



WILKINSON
PLANNING

Planning Statement

SITE

The Cedars, Nedging Road, Nedging with Naughton, Ipswich, Suffolk, IP7 7HW

PROPOSAL FOR

Erection of 1 no. replacement dwelling

PROPOSAL BY

Mr M Pratt

September 2022

Contents

1.0	Introduction	2
2.0	Site and Surrounding Area	2
3.0	Proposal	3
4.0	Planning Policy	4
5.0	Planning History	6
6.0	Material Planning Considerations	6
7.0	Planning Balance	15

1.0 Introduction

- 1.1 This Statement is produced for and on behalf of Mr M Pratt in respect of; Erection of 1 no. replacement dwelling at The Cedars, Nedging Road, Nedging with Naughton, Ipswich, IP7 7HW.
- 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 location of the site relative to its surroundings and other nearby development.



Figure 1.3.1 Aerial View

2.0 Site and Surrounding Area

- 2.1 The site extends 0.14 hectares and comprises of an existing modest bungalow and associated residential curtilage. There is a farm with associated agricultural buildings to the east and

dwelling to the west. Agricultural land is located to the north and south. There are sporadic but established trees and hedgerows around the boundaries of the site, with maintained lawn area. The site is accessed to the north of Nedging Road. Nedging Road has varied vernacular, comprising of both contemporary and more and traditionally designed dwellings, varying in scale from bungalow to two-storey and utilising a wide range of materials and colours.

2.2 There are no nearby listed buildings and the site is not within a Conservation Area. There are no protected trees on or adjacent to the site. The site sits just outside of but adjacent to the two built up area boundaries for Nedging with Naughton, which is designated as a Hinterland Village under policy CS2. The site is not within an Area of Outstanding Natural Beauty nor Special Landscape Area. There are no Public Rights of Way in or adjacent to the site. The site is located within Flood Zone 1 and is at a very low risk of pluvial flooding.

3.0 Proposal

3.1 The proposal seeks; Erection of 1 no. replacement dwelling.

3.2 The application is supported by a suite of plans and documents including;

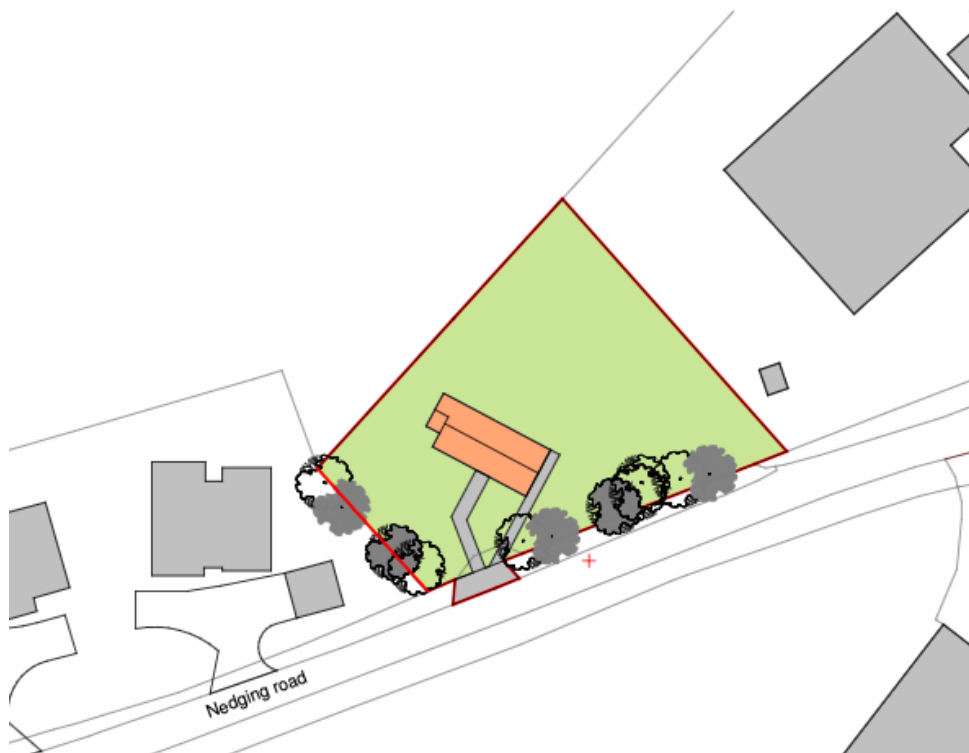


Figure 3.2.1 Site Location Plan



Figure 3.2.2 Proposed Site Plan

3.3 The application is supported by a suite of plans and documents including;

- Application Form
- Planning Drawings
- Planning Statement
- Land Contamination Report

4.0 Planning Policy

4.1 The National Planning Policy Framework 2021 (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.

4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the Development Plan for the purpose of any determination to be made under the

Planning Acts, then that determination must be made in accordance with 'the Plan' unless material considerations indicate otherwise.

- 4.3 The NPPF is supported by the Planning Practice Guidance (PPG), which assists applicants and decision makers in interpretation the NPPF.

Babergh Core Strategy (2014)

- Policy CS1: Applying the Presumption in Favour of Sustainable Development in Babergh
- Policy CS2: Settlement Pattern Policy
- Policy CS15: Implementing Sustainable Development in Babergh

Babergh Local Plan Alteration No.2 (2006)

- Policy CN01: Design Standards
- Policy CR07: Landscaping Schemes
- Policy CR08: Hedgerows
- Policy HS05: Replacement Dwellings
- Policy TP15: Parking Standards

Supplementary Planning Guidance

- Nationally Described Space Standards (2019)
- Suffolk Parking Guidance (2019)
- Rural Development and Core Strategy Policy CS11 (2014)
- Suffolk Design Guide (2000)

National Planning Policy Framework (2021)

- Para 7: Achieving sustainable development
- Para 8: Three dimensions to sustainable development
- Para 11 – 14: The presumption in favour of sustainable development
- Para 47 – 50: Determination of planning applications
- Para 60: Housing delivery
- Para 69: Windfall sites
- Para 79: Rural Housing
- Para 105: Transport choices
- Para 110-111: Highways impacts



- Para 119-120: Making effective use of land
- Para 130: Design quality
- Para 174: Landscape

4.4 At a local level, Local Plan policies CS1, CS2, CS15 and HS05 are particularly relevant for assessing the principle of development.

4.5 This statement will consider other material planning policies in turn.

5.0 Planning History

5.1 The site has not been subject to any recent or recorded planning history.

5.2 Notably planning permission for two contemporary two-storey detached style dwellings and garages was granted under case references DC/19/01486 and DC/20/05416 to infill a gap to the west of the site, located between the site and other residential dwellings along Nedging Road. This site is currently under construction.

6.0 Material Planning Considerations

6.1 Principle of Development

6.2 At a local level, policy CS1 sets out the presumption in favour of sustainable development and seeks to replicate the terms of the presumption as found within paragraph 11 of the NPPF. It is clear, therefore, that the presumption is set out within the development plan and, as such, the application of the presumption is not simply weighed as a material consideration within the NPPF but is a consideration against which all proposals must be determined. The LPA cannot choose not to apply it because they consider they have a 5-year housing land supply, as that test does not exist in policy. The development plan has primacy, and the LPA would be incorrect in law if they chose not to apply it.

6.3 Policy CS2 identifies a settlement hierarchy to sequentially direct development, forming part of a strategy to provide for a sustainable level of growth. It is noted that policy CS2 holds limited weight owing to the fact there has been no review of the Built Up Area Boundaries or

the overall hierarchy since 2006 and the exceptional circumstances test for development within the countryside is not consistent with the NPPF. Nedging with Naughton is designated as a Hinterland Village. The application site falls just outside of but is adjacent to the built up area boundary.

- 6.4 Whilst policy CS11 deals with new development relating to Hinterland Villages, it is important to note that the proposed development is for a replacement dwelling and there is no new increase in the number of dwellings proposed on site. As such the proposal does not engage with CS11 and instead engages with policy HS05 relating to replacement dwellings.
- 6.5 Policy HS05 permits replacement dwellings in the countryside so long as the complies with 7 criteria relating to; appropriate size and massing, sympathetic design, retention of trees, safe access, preventing visual intrusion, being unlisted and not increasing the number of dwellings. As this statement will go on to discuss the proposed replacement dwelling complies with these criteria, providing visual uplift to the area and making more effective use of land.
- 6.6 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”*.
- 6.7 Paragraph 69 of the NPPF clearly sets out that small and medium sized sites can make an important contribution to meeting the housing requirements of an area and that local planning authorities should support the development of windfall sites and give great weight to the benefits of using suitable sites within existing settlements.
- 6.8 Paragraph 79 of the NPPF promotes a flexible approach to development in rural areas, stating, *“housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.”*
- 6.9 Paragraph 119 of the NPPF provides commentary to this effect, stating that; *“Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and*

healthy living conditions". Clearly the proposal harmonises with this notion, offering a replacement dwelling scheme that would provide visual uplift to the site and immediate locality, which could be delivered seamlessly without overriding harm as this statement will go on to discuss.

6.10 For these reasons, the proposal would harmonise with key policies CS1, CS2, CS15 and HS05 and the flexible approach advocated by the NPPF. The principle of development on this site is therefore supported by local and national policy.

6.11 Sustainability

6.12 Policy CS15 sets out a range of criteria for assessing the overall sustainability of development. All development score positively against policy CS15 but in a manner that is commensurate with the scale of development.

6.13 Paragraph 8 of the NPPF sets out three dimensions for 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".

6.14 It is a well settled principle that the test of connectivity considers two main aspects, being:

- The relationship to existing built development, and;
- The relationship to facilities and services, and their accessibility

- 6.15 The site is located just outside of but is closely related to the Built Up Area Boundary and is physically and functionally well-related to existing built form and settlement. The site is therefore in a sequentially preferable location when assessed against policy CS11, supporting both settlement within Nedging with Naughton and within its wider functional cluster. There is an existing dwelling on site and therefore the principle of residential development on site has been established. Whilst there are no footpaths or bus services, the acceptability of the scheme does not turn on its connectivity noting that the Council have accepted that the location is in principle acceptable for residential development in the past and through the recent approval of the dwellings immediately abutting the site west.
- 6.16 Economically, the proposal would generate a benefit for local trade before, during and after construction. Furthermore, there will be a positive benefit through support of local amenities, facilities and services available from future owner / occupiers. Financially, the proposal would contribute to Council Tax. The dwelling proposed would also hold potential to be 'work from home' enabled, through a high-speed broadband network and devoted home workspace.
- 6.17 Socially, the proposal yields positive benefits through the creation of a healthy and functionally sound dwelling conducive for day-to-day living, making significant improvements from that of the existing dwelling on site. The replacement dwelling would have a positive interaction within the immediate and surrounding areas facilitated through physical proximity. Positive contribution to the local community can in some instances stimulate stronger communities. The space provided will enable good domestic enjoyment without materially hindering or oppressing the social enjoyment experienced by neighbouring property. The proposal provides a contribution to much needed housing of a desirable form.
- 6.18 Environmentally, the proposed replacement dwelling would be of a more sustainable construction, far superior to the existing dwelling. The proposal does not offer a materially harmful character area or residential amenity intrusion. The proposed works will exceed current Building Regulations standards, embedding positive measures to reduce carbon emissions and energy usage.

6.19 The proposal carries the opportunity to incorporate the following sustainable benefits:

- Grey water filtration units
- Swift bricks
- Hedgehog friendly fencing
- Triple glaze windows and doors
- High performance insulation (GWP less than 5)
- Energy efficient integrated appliances
- Solar energy
- Air / Ground source heat pumps
- Electric vehicle charging points
- Renewable technologies which would facilitate low-carbon development

6.20 The proposal reflects the essence of policy CS15 and paragraph 8 of the NPPF, and is therefore considered economically, socially and environmentally sustainable.

6.21 Design, Layout and Character Impact

6.22 Policies CS15, CN01 and HS05 work inter alia to secure well-designed development contributing to a sense of place in line with paragraph 130 of the NPPF. Both policies sets out general place-making principles in which all development must accord with and assimilate into its surroundings in a cohesive manner. Policy CS15 is broader in that it sets out a set of criteria that development is required to score positively against to work holistically to achieve sustainable development in line with paragraph 8 of the NPPF.

6.23 The proposal site would accommodate a well-designed replacement dwelling, responding to design cues within the area. The replacement dwelling would utilise a range of architectural and material features to assimilate into the area in a subservient manner. Most importantly, the replacement dwelling would provide visual uplift to the site and immediate locality.

6.24 The proposed garage would be of a low scale set back from the highway and would mirror the position of the detached garage approved immediately to the west of the site.

- 6.25 The proposal would represent the most effective use of the site and land within its environs, retaining appropriate landscaping, parking and amenity space. The site is readily capable of accommodating the form of the replacement dwelling proposed, without undue harm to the character, landscape or pattern of development.
- 6.26 Whilst the floor space of the proposed replacement dwelling has been increased upon the existing dwelling, it is important to note that since policy HS05 was adopted, there has been a proliferation of permitted development rights which would enable the existing dwelling on site to be extended significantly without the need for planning permission. A replacement dwelling would instead facilitate a more cohesive redevelopment of the site. Moreover, there are significant benefits arising from increasing the footprint and floor space, including the ability to deliver a stronger design and a dwelling that is more conducive with day to day living. Certainly, the two-storey form and design would be more characteristic of the immediate locality than the existing dwelling. The replacement dwelling would be no more visually intrusive on site than the existing dwelling and would be pushed marginally back northeast into the plot.
- 6.27 Consideration must also be afforded to the Nationally Described Space Standard (NDSS). The NDSS document prescribed by Government sets out the spatial expectations for all new build housing developments. The replacement dwelling would be NDSS compliant. Future owners/occupiers would therefore benefit from a spacious unit, which would not portray the characteristics of an overdeveloped or cramped site.
- 6.28 The scheme would adopt a high-quality mix of materials, delivered through a choice selection of tonal colours and finishing, alongside distinct architectural features. The materials would be reflective of the traditional Suffolk barn/ agricultural vernacular, utilising strong red facing brickwork, boarding and plain tiles. This would enable the scheme to blend seamlessly within the street scene and immediate locality. Moreover, environmental sustainability measures could be incorporated into both the construction of, and the final delivered unit.
- 6.29 The scheme would be entirely consistent with the existing linear pattern of development along Nedging Road and would be less visibly intrusive than the existing dwelling on site, being pushed back northeast into the site. The proposal would not extend beyond the boundaries of the existing garden land serving The Cedars.

- 6.30 Based on the quantum of development and location of the site, there is nothing before the LPA to suggest that the development would not sympathetically respond to the rural character of the locality, edge of settlement location and blends seamlessly within the pattern of development. Certainly, the proposal would provide a clear visual uplift to the immediate locality.
- 6.31 Highways Access, Parking and Safety
- 6.32 Policies CS15, HS05 and TP15 and supplementary Parking Guidance and paragraphs 105, 110 and 111 of the NPPF, require all new development to demonstrate safe and sufficient highway credentials, including access arrangements, parking provision relative to the scheme proposed and transport modes.
- 6.33 The proposed replacement dwelling would be served by the same vehicular access point, located north of Nedging Road. There would be no intensification of use of the access as the proposal is solely for a replacement dwelling. The driveway would continue to have a bound surface.
- 6.34 The creation of a new garage on site would provide EV charging points, alongside secure covered cycle storage to serve future owners/ occupiers, whilst facilitating and encouraging more active and sustainable means of transport.
- 6.35 The reconfigured layout provided as part of the replacement dwelling would provide a formalised parking arrangement on site in accordance with SCC Parking Guidance (2019), which the existing dwelling lacks, thus mitigating against on-street parking. Such parking would be delivered alongside adequate manoeuvring space to ensure vehicles enter the highway in a forward facing gear.
- 6.36 Adequate bin storage is accommodated alongside a dedicated bin presentation point to prevent any encroachment onto the highway.
- 6.37 Paragraph 111 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, or the

residual cumulative impacts on the road network would be severe. The courts have held that the principle should not be interpreted to mean anything other than a severe impact on highway safety to be acceptable (*Mayowa-Emmanuel v Royal Borough of Greenwich [2015] EWHC 4076 (Admin)*), which this proposal does not create.

6.38 The proposal responds well to policies CS15, HS05 and TP15 paragraphs 105, 110 and 111 of the NPPF, and the Parking Standards, all underpinned by Case Law. There is nothing before Officers to suggest the scheme should be refused upon highways grounds.

6.39 Residential Amenity

6.40 Policies CS15, HS05 and CN01 work inter alia to ensure development does not detrimentally affect residential amenity of existing and future owners/ occupiers.

6.41 The site comprises of an existing established dwelling and associated residential garden. The proposed footprint and layout of the proposed replacement dwelling would be reflective of the area and could easily be accommodated within the plot, whilst retaining appropriate separation distances and amenity space. The proposed scale, massing, siting and design (including fenestration position) of the development would ensure a sympathetic development is delivered which protects the levels of residential amenity of the nearest dwellings west.

6.42 There would be no increased disturbance or conflict between the proposed replacement dwelling and the adjacent farm east. There would be adequate private amenity space retained to serve future owners/ occupiers also.

6.43 The proposal would therefore harmonise with the aims of policies CS15, HS05 and CN01 and paragraph 130 of the NPPF.

6.44 Landscape

6.45 Policies CS15, HS05, CR07 and CR08 and paragraph 174 of the NPPF seek to protect and enhance the landscape both within the confines of the site and in the wider sense within the locality.

- 6.46 The proposed development would fit entirely within the confines of the existing established residential curtilage of the existing dwellinghouse (The Cedars). The site is entirely separated from surrounding agricultural land and sits between existing dwellings to the east and west, the replacement dwelling would not encroach into the countryside.
- 6.47 Existing hedgerows and trees are to be retained in and along the boundaries of the site. Additional trees are proposed along the southern frontage and western edge of the site. The applicant would welcome a discussion around the use of a landscaping condition to ensure the retention of existing planting and secure increased planting.
- 6.48 Owing to the site's maintained appearance, enclosed nature and current domestic use there would be no overriding landscape harm within the confines of the site nor wider locality.
- 6.49 Ecology and Biodiversity
- 6.50 Regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 (implemented 30th November 2017) provides that all "*competent authorities*" (public bodies) to "*have regard to the Habitats Directive in the exercise of its functions*".
- 6.51 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. However, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place before the permission is granted.
- 6.52 The site comprises of a maintained dwellinghouse and curtilage, such that the site does not currently provide the conditions for any suitable habitat for protected species. The demolition of the dwellinghouse and erection of a replacement dwellinghouse would therefore not result in harm to ecology and biodiversity.

6.53 Nonetheless a range of biodiversity enhancement and mitigation measures are identified which could be secured via condition and suitably delivered on site to improve the credentials of the site in biodiversity terms.

6.54 The scheme therefore accords with the aims of policy CS15 and paragraph 174 of the NPPF which seeks to conserve and enhance biodiversity and the natural environment.

6.55 The applicant acknowledges their duty to adhere to the Habitat Regulations 2017.

6.56 Flood and Water

6.57 The site falls within Flood Zone 1 (very low fluvial flood risk) and is at a very low risk of pluvial flooding.

6.58 Whilst the application is considered 'minor', on site attenuation and surface water management / disposal is nonetheless provided, ensuring that the sites 'sealed surfaces' are properly managed. The applicant is fully aware of their obligation to comply with Part H (Drainage and Disposal) of the Building Regulations 2010.

6.59 Land Contamination

6.60 Owing to the existing domestic use of the land, there is no known land contamination issue, with an extremely low contamination potential. The site is not considered to present risk to future occupants through land contamination. However, noting the quantum of development proposed a Land Contamination Report forms part of the submission.

7.0 Planning Balance

7.1 The proposal seeks planning permission for; Erection of 1 no. replacement dwelling. The applicant acknowledges the LPAs position concerning planning conditions and welcomes discussion around agreement of conditions.

- 7.2 There would notably be no net increase in the number of dwellings on site, and instead the scheme would deliver a more environmentally efficient and visually pleasing form of development on site, making more effective use of the existing residential land.
- 7.3 Policy supports the principle of development, with demonstrable socio-economic benefits accruing with limited harms presented. The proposal is a wholly deliverable prospect, making effective use of previously developed residential land without undue harms, providing both visual uplift to the locality and delivering a more environmentally efficient dwelling in place of an existing dwelling. The scheme is robustly supported at a local and national level offering a sustainable scheme which is heavily aligned to local and national planning policies.
- 7.4 Even if the LPA were to consider that harm(s) were identifiable, the abundant benefits brought by this scheme clearly demonstrate that this is a sustainable scheme.
- 7.5 In light of this and taking account of all the considerations set out above, it is hoped that the LPA will support this sustainable development by granting planning permission in the terms requested.