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**TOWN AND COUNTRY PLANNING ACT 1990**  
**ERECTION OF SELF-BUILD REPLACEMENT DWELLING**  
**(EXISTING DWELLING TO BE USED AS ANCILLARY ACCOMMODATION)**  
**MILL COTTAGE, GORAM'S MILL LANE, LAXFIELD**

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**PLANNING STATEMENT**

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Ref: 2809/P  
July 2023

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## **INTRODUCTION**

1. This Planning Statement has been produced in support of a planning application for the erection of a new self-build replacement dwelling together with part demolition and use of existing dwelling as ancillary accommodation at Mill Cottage, Goram's Mill Lane, Laxfield.
2. The intention is to remove the 20th century extensions either side of the existing Mill House to return the cottage back to its original form. It would then be used solely as ancillary accommodation when the applicant's family and friends come to stay. Retaining part of the Mill House as ancillary accommodation enables the amount of new build to be reduced.
3. The applicant, David Nicholson, is the Director of Design at Suffolk based 'Natural Building Systems' (NBS). Of central importance to the project is the use of the Natural Buildings System's *ADEPT building system* to create a prototype for an affordable, sustainable, and demountable new dwelling. ADEPT is a low embodied-carbon, cassette system. It is a '*fully integrated prefabricated construction solution including breathable walls and roof, cladding, floors and internal walls.*'
4. This report has been produced to be read alongside the Design Report produced by IF\_DO Architects which describes the design philosophy and approach in detail.
5. This proposal has been the subject of pre-application advice (reference DC/23/01017). However, it appears that the pre-application enquiry was misunderstood, and the advice was given on the basis of the proposal being for "the erection of a new dwelling" rather than a replacement. This scheme is for a replacement dwelling. Following the completion of the development there would still only be one dwelling at the site. Consequently, there is no conflict with planning policy objectives.

## **PLANNING POLICY**

6. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (As amended) requires planning decisions to be made in accordance with development plan unless material considerations indicate otherwise.

7. In this case, the development plan for the area consists of the Mid Suffolk Local Plan (1998), the Mid Suffolk Core Strategy (2008), the Mid Suffolk Core Strategy Focused Review (2012), and the Laxfield Neighbourhood Plan (2022).
8. The Council are in the process of producing a new Joint Local Plan with Babergh District Council. However, the document is currently the subject of further consultation and Hearings regarding the post examination modifications. Therefore, the emerging Local Plan (eLP) currently has limited weight.
9. The National Planning Policy Framework (NPPF) is a material consideration and sets out the Government's planning policies which provide a presumption in favour of sustainable development.

#### DEVELOPMENT PLAN

##### Mid Suffolk Local Plan 1998 (MSLP)

10. The MSLP is now more than 20 years old. However, the 'saved' policies of the document will continue to remain as part of the development plan until such time as the Council adopts the new Joint Babergh Mid Suffolk Local Plan in the future.
11. The application site lies outside of the current settlement boundary for Laxfield as designated by the Mid Suffolk Local Plan (MSLP). As the site is outside of the settlement for planning purposes, it is considered to be in the countryside.
12. Policy H8 of the MSLP concerns replacement dwellings in the countryside, it states:

#### **POLICY H8**

**IN THE COUNTRYSIDE AN APPLICATION FOR THE REPLACEMENT OF AN EXISTING DWELLING BY A NEW DWELLING WILL BE CONSIDERED ON ITS MERITS. FAVOURABLE CONSIDERATION WILL BE GIVEN PROVIDED THAT THE PROPOSAL, BY VIRTUE OF ITS SIZE AND SCALE, DOES NOT DETRACT FROM THE CHARACTER AND APPEARANCE OF ITS SURROUNDINGS, ITS LANDSCAPE SETTING, OR CONTINUE A TRAFFIC HAZARD.**

13. This proposal will not detract from the character of appearance of its surroundings. In fact, the contemporary design will enhance the landscape setting.
14. There are no policies in the Mid Suffolk Local Plan that deal with self-build dwellings.

Mid Suffolk Core Strategy (2008) and Core Strategy Focussed Review (2012)

15. The Council's Core Strategy was published before the previous and current versions of the NPPF. The Core Strategy provides a spatial strategy and settlement hierarchy for development throughout the district. Policy CS1 of the Strategy designates Laxfield as a Primary Village.
16. Policy CS2 deals with development in the countryside. It confirms that replacement dwellings are one of the forms of development which is acceptable in the countryside.
17. The Council's Core Strategy Focussed Review (CSFR) was published in 2012 in response to the publication of the first edition of the NPPF. Policy FC1 of the CSFR only repeats what was in paragraph 14 of the NPPF 2012 and describes the presumption in favour of sustainable development. No other policies in the CSFR are relevant to this proposal.
18. There are no policies in the Core Strategy that are concerned with self-build dwellings.

Laxfield Neighbourhood Plan

19. Policy LAX1 sets out the Neighbourhood Spatial Strategy , it states:

**Policy LAX 1 - Spatial Strategy for Laxfield Neighbourhood Plan Area**

**The Neighbourhood Plan area will accommodate development commensurate with Laxfield's designation as a Primary Village in the 2008 Core Strategy (Policy CS1) and emerging designation as a Hinterland Village in the Joint Local Plan. The focus for new development will be within the Settlement Boundary as defined on the Policies Map. Proposals for development located outside the Settlement Boundary will only be permitted where they accord with national and strategic policies.**

20. In this case, as the proposal is for a replacement dwelling, it accords with Local Plan policy H8 so there is no conflict with policy LAX1.
21. Policy LAX6 deals with non-listed "Buildings of Local Significance". Neither Mill Cottage, the remains of the Mill or any other buildings at the site are designated as Buildings of Local Significance by the Neighbourhood Plan. Consequently, the local community has decided that none of the existing buildings at the site should be considered as non-designated heritage assets.

22. Policy LAX8 deals with dark skies, it states:

**Policy LAX 8 - Dark Skies**

**While ensuring that new developments are secure in terms of occupier and vehicle safety, dark skies are to be preferred over streetlights. Any future outdoor lighting systems should have a minimum impact on the environment, minimising light pollution and adverse effects on wildlife subject to highway safety, the needs of particular individuals or groups, and security. Schemes should reduce the consumption of energy by promoting efficient outdoor lighting technologies, keeping the night-time skies dark and reducing glare.**

23. This proposal has been carefully and sensitively designed and minimises light pollution.

24. Policy LAX9 deals with design, it states:

**Policy LAX 9 - Design Considerations**

**Proposals for new development must reflect the local character in the Neighbourhood Plan area and create and contribute to a high quality, safe and sustainable environment. In particular, proposals will be supported where, as appropriate to the proposal, they:**

**a. recognise and address the key features, characteristics, landscape/building character, local distinctiveness and special qualities of the area and/or building as identified in the Built Environment Character Assessment and, on sites located outside the Settlement Boundary, prepare a landscape character appraisal to demonstrate this;**

**b. maintain or create the village's sense of place and/or local character avoiding, where possible, developments which do not reflect the lane hierarchy and form of the settlement;**

**c. do not involve the loss of gardens, open, green or landscaped areas or the erosion of the settlement gaps identified on the Policies Map, which make a positive contribution to the character and appearance of that part of the village;**

**d. taking mitigation measures into account, do not result in a significant adverse effect on:**

**i. the historic character, architectural or archaeological heritage assets of the site and its surroundings, including those locally identified Buildings of Local Significance listed in Appendix 2 and as identified on the Policies Map;**

**ii. landscape characteristics including trees and ancient hedgerows and other prominent topographical features;**

**iii. identified important views into, out of, or within the village as identified on the Policies Map;**

**iv. sites, habitats, species and features of ecological interest;**

**v. the amenities of adjacent areas by reason of noise, smell, vibration, overlooking, overshadowing, loss of light, other pollution (including light pollution), or volume or type of vehicular activity generated; and/or residential amenity;**

- e. produce designs that respect the character, scale, height and density of the locality;**
- f. produce designs, in accordance with standards, that maintain or enhance the safety of the highway network ensuring that all appropriate vehicle parking is provided within the plot, a proportion of parking is provided on street but is well designed, located and integrated into the scheme to avoid obstruction to all highway users and visibility seeking always to ensure permeability through new housing areas, connecting any new development into the heart of the existing settlement, prioritising the movement of pedestrians and cyclists;**
- g. wherever possible ensure that development faces on to existing lanes, retaining the rural character and creates cross streets or new back streets in keeping with the settlement's hierarchy of routes;**
- h. do not result in water run-off that would add to or create surface water flooding; and shall include the use of above-ground open Sustainable Drainage Systems (SuDS). These could include wetland and other water features, which can help reduce flood risk whilst offering other benefits including water quality, amenity/ recreational areas, and biodiversity benefit;**
- i. where appropriate, make adequate provision for the covered storage of all wheelie bins and for cycle storage in accordance with adopted cycle parking standards;**
- j. include suitable ducting capable of accepting fibre to enable superfast broadband; and**
- k. provide one electronic vehicle charging point per new off-street parking place created.**

25. This proposal has been carefully and sensitively designed with full regard to the criteria of policy LAX9. Paragraph 130 (c) of the NPPF reiterates that proposals should be sympathetic to local character. However, it also states that planning policies should not prevent or discourage innovation. This proposal is an innovative design and should therefore be encouraged.

26. There are no policies in the Laxfield Neighbourhood Plan that deal with self-build dwellings.

National Planning Policy Framework (NPPF)

27. Paragraph 8 of the NPPF describes the three objectives of sustainable development as economic, social and environmental and states that these dimensions give rise to the need for the planning decisions to produce economic, social role and environmental benefits.

28. This proposal will fulfil the three objectives of sustainable development. Firstly, the development will provide economic benefits as it will enable the applicants and their

family to stay in the village and help to sustain the viability of local shops and services in Laxfield.

29. The development also fulfils the social objective of sustainable development by providing the applicants with a modern energy efficient home which meets their specific family requirements.
30. The development will fulfil the environmental role of sustainable development as the replacement dwelling will be constructed using the sustainable construction techniques described at paragraph 3. It will result in a dwelling which is far more energy efficient than the one it will replace. Furthermore, the site is also within cycling and walking distance of all local amenities. It is not wholly reliant on the use of the car for access to essential services.

#### MAIN PLANNING CONSIDERATIONS

31. In this case, both the development plan and the NPPF provide support in principle for the erection of a replacement dwelling in the countryside. The main issue therefore is whether the design of the new dwelling achieves the objectives of policy H8.
32. The proposed dwelling is a high-quality contemporary design. The design philosophy and sustainable credentials of the dwelling are explained in detail in the IF\_DO report. The proposed dwelling does not attempt to replicate past architectural styles, it is not a pastiche. It is clearly a dwelling of the twenty first century. It reflects the highest standards in architecture and will incorporate sustainable construction techniques. Consequently, the replacement dwelling accords with the design objectives of policies H8 and LAX9.
33. In normal circumstances, where a replacement dwelling is proposed in the countryside, the LPA will impose a planning condition on any approval requiring the existing dwelling to be demolished within 3 months of the new dwelling being first occupied. The reason being to ensure that the new dwelling is a replacement and not an additional dwelling. In this case, such a condition would not be appropriate as part of the existing dwelling is to be retained. However, in order to comply with policy, a condition or Planning Obligation could be used to ensure that the retained element of the existing dwelling, Mill Cottage, is used solely as ancillary accommodation.
34. There are other examples where the LPA has granted replacement dwellings where the original dwelling has been retained as ancillary accommodation. This is a sustainable

solution as it reduces the amount of new build and therefore places less demand on natural resources.

35. As previously stated, there are no policies in the Mid Suffolk Local Plan, the Mid Suffolk Core Strategy nor the Laxfield Neighbourhood Plan which deals specifically with self-build homes.
36. Paragraph 11 (D) of the NPPF directs that where there are no relevant development plan policies, permission should be granted subject to 11 (D) i or 11 (D) ii. None of the restrictions in footnote 7 to paragraph 11 (D) ii of the NPPF apply. Consequently, the tilted balance in favour of the development applies.
37. Furthermore, a recent Appeal decision in the district (**APP/W3520/W/23/3316136**) has confirmed that the Council has a shortfall of at least 133 self-build dwellings. This also weighs in favour of the proposal.

## **CONCLUSIONS**

38. The proposed development has been carefully and sensitively designed. It is a high quality sustainable development which accords with national and local planning policies and would cause no material harm to any interests of acknowledged importance.

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