

## **Committee Report**

**Item No:** 7C

**Reference:** DC/22/04707

**Case Officer:** Lily Khan

**Ward:** Haughley, Stowupland & Wetherden.

**Ward Member/s:** Cllr Keith Welham. Cllr Rachel Eburne.

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## **RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS**

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### **Description of Development**

Householder Application - Erection of outbuilding

### **Location**

45 Falconer Avenue, Old Newton, Stowmarket, Suffolk IP14 4JP

**Expiry Date:** 22/11/2022

**Application Type:** HSE - Householder Planning Application

**Development Type:** Householder

**Applicant:** Mr Mark Clements

**Parish:** Old Newton With Dagworth

**Site Area:** 650sqm

**Details of Previous Committee / Resolutions and any member site visit:** None

**Has a Committee Call In request been received from a Council Member (Appendix 1):** No

**Has the application been subject to Pre-Application Advice:** No

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## **PART ONE – REASON FOR REFERENCE TO COMMITTEE**

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The application is referred to committee for the following reason/s:

The application site is owned by Mid Suffolk District Council

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## **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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### **Summary of Policies**

#### **Mid Suffolk Local Plan [2008]**

GP01 - Design and layout of development

H16 - Protecting existing residential amenity

H17 - Keeping residential development away from pollution

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CLASSIFICATION: Official

## **Mid Suffolk Core Strategy [2008]**

CS01 – Settlement Hierarchy  
CS05 - Mid Suffolk's Environment

## **Mid Suffolk Core Strategy Focused Review [2012]**

FC1 - Presumption In Favour Of Sustainable Development  
FC1.1 - Mid Suffolk Approach To Delivering Sustainable Development

## **The National Planning Policy Framework (NPPF)**

Particularly relevant elements of the NPPF include:

Chapter 4: Decision-Making  
Chapter 12: Achieving Well-Designed Places

## **Neighbourhood Plan Status**

This application site is within a Neighbourhood Plan Area.

The Neighbourhood Plan is currently at Stage 1: Designated neighbourhood area. Accordingly, the Neighbourhood Plan has little weight in the decision-making process at this time.

## **Consultations and Representations**

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

### **A: Summary of Consultations**

#### **Town/Parish Council (Appendix 3)**

**Old Newton With Dagworth And Gipping Parish Clerk**  
Application approved at Parish Council level.

#### **Internal Consultee Responses (Appendix 6)**

##### **Contract and Asset Management**

No comment made in relation to this application.

### **B: Representations**

At the time of writing this report at least 2 online comments have been received. It is the officer opinion that this represents 2 objections. A verbal update shall be provided as necessary.

Views are summarised below:-

- Overlooking
- Noise

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

## **PLANNING HISTORY**

None

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## **PART THREE – ASSESSMENT OF APPLICATION**

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### **1. The Site and Surroundings**

- 1.1. The application site is a 650sqm area which hosts a semi-detached bungalow located in an established residential area. The sites nearest neighbours include 47 Falconer Avenue which stands to the west of the site and Four gables, which neighbours the site to the south (rear).
- 1.2. The building is not listed, the site is not located in a conservation area, nor designated landscape area, nor has any trees with preservation orders on them.
- 1.3. The site is located within Flood Zone 1 and is not vulnerable to pluvial or fluvial flooding.

### **2. The Proposal**

- 2.1. The proposal seeks permission for the erection of an outbuilding located in the rear garden. The outbuilding would be used as a workshop and for storage of mobility scooter and tools
- 2.2. The proposal would lie approximately 1m from the southern boundary, approximately 1.7m from the eastern boundary and approximately 17m from the main dwelling. The proposed outbuilding would be a simplistic rectangular form with a dual pitched roof. The outbuilding would measure at approximately 4.8m x 4m with an eaves height of approx. 2.2m and a maximum ridge height of approx. 2.8m.
- 2.3. The proposed materials include treated timber walls with a green mineral felt roof with an acrylic sheet window and timber double doors to the northern elevation of the outbuilding.

### **3. The Principle Of Development**

- 3.1. Policies H16 and GP01 of the Mid-Suffolk Local Plan 1998; policies FC01 and FC01.1 of the Core Strategy Focused Review 2012, and CS01 and CS05 of the Mid-Suffolk Core Strategy 2008 are the most relevant policies for assessing this application. Full weight is given to these policies as they are consistent with the aims of the National Planning Policy Framework 2021 in terms of achieving sustainable development.
- 3.2. Key considerations will be the design of the proposed outbuilding and its impact on the landscape and residential amenity of neighbouring properties. The policies seek ensure residential amenity is maintained with consideration to the existing design of the local area.

3.3. Subject to compliance with the details of these policies the proposal is considered acceptable in principle.

#### **4. Design And Layout**

4.1. NPPF paragraph 130(c) states that planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.

4.2. Mid-Suffolk Local Plan Policy GP1 states that proposals should maintain or enhance the character and appearance of their surroundings, and respect the scale and density of surrounding development. Furthermore, materials and finishes should be traditional, or compatible with traditional materials and finishes and should respect local architectural styles where appropriate.

4.3. As the proposal would be located to the rear, it does not impact the street scene. The rear garden has sufficient space to accommodate an outbuilding. Although the proposal is close to the southern neighbouring boundary, it is modest in size and scale. The proposed design, materials, form and scale are considered to respect the character of the surrounding area, not constitute over development of the plot nor harm local distinctiveness. The proposal therefore accords with policy GP01 of the Local Plan.

#### **5. Impact On Residential Amenity**

5.1. With regard to Mid-Suffolk Local Plan Policy H16, it is crucial that development does not detrimentally affect residential amenity. The proposed outbuilding would be erected to the rear of the site with views of the proposal being limited from the public highway.

5.2. It is considered that this proposal does not give rise to any concerns of loss of neighbour amenity by reason of its single storey design and presence of existing boundary treatment to the southern boundary.

5.3. The positioning of the proposed window would face the main dwelling which would not result in detrimental harm to neighbouring amenity in terms of overlooking and privacy issues which accords with policy H16 of the Local Plan.

5.4. As the outbuilding is proposed to be used as storage space and a workshop, officers recommend applying a condition to ensure potential noise levels generated from the usage of power tools do not harm neighbouring resident's amenity.

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## **PART FOUR – CONCLUSION**

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#### **6. Planning Balance and Conclusion**

6.1. Decision taking begins with the development plan and it is of vital importance that planning decisions are plan-led. The NPPF, an important material consideration, reiterates this fundamental point.

- 6.2. The basket of policies identified hold full weight, of specific importance and relevance are Core Strategy policies CS5, FC1 and FC1.1 and Local Plan policies GP1 and H16. The proposal for the erection of an outbuilding is considered acceptable with no adverse impacts to the character of the surrounding area, residential amenity or flood risk.
- 6.3. There are no design concerns or residential amenity concerns sufficient to warrant the refusal of the application. The proposal would allow occupants to use the outbuilding for the purposes incidental to the principal dwelling.
- 6.4. It should be noted that the proposal only exceeds the limits set out in the General Permitted Development Order 2015, Schedule 2, Part 1 by 0.2m in height. The application also accords with relevant development plan policies and national planning guidance, therefore, permission should be granted with the added safeguards provided by the recommended conditions.

## **RECOMMENDATION**

That authority be delegated to the Chief Planning Officer to GRANT PLANNING PERMISSION.

**(1) That the Chief Planning Officer be authorised to GRANT Planning Permission subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:**

### Conditions:

- Standard 3-year time limit to implement permission
- Approved Plans
- Use restriction
- Close door when operating powered equipment