

Committee Report

Item No: 7A

Reference: DC/23/00305

Case Officer: Alex Scott

Ward: Mendlesham.

Ward Member/s: Cllr Andrew Stringer.

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Full Planning Application - Change of use of land for grazing of horses, and erection of stables with new vehicular access.

Location

Land Adjacent To, 17 Brockford Road, Mendlesham, IP14 5SG

Expiry Date: 10/11/2023

Application Type: FUL - Full Planning Application

Development Type: Major Small Scale - All Other

Applicants: Moss and Humphreys

Agent: Ben Elvin

Parish: Mendlesham

Site Area: 1.4 hectares

Density of Development:

Gross Density (Total Site): NA.

Net Density (Developed Site, excluding open space and SuDs): NA.

Details of Previous Committee / Resolutions and any member site visit: At the MSDC Planning Committee meeting of 8th November 2023 Members resolved to defer determination of this application, to enable a committee site visit to take place, to review the size and siting of the proposed stable building, with regards to the heritage harm and Neighbourhood Plan principle view 10, prior to return to committee. A panel of members visited the site on 13th December 2023.

Has a Committee Call In request been received from a Council Member: Yes.

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

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

The application has been referred at the request of the Ward Member.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

National Planning Policy and Guidance

NPPF - National Planning Policy Framework

NPPG - National Planning Policy Guidance

Current Adopted Development Plan 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

LP19 - The Historic Environment

LP20 - Equestrian or similar other animal land based uses

LP23 - Sustainable Construction and Design

LP24 - Design and Residential Amenity

LP27 - Flood risk and vulnerability

LP29 - Safe, Sustainable and Active Transport

LP32 - Developer Contributions and Planning Obligations

Neighbourhood Plan Status

This application site is within a Neighbourhood Plan Area (Parish of Mendlesham Neighbourhood Development Plan 2018 - 2037 - Adopted November 2022)

The Neighbourhood Plan is adopted by the LPA and forms part of the current Development Plan.

Neighbourhood Plan Policies relevant to the planning application are listed below:

MP5 - Historic environment
MP6 - Building design
MP9 - Local green spaces
MP10 - Open Spaces
MP11 - Paths and bridleways

Consultations and Representations

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

[Click here to view Consultee Comments online](#)

A: Summary of Consultations

Parish Council

Mendlesham Parish Council (as previously report to committee)

Recommend Refusal: Flooding; Contrary to Policies MP10 and SB3; Impact on setting of Heritage Assets; Impact on Ecology and Public Health; Impact on Public Right of Way.

Mendlesham Parish Council (further comments received since the committee meeting on 8th November 2023)

- Have reviewed comments received from the heritage officer as well as the planning officer's report and recommendations to Committee for the meeting held 8 November 2023;
- Request clarification of process if amended plans are received, as suggested by the heritage officer, will the PC be re-consulted?;
- Appreciate the planned committee site visit - Understand this is to consider the impact of view 10 as per the Neighbourhood Plan;
- Consider the site should not have been developed, in accordance with planning policy, due to its importance: as a designated green space/visually important open space; in local views; in context with the Conservation Area and Grade 1 Listed Church; plus the impact on the highway and flooding;
- Do understand appeal outcomes have led to approval of two dwellings adjacent, despite the PC's continued concerns;
- Stance remains unchanged, that this application should be refused for policy reasons previously provided;
- In the event the MSDC Committee members are included to disagree (with the views expressed by the PC), the PC would support the heritage officer's proposal to rotate and reduce the size of stables and car parking, to provide some mitigation;
- Disagree with paragraph 11.1 of the officer's report - do not consider matters raised by the PC have been addressed;
- Note that recent storms have resulted in flooding of the site and fronting highway and photographic evidence has been provided - Consider more development on the site would only add to this issue;

- Whilst heritage officer comments include that harm has already taken place, why then agree more development to add to the harm?;
- Consider suggested officer conditions are essential if this application is to be approved;
- Additional conditions suggested, to include:
 - o Closure of the existing pedestrian access on the corner, near the grit bin, for pedestrian safety reasons;
 - o Restrictions on the number of horses permitted;
 - o Lighting details, to protect the setting of St. Mary's Church;
 - o Protection of the amenity of users of the nearby burial ground and public footpath;
 - o Protection of existing and proposed planting after completion of works.

National Consultee

The Environment Agency (as previously report to committee)

No objection providing the LPA take into account the advised flood risk considerations.

The Environment Agency (further comments received since the committee meeting on 8th November 2023)

After reviewing the documents submitted, confirm that the EA have no further comments to make.

County Council Responses

SCC - Highways (as previously report to committee)

It is noted that this application will use the approved access within application DC/23/00300 drawing number 1982.21.01i. - No objections, subject to compliance with suggested conditions, on this basis.

SCC - Highways (further comments received since the committee meeting on 8th November 2023)

Further to previous correspondence SCC Highways have no further comments or recommendations. Therefore the previous recommended conditions will remain.

SCC - Lead Local Flood Authority (LLFA) (comments received since the committee meeting on 8th November 2023)

The proposed application proposal will have a negligible impact. SCC - LLFA have no comment to make, and point the LPA and the applicant towards guidance (as provided in the consultation response).

SCC - Rights of Way Department (as previously report to committee)

Accept the proposal but ask that the developer is made aware of their rights and responsibilities when carrying out the development - as provided.

SCC - Fire & Rescue (as previously report to committee)

Have seen the application and as it poses no risk, will not be making comment.

SCC - Fire & Rescue (further comments received since the committee meeting on 8th November 2023)

SCC-Fire and Rescue viewed the application in March 2023 and found that it posed no risk as a fire hydrant was present, therefore under the new additional information provided by Heritage, confirm no additional comments to make.

Internal Consultee Responses

BMSDC - Heritage (as previously report to committee)

Historically, this part of Mendlesham, and the Church of St Mary (Grade I) had a rural agricultural setting, extending to their south and east, and where this still survives, this is considered to make a positive contribution to the character and appearance of Mendlesham Conservation Area, and the significance of the Church of St Mary. However, more recently development, most recently the commencement of the two dwellings allowed at Appeal under 0366/17, have to a considerable extent split this historic setting in two. East of the Church and Conservation Area, north of the rear boundary of the approved dwellings and 15-17 Brockford Road and then, east of these dwellings, expanding up to Brockford Road, a considerable swathe of land of rural, agricultural character survives. However, to the south, it is now confined to a fairly narrow gap between the houses on the west side of Church Road, and the two approved dwellings, and as such its contribution now to these heritage assets is considered more limited. This is where the proposed stable building is proposed to be located.

The proposed stable outbuilding would be of a type, form and use more reflective of a rural/agricultural location than new dwellings, but would still be a building, that would in effect close off this remaining connection between the Conservation Area and Church and the rural surroundings in the latter direction identified above. The harm would be slightly increased by the extent to which the stable building and associated car parking and other hardstanding spreads across the length of this part of the site. However, due to the now limited importance of this area to the significance of the above assets, plus the building type and form, I would rate the resulting harm as a very low level of less than substantial.

Potentially, pushing the stable and car parking closer to the approved dwellings/and or reducing their size - potentially also through rotating the stable building by 90 degrees so it did not take up so much of the length of the site and ran alongside the adjacent dwelling, and reducing the extent of car parking (I am not sure why so much additional car parking would be required for a domestic stable outbuilding) would remove the harm entirely, as the development would then likely not discernibly encroach any more than the existing development.

The change of use of the rest of the site would still keep the land in a use broadly reflective of its historic use, and would appear to result in limited physical alteration, other than a traditional rural style post and rail fence boundary, so is not by itself considered to cause any harm.

If the Local Planning Authority are minded to approve this application in its current form, I would request a condition for details of external facing and materials for the stable building, and hardstanding materials.

BMSDC - Ecology Consultants - Place Services (as previously report to committee)

No objection subject to securing biodiversity mitigation and enhancement measures.

BMSDC - Ecology Consultants - Place Services (further comments received since the committee meeting on 8th November 2023)

Have reviewed the revised plans for this application and have no further comments concerning ecological impacts to those identified in response dated 18th May 2023. The previous recommended conditions are still appropriate.

BMSDC - Environmental Health - Land Contamination (as previously report to committee)

No objection to the proposed development from the perspective of land contamination - Request that the LPA are contacted in the event of unexpected ground conditions being encountered during construction and that the advised minimum precautions are undertaken until such time as the LPA responds to the notification - Advise that the developer is made aware that the responsibility for the safe development of the site lies with them.

BMSDC - Environmental Health - Land Contamination (further comments received since the committee meeting on 8th November 2023)

Confirm no cause to amend the comments made earlier in the consultation period.

BMSDC - Environmental Health - Noise/Odour/Light/Smoke (as previously report to committee)

No objections subject to conditions: Limiting Commercial Related Activities; and Managing Manure; Foul Water Runoff and External Lighting.

BMSDC - Environmental Health - Noise/Odour/Light/Smoke (further comments received since the committee meeting on 8th November 2023)

Having reviewed the most recently revised plans and the heritage comments: no further comments to add to those already submitted and the request for conditions initially made still remain valid for this application.

BMSDC - Public Realm (as previously report to committee)

Public realm officers have no comment to make.

BMSDC - Public Realm (further comments received since the committee meeting on 8th November 2023)

Thank you for reconsulting public realm on this application. Public realm officers have no comment to make.

Other Responses

Suffolk Wildlife Trust (as previously report to committee)

Suffolk Wildlife Trust do not intend to submit any comments regarding this application.

Stowmarket Ramblers (comments received since the committee meeting on 8th November 2023)

Stowmarket Ramblers will not be commenting on this application.

B: Representations

At the time of writing this report at least 5 no. letters/emails/online comments have been received. It is the officer opinion that this represents 5 objections, 0 support and 0 general comment. A verbal update shall be provided as necessary.

Views are summarised below:-

- Concerns with regards location of the proposed access and impact on Highway Safety, on Junction of Church Road, Glebe Way, Brockford Road, and Oak Farm Lane;
- Concerns proposal could be used for a commercial venture which would intensify impacts;
- Concerns with regards environmental impacts of Manure: flies, vermin and odour;

(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

REF: DC/23/00300	Full Planning Application - Erection of 2No dwellings (revised scheme to implemented outline permission for 2No dwellings under 0366/17 and reserved matters approval DC/20/01525).	DECISION: Granted (GTD) 04.04.2023
REF: DC/22/01401	Application under S73 for Removal or Variation of a Condition following grant of Outline Planning Permission ref: 0366/17, dated 27/09/2017, and Reserved Matters Approval ref: DC/20/01525, dated 01/06/2020 - Town and Country Planning Act 1990 - Erection of 2No Dwellings - To vary Condition Numbers 1 and 4 of Outline Planning Permission ref: 0366/17 and Condition Number 2 of Reserved Matters Approval ref: DC/20/01525 to amend the layout, scale and appearance of Plot 1, the landscaping of the site, and to add a phasing condition to enable properties to be built independently of each other.	DECISION: Refused (REF) 11.05.2022
REF: DC/20/01525	Application for approval of reserved matters following outline approval 0366/17 Appearance, Landscaping, Layout and Scale for Erection of 2No	DECISION: Granted (GTD) 01.06.2020

Dwellings.

REF: DC/18/01038
(Adjacent Site)

Outline Planning Application (including access with all other matters reserved) - Erection of 8 dwellings with associated works including vehicular access, provision of a pedestrian link, infrastructure and landscaping.

DECISION: REF (Planning Permission Refused by the LPA) 26.10.2018; Appeal dismissed by PINS 22.03.2021.

REF: 0366/17

Outline planning permission sought for the erection of two detached dwellings.

DECISION: REF (Planning Permission Refused by the LPA) 06.04.2017; Appeal allowed and outline planning permission granted, with conditions, by PINS 27.09.2017.

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The site lies adjacent to the east of the village of Mendlesham, to the north-west of Brockford Road, at the Junction with Church Road, Glebe Way, and Oak Farm Lane, on the approach from the A140.
- 1.2. The site lies outside the village settlement boundary and, for planning purposes, lies within the countryside.
- 1.3. The site comprises a large open field which extends north from Brockford Road. Although a small cluster of dwellings sit along the road frontage, the site lies outside the village. Together with the adjoining field and the open churchyard the site is identified as Visually Important Open Space within the adopted Mendlesham Neighbourhood Plan.
- 1.4. The field is on gently rising land and clear views of the Grade I Listed St Mary's Church and the churchyard are available from within the site, along with the eastern part of the Mendlesham Conservation Area in which the Church and other listed buildings and ancient monuments lie.

2. The Proposal

- 2.1. The proposal seeks planning permission for the use of land within the site boundary for the grazing of the applicants' personal horses and for the erection of a stable building to house the horses.
- 2.2. The proposed stable building would be single-storey in scale and would measure 22.3 metres long, by 4.8 metres wide, and would have a dual pitched roof with a maximum ridge height of 4.4 metres above ground level.
- 2.3. The proposed stable building would comprise 3 no. Stables, a Hay and Bedding Store and a Feed and Tack Room. A covered walkway would be included under the proposed roof structure, to the north elevation of the building, in front of the Stable, Store and Tack Room access doors.
- 2.4. The proposed stable building would be externally finished in facing black stained weatherboarding, applied horizontally, and vertical boarded doors. The proposed roofing materials are not specified.
- 2.5. The proposed stable building would be sited parallel to Brockford Road, set back 4.6 metres from the fronting hedgerow and 20.9 metres from the corner of Brockford Road and Church Road.
- 2.6. Hardstanding areas are proposed adjacent to the north and north-east of the proposed building, with vehicle parking and manoeuvring space, for at least 4 no. vehicles and a trailer, to the north-east and a yard area, with permeable surfacing, to the north.
- 2.7. The remainder of the site is proposed to be laid to grass, including the area in between the building and the corner of Brockford Road and Church Road. Existing hedgerow planting to Brockford Road and Church Road are proposed to be retained and additional hedge planting is also proposed internal to the site. Proposed internal fences and gates would be 1.2 metres in height, of post and rail design.
- 2.8. Access is proposed via the existing field access to Brockford Road, which has recently received permission to be upgraded as part of extant planning permission ref: DC/23/00300 for the erection of 2 no. new dwellings adjacent to the north-east of the proposed stable building.

3. The Principle of Development

- 3.1. The proposal site is located outside of any settlement boundary as designated in the current adopted development plan.
- 3.2. Regard must be had to adopted development plan policy SP03, which provides (inter alia) the following:

“Settlement boundaries are defined on the Policies Map. These boundaries were established in earlier Local Plans and Core Strategies and have not been reviewed as part of the Plan but are carried forward without change at the present time. The principle of development is established within settlement boundaries in accordance with the relevant policies of this Plan. Outside of the settlement boundaries, development will normally only be permitted where:

- a) the site is allocated for development, or
- b) it is in accordance with a made Neighbourhood Plan, or
- c) it is in accordance with one of the policies of this Plan listed in Table 5; or
- d) it is in accordance with paragraph 80 of the NPPF (2021).”

3.3. Policy SP03 exemptions for development outside of settlement boundaries, at Table 5, include for equestrian purposes, with reference to adopted policy LP20.

3.4. Policy LP20 makes provision for equestrian or similar other animal land based uses, and provides the following:

“The use of land for equestrian purposes or other similar animal land-based uses, including the erection of buildings and equipment, may be permitted subject to:

- a. Applicants demonstrating that they have prioritised the re-use of existing buildings.
- b. Where there are already buildings and structures on site, any new buildings being located close to and/or integrated with the structures to minimise impact on the landscape;
- c. The siting, size, scale, design, materials being suitable/appropriate for the proposed use and any proposed building or equipment (including lighting and means of enclosure) not creating a significant adverse impact on the natural and local environment or the appearance of the locality;
- d. Demonstrating the noise, odour or other emissions that are likely to give rise to significant adverse impact on amenity can be effectively mitigated;
- e. Integrating with existing features and respecting and enhancing the character of the surrounding landscape/area through sensitive integration and where appropriate mitigating the potential impact of permanent structures through good design, layout and siting; and
- f. Convincingly demonstrating that there are no suitable alternative sites on lower grade land if the proposal is located on the best and most versatile agricultural land.”

3.5. The adopted development plan is, therefore, considered supportive of the broad principle of the development proposal, subject to assessment of other material planning considerations, and those expressed specifically within the policy wording in particular. Such assessment is provided below:

4. Land Quality

- 4.1. The existing site is assessed to have a grade 3 (Good to Moderate) Agricultural Land Grade. The site is also assessed to be currently rough undeveloped grass land, not currently used for food production, and evidence suggests this has been the case for a significant amount of time.
- 4.2. As such, it is not considered that the proposal would result in the loss of the best and most versatile agricultural land.

5. Design and Layout

- 5.1. Current adopted development plan policy LP20 provides that: applicants should demonstrate that they have prioritised the re-use of existing buildings; any new buildings being located close to and/or integrated with the structures to minimise impact on the landscape; and the siting, size, scale, design, materials of new buildings should be suitable and appropriate for the proposed use and should not create a significant adverse impact on the natural and local environment or the appearance of the locality.
- 5.2. With no existing buildings present on the site that would be used for the proposed purposes, it is considered reasonable for the applicant to propose a new building in relation to the proposal. The new building is located close to the public highway, adjacent to approved buildings to the north-east, located where the site is lowest in the landscape, and screened by the fronting hedgerow, proposed to be retained.
- 5.3. The proposed design and materials are also considered to convey a rural, rather than urban or utilitarian character, and are therefore, considered appropriate.
- 5.4. It is noted that the majority of the site will remain laid to grass, as existing, and will remain undeveloped.
- 5.5. The proposed layout and design is, therefore, considered appropriate in accordance with current adopted development plan policies SP09, LP15, LP17, LP19, LP20, LP23, LP24, MP5, MP6, MP9, MP10 and MP11.

6. Landscape

- 6.1. Adopted development plan policies LP17 and LP20 require such developments to conserve and enhance landscape character, to integrate developments with existing landscape features, and where appropriate mitigate the potential impact of permanent structures (including on dark skies and tranquil areas) through good design and layout. Impacts.
- 6.2. When considering landscape impact it must also be considered that the site is designated as visually important open space, affects the setting of the Church and Graveyards local green space, and part of the site lies within principle view 10, as designated in the current

adopted Neighbourhood Plan. Plan policy MP10 provides that: visually important open spaces will be protected because of their contribution to the character or appearance of their surroundings and their amenity value to the local community; Where appropriate, development proposals must address the effect they will have on any local identified visually important open spaces and any effect on views of the Conservation Area and demonstrate that they will not significantly affect the views of these spaces (The Proposal Maps Figures 2.2 and 2.3 and also Figure 6.7 - Principal views in and around Mendlesham refers); and those visually important open spaces that are also identified as Local Green Spaces in the plan have an additional level of protection under policy MP9.

- 6.3. Your officer's assessment is that, overall the proposal would not result in a significant landscape or visual impact as the majority of the site would remain undeveloped and remain free of significant operational development and, what operational development is proposed would be located and designed in such a way so as to minimise visual impact.
- 6.4. The proposed siting, scale, design and landscaping of the stable building is not considered to result in a harmful effect on the character of the visually important open space (to which neighbourhood plan policy MP10, and figure 2.2 refers) or to significantly affect neighbourhood plan principle view 10, due to its siting on the lowest level part of the site, single storey scale and screening offered by existing hedgerow planting, proposed to be retained. The proposed location of the stable building is, therefore, considered to be the optimum viable within the site, being the least intrusive location contained close to the roadside, at the lowest site level, and screened.
- 6.5. Overall no significant conflict is considered with regards current adopted development plan policies LP17, LP20, MP9 and MP10 in landscape and visual amenity impact terms.

7. Heritage Issues [Including the Impact on the character and appearance of the Conservation Area and on the setting of Neighbouring Listed Buildings]

- 7.1. In assessing the current proposal, section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, provides that: In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority (or the Secretary of State) shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 7.2. The NPPF provides that: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance, and any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 7.3. Current adopted Joint Local Plan (JLP) policy LP19 (The Historic Environment) provides the following:

1. Where an application potentially affects heritage assets, the Councils will require the applicant to submit a heritage statement that describes the significance of any heritage asset that is affected including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and sufficient to understand the potential impact.
2. In addition, where an application potentially affects heritage assets of archaeological interest, the heritage statement must:
 - a. Include an appropriate desk-based assessment and, where necessary, a field evaluation by a suitably qualified person; and
 - b. If relevant, demonstrate how preservation in situ of those archaeological assets can be achieved through the design of the development and safeguarding during construction.
3. The Councils will:
 - a. Support the re-use/ redevelopment of a heritage asset, including Heritage at Risk and assets outside settlement boundaries, where it would represent a viable use, and the proposal preserves the building, its setting and any features which form part of the building's special architectural or historic interest;
 - b. Support development proposals that contribute to local distinctiveness, respecting the built form and scale of the heritage asset, through the use of appropriate design and materials;
 - c. Support proposals to enhance the environmental performance of heritage assets, where the special characteristics of the heritage asset are safeguarded and a sensitive approach to design and specification ensures that the significance of the asset is sustained; and
 - d. Take account of the positive contribution that the conservation of heritage assets can make to sustainable communities, including their economic vitality.
4. In order to safeguard and enhance the historic environment, the Councils will have regard (or special regard consistent with the Councils' statutory duties) where appropriate to the historic environment and take account of the contribution any designated or non-designated heritage assets make to the character of the area and its sense of place. All designated and non-designated heritage assets must be preserved, enhanced or conserved in accordance with statutory tests and their significance including consideration of any contribution made to that significance by their setting.
5. When considering applications where a level of harm is identified to heritage assets (including historic landscapes) the Councils will consider the extent of harm and significance of the asset in accordance with the relevant national policies. Harm to designated heritage assets (regardless of the level of harm) will require clear and convincing justification in line with the tests in the National Planning Policy Framework.
6. Proposals which potentially affect heritage assets should have regard to all relevant Historic England Advice and Guidance.

7. Where development is otherwise considered acceptable, planning conditions/obligations will be used to secure appropriate mitigation measures and if appropriate a programme of archaeological investigation, recording, reporting, archiving, publication, and community involvement; to advance public understanding of the significance of any heritage assets to be lost (wholly or in part); and to make this evidence and any archive generated publicly accessible.
- 7.4. Furthermore, neighbourhood plan policy MP5 (Historic environment) also provides (inter alia) the following: Any designated heritage assets in the Parish and their settings, will be conserved and enhanced for their historic significance and their importance with particular regard to their local distinctiveness, character and sense of place; and that all new development should demonstrate a clear understanding of the rural context of Mendlesham and the importance of maintaining its village environment. Developments will provide appropriate levels of landscaping, boundary and screening planting to ensure that they blend in with the existing environment. Supporting Document SD19 (“Landscape and Visual Assessment of Mendlesham”) provides examples of the important features of the village that need to be maintained.
- 7.5 Your heritage officers have considered the application site, its setting and the proposed development and have advised the following:
- 7.6. *Historically, this part of Mendlesham, and the Church of St Mary (Grade I) had a rural agricultural setting, extending to their south and east, and where this still survives, this is considered to make a positive contribution to the character and appearance of Mendlesham Conservation Area, and the significance of the Church of St Mary. However, more recently development, most recently the commencement of the two dwellings allowed at Appeal under 0366/17, have to a considerable extent split this historic setting in two. East of the Church and Conservation Area, north of the rear boundary of the approved dwellings and 15-17 Brockford Road and then, east of these dwellings, expanding up to Brockford Road, a considerable swathe of land of rural, agricultural character survives. However, to the south, it is now confined to a fairly narrow gap between the houses on the west side of Church Road, and the two approved dwellings, and as such its contribution now to these heritage assets is considered more limited. This is where the proposed stable building is proposed to be located.*
- 7.7. *The proposed stable outbuilding would be of a type, form and use more reflective of a rural/agricultural location than new dwellings, but would still be a building, that would in effect close off this remaining connection between the Conservation Area and Church and the rural surroundings in the latter direction identified above. The harm would be slightly increased by the extent to which the stable building and associated car parking and other hardstanding spreads across the length of this part of the site. However, due to the now limited importance of this area to the significance of the above assets, plus the building type and form, your heritage officers advise that the resulting harm would be a very low level of less than substantial.*
- 7.8. It is noted that your heritage officers have suggested revisions to the layout currently proposed, involving: moving the proposed stable building and car parking closer to the

approved dwellings/and or reducing their size; rotating the stable building by 90 degrees, to run alongside the adjacent dwelling; and reducing the extent of car parking, which, in their opinion, would remove the harm entirely. Your planning officers, however have reservations, with regards other material planning issues in this regard and consider the suggested revisions would likely result in a denser, more urbanising character of development, with the proposed building intruding more into principle view 10 and into the narrow gap between the approved dwelling and Cemetery, resulting in an overall more harmful character of development than what is currently proposed. Your planning officers also have concerns with regards the proximity of the proposed stable block to the adjacent dwelling, in this regard, and the potential impacts on neighbouring amenity, primarily with respect of issues relating to: dominance and odour that would result. Furthermore, this has not been submitted, and is not the application for determination.

- 7.9. It is noted that your heritage officers advise that the change of use of the remainder of the site (outside of the area proposed for the building and hardstanding) would still keep the land in a use broadly reflective of its historic use, and would appear to result in limited physical alteration, other than a traditional rural style post and rail fence boundary, and so is not by itself considered to cause any harm.
- 7.10. Your Heritage Officers have advised that the stable building and associated hardstanding, as currently proposed, would result in a very low level of less than substantial harm to the significance of designated heritage assets (The Church of St. Mary and the village Conservation Area). NPPF paragraph 202 is, therefore, relevant and states the following:
- “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”*
- 7.11. It is considered that the public benefits of the proposal relate to: economic benefits to local trade during construction, operation and maintenance thereafter; and environmental benefits associated with reduction in vehicle movements of horse owners (who would live adjacent), biodiversity net gain (to be secured by way of condition), and the potential for addition of solar PV panels to the roof of the proposed building, to meet the power needs of the development and contribute to those of the applicant’s adjacent property.
- 7.12. The above public benefits of the proposal are, together, considered to outweigh the very low level of less than substantial harm to the heritage assets identified by your Heritage Officers with regards the current detailed proposal, in this respect.
- 7.13. The current application and detailed proposal is, therefore, considered to comply with the provisions of development plan policies LP19 and MP5, and the NPPF, with regards assessment of matters relating to the historic environment.

8. Site Access, Parking and Highway Safety Considerations

- 8.1. The current application proposal is for use of an existing field access to Brockford Road, which has recently received planning approval to be upgraded in relation to an adjacent

development for 2 no. dwellinghouses. The current development proposal would share this access with the 2 no. adjacent dwellings recently approved.

- 8.2. The Local Highway Authority has assessed the latest access and visibility splay proposals and are satisfied that such a proposal would not result in significant harm to existing highway safety. It is also considered that the proposal would generate limited additional traffic movements, that would also not result in a significant impact on the existing highway network.
- 8.3. Your officers consider that the proposed layout demonstrates on-site turning and parking could be provided in accordance with current adopted parking standards, as advised by the Local Highway Authority.
- 8.4. The Local Highway Authority has assessed the current application proposal, and has not raised objection, subject to the imposition of standard highways conditions.
- 8.5. Subject to compliance with conditions as suggested by the Local Highway Authority, therefore, it is your officer opinion that the development currently proposed would not result in as severe impact on existing highway safety. The proposal is, therefore, considered to be in accordance with the provisions of NPPF Paragraphs 110 to 113 and with current adopted development plan policy LP29, in such regards.

9. Impact on Residential Amenity

- 9.1. Current adopted development plan policies LP20 and LP24 seeks to ensure development protects the amenities of neighbouring occupants and land users. Paragraph 130 of the NPPF sets out a number of core planning principles as to underpin decision-taking, including, seeking to secure a high standard of amenity for existing and future land users.
- 9.2. Due to the proposed siting, scale and fenestration layout of the proposed stable building, in relation to nearby neighbouring properties the proposed building would not result in significant demonstrable harm to the amenities currently enjoyed by occupants of neighbouring properties. The proposed Equine land use is also considered to be countryside compatible and not to result in significant amenity harm over and above activities that could otherwise lawfully be carried out on the site.
- 9.3. Your Environmental Protection Officers have also considered the latest proposal and have not raised objection with regards health and amenity impacts, should conditions limiting commercial activities and managing manure, foul water runoff and external lighting be applied.

10. Ecology, Biodiversity and Protected Species

- 10.1. Your Ecology Consultants have reviewed the Preliminary Ecological Assessment, by DCS Ecology, submitted by the applicant, relating to the likely impacts of development on designated sites, protected and priority species and habitats, and identification of proportionate mitigation.
- 10.2. Your Ecologists agree that no further surveys are needed for bats as the field maples in the southern hedgerow have negligible bat roosting potential and there are no existing buildings on site that could accommodate bat roosts.
- 10.3. It is noted that the site lies within an Amber Risk Zone Area for Great Crested Newts, as 11 no. water bodies lie within 500 metres of the site. However, as there are environmental barriers between those bodies and the site, the nearest two ponds are considered unsuitable for Great Crested Newts and there is no suitable terrestrial habitat for them on site, your Ecologists agree that no further surveys for Great Crested Newts are required.
- 10.4. Your Ecologists support the applicant's proposal for the presence of a suitably qualified ecologist during the removal of any vegetation or wood/building material piles to reduce the risk of impact to reptiles, which may be present.
- 10.5. Your Ecologists are satisfied that there is sufficient ecological information available for determination of the application. This is considered to provide certainty of the likely impacts on designated sites, protected species and Priority species and habitats and, with appropriate mitigation measures secured, the development can be made acceptable. As a result, your ecologists advise that the mitigation measures identified in the Preliminary Ecological Assessment (DCS Ecology, March 2023), should be secured and implemented in full.
- 10.6. Should ecological mitigation, biodiversity net gain and enhancement measures, as well as control of lighting, be secured by way of conditions, it is considered the current development proposal would meet the requirements of NPPF paragraph 174 and current adopted development plan policy LP16, in such regards.

11. Flood Risk and Surface Water Drainage

- 11.1. The proposal site lies within Environment Agency Flood Zone 1, wherein there is the least probability (less than 1 in 1000 annually), and low risk, of flooding. Council records also do not show the site to be at significant risk from other, pluvial, types of flooding.
- 11.2. It should, however, be noted that the highway fronting the site (Brockford Road) lies within Environment Agency Flood Zones 2 and 3 and is at significantly greater risk of flooding than the site itself.
- 11.3. Previous applications for housing development on the site (ref: DC/18/01038 - for 8 no. dwellings) and adjacent to (0366/17 - for 2 no. dwellings) have previously been assessed by the Planning Inspectorate and inspectors have concluded that, whilst it is

acknowledged that the fronting highway lies in EA Flood Zones 2 and 3, this does not represent a significant impediment to accessing the site. These applications and assessment in flood risk terms are, therefore, considered to be material planning considerations in assessment of the current application.

- 11.4. It should be noted that the Planning Inspectorate have previously granted permission for 2no. dwellings adjacent to the site, and access to Brockford Road, on this basis. It should be also be noted that the current development proposal would also use this access to Brockford Road, as approved by the Planning Inspectorate.
- 11.5. The Lead Local Flood Authority (LLFA), at Suffolk County Council, have been consulted on the current application proposal and advise that it will have a negligible impact with regards flood risk.
- 11.6. Overall, the proposed development is not considered to be at significant risk from flooding, would utilise soakaway Sustainable Drainage Systems (SuDS) as means of disposing surface water, and would not demonstrably increase flood risk on the site or elsewhere. As such the proposal is considered meet the requirements of NPPF paragraphs 159, 162, 167 and 168 and current adopted development plan policy LP27, in such regards.

12. Parish Council Comments

- 12.1 It is considered that the material planning issues raised by Mendlesham Parish Council, in responses received both before and after the prior committee meeting, have been addressed in the above report. Further clarifications can be provided at the committee meeting, as required.
- 12.2. With regards the additional conditions suggested by the PC, those relating to: the closure of the existing pedestrian access; lighting details; landscape screening and protection of amenity of neighbouring land users; and protection of existing and proposed landscape planting after completion of works, are listed as part of suggested conditions below.
- 12.3. Those suggested to limit the number of horses using the site is not considered to meet the requirements of NPPF paragraph 56.

PART FOUR – CONCLUSION

13. Planning Balance and Conclusion

- 13.1. The current development plan is considered supportive of the principle of the development proposal, subject to assessment of all other material planning considerations.
- 13.2. It is not considered that the proposal would result in the loss of the best and most versatile agricultural land.
- 13.3. The proposed layout and design is considered appropriate in the context of the existing site and area and in accordance with current adopted development plan policies.
- 13.4. The current proposed development is not considered to result in significant harm with regards impact on the character and quality of landscape character, visually important spaces and principal views.
- 13.5. Whilst the proposal would result in a very low level of harm to the significance of heritage assets it is considered that the proposal would result in public benefits that would, together, outweigh the very low level of harm identified.
- 13.6. Subject to compliance with conditions as suggested by the Local Highway Authority, the development currently proposed would not result in a severe impact on existing highway safety.
- 13.7. The current proposal is not considered to result in a significant impact on the amenities currently enjoyed by nearby occupants and land users.
- 13.8. The proposal is not considered to result in harm to protected and priority species or their habitats and biodiversity mitigation, net gain, and enhancement measures would be ensured by way of conditions.
- 13.9. The proposed development would not be at significant risk from flooding, would utilise SuDS, and would not demonstrably increase flood risk on the site or elsewhere.
- 13.10. The current proposal is, therefore, considered to represent sustainable development.

RECOMMENDATION

That the Chief Planning Officer be authorised to Grant Planning Permission subject to conditions as summarised below and/or those as may be deemed necessary by the Chief Planning Officer:

- Standard time limit (3 years to commence the scheme);
- Approved Plans and Documents (Those submitted that currently form this application);
- Detailed Landscape Scheme and Aftercare;
- Approval of external facing and roofing materials and colours;
- Approval of hardstanding materials;
- Development to be carried out in accordance with the approved ecological appraisal recommendations;
- Biodiversity Net Gain and Enhancement Scheme to be agreed and implemented;
- Lighting Scheme to be agreed (if external lighting required) and PD removed for external lighting;
- Restriction on development - not to be used as commercial livery, riding school or for other business purpose(s);
- Manure management: Muck Pad and runoff control, and no burning;
- Highways - Access to be provided, as proposed, prior to first use;
- Highways - Access Visibility Splays to be provided, as proposed, prior to first use;
- Highways - Access to be surfaced with a bound material for a minimum distance of 10 metres from the metalled carriageway;
- Highways - Means to prevent surface water flowing from the access onto the highway;
- Highways - Gates to be set 10 metres back from the highway edge and not to open towards the highway; and
- Highways - Onsite Turning and Parking to be provided, as proposed, prior to first use, and thereafter retained;
- Existing pedestrian access at the corner of Brockford Road and Church Road to be stopped up, as proposed, prior to commencement of development.