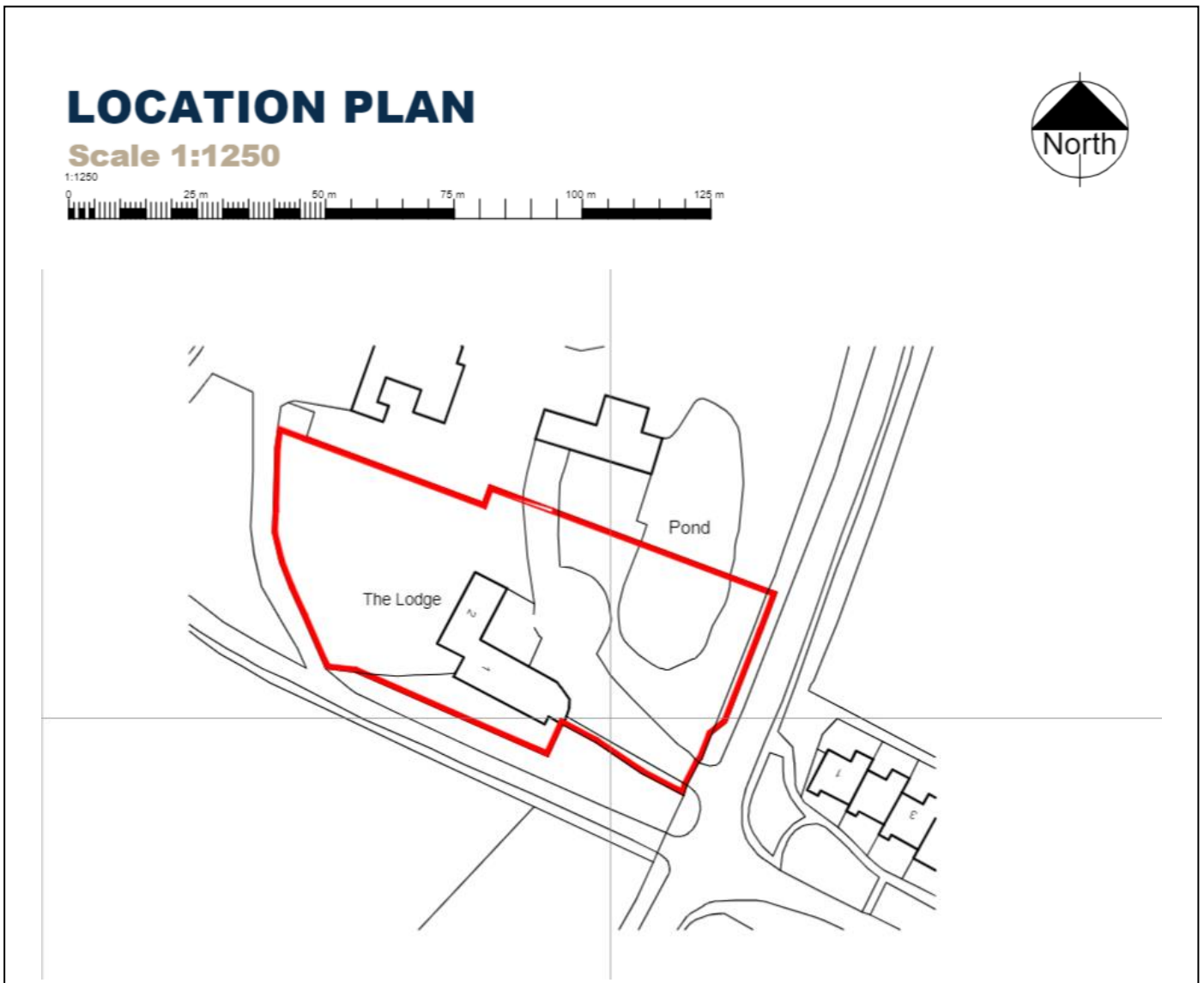


PRE-APPLICATION ENQUIRY DC/23/03338



1 And 2 The Lodge, Norton Road, Tostock, Bury St Edmunds Suffolk IP30 9NU

Pre-application Enquiry

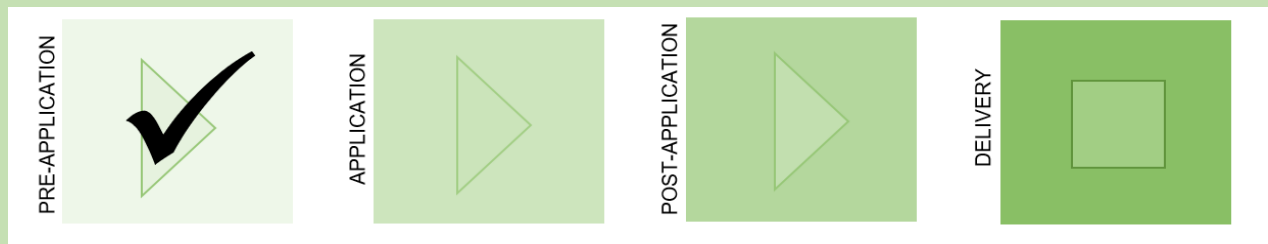
This advice is provided as part of the Council's pre-application advice service.

The advice provided here represents a professional officer opinion based on the material submitted and is given in good faith. The Council as Local Planning Authority must consider every planning application on its own merits after having regard to all material planning considerations. The advice provided here is not in respect of a planning application, has not been subject to public consultation or appropriate statutory consultations and is not necessarily accompanied by all the required supporting material and on that basis the advice is not binding on the Council as the Local Planning Authority.

This advice does not pre-determine the outcome of any subsequent planning application based on the submitted material and/or the Advice provided.

In providing this advice the Council is seeking to proactively and constructively provide support to potential applicants seeking to deliver sustainable development as encouraged by the Government within the National Planning Policy Framework [NPPF] and National Planning Practice Guidance [NPPG]

The Council is permitted to charge for this advice under the provisions of the Local Government Act 2003. The intention is to recover the cost of providing the service and not to deter applicants and their agents from engaging in pre-application discussions.



The Proposal

The proposed development is for:

Meeting and written response - Re instatement to one dwelling, Replacement of crittall windows, 3 bay Cartlodge with log store incorporated, Movement of existing oil tanks, Timber and glass constructed Orangery to rear of property.

The supporting material comprises:

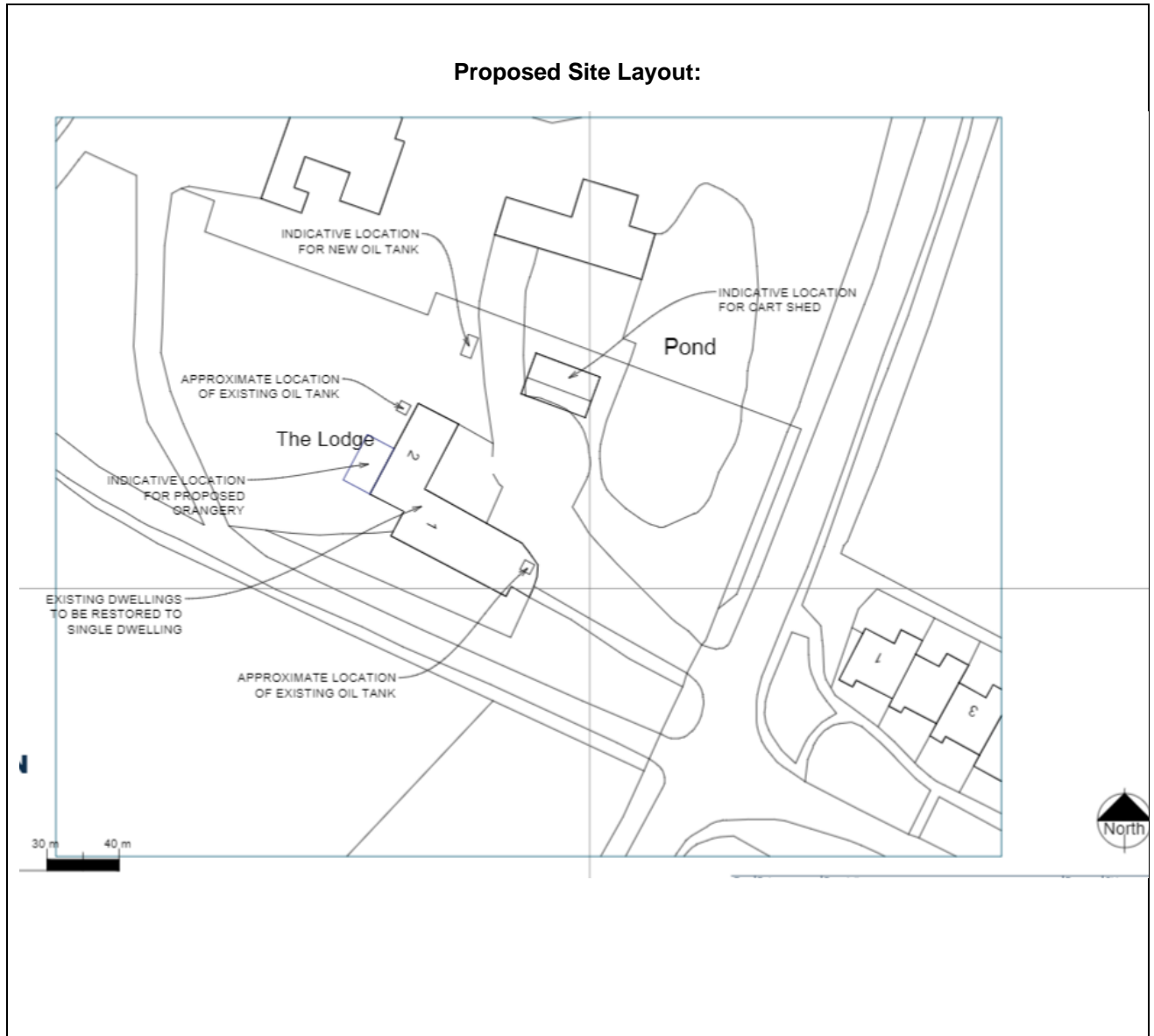
Application Form - Received 17/07/2023

Planning Statement - Received 17/07/2023

Block Plan - Proposed EHIL23-101 - Received 17/07/2023

Defined Red Line Plan Location Plan 100_01 - Received 17/07/2023

The Proposed Development and Site



Relevant Planning History

REF: DC/19/02088	Planning Application. Retention of subdivision of Old Rectory Lodge to create two dwellings known as 1 & 2 The Lodge.	DECISION: GTD 25.06.2019
REF: DC/19/02089	Listed Building Consent Application. Installation of stud walls to block up a first floor doorway and ground floor doorway to subdivide Old Rectory Lodge to create two dwellings known as 1 & 2 The Lodge.	DECISION: GTD 25.06.2019

Planning Policy

Emerging Local Plan – New Joint Local Plan

The Joint Local Plan will replace the current Local Plan, for both Babergh and Mid Suffolk District Councils.

Part 1 will include policies, setting out development which is acceptable, and restrictions to development. The consultation period on these Part 1 policies has ended and the Inspectors have held further hearing sessions on four specific issues. These will be further reviewed and subject to change by the Inspector. You may be aware that the Council is awaiting the Inspectors report into Part 1 of our emerging Joint Local Plan. The policies had limited weight but are now afforded increasing weight having regard to their progress through examination and consultation. This will mean they become more relevant when determining planning applications.

Whilst the policies in that document are not yet part of our development plan we believe it would be prudent for you/your client to set out how you consider your application meets the emerging policies relevant to your proposal. Should the Plan Inspectors report be received before your application is decided then it is likely to materially affect the weight of those emerging policies in our decision making. This may have consequences to the principle of development in some locations and therefore we believe it is appropriate for you consider this carefully with your own professional advisers as need be.

Once Part 1 of the Plan moves towards adoption, and then becomes adopted the Councils will have an up to date plan. This may affect the advice given in this pre-app enquiry.

Part 1 of the Joint Local Plan will be followed by the preparation of Part 2 as soon as possible. Part 2 will be an allocations document, detailing sites across the district for development.

You are advised to look at the progress of the Joint Local Plan as it comes forward. The new policies may impact on your proposal. Details are available on the link below:

<https://www.midsuffolk.gov.uk/planning/planning-policy/new-joint-local-plan/>

National Planning Policy Framework (NPPF)

The NPPF was revised in 2021, and includes, at its heart, a presumption in favour of sustainable development, however this does not affect the statutory status of the development plan (Local Plan) as the starting point for decision making.

The Council's Adopted Development Plan is:

- The Mid Suffolk Core Strategy (2008) and Focused Review (2014)
- The Mid Suffolk Local Plan (1998) and Proposals Map

Relevant Policies include:

NPPF - National Planning Policy Framework
FC1 - Presumption In Favour Of Sustainable Development
FC1.1 - Mid Suffolk Approach To Delivering Sustainable Development
CS1 - Settlement Hierarchy
CS5 - Mid Suffolk's Environment
GP1 - Design and layout of development
H15 - Development to reflect local characteristics

H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
H18 - Extensions to existing dwellings
HB1 - Protection of historic buildings
HB3 - Conversions and alterations to historic buildings
HB4 - Extensions to listed buildings
HB8 - Safeguarding the character of conservation areas
T9 - Parking Standards
T10 - Highway Considerations in Development
CL8 - Protecting wildlife habitats

Emerging Joint Local Plan Policies:

SP03 - The sustainable location of new development
LP03 - Residential Extensions and Conversions
LP24 - Design and Residential Amenity
LP16 - Biodiversity & Geodiversity
LP19 - The Historic Environment
LP29 - Safe, Sustainable and Active Transport

Constraints

- Within the settlement boundary of Tostock village as defined by CS1
- Large pond on site, several within immediate surrounding area
- Site contains no trees with Preservation Orders on them
- Grade two listed building and neighbouring building known as The Old Rectory grade two listed
- Recorded protected species within 500m of site
- Site is within a conservation area
- Site is not within a special landscape area

Advice:

Principle of Development

The application site is located within the settlement boundary of Tostock village, thus the site is considered a sustainable location and accords with policy CS1. The principle of extending existing dwellings within their residential curtilage is supported by policy H18 of the adopted Local Plan. Policies SP03 and LP03 of the emerging Joint Local Plan have concluded their consultation period. This means they have become more relevant when determining planning applications. It is not currently the adopted development plan, however, should it become so, these policies continue support for the extension of existing dwellings within the curtilage of residential dwellings.

Key considerations will be the protecting the heritage assets and residential amenity, ensuring the environment is maintained and enhanced with consideration to the existing landscape and design of the local conservation area. As an application for the erection of a rear extension and cartlodge, along with several internal and external works, a future application would be assessed under Local Plan policies GP1, H15, H16, H17, H18, T9, T10, HB1, HB8, HB3, HB4, CL8, Core Strategy Policy FC1, FC.1, CS5, Draft Joint Local Plan policies LP03, LP24, LP19, LP29, LP16 and the NPPF. Subject to compliance with the details of these policies the principle of development is established within settlement boundaries and considered acceptable within the currently adopted development plan and within the draft version of the Joint Local Plan.

Design

This proposal contains multiple elements. The erection of a new cartlodge, rear extension, re-siting of oil tank, replacement of external windows along with internal alterations.

No detailed design drawings have been provided, a rough description is contained within the planning statement.

In respect of policies GP1, H18 and LP03, the importance of attaining a good standard of design in development, which harmonises with the existing dwelling is imperative.

The proposed cartlodge is large but proportionate to the size of the plot. However, it is not spatially well related to the main dwelling and adjacent barn conversion, eroding the open spacious character of the plot. No details of the ridge height have been supplied, but the applicant indicated a single storey building during the meeting. Single storey is essential in order that the outbuilding can be subservient to the main dwelling and the heritage assets.

The description of the proposed triple bay cartlodge indicates a timber framed design with timber weatherboard walls and double doors beneath a tiled roof. At this stage, our Heritage officer's views have not been sought, and any future application would be subject to their approval. However, it is considered the outline design proposed would be in keeping with the character and appearance of the dwelling itself and the existing buildings already on site. Future choice of detailed design and exterior materials for this proposal should be traditional and similar in appearance to timber outbuildings nearby. It is important the finishing materials are considered in character and appearance of the local area, the colour reflects the local colour palette and respects a traditional Suffolk appearance, whilst reducing the building's possible impact on the heritage setting. To enable a smooth application process and aid the Heritage Team in their assessment, any future application should include manufacturer's literature for finishing materials, specifying the preferred colour.

A footprint of the proposed rear extension, an Orangery, has been provided, with no detailed design or elevational drawings. The use of the word 'orangery' to describe the extension implies it may be more Victorian in its design. Owing to the host dwelling being grade two listed, any extension needs to be easily read as a later addition and a simple contemporary design would be preferred. Subject to the extension being single storey, the size of the footprint proposed is considered subservient to the host dwelling. The Lodge is a large plot, which can easily absorb an extension of this scale without appearing overdeveloped or overly dominant.

Without a site visit to appreciate the proposed new location of the oil tank within its setting, Officers are concerned the new location is not spatially well related to the host dwelling and would be visually obtrusive. However, any future application would entail a site visit to assess this.

The Historic Environment

A proposal that includes the curtilage or setting of a Listed Building or works to a Listed Building must respond to this significant consideration. The duty imposed by the Listed Buildings Act 1990 imposes a presumption against the grant of planning permission which causes harm to a heritage asset. A finding of harm, even less than substantial harm, to the setting of a listed building must be given "considerable importance and weight". (*Bath Society v Secretary of State for the Environment [1991] 1 W.L.R. 1303)

Pre-application advice from the Heritage Team has not formally been sought; they would be consulted on any future application.

The site lies within the Tostock conservation area. The Lodge is grade two listed and the proposed cart lodge is sited opposite the heritage asset, between The Lodge and a barn conversion. Historical maps indicate The Lodge and the adjacent barn historically formed part of The Old Rectory estate, which is also grade two listed and sited to the west.

Policy HB1 of the Local Development Plan and policy LP19 of the draft Joint Local Plan seek to protect the character and appearance of the setting of historic buildings. The proposal must preserve or enhance the significance of the heritage assets and their surroundings. Any development within their setting should be of appropriate scale and massing, utilising appropriate materials and design. The space between buildings must be retained, the loss of which would cause harm to the character and appearance of the heritage asset's setting.

Without a site visit to appreciate the proposal within its setting, Officers are concerned the siting of the cartlodge would likely obscure the view of the adjacent barn, severing the historical relationship of the site. If this was the case, the adverse impact of the cartlodge's presence would likely cause harm to the setting of the heritage asset.

The proposed extension's scale is considered in proportion to the host dwelling, subject to it being single storey. However, Heritage Officers may prefer an extension orientated perpendicular to the host dwelling, such that it has less contact points interacting with original dwelling and covers less of the rear elevation. A plain, contemporary flat roofed design with no roof lantern or, alternatively, a simple lean to design with rooflights, glazed walls and brick plinth would likely be preferred.

Replacement of the crittall windows with timber windows to match the existing ones on the dwelling is one proposed external alteration. Without details of specifically which windows are to be replaced and input from Heritage Officers, planning officers are unable to advise whether this would be acceptable. However, the listing for the building notes the presence of four C18 casement windows with transomes. These windows are rare, and Officers would not support their removal.

Internal Alterations proposed would reopen historical wall openings. To aid Heritage Officer's in their assessment, a trial hole should be made in the location of each proposed opening. Photographic evidence of the internal wall fabric should be submitted with any future application.

A survey, carried out by an appropriately qualified person, should be undertaken to ascertain the timber frame's condition and extent of the death watch beetle within. A simple way to determine if there is an active infestation is placing a clean white piece of paper beneath the suspected beam containing burrowing holes. If there is active beetle burrowing, after a period of time, small pieces of sawdust looking balls would be evident on the paper, possibly in addition to beetle droppings. Their written report and photographic evidence of the paper should also be submitted with any future application to aid Heritage Officer's assessment as to whether the sandblasting of timber beams is acceptable. Sandblasting the beams is only acceptable if there is no other method to facilitate treatment of an active infestation. Further advice can be found here:

<https://historicengland.org.uk/advice/technical-advice/buildings/building-works-and-bats/timber-treatments-and-pest-control/>

<https://historicengland.org.uk/images-books/publications/timber-conservation/timber-marketing-spreads/>

At present planning officers are unable to give a robust view on the perceived harm, without input from Council Heritage Officers. Should it be resolved that the proposal would result in harm to the setting and significance of the designated Heritage Asset(s) then the public benefits of the proposal would be required to outweigh this harm, as required by NPPF Paragraph 202. For a development such as this, on a privately owned dwelling, Officers consider no public benefits would be derived to outweigh harm found by the Heritage Team. It is likely Officers would not support the proposed siting of the cartlodge.

To aid Heritage Officer's assessment, any future application should contain manufacturer's details of the proposed finishing materials. These should be in keeping with the host dwelling to preserve the visual appearance of the surrounding area and ensure the development harmonises with the traditional material palette of the area.

The Natural Environment

The site is located in the countryside with a large pond on site and half a dozen others nearby. There are recordings of protected species nearby and within the site, which lies within an amber risk area for great crested newts. Therefore, the site has significant potential to impact protected or priority species, or their food sources. It is imperative that prior to determination, the LPA understand the likely impacts from the proposed development on the biodiversity of the site and it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.

Therefore, prior to any future submission, a Preliminary Ecological Appraisal, and any further surveys recommended, must be undertaken by a qualified ecologist. Their report(s) should be submitted with the application and Place Services Ecology will be consulted.

Additionally, in accordance with policies CL08 of the Local Development Plan and LP16 of the emerging Joint Local Plan, all developments should offer an enhancement for biodiversity on the site. Advice should be sought from an ecologist on suitable enhancements this site could offer and should be detailed within a Biodiversity Enhancement Layout. The height, siting and direction any bat/bird boxes are facing should be included.

Highways, Access and Parking

No formal consultation with SCC Highways has taken place. By altering the parking provision onsite, the proposal engages highways considerations. In respect of Policy TP9 and T10 and Paragraph 110 and 111 of the NPPF, development should not adversely affect the highway network and associated safety.

The proposal would provide an additional 3 or 4 car parking spaces within the timber cart lodge. From the site plan provided, The Lodge benefits from a large plot with ample space for car parking and manoeuvring to ensure cars are front facing when entering and exiting the site. Officers consider the highway and usage of the site is unaffected by the proposed cartlodge.

Residential Amenity, Safe and Secure Communities

Policies within the adopted development plan and Paragraph 130 of the NPPF require, amongst other things, that development does not materially or detrimentally affect the amenities of the occupiers of neighbouring properties, in order to achieve and maintain well-designed places.

With regards to the plans proposed and distance afforded to the neighbouring properties, there is no major concern to overlooking or loss of privacy to neighbouring dwellings as such, subject to a single storey height of the proposed cartlodge and extension.

The siting of the proposed extension and distance afforded to the neighbouring properties, mean neither would likely result in any significant loss of visual amenity of the neighbouring dwelling, subject to mature boundary trees and vegetation being preserved, thus retaining the landscape character of the plot. Without detailed design drawings for the cartlodge, Officers cannot assess its

impact on neighbouring visual amenity. However, if the cartlodge was of a scale proportionate to the site and single storey, the proposal would unlikely to raise significant concerns regarding the loss of neighbouring residential amenity significant enough to warrant refusal.

Future applications should clarify the intentional use of the buildings in order to assess the noise impact on the neighbouring properties.

Conclusions/ Planning Balance

The proposed cartlodge would erode the distinctiveness and openness of the site, by introducing a large building within the setting of a heritage asset, severing its relationship with surrounding building and without clear evidenced justification of the need for a building of this scale in this location.

Subject to the extension being single storey, the indicative footprint is considered acceptable, however, Heritage Officers may prefer an extension perpendicular to the host dwelling, such that the extension covers less of the rear elevation.

For reasons outlined above, should a planning application be made for this proposal, Officers would not support it.

Expected Supporting Material in the Event of a Planning Application

Our Joint Local Validation Checklist sets out the details required for each application and this is available at <https://www.babergh.gov.uk/planning/development-management/apply-for-planning-permission/national-and-local-validation-requirements/> Should you wish to pursue this proposal, despite the advice above, on the basis of the information provided I would particularly draw your attention to the need to provide:.....

- Completed application forms for planning permission and listed building consent, including completed certificate of ownership;
- A Site Location Plan, with the application site and land required to access the public highway edged in red, and any other land within the applicant's control and/or ownership edged in blue;
- Existing and proposed site plans for the site;
- Existing and proposed elevational drawings of the dwelling and cartlodge;
- Existing and proposed floor plans of the dwelling and cartlodge;
- Manufacturer's specification and colours of all surface finishing materials;
- Preliminary Ecological Appraisal and any subsequent surveys recommended;
- Planning Statement detailing the proposed use and justification of the need for the cartlodge;
- Proposed biodiversity enhancement measures;
- A Heritage Statement;
- Survey and photographic evidence of active death watch beetle infestation and its extent;
- Justification for sandblasting timber beams rather than alternative method;
- Large scale drawings of proposed replacement windows;
- A desk based land contamination assessment and the Council's completed site walkover questionnaire;
- The correct fee.

This is not an exhaustive list of all documents and information which need to support your application, as mentioned above please consult the Joint Local Validation Checklist.

- For Householder development (not suitable for joint Listed Building Application) you can submit electronically on our website <https://www.midsuffolk.gov.uk/planning/development-management/apply-for-planning-permission/>
- For all types of development you can submit electronically via the Planning Portal https://www.planningportal.co.uk/info/200232/planning_applications (please note that applying via this site may incur a submission charge)
- For all types of development you can download the relevant application form from the Planning Portal and send to us by email or post https://www.planningportal.co.uk/info/200126/applications/61/paper_forms

Application Progress

If you submit a formal application we recommend you track its progress by searching using your application reference on our [Public Access webpage](#) and reviewing any comments received.

Technical Consultees are expected to provide formal comments within 21 days from the validation date but may do so sooner. By tracking the progress of your application this can allow you to review comments and provide any additional information during the course of the application.

Note: Pre-applications are not available to search online.

You can register and sign up to receive alerts for your application and any others in your area. Details of how to register can be found on our website via this link:

<https://www.babergh.gov.uk/assets/DM-Planning-Uploads/ldox-PA-3.1-for-Planning-User-Guide.pdf.pdf>

Contributions

Community Infrastructure Levy

Applications for development are subject to Community Infrastructure Levy (CIL).

All new build development over 100sqm (internal), including residential extensions and annexes and all new dwellings regardless of size must pay CIL.

CIL is payable on Permitted Development as well as Planning Permission development

CIL is payable when the development is commenced and you must notify of commencement using the appropriate forms

Failure to submit a Form 6 Commencement Notice and give a minimum of 1 day's notice of commencement will result in the loss of exemptions, relief and/or the right to pay CIL by instalments.

As part of any application you will need to submit the appropriate CIL form. Further information is available on our website:

<https://www.midsuffolk.gov.uk/planning/community-infrastructure-levy-and-section-106/community-infrastructure-levy-cil/>

The CIL forms are also available online:

https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/5

The phasing of community infrastructure levy (CIL) payments may be very important to your cash flow and viability of a development, especially for major developments and any development with Self Build Housing aspirations. If it is intended at any time that your development will be phased then you will need to ensure such phasing is expressly detailed in the planning application prior to determination. You should ensure phasing is clear within the description of development, any conditions imposed and any planning obligations. You will need to also ensure the planning case officer is fully aware of the intention to phase the development and include a phasing plan that shows the relevant phases of the development as well as a clear linear sequence of such phases that would align with the phasing of CIL payments you would find acceptable.

Building Control

Pre-application advice is also available from our Building Control Team. Find information online: <https://www.midsuffolk.gov.uk/building-control/> or contact the Building Control Manager, Paul Hughes, on 01449 724502. We can offer specialist support, local knowledge and a quality service with expert independent and impartial advice.

Charges include access to the surveyor appointed for any query that may arise before or during construction as well as a tailored inspection regime including inspections which only need to be booked by 10am on the day the inspection is required.

We can also provide carbon emission / fabric energy efficiency calculations at pre-application stage to support planning applications and the necessary Part L calculations and Energy Performance Certificates for Building Regulations compliance and our partners at LABC Warranty can offer a very competitive warranty for all new dwellings which we would be happy to provide further details for / liaise with on your behalf.

NOTES

Please note that any advice provided by the Council's Officers is informal opinion only and is made without prejudice to any formal determination which may be given in the event of an application being submitted. In particular, it will not constitute a formal response or decision of the Council with regard to any future planning applications, which will be subject to wider consultation and publicity. Although the Case Officer may indicate the likely outcome of a subsequent planning application, no guarantees can or will be given about the decision.

This advice is based on the information provided, background details and constraints at the current time. These circumstances can change and this may affect the advice you have received. You may wish to seek confirmation that the circumstances have not changed if you are considering submitting an application and any substantial amount of time has passed since the date of this advice.

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12th September 2023

Any questions please contact us