



# SUPPORTING STATEMENT

## (Incorporating Design and Access Statement)

In respect of a planning application for the erection of  
detached dwelling at;

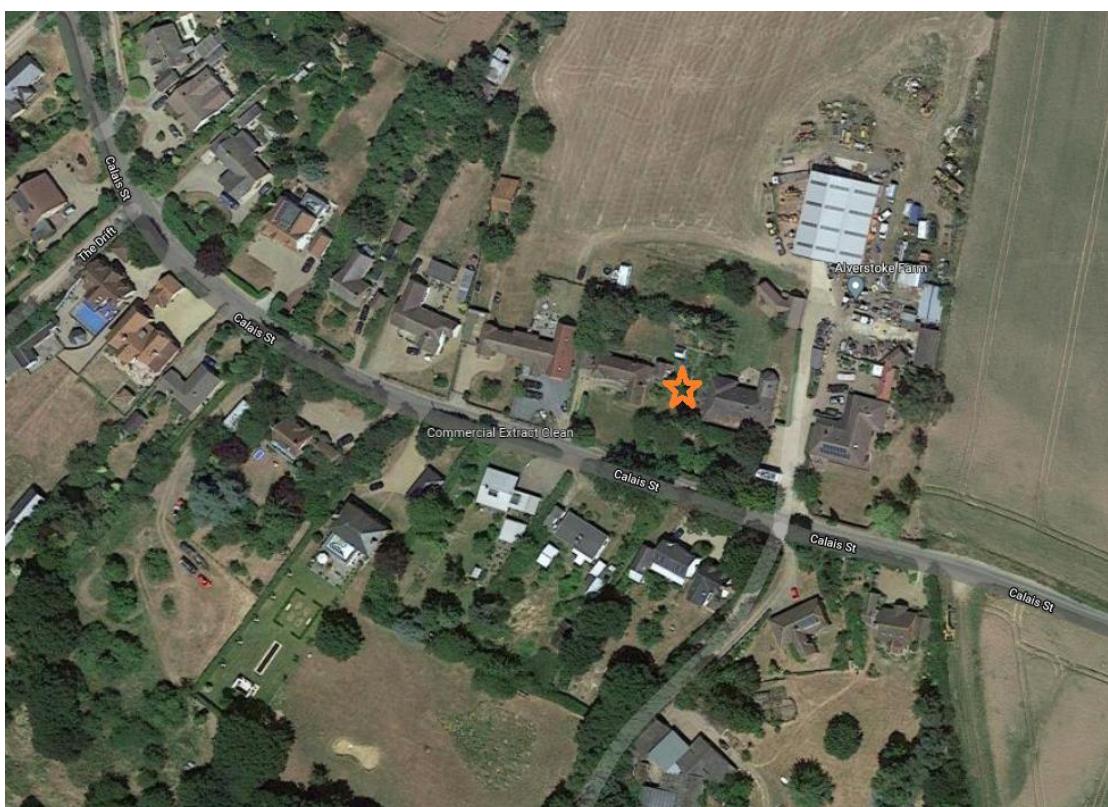
Land to the East of Alverstoke Farm Cottage, Calais Street,  
White Street Green, Polstead

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## **1.0 Introduction**

- 1.1 This statement is prepared in support of an application for the erection of a detached dwelling adjacent to Alverstoke Farm Cottage, Whitestreet Green, Polstead.
- 1.2 It will consider the planning policy position and provide an overview of the relevant material considerations relating to the proposed development.
- 1.3 The extract below shows the general location of the site relative to nearby development;



- 1.4 This Supporting Statement/Design and Access Statement should be read alongside the suite of plans provided by Ian Smillie Architectural Services that also accompany this application. Where other documents are relevant to the consideration of specific details being addressed in this statement, they will be referred to expressly.

## **2.0 The Site**

- 2.1 The site lies to the north side of Calais Street and within the settlement boundary for the Whitestreet Green part of Polstead.
- 2.2 Forming part of the side garden of Alverstoke Farm Cottage, a single storey property set in an offset position within its plot, the site is currently utilised as part of the curtilage of the existing dwelling.
- 2.3 The site is outside of, but opposite, the Dedham Vale Area of Outstanding Natural Beauty. There are no other landscape designations which affect the site, and there are also no listed buildings in the vicinity of the site.
- 2.4 The land that is the subject of this proposal is outside of any Conservation Area and falls wholly in Flood Zone 1, thereby not being at risk of flooding.

## **3.0 The Proposal**

- 3.1 The application seeks planning permission for a new detached dwelling with vehicular access from Calais Street. It would subdivide the plot associated with Alverstoke Farm Cottage.
- 3.2 The proposed dwelling is for a modest two bedroom, single storey, dwelling set adjacent to the existing dwelling. The property would be finished in treated timber boarding, laid vertically, over a red brick plinth and set under a dark grey tiled roof. Photovoltaic panels are proposed to the south facing roofslope.
- 3.3 The building is of simple form and has been designed to read as a converted outbuilding.
- 3.4 The new access is proposed to the south-east of the dwelling, offering access to frontage parking which can accommodate turning space and provision for the parking of three cars. Visibility splays of 2.4m x 60m are demonstrated.

- 3.5 Good sized amenity space is provided to the rear of the new dwelling. The existing amenity area to the rear of Alverstoke Farm Cottage is retained for that property, and the proposal does not affect the existing parking and access arrangements to that property also.

#### **4.0 Planning Policy**

- 4.1 The National Planning Policy Framework 2019 (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. The NPPF is supported by the Planning Practice Guidance (PPG), which assists applicants and decision makers in interpretation of the NPPF.
- 4.2 The NPPF is supported by the Planning Practice Guidance (PPG), which assists applicants and decision makers in interpretation the NPPF.
- 4.3 The Development Plan for Babergh consists of the Babergh Local Plan Alteration No.2 (2006) and the Babergh Core Strategy (2014). The following policies from these documents are considered to be relevant to this proposal;

##### **Babergh Local Plan Alteration No.2 (2006)**

- CN01 – Design Standards
- CR02 – AONB Landscapes
- HS28 – Infilling
- TP15 – Parking Standards

##### **Babergh Core Strategy (2014)**

- CS01 – Presumption in Favour of Sustainable Development
- CS02 – Settlement Pattern Policy

- CS03 – Strategy for Growth and Development
- CS11 – Core and Hinterland Villages
- CS12 – Sustainable Design and Construction Standards
- CS13 – Renewable/Low Carbon Energy
- CS15 – Implementing Sustainable Development in Babergh
- CS18 – Dwelling Mix/Sizes

4.4 The above policies will be considered in the ‘Planning Considerations’ chapter of this statement, wherever relevant to the consideration of this proposal.

## **5.0 Relevant Planning History**

5.1 As a reserved matters application, the most relevant planning history is the preceding outline planning application DC/17/05549 approved on 29th June 2018. This approved the “*Erection of 64 No. dwellings (including 22 No. affordable homes) with vehicular access from Stowmarket Road together with 2 No. dwellings accessed from Hill House Lane*”.

## **6.0 Planning Considerations**

### Principle of Development

6.1 At a national level, Paragraph 10 of the NPPF states; “*So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development*”.

6.2 Paragraph 8 of the NPPF sets out three objectives for achieving sustainable development:

“*a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right*

*time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

*c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy".*

- 6.3 Paragraph 213 of the NPPF identifies that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework, and that due weight should be given to them according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- 6.4 Recent reports to the Council's Planning Committee provides standardised wording in respect of policy CS2 of the Core Strategy, as follows;

*"Policy CS2 requires that outside of the settlement boundary, development will only be permitted in exceptional circumstances subject to a proven justified need. The site is outside the settlement boundary and therefore Policy CS2 applies.*

*The Core Strategy adopted in 2014 expressly anticipated, and stated within the document, that the District settlement boundaries would be reviewed and sites allocated for development following the adoption of the Core Strategy. The Local Development Scheme (LDS) produced in 2012 advised that a new combined LDS would commence in autumn 2012 and stated it was not possible to provide an up to date programme for site specific allocations. It is noted that in the original LDS in 2007 it was anticipated that the Site Allocations document would be*

*adopted within 6 months of the Core Strategy having been adopted. This has not to date happened. The current LDS, published in July 2018, now indicates that the Joint Local Plan, including site allocations, will be adopted in February 2020.*

*The exceptional circumstances test at Policy CS2 applies to all land outside the settlement boundary. This blanket approach is not consistent with the NPPF, which favours a more balanced approach to decision-making. The NPPF does contain a not dissimilar exceptional circumstances test, set out at paragraph 79, however it is only engaged where development is isolated. For the reasons set out in this report, the development is not isolated. Paragraph 79 of the NPPF is not engaged.*

*Having regard to the material delay in the review of settlement boundaries and in the allocation of sites, and the absence of a balanced approach as favoured by the NPPF, the statutory weight to be attached to Policy CS2 is reduced. The fact that the site is outside the settlement boundary is therefore not a determinative factor upon which the application turns.*

*A momentum towards securing development that is founded upon sustainable principles and the need for a balanced approach to decision making are key threads to Policy CS1, CS11 and CS15 of the Core Strategy. Unlike Policy CS2, these policies are consistent with the NPPF, carry full statutory weight and provide the principal assessment framework applying to the subject application”.*

- 6.5 It is clear, therefore, that the weight to be given to policy CS2 is vastly reduced, and it cannot be relied upon as a reason to refuse planning permission as a matter of principle simply because a proposal is outside the settlement boundary.
- 6.6 Indeed, this position was considered in a recent appeal dated 11th March 2020 in the Babergh District (Appeal Ref: APP/D3505/W/19/3240526 - Greenlawns Bonsai Nursery, Hadleigh Road, Boxford, CO10 5JH) for a development of four new dwellings on a site which the Inspector found to be;

*“..... located outside of any defined settlement boundary and is thus designated as countryside in local planning policy terms. The site contains a now closed plant nursery and garden centre*

*business as well as an associated single dwelling. The site makes up part of a linear row of development that runs the southern side of Hadleigh Road and that is typically comprised of residential properties. Other than nearby bus stops, I did not observe any facilities or services to be in place within the site's immediate locality. Boxford, the nearest Core Village, contains a range of facilities, including a primary school, shops and public houses, and is located relatively nearby".*

6.7 The Inspector went on to find that;

*"7. The route between the site and Boxford is not served by footway, nor any specific facilities for cyclists (such as a defined cycle lane). Furthermore, part of the route is made up of a main road (the A1071) that accommodates regular traffic flows. The journey to/from Boxford would thus be unlikely to appear attractive to future occupiers of the proposal to either navigate on foot or by cycle. This is not least due to the not insignificant distance involved.*

*8. Nevertheless, it is important to note that the site is served by bus stops that are situated a realistic walking distance away, along Hadleigh Road to the west. I am of the understanding that buses typically run from these stops at fairly frequent intervals to a range of destinations including Boxford, Hadleigh, Sudbury and Ipswich. Whilst the walking route to these stops is not lit nor served by footway, I noted very few traffic movements along Hadleigh Road during inspection. Indeed, it has the character of a quiet rural road that would appear to be navigable on foot in a safe manner. However, this option may not suit all future occupiers of the development who may not be conveniently able to depend upon these bus services to serve their day-to-day needs.*

*9. It has been suggested by the appellant that buses can be flagged down upon request along Hadleigh Road, which would further promote bus travel as a realistic option. Whilst the rural nature of the road could potentially allow for buses to pick up and drop off on an impromptu basis, no formal arrangements in this regard have been clearly evidenced. My considerations are thus based on the signposted stops that are in place. In this context, particularly when noting the lack of walking opportunities, the site's location would be likely to promote private modes of transportation.*

*10. That said, the National Planning Policy Framework (February 2019) (the Framework) recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and states that this should be taken into account in decision-making. Indeed, relatively short journeys (by private car or otherwise) would be required in order to access the various facilities and services that are on offer in Boxford. Furthermore, the bus stops that serve the site would offer future residents a genuine option to utilise local bus services as an alternative to private car travel should they desire to do so".*

6.8 In setting out his reasoning for allowing the appeal, the Inspector elaborated further, stating:

*"24. I have identified conflict with Policy CS2 of the Core Strategy. However, this is a restrictive policy that offers support to development in the countryside only in exceptional circumstances. It is not wholly consistent with the Framework in terms of its approach to rural housing. Indeed, the Framework is less restrictive and sets out that housing should be located where it will enhance or maintain the vitality of rural communities and that planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Thus, the fact that the site is located outside of any defined settlement boundary is not a determinative factor in this case and I apportion limited weight to the proposal's conflict with Policy CS2.*

*25. Nevertheless, there would be some limited harm arising by virtue of the site's lack of accessibility to local facilities and services and that this would lead to some conflict with Policy CS15 of the Core Strategy, which is broadly consistent with the Framework in terms of its aim to promote walking, cycling and public transport use.*

*26. Turning to the scheme's benefits, whilst the Council has confirmed that it is currently able to demonstrate a 5.67 year supply of housing land and the appellant has not challenged this assertion, it would deliver 4 additional housing units within a District where the housing land supply surplus is marginal. Indeed, the Framework reaffirms the Government's objective of significantly boosting the supply of homes. The proposal would also promote an effective use of land through the redevelopment of a redundant former business premises. Jobs would be created during the construction phase and support to the local economy and local community*

*facilities would be provided once occupied. These benefits outweigh the identified harm and the policy conflict therewith.*

*27. There are material considerations that indicate that the proposal should be determined otherwise than in accordance with the development plan in this case".*

- 6.9 The commentary here references the marginal nature of the Council's land supply position and states categorically that the location of the site outside the settlement boundary is not a determinative factor in the appeal. The very same position would exist here.
- 6.10 In another recent appeal, consideration was also given to the weight to be given to policies CS1, CS11 and CS15, as well as CS2. In that appeal (Appeal Ref: APP/D3505/W/20/3246576 The Mane Riding Centre, Old London Road, Copdock and Washbrook IP8 3JF) the Inspector found that;

*"36. Policy CS1 of the CSP only unnecessarily duplicates what was in paragraph 14 of the 2012 version of the Framework, so is out-of-date and thereby carries reduced weight. I have not found in relation to Policy CS1 of the CSP, however, I address whether the proposal would amount to sustainable development below.*

*37. The blanket approach to the application of settlement boundaries, in isolation of other considerations, would not be wholly aligned with the more flexible and balanced approach implicit in the objectives outlined in the Framework. Furthermore, exceptional circumstances for development in the countryside beyond settlements, found in Policies CS2 and CS11 of the CSP, are not wholly consistent with the Framework, which only applies to isolated development. However, Policy CS2 is consistent with the aim of the Framework to direct housing to locations where it is supported by local facilities and services through an established pattern of distribution; and Policies C2, CS11 and CS18 respond to local circumstances as required by the Framework. In light of this I have regarded the underlying objectives of the policies, as being consistent with the revised Framework but I have afforded reduced weight to the conflict of the proposal with Policies CS2 and CS11 in the light of their approach to exceptional circumstances for development in the countryside, which lessens the magnitude of that conflict.*

*38. I have been referred to an appeal decision in neighbouring Mid Suffolk in relation to the wording of Policy CS2 of the CSP. I am aware of the circumstances of that case, as I was the appointed Inspector, and that appeal referenced others in Mid Suffolk where development plan policies had been assessed in relation to their consistency with the Framework. In that case, a policy was multifaceted and required consideration against different parts of the Framework. Policy CS2 is not such a policy, as it only refers to the spatial distribution of development.*

*39. Such an approach would apply to Policy CS15 of the CSP, which is multifaceted. Although it is consistent with the Framework in terms of its aims to achieve well designed places and the accessibility of services and facilities, it fails to acknowledge the balancing exercises required by paragraphs 195 and 196 of the Framework. Whilst the Council did not find harm in respect of heritage, a policy should be assessed as a whole. Accordingly, Policy CS15 is out-of-date for the purposes of the Framework. Hence, I attach only moderate weight to the conflict of the proposal with this policy, which lessens the magnitude of that conflict.*

*40. The Council has suggested that it can demonstrate in excess of five-years supply of deliverable housing land within Babergh. The appellant has pointed to the potential fragility of the Council's position, particularly in light of the implications of COVID-19 on the economy. I am also mindful that the presence of a five-year supply does not represent a ceiling on the delivery of housing, as the Framework supports the Government's objective to significantly boost the supply of homes. Clearly should I determine that the Council cannot demonstrate a 5-year housing land supply, paragraph 11 of the Framework would be engaged. Nevertheless, it is engaged as a policy most important for determining the appeal is out-of-date, in this case Policy CS15 of the CSP. This requires that permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole (paragraph 11(d)(ii) of the Framework)".*

- 6.11 The findings of that appeal categorically find policies CS1 and CS15 as being out-of-date, and policies CS2 and CS11 as being in conflict with the NPPF. The Inspector engages paragraph 11, as did the Inspector making the decision on the appeal reference APP/D3505/W/19/3242769 at Land off Clay Hall Lane, Acton, CO10 0AQ and, as recently as 11<sup>th</sup> May 2021, the Inspector in the case at nearby Green Farm Barn, Whitestreet Green, Polstead reference

APP/D3505/W/20/3248538. These are important decisions, as they make clear that the Council must engage the presumption in favour of sustainable development in reaching their decisions on development engaging these policies (or any combination of them).

- 6.12 The saved policies from the Local Plan Alteration No.2 (2006) are now 14 years old, and the Core Strategy was adopted in 2014. Paragraph 33 of the NPPF identifies that;

*"Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Reviews should be completed no later than five years from the adoption date of a plan, and should take into account changing circumstances affecting the area, or any relevant changes in national policy. Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future".*

- 6.13 Babergh District Council were made aware of the issues with policies in the Core Strategy, namely the interpretation of policies CS2 and CS11 in the case of *R(East Bergholt Parish Council v Babergh DC [2016] EWHC 3400 (Admin)*, where a successful judicial review was brought against the Council on this very matter. Furthermore, despite their continued recognition of the conflict between policy CS2 and the NPPF, they have carried out no review of the policy or the Core Strategy as a whole in the terms required by paragraph 33 of the NPPF and the legal obligation imposed by (Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012).

- 6.14 It is abundantly clear, therefore, that this proposal should be determined in line with the flexible approach taken in the NPPF, and should be considered in light of the three objectives of sustainable development (economic, social and environmental). For these reasons, in taking a decision on the proposal, the LPA should grant permission unless:

*"i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".*

- 6.15 The application site is within the built-up area boundary of Whitestreet Green, which forms part of the wider settlement of Polstead, where the principle of housing development is considered acceptable, subject to assessment against other material planning considerations. Indeed, in considering the principle of development for new dwellings in the settlement boundaries of other Hinterland Villages in Babergh, in approving those developments comments made by the Planning Officer identified that;

*"The application site lies within the settlement boundary such that it is very well related to the existing pattern of development. While no evidence is submitted to show that this application addresses a proven local need, it is considered that to require this in this instance would be unreasonable considering the small number of additional dwellings. That being said, the additional units would support services within the vicinity of the site. The principle of development is therefore considered acceptable in terms of its location and connectivity to services and facilities to meet daily needs".*

- 6.16 The very same conclusions can be, and should be, drawn here. The proposal is sited such as to support the facilities and services in the village and provides only a modest increase in the number of dwellings in the village. However, in further support of this particular proposal, the dwelling is a very modest two bedroom property that fully meets the need expressed by Babergh District Council in their housing needs documents. This is explored further below.

#### Local Needs

- 6.17 It is not proportionate for a development of this scale to be expected to provide a Housing Needs Survey in each and every instance, and it is abundantly clear that an expectation in this regard would be inherently unreasonable.
- 6.18 The Polstead Housing and Population Data Profile identifies that across the Babergh district;

- 12% of all existing households contain someone looking for their own property over the next 3 years (mainly single adults without children). The types of properties they are interested in are flats/apartments, and smaller terraced or semi-detached houses. Although this is not their first preference, many accept that the private rented sector is their most realistic option;
  - 25% of households think their current property will not be suitable for their needs in 10 years' time;
  - 2 & 3 bed properties are most sought after by existing households wishing to move;
  - Suitable housing options for more elderly people are less available within the current housing stock. 6% of all households have elderly relatives who may need to move to Suffolk within the next 3 years.
- 6.19 The proposal is for a single storey dwelling and it is to be noted that Policy CS18 supports residential development that provides for the needs of the District's population, particularly the needs of older people where such local needs exist, and at a scale appropriate to the size of the development. The mix, type and size of the housing development will be expected to reflect established needs in the Babergh district (see also Policy CS15).
- 6.20 The proposal delivers a modest development that would meet the recognised need of smaller dwellings across the district. It is precisely the scale and type of development that CS15 and CS18 seek to deliver, making best use of existing developed sites in accessible locations. The proposal can be seen to comply with the expectations of policy CS18 and would meet a local need in the terms envisaged by both policies CS2 and CS15 also.
- 6.21 It is also noted that in recent decisions in the Babergh village of Lawshall, the Planning Officer agreed that the provision of two/three bed dwellings would serve the need identified in the Neighbourhood Plan in that village, stating;

*"The applicant has not provided evidence of a local need for this development and therefore in a strict, literal sense, the application is not consistent with policy CS11. This said, the development includes smaller two/three-bedroom dwellings that will serve the need identified at Policy LAW4 of the LNP. Compliance with the LNP in respect to identified need weighs in favour of the scheme".*

- 6.22 Furthermore, in a recent application in the nearby village of Brettenham also relating to a proposal for one new dwelling (DC/18/03627), the Planning Officer considered the relevance of the ‘local need’ element of policy CS11 to that proposal. They found;

*“The relevance of a housing needs survey to a single dwelling development is very limited. In strict policy terms there is a conflict however it is not fatal to the application”.*

- 6.23 For these reasons, it can be seen that the proposal meets with the aims of development plan policy that seek to deliver development that meets local need, and also complies with the provisions of paragraph 77 of the NPPF which is clear that *“In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs”*.

#### Efficient Use of Land

- 6.24 Paragraph 122 of the NPPF identifies that planning policies and decisions should support development that makes efficient use of land, taking into account, inter alia;

- the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change, and;
- the importance of securing well-designed, attractive and healthy places.

- 6.25 Paragraph 123 takes this position further, identifying that local planning authorities should refuse applications which *“they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)”*.

- 6.26 The proposal offers an opportunity to make efficient use of this site. The site can accommodate the subdivision proposed with no detriment to the character of the area or neighbouring amenity. The proposal would provide levels of accommodation that will help to deliver the necessary housing supply and meet the needs of the district.
- 6.27 The proposal would, therefore, make the most efficient use of land in line with the aims of paragraphs 122 and 123 of the NPPF.

Design and Impact on the Character of the Area

- 6.28 Saved policy CN01 sets out the criteria that the Council expects all new development to meet in terms of their design and layout.
- 6.29 Paragraph 124 of the NPPF identifies that "*The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process*".
- 6.30 The site can readily accommodate the amount of development that would result without being overdeveloped, and there is significant private amenity space to the rear of the property along with that retained by Alverstoke Farm Cottage.
- 6.31 The use of suitable materials to create the new dwelling will help to integrate the new property into its surroundings, and its appearance as a former outbuilding is highly appropriate to this setting given the scale of the plot associated with it.
- 6.32 There is nothing to suggest that the property would not provide good quality accommodation and can accommodate all of the necessary infrastructure to enable people to live comfortably with rooms that exceed the minimum space standards expected.

- 6.33 On site parking and turning space can be accommodated, enabling safe access and ensuring no pressure occurs on the road outside the site for parking or turning needs.
- 6.34 As such, the proposal meets with the Council's design and extension policies.

#### Heritage Impacts

- 6.35 The proposal does not engage any listed building settings, nor does it affect any Conservation Areas. As such, there are no heritage impacts associated with this proposal.

#### Highways Access, Parking and Safety

- 6.36 Policy TP15 aims to create and maintain an accessible environment, requiring development proposals to provide sufficient parking facilities having regard to the Council's adopted parking standards.
- 6.37 Paragraph 109 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety. The Traffic Statement that accompanies the proposal demonstrates why the access provisions are safe and suitable to accommodate this new dwelling.
- 6.38 On site, sufficient space is provided to allow vehicles to manoeuvre within the site and re-enter the highway in a forward-facing gear. The provision of dedicated vehicle spaces for resident owner/occupiers is proposed, and is provided in compliance with the Technical Guidance. The proposal therefore responds fully to accord with policy TP15 and the Suffolk Guidance for Parking - Technical Guidance (2015).

#### Residential Amenity

- 6.39 Policy CN01 seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, pollution, daylight and sunlight. Paragraph 127 of the NPPF also holds regard to the protection and preservation of residential amenity, which the scheme wholly delivers. Whilst nobody has a right to keep

the existing view from their home, the applicant acknowledges that the LPA will consider the effect the land use may have on the outlook from principal windows of neighbouring property. The scheme would not result in undue intrusion into the domestic enjoyment of neighbouring dwellings given the spacing which exists, and the detailed design will ensure that of windows in the dwelling will be orientated so as to avoid conflict with adjacent properties.

- 6.40 Given the nature and extent of the proposed use, it is unlikely that the resultant domestic use would present issue (for example, to privacy, overlooking, outlook, noise, smell, light, pollution, daylight or sunlight) extending above and beyond the established nature of the area.
- 6.41 The proposal thereby responds favourably to policy CN01 and paragraphs 127 and 130 of the NPPF.

#### Ecology and Biodiversity

- 6.42 Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010 (Implemented 1st April 2010) provides that all "*competent authorities*" (public bodies) to "*have regard to the Habitats Directive in the exercise of its functions*". There are no recordings of protected species or their habitats within the site or likely to be affected in the immediate area. It is highly unlikely that any protected species would be found within this site and as such this proposal is not considered to be harmful in terms of biodiversity issues.
- 6.43 Guidance on the conservation of protected species is given in ODPM Circular 06/2005. At Paragraph 99 the Circular advises that the presence or otherwise of protected species, and the extent to which they might be affected by the proposed development, must be established before planning permission is granted.
- 6.44 The land consists of maintained garden to the existing dwelling. There is nothing to suggest that any loss of important habitat would occur in this instance and, as such, no further ecological information is provided.

### Flood and Water

- 6.45 The site is not located in a vulnerable flood zone area; therefore the risks of flooding are considered to be low. The site can accommodate appropriate drainage solutions to serve the proposed dwelling.

### Sustainability

- 6.46 Paragraph 8 of the NPPF outlines the three objectives of sustainable development that schemes should seek to deliver. The proposal carries the following sustainable benefits.
- 6.47 From an economic aspect, the creation of an additional dwelling would provide much needed jobs for local people, and there would be a modest economic benefit from the purchase of materials also. Occupants of the property would contribute to the local economy through the purchase of goods, their employment and involvement in community activity.
- 6.48 It is, therefore, considered that the economic objective of sustainable development is met by this proposal.
- 6.49 The social aspects of new housing are embedded in the NPPF which states that “*supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being*
- .“.
- 6.50 The PPG advises that “*all settlements can play a role in delivering sustainable development in rural areas*”, cross-referencing to NPPF 79, “*and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided....*”. Moreover, in rural areas, where public transport is limited, people may have to travel by car to a village or town to access services. At paragraph 103 of the NPPF, it identifies that “*The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport*

*modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making".* However, as the PPG states, and paragraph 103 recognises, the general policy in favour of locating development where travel is minimised, and use of public transport is maximised, has to be sufficiently flexible to take account of the differences between urban and rural areas.

- 6.51 The site is in an accessible location within an established settlement. The principle of new development cannot be questioned here, with the opportunity for future occupants to engage in the local community.
- 6.52 The delivery of an additional dwelling would help to provide the supply of housing required by the NPPF and, therefore, it is considered that the proposal meets the social objective of sustainable development. Furthermore, the proposal's contribution to the Council's housing supply should not be underestimated. The applicant intends to carry out the development in a short timescale should permission be granted. In this regard, the site should be considered deliverable in the terms set out in the NPPF and should thereby be afforded further weight in terms of its sustainability credentials.
- 6.53 Environmentally, the accessibility of the site is such that the proposed dwelling can be seen to offer significant opportunity for walking, cycling and public transport usage such as to accord with the principles of both development plan policy and the NPPF to minimise travel by car.
- 6.54 The proposed dwelling would be constructed to current Building Regulations standards which embed positive measures to reduce carbon emissions and energy usage. The proposal would also offer opportunities to provide an environmentally sustainable development through the incorporation of renewable energy provision (including solar PV), and would be constructed utilising water efficient taps, showers and toilets, and energy efficient white goods. There is significant potential to build in biodiversity enhancements also, such as log piles, swift bricks and bird boxes. With this in mind, the proposal is considered to offer environmental gains and the applicant is open to considering measures to develop this aspect of the proposal further.

- 6.55 There are no recognisable detrimental impacts in terms of important environmental aspects including highway safety, landscape impact, flood risk, land contamination, ecology, biodiversity or heritage assets.
- 6.56 As such, it is felt that the proposal demonstrates a cohesive approach to sustainability that complies with the NPPF and is in line with the way in which the dimensions of sustainable development are applied by Planning Inspectors and the Planning Officers alike.

## **7.0 Planning Balance**

- 7.1 The proposal seeks planning permission for the erection of a detached single-storey dwelling on land adjacent Alverstoke Farm Cottage.
- 7.2 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The consideration is, therefore, whether the development accords with the development plan and, if not, whether there are material considerations that would indicate a decision should be taken contrary to the development plan.
- 7.3 The development plan includes the Babergh Core Strategy (2014) and the saved policies in the Babergh Local Plan Alteration No.2 (2006). In light of this proposal relating to the development of a new dwelling, an important factor in the determination of this proposal is that the Council's policies are out-of-date and the presumption in favour of sustainable development is engaged in this case.
- 7.4 The proposal has, therefore, been assessed against the three objectives of sustainable development. In respect of the economic strand, the applicant recognises that there would be modest benefits from the construction works and from the contribution made by future occupants into the local economy. As such, the proposal is economically sustainable.

- 7.5 In terms of the social dimension, the NPPF recognises the contribution made by the delivery of housing and the vitality of rural communities to the social aspect of sustainability. The site is located where there is opportunity to access facilities and by means other than the car. In light of these factors, and in the absence of any social detriment, the proposal must also be considered to be socially sustainable.
- 7.6 The matter of environmental sustainability is, as is often the case in rural areas, more complex. The PPG recognises that there is a need to take a flexible approach to considering the potential for sustainable transport modes in rural areas and the site has been found to be well located in terms of the facilities and services that lie in proximity to the site. In this regard, and in the absence of any recognisable detriment to matters such as heritage assets, land contamination, biodiversity, trees or flood risk, the proposal is found to be environmentally sustainable also.
- 7.7 For all of these reasons, the proposal is found to be a sustainable development and should, thereby, be supported.