:… c) it is in accordance with one of the policies of this plan listed in Table 5;”

As the proposal is for a residential extension, and therefore covered under LP03, which is listed within Table 5 of the JLP (2023) and therefore the principle of development is established, in accordance with the policies of the JLP.

Heritage

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to have special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest which it possesses.

The practical effect of those legal duties is that the decision-taker is presented with a strong presumption against a grant of permission where harm is identified, as the asset’s conservation is a matter of considerable importance and weight.

Irrespective of the level of harm identified to the significance of a designated heritage asset (including from its setting), great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be.

Policies SP09 and LP19 and paragraphs 205 and 206 of the NPPF, are consistent with the above duties.

The Heritage Officer considered that the proposed porch would not cause any harm to the designated heritage asset.

The proposed development would not cause any harm to the setting and significance of the designated heritage assets identified and is therefore acceptable from a heritage perspective.

Design and Layout

In respect of policies SP09 and LP24 and paragraphs 131, 135 and 139 of the NPPF, the importance of attaining a good standard of design, which harmonises with the locality and existing dwelling (heritage asset) is imperative.

The proposed open porch would measure approx. 1.3m deep, 2.3m wide, 3.1m ridge height, and 2m ridge height. The proposed materials would be render, matching roof tiles, brick plinth, and timber gable, with two windows on the side elevations. The porch would enclose the principal entrance and small interior porch window. The proposed porch would reflect the design of the existing heritage asset and would harmonise with the existing dwelling.

The proposal is deemed acceptable in terms of design, layout, siting, form and scale and does not give rise to any demonstrable adverse impact to the character of the locality and existing dwelling.

Residential Amenity

Policy LP24 and paragraph 135 of the NPPF, look to ensure development does not detrimentally affect the residential amenity of neighbouring residents to achieve and maintain well-designed places and support the health and wellbeing of communities.

The proposed porch is not considered to cause material harm to the amenity enjoyed by neighbouring properties in the form of loss of daylight, overbearing, overshadowing, outlook, overlooking, privacy because the porch would be well screened by the existing boundary treatments and would be well set back from any neighbour.

The proposal is therefore acceptable and does not give rise to any material residential amenity harm to warrant refusal.

Highway Safety

Policy LP29 and paragraphs 109, 114, 115 and 117 of the NPPF seek to ensure development does not severely affect the highway network, including the safety of all users, by securing safe access and egress, connectivity, parking and visibility.

There would be no change in the minimum parking requirements.

The proposal would not severely affect the highway network and the safety of its users and is therefore acceptable.

Flood Risk and Drainage

Policies SP10 and LP27 and paragraph 165 of the NPPF set out to steer development away from areas vulnerable to flooding and ensure development does not increase flood risk elsewhere now or in the future, taking account of all sources of flood risk.

Drainage and waste matters on householder developments are covered by Part H of Building Regulations 2010 and are not considered by the Local Lead Flood Authority or Environment Agency.

The site is not identified as being vulnerable to any form of flooding (fluvial, pluvial, reservoir, foul and groundwater) as per the Environment Agency and Council's mapping systems. The development would therefore be safe for its lifetime and not increase flood risk elsewhere.

Ecology

Under Regulation 9(3) of the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended) and section 40 of the Natural Environment and Rural Communities Act 2006, the Council has a statutory duty to have regard to protected and priority species, habitats and designated sites in all decisions taken.

Policies SP09 and LP16 and paragraph 180 of the NPPF seek to protect, enhance and manage the natural environment, placing a specific emphasis on biodiversity.

The site consists of patio hardstanding and there are no ponds, rivers, trees or buildings affected by the development which are likely to provide suitable habitat for species that are afforded legal protection as outlined within the Council's statutory duties. As such there would be no adverse ecological impacts arising from the development.

Policy LP16 specifically requires all development proposals 'to identify and pursue opportunities for securing measurable net gains, equivalent of a minimum 10% increase in biodiversity'.

Through updates to the PPG on the 14th February 2024, it was clarified that it would be inappropriate for Development Plan policies to require biodiversity net gain from developments that would otherwise be exempt under The Biodiversity Gain (Exemptions) Regulations 2024.

Whilst the Council cannot require the delivery of 10% biodiversity net gain on this development, it is however considered that there are opportunities to generally enhance biodiversity on site as part of this development to satisfy the aims of policy LP16. These measures would be secured via condition.

The proposed development therefore complies with policies SP09 and LP16 and paragraph 180 of the NPPF and enables the Council's statutory duties to be discharged.

PLANNING BALANCE AND CONCLUSION

The proposal accords with the Development Plan and the recommendation is therefore to grant planning permission.

RECOMMENDED DECISION: Granted

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.