

## **Committee Report**

**Committee Date:** 22 February 2017

**Item No:** 7

**Reference:** 4832/16

**Case Officer:** SES

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**Description of Development:** Erection of detached single storey dwelling

**Location:** 3 All Saints Road, Creeting St Mary IP6 8NF

**Parish:** Creeting St. Mary

**Ward:** The Stonhams

**Ward Member:** Cllr Suzie Morley

**Site Area:** 0.1

**Conservation Area:**

**Listed Building:** All

**Received:** 02/12/2016 09:01:03

**Expiry Date:** 24/02/2017

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**Application Type:**

**Development Type:** DWL

**Environmental Impact Assessment:**

**Applicant:** Mr KW Borley & Mr GJ Rivers

**Agent:** Philip Cobbold Planning Ltd

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### **DOCUMENTS SUBMITTED FOR CONSIDERATION**

List of applications supporting documents and reports

#### **Defined Red Line Plan:**

The defined Red Line Plan for this application is Drawing Site Location Plan received 2nd December 2016 only. This drawing is the red line plan that shall be referred to as the defined application site. Any other drawings approved or refused that may show any alternative red line plan separately or as part of any other submitted document have not been accepted on the basis of defining the application site.

#### **Approved Plans and Documents:**

Application Form, CIL Form, Design and Access Statement, Land Contamination Report, Land Contamination Questionnaire, Site Location Plan and Drawing Nos. 4188/01, 4188/02, 4188/03, 4188/04 and 4188/05 all received on the 2nd December 2016.

The application plans and documents submitted by the Applicant can be viewed online AT [www.midsuffolk.gov.uk](http://planningpages.midsuffolk.gov.uk/online-applications/simpleSearchResults.do;jsessionid=F5289A2326D01C129E61E082BD101C77?action=firstPage) using the following link <http://planningpages.midsuffolk.gov.uk/online-applications/simpleSearchResults.do;jsessionid=F5289A2326D01C129E61E082BD101C77?action=firstPage> Alternatively, a copy is available to view at the Mid Suffolk and Babergh District Council Offices.

## **SUMMARY**

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The officers recommend approval of this application.

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

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

- This application is reported to committee as the Agent is currently employed as a consultant for Mid Suffolk District Council

The Monitoring Officer has reviewed the application file and is satisfied that the application has been processed properly and correctly in accordance with all established procedures and requirements.

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## **PART TWO – APPLICATION BACKGROUND**

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This section details history, policies, advice provided, other legalisation and events that form the background in terms of both material considerations and procedural background.

### **History**

2. There is no planning history relevant to the application site. A detailed assessment of the planning history including any material Planning Appeals will be carried out as needed in Part Three:

### **Details of Previous Committee / Resolutions**

3. None

### **Details of Member site visit**

4. None

### **Details of any Pre Application Advice**

5. None

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

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### **Consultations**

6. Summary of Consultations
  - Creeping St Mary Parish Council – Support
  - SCC Highways – No objection, means of enclosure to be set back by 2.4m from the edge of the carriageway for pedestrian safety
  - SCC Rights of Way – No objection
  - MSDC Environmental Health – No objection
  - MSDC Heritage – No harm to a designated heritage asset

### **Representations**

7. Summary of neighbour and other representations
  - None received

### **The Site and Surroundings**

8. The application site is not contained within the settlement boundary of Creeping St Mary but abuts it. It is a field associated with the Grade II Listed farmhouse of No. 3 All Saints Road and lies to the north east of the heritage asset. The field is an open space of grass with a very large outbuilding to the north eastern boundary. A public footpath runs outside of the boundary fence from All Saints Road heading North West, there is mature hedgerow to most of the boundary. The application site is located to the rear of the existing linear development of All Saints Road. The site is accessed from the existing access and driveway of No. 3 All Saints Road.

### **The Proposal**

Please note details of the proposed development including plans and application documents can be found online.

9. The proposal is for a detached single storey dwelling with integral two bay garage. The dwelling would be sited on the field adjacent to No. 3 All Saints Road. The site would be accessed using the existing access point and driveway of No. 3 and would wrap around the Listed Building at the rear of the site. The proposed dwelling would be a horseshoe shape building located centrally on the plot with a double garage attached to the north eastern corner of the dwelling with parking/turning area. The dwelling would provide four bedrooms (two being en-suite). The horseshoe layout would form an enclosed courtyard with brick wall. The dwelling's design resembles a low level farm building and would be finished in brick and weatherboard with clay pantiles to the roof.

### **NATIONAL PLANNING POLICY FRAMEWORK**

10. The National Planning Policy Framework (NPPF) contains the Government's planning policies for England and sets out how these are expected to be applied. Planning law continues to require that applications for planning permission are determined in accordance with the Development Plan unless material considerations indicate

otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-making purposes.

- Paragraph 17 of the NPPF supports new dwellings that are considered to be sustainable locations and supports and enhances existing communities.

### **CORE STRATEGY**

11. CS1 – Settlement Hierarchy  
CS5 – Mid Suffolk's Environment

### **NEIGHBOURHOOD PLAN / SUPPLEMENTARY PLANNING DOCUMENTS / AREA ACTION PLAN**

12. None

### **SAVED POLICIES IN THE LOCAL PLAN**

13. GP1 – Design and Layout of Development  
HB1 – Protection of Historic Buildings  
H15 – Development to reflect local characteristics  
H16 – Protecting existing residential amenity  
H17 – Keeping residential development away from pollution  
RT12 – Footpaths and Bridleways  
T10 - Highway considerations in development

### **Main Considerations**

14. 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.
15. The following are identified as the main considerations in assessing this application

### **The Principle of Development**

16. The main considerations in the principle of development in this case is the location of a new dwelling, it's impact on the heritage asset, intensification of an existing access, contamination and public footpaths.

### **Sustainability Assessment of Proposal**

17. Creting St Mary has two separate settlement boundaries. The first is Jacks Green which does not include any amenities but is located close to Needham Market and the other is located to the north east of Jacks Green and includes the village hall and primary school. Creting St Mary is classed as a secondary Village in policy CS1 of the Core Strategy. Secondary Villages are considered to be unsuitable for growth but capable of taking appropriate residential infill.

The application is not within the settlement boundary of Creting St Mary but abuts it. It is within close proximity to the primary school and is therefore considered to be a sustainable location for a new dwelling.

The site is technically outside of the settlement boundary and its development would normally be considered contrary to policy. However, as members are aware, the Council currently has a shortfall in their five year supply of housing land. In such circumstances, where the Council's adopted policies for the supply of housing may not be considered 'up to date', sites which otherwise may not have been supported for development but which are considered reasonably well located in relation to sustainable settlements can be viewed more positively.

This is considered to be such a site. It abuts the settlement boundary and can be viewed as a logical extension to the village.

### **Site Access, Parking and Highway Safety Considerations**

18. No. 3 All Saints Road has an existing access onto the highway and it is proposed to use this access point for both No. 3 and the proposed new dwelling. The proposed driveway would provide a parking/turning head to No. 3 in the south western corner of the site with the driveway running along the western boundary to the new dwelling. A two bay garage is proposed with a parking/turning area for the new dwelling. SCC Highways has requested a condition to be attached to an approval as stated above.

### **Design and Layout [Impact on Street Scene]**

19. The proposed dwelling would be located centrally in the plot with the closest point of the building being 8m from a common boundary. The design of the building is single storey in a horseshoe shape with a ridge height of 6.3m taking elements that are commonly seen in barn conversions. The dwelling would be finished in traditional materials of brick, weatherboard and clay pantiles. The other dwellings in the area are mixture of ages, designs and layouts. The Listed building is a rendered thatch cottage and other dwellings adjoin the site are brick, rendered and flint.

### **Landscape Impact**

20. No landscaping details accompanied the application and details of landscaping would be a condition of an approval. The site is in a very rough and uncared for state. The site is well screened from the wider landscape on the western boundary by a mature hedgerow which includes mature trees. The proposal is not considered to impact on the landscape because the building is a low level single storey building which resembles a traditional Suffolk outbuilding.

### **Environmental Impacts - Land Contamination**

21. A contamination report and questionnaire accompanied the application. Environmental are content that there are no issues of land contamination on this site.

### **Heritage Issues**

22. No. 3 All Saints Road is a Grade II listed C18th traditional Suffolk timber framed, thatched farmhouse, located in Creting St Mary.

This application seeks planning permission for the erection of a single storey, detached dwelling which would be located to the NE of the listed building. The dwelling would be constructed using pantiles, brick and timber boarding, of the design of a converted outbuilding.

The land on which the dwelling is proposed was not historically associated with the Grade II listed dwelling, and was formerly used as allotments before being used as domestic garden associated with No. 3 All Saints Road. The erection of a dwelling on this land would not therefore divide the building's historic curtilage, and would be of considerable distance from the historic core of the site.

The footprint of the proposed dwelling is large when compared to the size of the historic core of No.3 All Saints Road. However, the single storey and relatively utilitarian design of the proposed dwelling would not dominate the Grade II listed building.

This proposal would not harm the setting of the designated heritage asset and the Heritage team does not object to this proposal.

### **Impact on Residential Amenity**

23. The proposed dwelling is single storey with good spacing between the proposed dwelling and the neighbouring properties. The application is not considered to raise any issues of loss of light or overlooking.

### **Details of Financial Benefits / Implications (S155 Housing and Planning Act 2016)**

24. A financial benefit would be collected under CIL and is material. Council Tax and New Homes Bonus would be non-material considerations for the planning decision.

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## **PART FOUR – CONCLUSION**

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### **Planning Balance**

25. When taken as a whole and as a matter of planning judgement, the proposal is considered to adhere to the development plan and NPPF and therefore can be considered sustainable development. There is a presumption in favour of sustainable development. The application is therefore recommended for approval.

### **Statement Required By Article 35 of The Town and Country Planning (Development Management Procedure) Order 2015.**

26. When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising. There have been no issues to resolve with the applicant on this occasion.
27. There are no issues raised that cannot be dealt with under a condition.

### **Identification of any Legal Implications of the decision**

28. The application has been considered in respect of the current development plan policies and relevant planning legalisation. Other legislation including the following have been considered in respect of the proposed development.

- Human Rights Act 1998
- The Equalities Act 2012

- Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
- Natural Environment and Rural Communities (NERC) Act 2006 (any rural site)
- The Conservation of Habitats and Species Regulations 2010
- Localism Act
- Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998, in the assessment of this application but the proposal does not raise any significant issues.

## **RECOMMENDATION**

The application site is considered to be a sustainable location, does not raise any issues of residential amenity, highway safety or contamination, does not cause harm to a heritage asset, the design and finish of the dwelling are considered to be in-keeping with the rural area. Therefore the proposal is considered to be acceptable.

An approval would be subject to the following conditions:

- 1) Standard Time Limit Condition.
- 2) Approved documents
- 3) Landscaping to be agreed
- 4) Landscaping time limit
- 5) Highways condition (as per SCC recommendation)
- 6) Samples of finishing materials to be agreed