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Planning statement to accompany a full planning application at the Mane Riding Centre, Old London Road, Copdock IP8 3JF.

On behalf of: A. & L. Coe

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Date: 24.10.2023

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Introduction

This planning statement accompanies a full planning application for the conversion of a stable to a self-contained dwellinghouse, The Paddocks Stables (C3), at the Mane Riding Centre, Old London Road, Copdock IP8 3JF.

Planning Direct has been instructed to produce this statement on behalf of Mr and Mrs Coe, owners and applicants. Since the conversion of the stable was finished over 4 years ago, the bungalow has been occupied by the applicants' son, his wife and their young daughter, who attends Copdock pre-school.

The site and the nature of the development are well known to the LPA, having been visited by the now-retired Enforcement Officer, Paul Scarff, in late January 2022. Paul Scarff had advised submitting a Lawful Development Certificate.

More recently, on 21.04.2023, the application site was also visited by Enforcement Officer David Steel and Principal Planning Officer Mark Russell. A subsequent visit was also conducted by Mr Steel on 19.10.2023.

Development proposals:

The proposal comprise the conversion of a stable to a self-contained dwellinghouse (C3) with parking provision and waste amenities (retrospective).

Planning Direct has been instructed to produce this statement on behalf of Mr A. & Mrs L. Coe, owners and applicants.

The statement should be read in conjunction with the following documentation:

- 2858.01.3 - COE - LOCATION PLAN.pdf
- 2858.02.3 - COE - SITE PLAN.pdf
- 2858.03.2 - COE - EXISTING PROPOSED GROUND FLOOR PLAN.pdf
- 2858.04.2 - COE - EXISTING PROPOSED WEST.pdf ELEVATION.pdf
- 2858.05.2 - COE - EXISTING PROPOSED SOUTH ELEVATION.pdf
- 2858.06.2 - COE - EXISTING PROPOSED EAST ELEVATION.pdf

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- 2858.07.2 - COE - EXISTING PROPOSED NORTH ELEVATION.pdf
 - 2858.08.2 - COE - EXISTING PROPOSED FACADE.pdf
 - Annexe A -APPEAL_DECISIONS copy.pdf
 - Annexe B - DC-22-02337 - pdf
 - Annexe C - Photographs.pdf
 - Annexe D - combined DL IR R to C_Land off Station Road.pdf
 - Annexe E -ufm2_Discharge_of_Condition(s)_-_Approval .pdf

Location & Site Description

Location:

The application site is located southwest of what was once an equestrian site known as the Mane Riding Centre, southeast of Old London Road in Copdock.

The village is characterised by tight-knit development to the south and a looser, more dispersed form of development in the vicinity of the application site. The southernmost area is within the defined village settlement boundary, whereas the area containing the application site is excluded. It nevertheless possesses a built-up character that suggests a sense of belonging to the village rather than the open countryside. Northwards is the nearby village of Washbrook.

Mane Riding Centre :

The application site is approximately 700 m south of Copdock and 1.5 km south of Washbrook.

The site is neither within nor near a Conservation Area or any area of special landscape designation.

The development would not be isolated in a visual sense, nestled amongst a cluster of residential and commercial developments, including a large Best Western Hotel called Cameo.

The building subject to this application, also known as *Paddocks Stables*, is within the Mane Riding Centre site and is a converted stable block into a residential house. The Mane Riding Centre is a former equestrian centre whose subsequent planning applications have turned it into a cluster of residential units.

The Mane Riding Centre has a complicated planning history. However, none of these is directly related to the current application site or development proposals (see the planning history section of this report for a summary of all relevant applications).

Development: Proposed Development

The development proposals consist of a very well-executed conversion of pre-existing stables into a bungalow (see Annexe C for external and internal photographs), with a garden, EV charger, parking area and access to the highway. The bungalow benefits from a main bedroom with an ensuite and walk-in wardrobe, a second bedroom, a family bathroom, an open-plan kitchen, a dining room, and a living room.

The garden can be accessed via a glazed sliding door in the kitchen area.

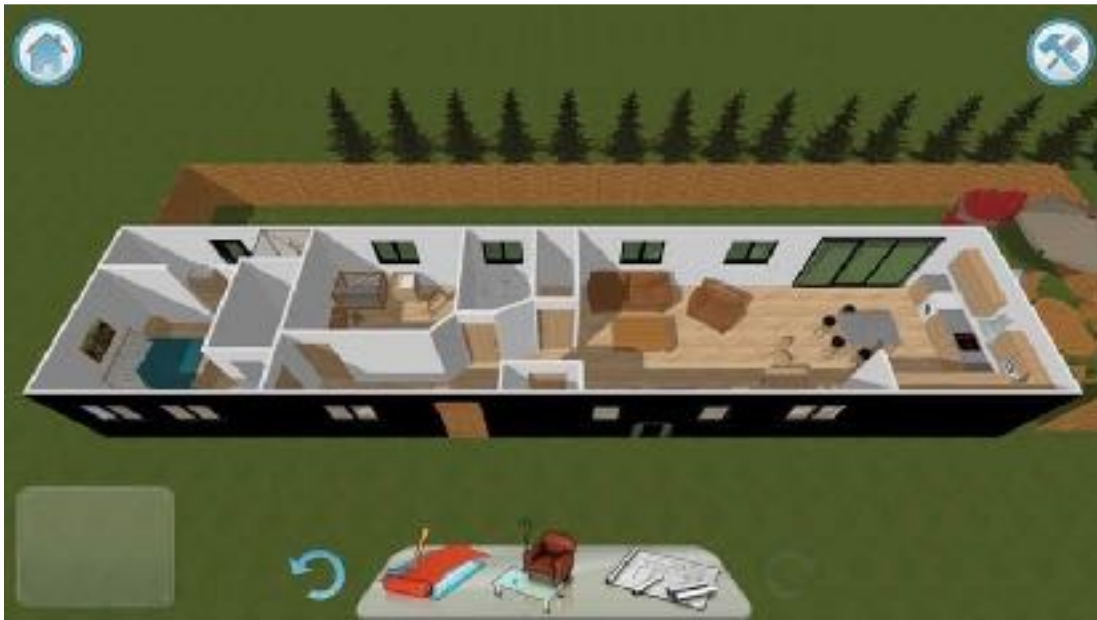


Fig.1: Illustrative drawing of the internal lay out.

The dimensions of the development are as follows:

- approx footprint: 87m²
- approx GIFA: 82m²
- approx garden: 100m²

According to the Technical Housing Standards, a 2-bedroom bungalow occupied by 3 people should have a minimum Gross Internal Floor Area of 61 m².

Although not adopted by Babergh Mid Suffolk Planning Authority, Ipswich Borough Council (IBC) indicates what might be considered acceptable in terms of outdoor space for a dwelling in Suffolk. The Supplementary *Planning Document Space & Design Guidelines* (Adopted November 2015) states that *Policy DM3* (IBC Core strategy and policies document): *Provision of Private Outdoor Amenity Space in New and Existing Developments* “For all houses, bungalows, or ground floor maisonettes with 1 or 2 bedrooms a minimum rear garden area of 50 sq. m.”

The proposed residential unit exceeds the minimum requirements, indicating that it is well suited to self-contained use and would provide a very high standard of living.

The Mane Riding Centre site benefits from ample space to provide parking facilities for the proposed development. The current resident uses the space due south of the bungalow to park their car.

The site also has ample space for the appropriate storage of bins and cycle stores.

Access:

Despite being semi-rural, the application site benefits from good access to Suffolk’s main road arteries, the A12 and A14.

The residents of the application site use the existing southern access to the highway, as shown on the submitted site location plan.

Despite being located by a disused dual carriageway, the traffic along this road has been light since the A12 construction. Therefore, crossing can be done safely to the other side of the road where a pavement leads to Copdock town centre.

The application site indeed benefits from a bus service that serves the 2 major towns of Ipswich and Colchester from Monday to Saturday, as demonstrated by the timetables below.

The bus stops are conveniently located near the application site, as shown on the Google map screenshots below.

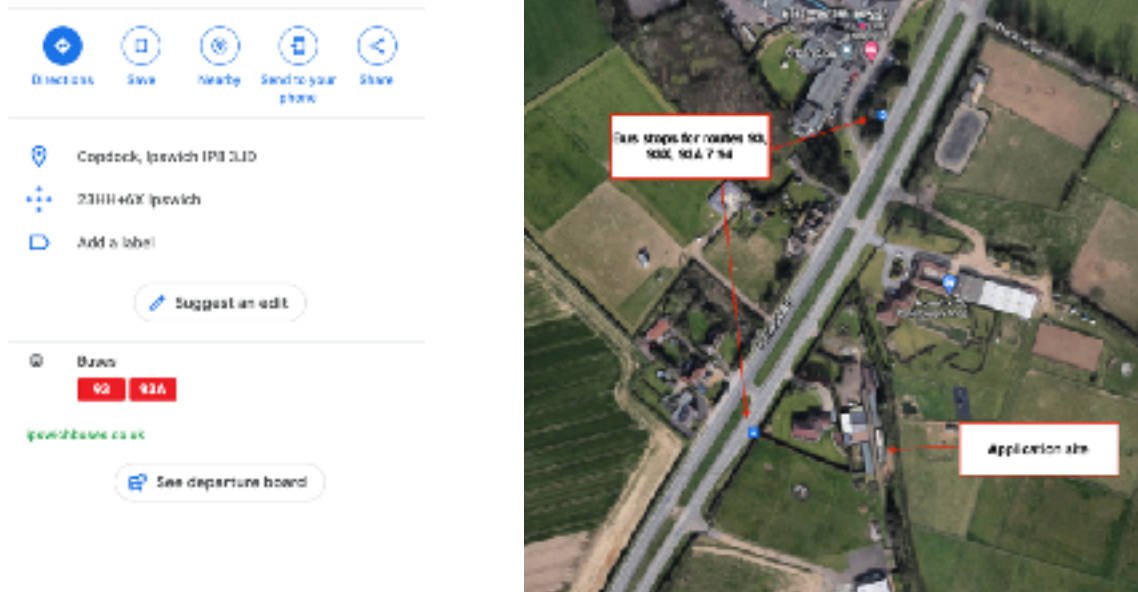


Fig.2: Aerial photograph of the application site and the adjacent bus stops.

Access as per the submitted plans is pre-existing and was built pursuant to planning application B//03/00840.

Parking

The Mane Riding Centre site benefits from ample space to provide parking facilities for the development and other residents of the site. The current resident uses the area adjacent to the bungalow, just south of his residence and accesses the highway via the existing access as per the submitted plans.

Waste facilities

The current occupants keep the bins within their curtilage and take them to the southern entrance on collection day.



Fig.3: Parking area.

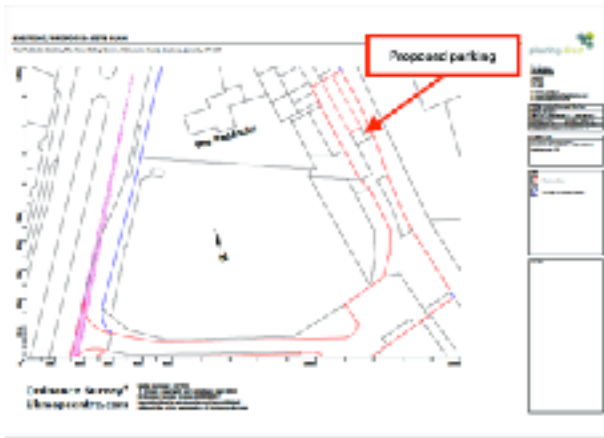


Fig.4.1: Existing access to the application site from the highway approved by planning permission B//03/00840.



Fig.4.2: Existing Gated entrance to The Stable Cottage and the applications site, and from where bins are being collected.

Other matters:

The site is located within Flood Zone 1, where there is a limited potential for flooding. MSDC's Land Contamination Officer, in relation to DC/21/06478 (Outline Planning Application Access to be considered, all other matters reserved Land To The North Of The Mane Riding Centre, Old London Road, Copdock And Washbrook, Suffolk IP8 3JF - Erection of 1 No dwelling) raised no objection to the proposal. Due to the site's proximity to the DC/21/06478 site and the retrospective nature of the application, an assessment of this site would likely result in the same conclusion.

Planning History

Reference no.	Description	Decision	Date
DC/23/04145	Discharge of Conditions Application for DC/22/02337 - Condition 4 (Boundary Treatment)	Approved	31.10.2023
TBC	Planning appeal for planning application DC/22/02337 (removal of condition 3)	Awaiting starting date	TBA
DC/23/01975	Application for a Lawful Development Certificate for an Existing or Operation or Activity including those in breach of a Planning Condition. Town and Country Planning Act 1990 (as amended) - Continued Use of building as dwelling house (C3)	Refused	31.08.2023
DC/22/02337	Full Planning Application - change of use from an ancillary annexe to a dwelling house now known as the Stable Cottage (C3).	Approved	23.06.2023
DC/22/02338	Full Planning Application - change of use from an ancillary annexe to a dwelling house now known as the Cherry Cottage (C3).	Approved	24.05.2023
DC/21/06478 - App/D3505/W/22/3297204	Outline Planning Application (Access to be considered, all other matters reserved) - Erection of 1 No dwelling.	Refused - Appeal allowed	01.02.2022 15.02.2023
DC/20/03455	Application for Modification or Discharge of S106 - Application under Section 106A of the Town and Country Planning Act 1990 for the discharge of a planning obligation in respect of the erection of a dwelling and garage under planning permission B/92/00345 and the circumstances for its occupancy.	Granted	10.10.2021

Reference no.	Description	Decision	Date
DC/19/05619 APPD3505/W/ 20/3248616	Application for Outline Planning Permission (Access, with all other matters reserved) - Erection of 1No dwelling.	Appealed allowed with conditions	30.01.2020 25.11.2020
DC/19/05526 AP/20/00013	Outline Planning Application (some matters reserved - access to be considered) - Erection of up to 9No dwellings for over 55s.	Refused - appeal dismissed	23.01.2020 02.07.2020
DC/19/05620	Full Planning Application - Conversion of outbuilding for use as an annexed accommodation for family member. The Paddockss Old London Road Copdock And Washbrook IP8 3JF	Approved	27.01.2020
DC/19/04223	Full Planning Application - Continued use of outbuilding as annexee for family member.	Granted	04.11.2019
B/16/01650	Erection of detached agricultural storage shed	Granted	09.03.2017
B/10/00353	Change of use from B1 (Business Use) to B8 (Storage & Distribution).	Granted	10.06.2010
B/08/00671	Retention of 1 No. Garage and 2 (No.) stores, to be used in association with existing equestrian use, and erection of 1 No. Cartlodge to be used ancillary to 'The Paddocks' dwelling house	Granted	02.07.2008
B//03/00840	Change of use from class D2 equestrian use to Class b1 Business use and construction of new vehicular access and access road.	Granted	02.07.2003
B//92/01004	Erection of stable block and construction of car parking area and new vehicular access	Granted	16.11.1992
B//93/00648	Submission of details under O.P.P. B/ 92/0345 - The siting, design, external appearance of, the means of access to and the landscaping of the site for a two storey dwelling with a double garage as amended by revised site plan received 03.08.93.		11.08.1993



Reference no.	Description	Decision	Date
B//92/00345	Outline - erection of a dwelling and garage.	Granted	09.02.1993
B//92/01003	Erection of rear conservatory.	Granted	09.10.1992



Policy Justification

National

NPPF (2023)

Paragraph 8 - The 3 overarching objectives of achieving sustainable development - economic, social and environmental. The social objective includes the establishment of strong communities by ensuring that a sufficient range of homes can be provided to meet the needs of existing and future generations, and by fostering a safe and accessible environment.

Paragraph 10 - Achieving Sustainable Development - so that sustainable development is pursued in a positive way, at the heart of the Framework is a *presumption in favour of sustainable development*.

Paragraph 60 - The Government objective to significantly boost the supply of homes.

Paragraph 69 - Small sites can make an important contribution to meeting housing requirements.

Paragraph 79 - Housing should be located where it will support rural communities, and planning policies should identify opportunities for villages to grow and thrive, especially where local services would be supported. Development in one village can support villages elsewhere.

Paragraph 80 - Isolated homes should be avoided in the countryside unless specified particular circumstances apply.

Paragraph 103 - Opportunities to maximise sustainable transport solutions will differ between rural and urban areas.

Paragraph 117 - Planning decisions should promote an effective use of land in meeting the need for homes.

National Planning Policy Guidance

Paragraph 42 - Well-designed new development is integrated into its wider surroundings, physically, socially and visually.

Paragraph 009 - A wide range of settlements can play a role in delivering sustainable development in rural areas, so blanket policies restricting housing development in some types of settlement will need to be supported by robust evidence of their appropriateness.

Local

Babergh Core Strategy 2014

CN01 - Design Standards.

CS01 - Applying the presumption in Favour of Sustainable Development in Babergh.

CS02 - Settlement Pattern Policy.

The application site is within a designated hinterland village, the policy for which is - Hinterland Villages will accommodate some development to help meet the needs within them. All proposals will be assessed against Policy CS11. Site allocations to meet housing and employment needs may be made in the Site Allocations document where circumstances suggest this approach may be necessary. 0837- The Paddocks Stables 15

CS11 - Strategy for development of Core and Hinterland Villages

Proposals for development for Core Villages will be approved where proposals score positively when assessed against Policy CS15 and the following matters are addressed to the satisfaction of the local planning authority (or other decision maker) where relevant and appropriate to the scale and location of the proposal:

- i) the landscape, environmental and heritage characteristics of the village;
- ii) the locational context of the village and the proposed development (particularly the

AONBs, Conservation Areas, and heritage assets);
iii) site location and sequential approach to site selection; iv) locally identified need - housing and employment, and specific local needs such as affordable housing; v) locally identified community needs; and
vi) cumulative impact of development in the area in respect of social, physical and environmental impacts. Development in Hinterland Villages will be approved where proposals are able to demonstrate a close functional relationship to the existing settlement on sites where the relevant issues listed above are addressed to the satisfaction of the local planning authority (or other decision maker) and where the proposed development:

- i) Is well designed and appropriate in size/scale, layout and character to its setting and to the village;
- ii) Is adjacent or well related to the existing pattern of development for that settlement;
- iii) Meets a proven local need, such as affordable housing or targeted market housing identified in an adopted community local plan/neighbourhood plan;
- iv) Supports local services and/or creates or expands employment opportunities; and
- v) Does not compromise the delivery of permitted or identified schemes in adopted community/village local plans within the same functional cluster. The cumulative impact of development both within the Hinterland Village in which the development is proposed and within the functional cluster of villages in which it is located will be a material consideration when assessing such proposals.

All proposals for development in Hinterland Villages must demonstrate how they meet the above mentioned criteria.

The Core and Hinterland Villages identified in the Spatial Strategy provide for the day to-day needs of local communities, and facilities and services such as shops, post offices, pubs, petrol stations, community halls, etc that provide for the needs of local communities will be safeguarded.

CS15 - Implementing Sustainable Development

This sets out a range of criteria including respect of landscape feature, good level of access to amenities and consider and climate change.

TP15 - Parking Standards - New Development

Copdock and Washbrook Neighbourhood Plan

The Plan was rejected by a majority vote at a Parish referendum in December. Therefore, no weight accrues to it.

Emerging Babergh and Mid Suffolk Joint Local Plan

The KLPa informs us that on 19th September 2023, the Babergh and Mid Suffolk District Councils received the Inspectors' report on examining the Joint Local Plan. The Inspectors have concluded that the Plan is sound subject to the recommended modifications. Accordingly, officers have considered the modified policies, having regard to the requirements of paragraph 48 of the NPPF, as relevant to the determination of this planning application. In this case, the JLP and its policies are a material consideration of significant weight.

SP03 - The sustainable location of new development

LP04 - Replacement Dwellings In The Countryside (Outside of Settlement Boundaries)

LP01 - Windfall infill development outside settlement boundaries

LP23 - Sustainable Construction and Design

LP24 - Design and Residential Amenity

Key Social Issues

i. Delivering Housing

Significant numbers of new homes need to be planned for over the Plan period along with employment and community facilities and services in Babergh and Mid Suffolk respectively.

ii. Achieving an Uplift in Delivery

Rates of annual housing delivery in Babergh and Mid Suffolk have been consistently below target. The number of homes to be delivered per annum has increased with the application of the Standard Methodology which means that from 2018 onwards the annual rate of housing to be delivered has also increased by a total 40% in each council. The revised uplift in housing numbers compounds the challenges of delivery.

iii. A Growing & Ageing Population

By 2035 the population in Babergh is expected to grow by around 7,300 people in Babergh and by approximately 9,300 people in Mid Suffolk, an increase of 8% and 9.2% respectively.⁹ The increasing age of the population is a significant factor contributing to the overall level of population growth. Both Districts have an ageing population with 23 to 39-year olds representing the single largest age group at present. In addition, a significant percentage of the population are aged 65 years or older (26.2% in Babergh and 24.5% in Mid Suffolk). Babergh and Mid Suffolk also have a relatively long-life expectancy at about 81 years for males and about 84 years for females. As the population ages, there will be different demands on housing, infrastructure, services and facilities.

iv. High Levels of Housing Need and a Poor Affordability

House prices on average are more than 11 times above the average earnings of residents in Babergh and 9 times above the average earnings in Mid Suffolk and rural parts of the Districts are unaffordable for many.¹⁰

Babergh & Mid Suffolk Joint Local Plan Preferred Options (July 2019) p. 11.

Commentary

Principle of development

Policy CS2 designates Copdock and Washbrook as a Hinterland Village. Policy CS2 requires that outside of the settlement boundary, development will only be permitted in exceptional circumstances subject to a proven justified need. However, this approach is inconsistent with the Framework, favouring a more balanced decision-making approach. This has been established through various appeals, including those identified below:

The Secretary of State in Long Melford, Suffolk (reference: APP/D3505/W/18/3214377, submitted under Annexe H) decision was issued on 1st April 2020. In respect of policy CS2, paragraph 166 of the Inspector's Report states:

"It's [CS2] development management test for development in the countryside is out of date as the Council accepts that the requirement to demonstrate exceptional circumstances for development in the countryside conflicts with the NPPF. That conflict means that the policy must have the weight afforded to it reduced. To reduce the weight to the policy from substantial to significant as a result of the lack of a five year supply, which is the Council's approach, shows that it affords too great a weight to the policy with its defective development management test. The NPPF does not contain a blanket approach to development in the countryside, still less does it impose a test of exceptional circumstances for such development."

4 no. dwellings in Greenlawns Bonsai Nursery, Boxford (reference: APP/D3505/W/19/3240526) issued on 11th March 2020. In paragraph 24, the Inspector states:

"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."

In the case of a recent appeal at The Paddocks for DSC/19/05619, the Inspector said in paragraph 7 (See annexe A):

"The policy requires that outside the Hinterland Villages and in the countryside, development will only be permitted in exceptional circumstances subject to a proven justified need. However, the Planning Officer's Delegated report advises that the exceptional circumstances test in LPCSP policy CS2 is not consistent with the Framework, is deemed out of date, and can only be accorded limited weight."

He also states in paragraph 9 that:

"Copdock has a limited range of public facilities. However, there is a bus stop next to the appeal site and bus services are available to Ipswich and Colchester. The Council considers that the proposed development would be remote from local services because it does not form a close functional relationship with a designated settlement and is spatially divorced from the main built up area. Despite this, such a view does not appear to have ruled out other developments in the vicinity."

The application site is outside the defined settlement limits but is plainly within a built-up area and, therefore, not isolated in terms of the Framework paragraph 80. The Paddocks and related outbuildings are to the west near the highway, 2 approved building plots to the north, 2 recently converted annexes to dwelling houses to the west and south, and commercial premises to the north and south. Housing fronts the Old London Road opposite, and the Best Western Ipswich hotel is nearby.

The Old London Road is particularly conducive to cycling, being the old trunk road and very lightly trafficked. The Copdock Interchange A12/A14 nearby includes a retail park, and also nearby is Suffolk One, a 6th-form state college. Copdock has a primary school and various services and facilities as befits a Hinterland Village.

Drawn village limits do not necessarily echo realities on the ground, as confirmed by *Wood v SoS CLG and another [2014] EWHC 683* which states that the extent of the defined village framework is not necessarily determinative as to whether a proposal would constitute limited infill development in a village.

Therefore, non-compliance with CS2 is not determinative, and plainly, the location is sustainable.

This view was also upheld through the adjacent planning permissions DC/22/02337 and DC/22/02338, which saw the conversions of ancillary annexes to dwelling houses on the Mane Riding Centre site. It is, therefore, compliant with the emerging policy of the JLP SP03, which requires new development to be located in a sustainable location.

The above approvals confirm the location to be suitable for the very modest quantum of residential development proposed here despite its lack of BUABs.

Policy CS 11 provides greater flexibility in the location of new housing development in Core and Hinterland Villages outside settlement boundaries -

“2.8.5.7 The BUABs defined in the 2006 Local Plan Saved Policies and later in a future DPD for Site Allocations, provide a useful starting point when considering the relationship of proposed development in relation to the existing pattern of development for that settlement and for defining the extent of its developed area and a distinction between the built up area and the countryside. Policy CS11 intentionally provides greater flexibility for appropriate development beyond these, for identified Core and Hinterland villages subject to specified criteria. [as below]”

The proposed change of use is assessed against all relevant criteria of policy CS11 as follows:

(i) - The locality has no special landscape, environmental or heritage characteristics which might have constrained the planning proposal. It is within a cluster of buildings, including a hotel fronting the de-trunked Old London Road. The landform is flat, and the buildings have little cohesiveness or uniformity. The development was an existing stable to the south of the Mane Riding Centre and The Paddocks to the north, appearing well contained in the landscape. As the building existed and the mass and scale of the original building had not changed, the new fenestrations would not impact the landscape so much as to warrant a refusal.

(ii) - Locational context - there are no AONBs, conservation areas, heritage assets or

other locational features likely to be affected by the development, partly due to its location and partly due to the site's established residential use.

(iii) - Site location and sequential approach - there are no sites within the defined BUAB of Copdock, this being fully developed, and no allocations suited to the small-scale development proposed. This inevitably means more development outside as permitted under CS11. Much new development has been allowed near the site, notably Plot 1 & 2, Cherry Cottage and of The Paddocks (Annexe A), The Cameo Hotel and Rear of Brooke House. Furthermore, Holly Cottage was allowed on appeal, as was Land south of The Paddocks, albeit occupation was tied to an adjacent factory.

R (on the application of East Bergholt PC) v Babergh DC [2016] EWHC 3400 (Admin) has clarified that in relation to sequential assessment, there is no requirement to consider alternative sites adjoining the settlement boundary, as sequentially they are within the same tier.

In terms of the sequential approach, it is clear that the proposed conversion of a stable within a residential complex to a self-contained dwelling house - with no additional environmental harm or embodied carbon associated with the net increase in local housing stock - deserves to be given even greater preference than the use of brownfield sites.

(iv) - Meets local housing need - This conversion initially occurred because the current occupier needed to be close to his family for mental health reasons. His father still resides in the adjacent dwelling recently approved by DC/22/02337 (Annexe B).

The need to increase the stock of accessible, single-storey residential units is well-established nationally and locally. In addition, the Inspector involved in appeal APP/D3505/W/19/3242769 confirmed that it would not be proportionate to require all small developments to be supported by a local housing need assessment, notwithstanding the requirement of policy CS11. As a result, the Inspector granted planning permission for the brand new construction of 4 market two-storey dwellings in a Hinterland Village despite the developer failing to establish a clear local housing need. Given that this is a scheme for a single dwelling of a type for which there is compelling district and nationwide need, there should be no objection. The case officer also upheld this via accessing DC/22/02337 (Annexe B).

(v) - Locally identified community needs - Once more, small developments are generally not required to provide this assessment. The development will support the community through the Community Infrastructure Levy. This is also the officer's conclusion assessing DC/22/02337 (see Annexe B).

(vi) - Cumulative impacts of the development - the single dwelling would have no more impacts than it does currently in its ancillary residential use. This will be further discussed in this statement.

CS11 policy lists a further 5 requirements :

(i) - *Appropriate in scale* - the scale of the building has not changed from its original use.

(ii) - *Well-related to the pattern of development* - The building exists, and its conversion to self-contained use would cause no material change to the established pattern of development. The building maintains enough separation from the host dwelling such that its separate/self-contained use would not be odd or detrimental to residents of either site. Furthermore, it uses lawful access to the highway shared with the adjacent dwelling house, Stable Cottage.

The recently approved decision DC/23/04145 (Annexe E) confirms that the boundary treatment of the adjacent dwellinghouse Stable Cottage contributes to *“physically associate the dwelling with the main group of buildings and to ensure better connectivity for the proposed dwelling to its neighbours, in the interests of a well-integrated development.”* Because the same boundary treatment encapsulates the application site, it is also well-connected to its neighbours and is a well-integrated development.

(ii) - *Meets a proven need* - see response to provision (iv) above.

(iii) - *Supports local services* - the proposals would support local shops and services. The occupant's child currently uses the local preschool. Of note, this formal conversion to a dwelling house would generate additional council tax.

(iv) - *Does not compromise other schemes* - The proposal has existed for over 4 years. This statement will discuss further how this has no detrimental impact on nearby or

adjacent dwelling houses.

Policy CS15 appears to conflict with the Framework and is therefore out of date. This was the finding of the Inspector involved in the recent appeal at The Paddocks for plot 2 (Annexe A):

“8. LPCSP policy CS11 defines the strategy for development in Core and Hinterland villages. LPCSP policy CS15 concerns implementing sustainable development and sets criteria which development will be required to meet. However, due to the range and detail of its criteria, policy CS15 may be considered not entirely consistent with the Framework.”

As far as the detailed criteria are concerned, landscape impacts have been considered previously (i and ii and approved upheld by approved DC/23/04145 - see annexe E); the development would contribute to local services through additional spending in the village, provide building employment (iii, iv and v), a bungalow development would be suited to those with impaired mobility (vi) and xvi), it is a brownfield site (vii), reduced carbon measures can be addressed by conditions (viii, xii, xiii, xiv, xv and xix), open space is not a reason for refusal (ix and x), the site is within flood zone 1(xi) and we have discussed above how the site is in a sustainable location as acknowledged above. Therefore, the proposals are compliant to the extent that CS15 is relevant.

In terms of housing land supply, a 5 year supply does not automatically preclude sustainable development because the government intends to significantly boost the housing supply (paragraph 60 of the Framework). The 5-year figure does not, therefore, constitute a “cap” on housing delivery, and this is as noted in the Long Melford appeal decision (ref: APP/D3505/W/18/3214377, Annexe D), paragraph 53:

“Although the local authority can now demonstrate a supply of housing land above 5 years, this figure is a baseline and not a ceiling "In the light of the identified local need, and the Government’s objective of significantly boosting the supply of homes (Framework 2019, paragraph 59, echoed by Paragraph 60 of Framework 2021), he considers that the housing delivery should carry significant weight.”

This is in line with the JLP Key Social Issues (see p.19 of this statement), which recognise the need to achieve an uplift in affordable housing delivery and respond to

the need for an ageing population.

Irrespective of the housing land supply position, it is established above that a number of the local policies most important for determining the application (including CS2) are out-of-date. Consequently, the tilted balance in paragraph 11(d) is engaged. This requires planning permission to be granted 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.

No such protective policies in the NPPF (including those on habitats sites, Green Belts, SSSIs, AONBS, etc.) would provide a clear reason to refuse this particular development in this location. It has also been demonstrated that the proposal complies with emerging policies that have now gained weight.

As a result, permission is due unless “any adverse impacts of doing so would significantly and demonstrably outweigh the benefits”. The below sections of this commentary will establish that there are no adverse impacts of granting permission in this instance that would significantly and demonstrably outweigh the benefits.

Impact on the locality - character, appearance & amenity

Concerning the following, the development would have an acceptable impact on existing residential amenities and would provide a high standard of amenities to future occupants of the scheme itself.

Relevant policies of the Joint Local Plan include LP03, which relates to the design of residential conversions and covers all aspects of the impact it might have in terms of character and appearance. Also, LP24 requires all new developments to be of a high standard, protecting the character and amenity of the existing area. The aims of these policies are consistent with those denoted above of the Babergh Local Plan; there is no conflict with these policies in principle.

Policy LP03 - Residential Extensions and Conversions is worded as follows:

- 1) *Proposals for development within the curtilage of existing dwellings, extensions to existing dwellings or conversions within residential dwelling curtilage may be permitted providing they;*
 - a) *Are in keeping with the size, scale, mass, design and materials of the existing dwelling and wider setting.*

The proposed conversion made use of a pre-existing stable whose modest size, scale, mass and design are proportional to existing dwellings. Due to its location, it cannot be seen from the highway. The black feather-edge wooden cladding is part of the local vernacular. It contributes to retaining the original rural character of the site and is therefore also compliant with the aim of LP24.

- b) *Will not result in over-development of the plot or within the curtilage or create an incongruous impact. The cumulative effects of a number of extensions or conversions to the existing dwelling or dwelling curtilage will be regarded as a material consideration.*

The Paddocks Stables and its neighbouring Stable Cottage have all the required indoor and outdoor amenities to function without negatively impacting each other and have done so for over 4 years.

The site and the nature of the proposed development are well-known to the LPA. It was visited by the now-retired Enforcement Officer, Paul Scarff, in late January 2022. Paul Scarff had advised submitting a Lawful Development Certificate to regularise The Paddocks Stables, but unfortunately, this application was unsuccessful. This does not imply that it was not a house for over 4 years but simply that, given the presented evidence, such a conclusion could not be reached on the balance of probability.

More recently, on 21.04.2023, the application site was also visited by Enforcement Officer David Steel and Principal Planning Officer Mark Russell as part of the assessment for the adjacent dwelling, The Stable Cottage. On this occasion, Mr Steel inspected The Paddocks Stables internally. A subsequent visit was also conducted by Mr Steel on 19.10.2023.

When assessing the change of use of the Stable Cottage (Annexe B) surroundings, at no point has the LPA deemed that the opposite building (The Paddocks Stables - the subject of the application discussed in this statement) had a detrimental impact on its amenities.

Reciprocally, this assessment can also be applied to The Paddocks Stables; therefore, it does not amount to over-development.

c) Incorporate good quality design which maintains or enhances the character and appearance of the building, street scene and surroundings and reflects and respects the relationship of the site and its context setting and those of any adjoining properties.

See response to criterion a.

As required by policies CR8 and CR7, the site's hedgerows were and will be preserved. Although the site is outside the BUAB, it is already in situ and appears well-related to the surrounding sporadic housing development due to its original use.

The existing development is far enough from the highway, and no change was made to its scale or mass. Consequently, it has no greater visual impact than it used to as a stable. Therefore, the proposal is compliant with Paragraph 127 of the Framework.

The proposal is therefore also supported by Paragraph 127 of the Framework, which states that the development should function well and add to the quality of the area, are visually attractive due to good architecture and layout and are sympathetic to local character. This is echoed in Paragraph 42 of the NPPG.

d) Will not materially, unacceptably or detrimentally affect the amenities of neighbouring properties or adversely affect neighbouring commercial uses.

The 2 dwellings have all the required indoor and outdoor amenities, including parking facilities and waste management, to function without negatively impacting each other. They have also been functioning successfully for at least 4 years.

The site and the nature of the proposed development are well-known to the LPA. The Officer in Annexe B assessing the Stable Cottage states, "*There would be a number of openings around the annexe; however, it is considered to cause negligible adverse overlooking potential as it would look out towards open countryside. There would be no adverse harm caused to residential amenity to warrant refusal.*"

The proposal is a mirror image of Stable Cottage, slightly offset due north and facing open countryside to the east. Therefore, this assessment can also be applied to the proposal which will not harm neighbouring amenities and is therefore deemed to be acceptable.

It is probably for this reason that having been on site to assess the Stable Cottage change of use, at no point has the LPA deemed that the opposite building (The Paddocks Stables) was not having a detrimental impact on its amenities and vice versa.

e) Would not cause the felling of or any damage to any significant trees and hedgerows that contribute to the environmental quality and visual amenity benefits of the locality. Ecology/biodiversity may be a material consideration as part of the assessment.

The proposal was a stable, and its conversion into a dwellinghouse did not require removing trees or hedgerows.

The proposal cannot be seen from the highway, and to the east is edged by a mature treed boundary. Therefore, it has no more visual impact on the locality than when it was

a stable.

No further work is required to realise this change of use.

f) Have safe vehicular access, and sufficient space remains available to park vehicles in the curtilage of the dwelling. Consideration will be given to any relevant parking standards that may need to be taken into consideration.

The access to the highway was approved by planning permission B//03/00840. The retrospective dwellinghouse proposed will not amount to any intensification of this access because, historically, it would have been used by people using the stable.

TP15 states, *"The development will not be permitted if existing car parking provision is so low that on-street parking associated with the development would create a highway safety or amenity problem."*

The submitted plans demonstrate that there will be sufficient parking provision on site for the size of the proposed dwelling and that vehicles can exit in a forward gear, as required by policy TP15.

Regarding cycle storage, the applicant already has a shed within his garden which can accommodate at least 2 no. bicycles.

It has been demonstrated in this chapter that the proposal comprises a well-appointed development with all the required amenities and was created without any detrimental impact on the locality and the neighbouring dwellinghouse, which would not warrant refusal. It is considered to fully comply with the relevant policies.

Impact on the wider locality

This development falls within the 13 km 'zone of influence' for the Stour and Orwell Estuaries Special Protection Area (SPA) and Ramsar site, as set out in the Suffolk Recreational Disturbance Avoidance and Mitigation Strategy ('RAMS'). It is anticipated that Natural England would require a suitable contribution to the RAMS. This will be sought and submitted as part of the application once a case reference is obtained upon the application validation.

Conclusion

The proposed dwelling is outside the settlement boundary but within a built-up area where a significant volume of residential development has been granted consent either by the LPA or at appeal.

Case law precedent has established that blanket policies precluding development outside defined settlement boundaries are contrary to the Framework, including CS2 and CS15 of the Babergh Core Strategy. CS11 allows development outside settlement boundaries subject to compliance with a range of criteria. The proposals comply with CS11.

The development constitutes the best possible use of an existing domestic building that is inherently capable of self-contained use. The locality is not subject to special protection and has no restrictive designations. The single dwelling proposed would have no adverse impacts on the character and appearance of the locality and cause no loss of amenity to neighbouring occupiers.

The site is in a sustainable location close to facilities, services, and Copdock retail park.

The proposal delivers a positive planning outcome, constituting sustainable development supported by local (adopted and emerging) and national policies. As the tilted balance is engaged, it is also necessary to consider the various positive and negative impacts associated with granting planning permission in this instance. These are summarised in the below table.

Adverse impacts	Benefits	Neutral
	Best possible use of an established C3 site and building (and its embodied carbon) to increase national housing supply	Accordance with strategic approach to location of development (CS11) and sustainable location of new development (SP03)
	Addition of an accessible and affordable, single-storey dwelling to local housing stock	No change to site occupancy levels or vehicle movements

	Additional council tax	
	Support local services	

Having due regard to the contents of the above table, it could not reasonably be concluded that the adverse impacts of granting planning permission would “significantly and demonstrably” outweigh the benefits of doing so.

It is the professional opinion of Planning Direct that this retrospective conversion application ought to be approved without delay.