



**James Bailey**  
**PLANNING**

**Document:** Planning Statement

**Title:** Hybrid Application on land adjacent to 2 School House, Straight Road, Batisford, IP14 2HD

**Client:** Mr E. Balaam & Mr C. Chester

**Date:** November 2023

## TABLE OF CONTENTS

<b>1. Introduction</b> .....	<b>1</b>
<b>2. Document Context</b> .....	<b>1</b>
<b>3. Site Context</b> .....	<b>2</b>
<b>4. Planning History</b> .....	<b>3</b>
<b>5. Proposed Development</b> .....	<b>4</b>
<b>6. Planning Policy Context</b> .....	<b>4</b>
<b>7. Planning Assessment</b> .....	<b>6</b>
<b>8. Conclusions</b> .....	<b>10</b>

## **1. Introduction**

- 1.1 This Planning Statement has been prepared by James Bailey Planning Limited, on behalf of our clients Mr. E. Balaam & Mr. M. Chester and is seeking hybrid planning consent on land adjacent to 2 School House, Battisford.
- 1.2 The proposed development site comprises the garden land, measuring 0.15 hectares of 2 School House, Straight Road, Battisford, IP14 2HD.
- 1.3 The applicants are seeking permission for a hybrid application comprising of an Outline application for two dwellings and garages and Full consent for associated access, turning and parking for No. 2 School House
- 1.4 This Hybrid application has been prepared in line with both adopted and emerging policy.

## **2. Document Context**

- 2.1 This Planning Statement comprises one element of the planning application submission, together with the application forms and the relevant plans and documents prepared. This Planning Statement should be read alongside the other documents that have been submitted to support the application.
- 2.2 A Covering Letter setting out the full list of submitted documents is provided to support this application. The statement is structured as follows.
  - Section 1 provides the description of the site and its context.
  - Section 2 provides the structure of this report.
  - Section 4 outlines the site's planning history.
  - Section 5 describes the proposed development.
  - Section 6 offers the planning policy context.
  - Section 7 offers the provides an assessment against policy of the development proposal; and
  - Section 8 presents the conclusions and recommendations.

### 3. Site Context

3.1 The site is located in a residential area, adjacent to 2 School House, Straight Road (thereafter referred to as 'The Existing Dwelling') in Battsford, Stowmarket. It is located approximately 4 miles south of Stowmarket, and 2 miles west of Needham Market.



*Figure 1 Identifying the site (Google Earth)*

- 3.2 The Existing Dwelling is under the client's ownership; however no works are proposed to The Existing Dwelling. Access to serve the existing and proposed dwellings and parking for The Existing Dwelling is included in the full element of this application.
- 3.3 The site is between residential dwellings immediately to the east and west as part of a ribbon line of development that fronts the highway, known as Straight Road. The wider surrounding area consists of agricultural land to the north and south.
- 3.4 The site is categorised as Grade 3 Agricultural land, although the planning use is private amenity land associated with The Existing Dwelling.
- 3.5 The southern boundary has several large trees and shrubs which currently provides sufficient screening from the highway. There are two trees that were recently designated with Tree Preservation Orders (TPO) in June 2023.
- 3.6 The site currently has an existing substandard vehicle access to the western side off Straight Road. As part of this application, a new access will be provided for both to the proposed dwellings and The Existing Dwelling.

3.7 The site is in Flood Zone 1. Land within flood zone 1 has a low probability of flooding from rivers and the sea. The extent of flooding from fluvial or surface water is very low and outside of the red line plan area.

#### **4. Planning History**

4.1 The relevant planning history of the site is set out below:

1. DC/19/00535 - Permission in Principle (PIP) - Erection of 1No dwelling and garage; Erection of additional garage to serve existing dwelling. Approved.
2. DC/23/02636 - Construction of new vehicular access. Withdrawn.

4.2 The fundamental issue with the withdrawn application (DC/23/02636) from Suffolk County Council (SCC) Highways, commenting that *'an existing tree is located within the illustrated access area and visibility splay...the impact upon the mature tree should be demonstrated'*.

4.3 Since the withdrawal of this application, two of the mature trees located along the site frontage have been designated with Tree Preservation Orders (TPO).

4.4 The comments received from SCC highways on the application withdrawn earlier this year (23/02636), and the subsequent TPO designations have shaped this application, regarding the proposed access and site layout.

4.5 This application has sought to address all previous concerns raised in terms of tree protection and visibility, and it is now considered that previous consultee concerns have been satisfied.

4.6 The TPO'd trees have been retained and protected, whilst visibility splays have been achieved and demonstrated, please see the AIA drawings and proposed site layout plan for further detail.

4.7 Permission for the erection of 1 new dwelling and a garage was granted in 2019 (2498/16). Although this permission was not implemented, and the permission is no longer extant, the principle of development for residential use was previously established.

## **5. Proposed Development**

- 5.1 Planning permission is sought for the erection of two semi-detached dwellings in Outline form. Full planning consent is also included for a new access off the highway to serve the existing and proposed dwellings, along with a driveway and parking to The Existing Dwelling.
- 5.2 A new vehicular access is proposed off Straight Road. The proposed access will be shared and will serve three dwellings, two proposed and one existing.
- 5.3 Each new dwelling will have a single garage and two parking spaces. The proposal also includes two parking spaces to serve The Existing Dwelling.
- 5.4 The proposal requires the removal of two trees (identified as T004 and T005 on the Tree Constraint Plan 10498-D-AIA prepared by Hayden's). Please refer to the Arboricultural Impact Assessment for further details.
- 5.5 An indicative layout plan for the two new dwellings has been submitted with this application and shows how this proposal may come forward at Reserved Matters stage, with the proposed dwellings sitting outside of any root protection zone of the TPO trees.
- 5.6 The proposed dwellings will be sympathetic to the surrounding amenity area, they will be setback from the main road, and will be similar in appearance, scale, and massing to the existing residential dwellings adjacent to the site.
- 5.7 The details of the two new dwellings will come forward during the Reserved Matters submission.

## **6. Planning Policy Context**

- 6.1 This section of the Planning Statement sets out the planning policy context that is relevant to the determination of this planning application.
- 6.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of an application must be made in accordance with the adopted Development Plan unless material considerations indicate otherwise.
- 6.3 The plan led system comprises a hierarchy of policies encompassing national and local planning policies and guidance.

### National Planning Policy Framework (NPPF) 2023

- 6.4 Planning Policy and Guidance from Government is provided by the National Planning Policy Framework (NPPF) originally published in March 2012, with further revisions in July 2018, February 2019, July 2021 and recently in September 2023.

- 6.5 The key principle of the NPPF is ‘sustainable development’, which is confirmed in Paragraph 7: *“the purpose of the planning system is to contribute to the achievement of sustainable development.”*
- 6.6 There are three *“overarching objectives which are independent and need to be pursued in mutually supportive ways”* that are set out by Government at Paragraph 8.
- 6.7 Paragraph 60 identifies an overarching objective for planning nationally as *‘significantly boosting the supply of homes’*. Furthermore, paragraph 69 specifically identifies sites of less than one hectare as suitable to deliver at least 10% of the annual housing requirement.
- 6.8 Paragraph 79 states that to promote sustainable development in rural areas, 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.

#### Local Development Plan

- 6.9 The Mid Suffolk Local Plan was adopted in 1998, and comprises the Core Strategy (2008) and saved policies.
- 6.10 The weight that can be attributed to these policies is moderate at best, with the New Joint Local Plan set to be adopted in November 2023.
- CS01- Settlement Hierarchy.
  - CS02- Development in the Countryside and Countryside Villages.
  - GP01 – Design and Layout of Development.
  - H13 – Design and Layout of Development.
  - H16 – Protecting Existing Residential Amenity.
  - H17 – Keeping residential development away from pollution.
  - CL08 – Protecting wildlife habitats.
  - T09 – Parking Standards; and
  - T10 – Highway Considerations in Development

#### New Joint Local Plan

- 6.11 Part One of the emerging Babergh Mid Suffolk Local Plan recently went through the final round of examination in June 2023. On September 19<sup>th</sup> 2023, the Inspector’s Report responding to the Council’s proposed modifications was published, concluding that the modifications satisfy the requirements and has been found sound and capable of adoption.
- 6.12 Part 1 of JLP is likely to be adopted in November 2023.

6.13 Policies of relevance to this application from Part One of the JLP have been identified and set out below.

- SP01 – Housing Needs.
- SP03 – The Sustainable Location of New Development.
- LP01 – Windfall Infill Development Outside Settlement Boundaries; and
- LP24 – Design and Residential Amenity.

## 7. Planning Assessment

7.1 Planning permission is sought for the erection of two semi-detached dwellings in Outline form. Full planning consent is also included for a new access off the highway to serve the existing and proposed dwellings, along with a driveway and parking to the existing dwelling. Therefore, this application takes the form of a hybrid application.

7.2 The key considerations in determining this application thereby include establishing the principle of development, access and parking. These considerations are assessed against local policy below.

### Principle of Development

7.3 It is acknowledged that under Policy CS1 of the Mid Suffolk Core Strategy, countryside villages lost their development boundaries preventing infill development, meaning the proposed development would not be policy compliant. However, the weight this policy carries is negligible, as it is set to be replaced by Part One of the JLP, which is likely to be adopted in November 2023 before this application is likely to be determined.

7.4 Policy SP03 states that *'Outside of the settlement boundaries, development will normally only be permitted where (c) it is in accordance with on the policies of this plan listed in Table 5'*.

7.5 Table 5 includes Policy LP01.

7.6 Policy LP01 in Part One of the JLP states, as updated in the Inspectors Report within MM28, that *'proposals for windfall infill<sup>18</sup> development outside settlement boundaries where there is a cluster of at least 10 well related dwellings will be acceptable, subject to compliance with all the following:*

- a. It would not be detrimental to the character and appearance of the settlement, landscape (including the AONB), residential amenity or any heritage, environmental or community assets.*
- b. It would not result in consolidating sporadic or ribbon development or result in loss of gaps between settlements resulting in coalescence; and*
- c. would usually be for only one or two dwellings.*



7.7 Footnote 18 within Policy LP01 (as per the Report on the Examination of the Babergh and Mid Suffolk Joint Local Plan, Sept 2023) provides the Plan's definition of an 'infill' as:

*'Infill - The filling of a small undeveloped plot in an otherwise built-up highway frontage.'*

7.8 The proposed location is bordered by four dwellings immediately to the west, and at least nine dwellings immediately to the east. This line of existing development consists of at least 13 dwellings, all fronting Straight Road and forming a ribbon pattern of development.

7.9 It is important to note that within the Report on the Examination of the Babergh and Mid Suffolk Joint Local Plan, the Inspectors acknowledges at paragraph 119 that the definition is not meant to be precise as; *'the plan cannot specifically address every eventuality, and we consider the wording provides an appropriate balance between providing clarity on where such development could be appropriate and what will need to be a matter of planning judgement, to be determined on a case-by-case basis'*.

7.10 It is therefore, JBPL's opinion that this existing line of development meets the tests of being a dwelling cluster that can support infill, as defined in Policy LP01 and the corresponding footnote 18.

7.11 This existing line of development has similar gaps between dwellings along Straight Road and the proposal would subdivide the existing garden to match these gaps. This approach maintains the character and appearance of Straight Road, with a new pair of semi-detached dwellings seamlessly slotting into the existing line of development, without consolidation of two lines of development or coalescence with an adjacent settlement.

7.12 The principle of development is further supported by the 2019 planning permission for residential development, reference 2498/16. Although this permission is no longer extant, this principle of development was agreed in an environment of less supportive planning policy.

7.13 Therefore, it is considered that the principle of development is supported by the Policies SP03 and LP01 of the Joint Local Plan, that currently holds significant weight and will likely hold full weight by the time the application is determined.

### Design

7.14 The site is part of the existing private amenity area of The Existing Dwelling.

7.15 The proposal will subdivide this private amenity area and introduce two new dwellings and associated private amenity space. This element is presented as an Outline application with all matters reserved except for access.

7.16 The proposed dwellings make up a single pair of semi-detached dwellings with detached garages and rear gardens. The plot sizes are similar to those that are along Straight Road and

the infill plot is large enough so that the proposal does not result in over development or a contrived design. The proposal therefore maintains the character of this road.

- 7.17 This scale and mass of these indicative dwellings are again, like that of the existing dwellings along Straight Road. The layout has been carefully thought out to ensure that they are stepped back from The Existing Dwelling to not compete with neighbouring plots, preventing any loss of existing residential amenity.
- 7.18 The access and subsequent driveway have been designed to allow for The Existing Dwelling to have a safe egress from the site and off-road parking. Currently, the site has a substandard access on the western side of the site. The visibility splays of which are substandard and significantly impacted by TPO'd tree. The proposal will move this access, to a more central position where splays can be met.
- 7.19 The driveway will be a permeable surface and new parking spaces will meet the Suffolk Parking Guidance (2021) and allow for the future occupiers to park off-road.
- 7.20 A close boarded fence will subdivide the Existing Dwelling from the proposed two dwellings. Details of boundary treatments between the proposed dwellings, along with the material pallet and elevational drawings will come forward as part of subsequent Reserved Matters applications.
- 7.21 In all, the proposal meets the tests set out in Policy LP24 relating to design and residential amenity.

#### Parking & Access

- 7.22 In line with the Suffolk Parking Standards, two vehicle parking spaces will be provided for both the existing and proposed dwellings, as well as two secure cycle spaces per dwelling.
- 7.23 As part of this application, a new access is proposed to serve the new dwellings and The Existing Dwelling. The proposed access and visibility splays are shown on Proposed Site Plan ref: 02.
- 7.24 There will be a slight increase in vehicle movements in and out of the site on to Straight Road as expected, however the increase will be associated with two new dwellings and will likely be minimal, with negligible associated impacts.

#### Landscaping and Trees

- 7.25 The majority of existing landscaping bordering the site will be retained, particularly on the northern and western boundaries of the site which creates a natural buffer between the site and adjacent dwellings and agricultural land.
- 7.26 An isolated area of hedgerow on the southern boundary will be removed to host the new access.

- 7.27 An Arboricultural Impact Assessment (AIA) (ref: 10498-D-AIA) has been undertaken by Hayden's Arboriculturists as part of this application.
- 7.28 The site contains two recent Tree Preservation Orders (TPOs) along the front of the site on two mature Oak trees, identified as trees 002 and 003 within the AIA.
- 7.29 Construction of foundations or structural supports will not encroach within the Root Protection Area (RPA) of any trees to be retained. Therefore, from an arboricultural perspective, no specialised construction or foundation techniques will be required to protect tree roots.
- 7.30 The trees that are to be removed are identified as T004 and T005 on the Tree Constraints Plan (10498-D-CP).
- 7.31 It is noted the removal of these unprotected trees is negligible and the overall character of the site and its surroundings will not be significantly affected.
- 7.32 Under the previous application for this site (DC/19/00535), an access in this position and the removal of the hedgerows was approved.

#### Ecology

- 7.33 As part of the previously approved application in 2016, an Ecological Appraisal was undertaken by MHE Consulting.
- 7.34 For this application, MHE Consulting have been re-commissioned to provide a new and updated report and carried out site visit 15<sup>th</sup> August 2023.
- 7.35 The Ecology Report (October 2023) by MHE Consulting concluded that there is no requirement for any further surveys on the site. The client is expecting conditions relating to the delivery of the recommendations made within this ecology report.

#### Land Contamination

- 7.36 Section 16a of the Local Validation List requires a Land Contamination Report (Phase 1 Desktop Study, without walkover) to be submitted with the application.
- 7.37 A desk study and Preliminary Risk Assessment has been prepared by Geosphere (22<sup>nd</sup> September 2023).
- 7.38 In addition, a Land Questionnaire has been completed for completeness.

## **8. Conclusions**

- 8.1 The proposed development is supported by Policies SP03 and LP01 of the New Joint Local Plan. The proposed development is therefore principally acceptable as it offers a suitable and obvious infill.
- 8.2 The proposal provides a new access to serve two new dwellings and The Existing Dwelling, known as 2 School House, Straight Road.
- 8.3 The new access will replace an existing substandard access and retain two TPO'd mature Oak Trees.
- 8.4 The proposal will be of a suitable scale and mass to maintain the character along Straight Road, moreover, there are no significant adverse impacts relating to landscape, residential amenity, and highways to warrant a refusal.
- 8.5 The proposal is considered to be policy compliant when assessed against the New Joint Local Plan, which is anticipated to be adopted at the point of determination.
- 8.6 It is therefore respectfully requested that this application is approved without delay in line with paragraph 11(c) of the NPPF.



**James Bailey**  
**PLANNING**

