

# **Land to the north of The Barn, The Street Assington**

**Proposed single storey two bedroom self-build  
dwelling**

**Planning Statement**

**Peter Le Gry**

**Stanfords**

**November 2023**

## **1.0 Introduction**

- 1.1 This Planning Statement has been prepared on behalf of Mr T. Thain is submitted in support of a planning application for the development of a single storey two bedroom self-build dwelling on land to the east of The Barn, Assington. This application follows a recent appeal decision for the same site.
- 1.2 This statement should be treated as forming part of the application, and includes details on the site and its surroundings, the intended scheme and how it relates to adopted and emerging planning policies. Although the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2013 removed the requirement for Design and Access Statements to be submitted with minor planning applications, this statement is submitted to explain the rationale behind the development to assist the Local Planning Authority in making its decision.

## **2.0 Physical Context**

- 2.1 The application site is located to the east side of The Street, and is immediately to the north of the Assington Barns complex adjacent to the ribbon of housing along this side of the road. The village is a linear 'hinterland' settlement with properties running along the one main road, but also includes the Vicary Estate and Meadow Way together with the new housing development at the northern end of The Street known as St Edmunds Close. The village is characterised by a number of larger detached properties and some semi-detached houses. The site is enclosed with fencing and previously was used for overflow parking contained a large polytunnel associated with the garden centre.
- 2.2 Assington has a wide range of services and facilities comparable to other villages of similar size. Located to the north is the Shoulder of Mutton Public House, while the busy Assington Barns complex alongside includes a convenience store, restaurant, tearoom, plant centre, interior design business, hair studio and health facility. The village hall and playing fields are located a little to the south. The village hall contains an outreach Post Office, while there is a motor repair garage within the village. A

regular bus service connects the village with Colchester railway station (with direct service to London, Liverpool Street), Colchester and Sudbury schools, Sudbury bus station and town centre. The bus stop is located approximately 300m from the entrance in to the site.

### **3.0 Relevant Planning History**

- 3.1 A planning application for 4 almshouse type dwellings was dismissed on appeal in July 2023 (reference DC/21/00510).

### **4.0 The Proposal**

- 4.1 This scheme proposes development of a two bedroom bungalow on a plot comparable to the dwellings recently constructed immediately to the east of the site. It has been designed to ensure that the primary outlook from the accommodation would be to the south and east, overlooking the garden and towards the neighbouring bungalow. Between the dwelling and the overflow car park an extensive hedgerow would be planted to screen the operations at the rear of the village shop. The dwelling would be constructed with facing brick and plain roof tiles to reflect the neighbouring dwellings. The private amenity area would exceed the Council's minimum requirements while car parking and cycle storage would be provided to accord with the adopted standards. No overlooking, loss of privacy or impact upon the amenities of any neighbouring dwelling would result.
- 4.2 Outline planning permission was refused and dismissed on appeal earlier this year for the development of four x 1 bed almshouse type dwellings. In the decision letter, the Inspector found that the site was in a sustainable location and was located within the settlement boundary for the village. The Inspector examined whether the development would provide suitable living conditions with regard to external space and outlook, the effect on the character and appearance of the site and surroundings, whether there was any risk from surface water flooding and whether the scheme would affect the provision of community facilities.

- 4.3 Concern was raised by the Inspector that the outlook on to a hardstanding would be inappropriate for four dwellings together with the reduced amenity space available. Reference was also made to the use for car parking, with suggestions that this parking area was in use and the loss of such parking had not been proved. In this case, the proposed dwelling has been redesigned, considerably reduced in size and repositioned within the site. In respect of the car parking loss, as explained within our appeal, this was a casual parking area on an area of rough ground and only in occasional use. In fact, planning permission does not exist for this parking area. The approved schemes (see B/01/02008 and B16/013460) do not include this area for car parking. Thus, the Inspector's comments regarding the authorised use of this area for car parking and the loss of car parking for the overall Assington Barns development was misguided.
- 4.4 In terms of the character and appearance of the site, the Inspector opined that surrounding area comprised dwellings set within spacious plots. Accordingly, the current scheme proposes just one dwelling within the same site area.
- 4.5 In terms of flooding, this scheme relates solely to an area significantly below the required threshold for a FRA, and not within Flood Zones 2 & 3. As the scheme is not associated with any other development proposals, the cumulative concerns raised within the appeal decision no longer arise. There is no evidence of any surface water flooding issues raised for the application site itself, while the application will considerably reduce the hard surfaced area from that currently existing.
- 4.6 With regard to the 'loss of community facilities', the Inspector concluded that development of this site would not conflict with either Policy CS11 of the adopted Plan nor Policy ASSN17 of the Neighbourhood Plan.
- 4.7 It is noted that no concerns were raised by the Inspector in the determination of the appeal towards highway matters, ecology, contamination, foul drainage, the effect on any heritage asset, arboricultural issues or any adverse impact on local residential amenities or for surrounding properties.

## 5.0 National Policy Context

- 5.1 The National Planning Policy Framework advises that in determining planning application for residential developments, local planning authorities should take into account the Development Plan Policies and all other material considerations. Local planning authorities should follow the approach of the 'Presumption in Favour of Sustainable Development' and that development which is sustainable should be approved without delay. It emphasises the need to plan positively for appropriate new development; so that both plan-making and development management are proactive and driven by a search for opportunities to deliver sustainable development, rather than a barrier. Where the development plan is absent, silent or out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 5.2 Sustainable development is a key tenet of the NPPF. The Framework states that local planning authorities should positively seek opportunities to meet the development needs of their area. Sustainable development should therefore meet three strands; economic, social and environmental.
- 5.3 The NPPF states that to promote sustainable development in rural areas, housing should be located where there are groups of smaller settlements and should avoid new isolated homes in the countryside. Paragraph 79 of the NPPF states that in order 'to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities'. Meanwhile paragraph 001 of the NPPG considers that 'all settlements can play a role in delivering sustainable development in rural areas – and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence'.
- 5.4 Paragraph 78 of the NPPF goes on to state that planning decisions should be responsive to local circumstances and support and reflect local needs. Rural exception sites should be brought forward that will provide affordable housing and Council's should consider allowing some market housing on these sites in order to facilitate this.

## 6.0 Local Planning Policy

6.1 The Development Plan for the district comprises

- Core Strategy – adopted 2014
- Local Plan Alteration No.2 – adopted 2006
- Proposals Maps – adopted 2006
- Supplementary Planning Documents - Affordable Housing February 2014
- Rural Development CS11 August 2014
- While Part 1 of the Joint Local Plan is shortly to be adopted, this Part does not alter any specific policies relevant to the current application site

6.2 Relevant policies within the Core Strategy include CS1 which considers the presumption in favour of applications that are supported by appropriate and proportionate evidence. Assington is defined as a Hinterland village within Policy CS2.

6.3 Policy CS6 states that “Development in Hinterland Villages will be approved where proposals are able to demonstrate a close functional relationship to the existing settlement’ and where the proposal:

- is well designed and appropriate in size/scale, layout and character to its setting and to the village,
- is adjacent or well related to the existing pattern of development for that settlement,
- meets a proven local need, such as affordable housing or targeted market housing identified in an adopted community local plan/neighbourhood plan,
- supports local services and/or creates or expands employment opportunities, and
- does not compromise the delivery of permitted or identified schemes in adopted community/village local plans within the same functional cluster.”

6.4 The supporting text considers that ‘in a large, rural district with a dispersed settlement pattern like Babergh, many villages are remote from urban areas; therefore an approach to development tailored to Babergh’s own local characteristics seems

appropriate. This approach also allows for continued smaller scale growth of “hinterland” villages which, although they may provide less of a function for the surrounding area than the larger Core Villages, none-the-less would welcome and benefit from some growth of jobs and houses, especially providing homes which are suitable for local demand’. The policy therefore states that

‘In all cases the scale and location of development will depend upon the local housing need, the role of settlements as employment providers and retail/service centres, the capacity of existing physical and social infrastructure to meet forecast demands and the provision of new / enhanced infrastructure, as well as having regard to environmental constraints and the views of local communities as expressed in parish / community / neighbourhood plans’.

6.5 In relation to Hinterland Villages, the Core Strategy states that ‘It is intended to provide greater flexibility within rural communities, allowing growth and service / infrastructure improvements, to develop in line with the day to day practice of people living in those communities’. The settlement boundaries 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 set out inter alia below:-

Development in Hinterland Villages will be approved where proposals are able to demonstrate a close functional relationship to the existing settlement on sites where

- 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.

6.6 Policy CS15 concerns Implementing Sustainable Development and considers that proposals for development must respect the local context and character of the different parts of the district. All new development will be required to demonstrate the principles of sustainable development and will be assessed against the presumption in favour of sustainable development and inter alia, should:

- i) respect the landscape, landscape features, streetscape / townscape, heritage assets, important spaces and historic views;
- ii) make a positive contribution to the local character, shape and scale of the area;
- iii) protect or create jobs and sites to strengthen or diversify the local economy particularly through the potential for new employment in higher skilled occupations to help to reduce the level of out-commuting, and raise workforce skills and incomes;
- iv) ensure an appropriate level of services, facilities and infrastructure are available or provided to serve the proposed development;
- vi) consider the aspirations and level and range of support required to address deprivation, access to services, and the wider needs of an aging population and also those of smaller rural communities;
- ix) make provision for open space, amenity, leisure and play through providing, enhancing and contributing to the green infrastructure of the district;
- x) create green spaces and / or extend existing green infrastructure to provide opportunities for exercise and access to shady outdoor space within new developments.

6.7 As confirmed within the Assington Neighbourhood Plan, the application site is within the development limits for the village. The proposal therefore accords with policies



ASSN1 and ASSN2 contained therein. Although the site is also shown with a general notation as a community facility for the barns complex, the Inspector within the recent appeal confirmed that Policy ASSN17 did not apply.

- 6.8 The Council and Planning Inspectorate has accepted within its decisions for both this site and neighbouring land, that Assington is a sustainable location for further development. Assington is further defined as a Hinterland village within Policy CS2. This proposal is situated in the heart of the village with its range of services such as a public house, farm shop, retail units, café, post office and village hall which are supported by the local community and the surrounding area. These facilities will be supported by additional development in the village. The scale of the development proposed will be commensurate to the scale of the village to enable the organic growth of the community to help support local services and provide housing of a mixture of size and scale to cater for the local needs of the community. The village is situated approximately 4 miles from Sudbury; the site is therefore within close proximity to nearby services which are not available within the village itself.
- 6.9 The Core Strategy states in paragraph 2.2.2.3 that there is a need for Hinterland villages to accommodate residential development at an appropriate scale. Policy CS20 takes this flexible approach by allowing proposals adjacent to or well related to the settlement boundary of such villages. In this case the site is immediately adjoining the retail development. It forms a sensible use of an under used area of land to the rear of the Barn complex. The proposal will relate to the cluster of housing now to be found at this end of the village, while being within just a few steps of the local facilities. Access from the village is easily available by public transport, with bus stops in close proximity along The Street.
- 6.10 The application site is not a 'greenfield' site but defined as previously developed land or 'brownfield'. It is only occasionally used as part of an overflow parking area. It is entirely enclosed and directly associated with the built form of the Barn complex. It is located beyond the Special Landscape Area as defined within the 2006 Local Plan. There is only a limited view from The Street between sections of hedgerow. The nearest public footpath is some distance to the south and offers no views into this land.

Moreover, it is not possible to view the site from the footpath to the east along the river valley.

## **7.0 Conclusions**

- 7.1 The scheme reflects the concerns raised by the Inspector within the recent decision, resulting in a modest development upon a plot comparable to the adjoining recent development. It would have a scale and appearance to reflect the neighbouring development and not cause the loss of any community or car parking facilities. This proposal fully accords with the sentiments of the policies within the Development Plan, NPPF and NPPG. This proposal provides a sustainable development in the heart of this Hinterland village which will help support the local community along with contributing towards the delivery of a housing type that is required within this parish. The resulting design and layout would ensure that the development will respect the character of and relationship to the village. Assington is considered to be a suitable and sustainable location to accommodate small scale development to support local services, and this proposal will achieve this whilst creating a development which would not conflict with the rural character of the settlement.