



SUPPORTING STATEMENT

In respect of a planning application for the demolition of 2no. dwellings (known as Tye Barn Cottage and Michealmas) and the erection of two new detached dwellings at:

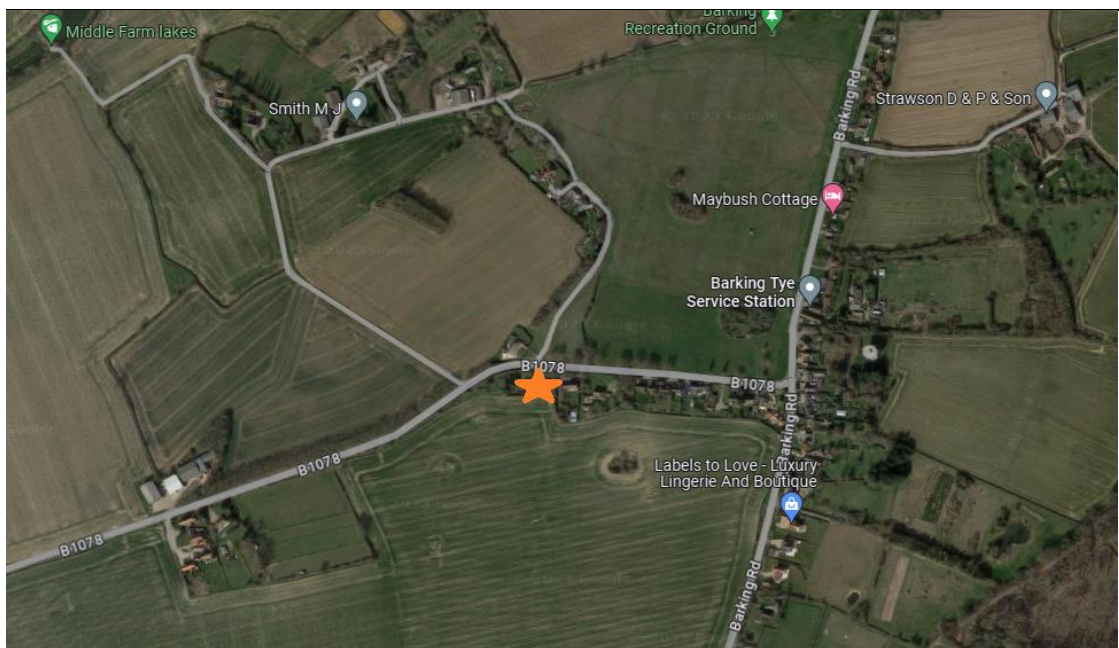
Tye Barn Cottage and Michaelmas, Barking Tye,
Stowmarket, Suffolk

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1.0 Introduction

- 1.1 This statement is prepared in support of an application for planning permission for the demolition of two dwellings known as Tye Barn Cottage and Michaelmas respectively, and their replacement with two new properties.
- 1.2 It will consider the planning policy position and provide an overview of the relevant material considerations relating to the proposed development.
- 1.3 The extract below shows the location of the site relative to nearby development.



- 1.4 Alongside this Supporting Statement, the application is supported by the following plans and documents:
- Plans prepared by Ian Smillie Architectural Services;
 - Groundsure Homescreen Report;
 - Flood Map for Planning extract;
 - Land Contamination Questionnaire;
 - EPC by Stonham Consulting.

2.0 The Site

- 2.1 Tye Barn Cottage and Michaelmas form a pair of link detached single storey dwellings set to the south side of the B1078, and to the western end of the residential hamlet comprising Barking Tye. The image below shows the properties as viewed from the road.



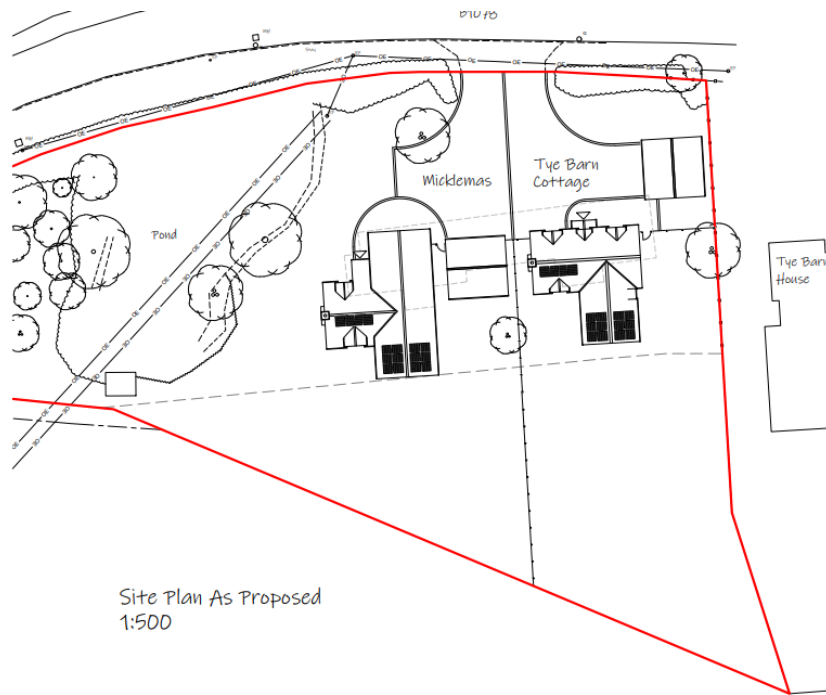
- 2.2 The properties are set back from the road and benefit from a shared parking area set to the front of the linked garages, as shown above.
- 2.3 Private garden space, opening up onto the fields beyond, lies to the rear of the dwellings.
- 2.4 There is variety to the scale, form and appearance of properties in the locality. Opposite the site lies a pair of two-storey dwellings, as shown below.



- 2.5 The property to the east of the site is also a two-storey dwelling, though this is finished with red brick facades.
- 2.6 The site is unconstrained by any landscape designations and is not within a Conservation Area. The properties are not listed buildings nor do they fall within the setting of any listed buildings.
- 2.7 The site falls wholly in Flood Zone 1 and is therefore not at risk of flooding.

3.0 The Proposal

- 3.1 The application seeks planning permission for the demolition of the existing cottages and their replacement with two new dwellings. As part of this proposal, land to the rear of the properties is to be the subject of a change of use to form part of the garden of the new dwellings.
- 3.2 The proposed dwellings take the form of traditional farmhouse style properties that reflect the rural setting of the site. The properties are of differing appearance but are to be read as a pair, and utilise a matching palette of materials (comprising rendered facades over a red brick plinth and under a pantiled roof), sharp pitched roofs and pitched roof dormer details. Each property includes a red brick chimney stack also.
- 3.3 Internally, the properties have living accommodation at ground floor level with four bedrooms and a family bathroom at first-floor. Opportunities have been taken to utilise the views to the north and south, reducing the need for side facing windows except to bathroom spaces.
- 3.4 With regard to the extended gardens, the proposal seeks to provide gardens that are more proportionate and more in character with those adjacent. Indeed, the new gardens follow a natural line created by the adjacent property boundaries. The extract below shows the new alignment (in red) with the existing rear boundary shown hatched.



- 3.5 The existing shared access would be utilised in the same way it is currently, and the frontage hedging would be fully retained as part of this proposal. New hedging would be planted along the newly formed rear boundary, providing a soft edge to the countryside beyond.

4.0 Relevant Planning History

- 4.1 There appears to be no planning history relating to this site in the last 20+ years.

5.0 Planning Policy Context

- 5.1 The revised National Planning Policy Framework was published in September 2023. It sets out the Government's planning policy and is a material consideration when determining planning applications.
- 5.2 At the heart of the NPPF is the presumption in favour of sustainable development. It identifies that *"For decision-taking this means:*

- *approving development proposals that accord with the development plan without delay; or*
- *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission 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”.*

5.3 Planning law continues to require that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-making purposes. The NPPF is supported by the Planning Practice Guidance (PPG), which assists applicants and decision makers in interpretation the NPPF.

5.4 The development plan for Mid Suffolk consists of the recently adopted Part 1 of the Joint Local Plan (JLP). The following policies within the JLP may be considered relevant to this proposal:

- SP01 - Housing Needs
- SP03 - The Sustainable Location of New Development
- SP09 - Enhancement and Management of the Environment
- SP10 - Climate Change
- LP04 – Replacement Dwellings and Conversions
- LP15 - Environmental Protection and Conservation
- LP16 - Biodiversity & Geodiversity
- LP17 - Landscape
- LP21 – Agricultural Land to Residential Garden
- LP23 - Sustainable Construction and Design
- LP24 - Design and Residential Amenity

- 5.5 Where relevant to the consideration of this proposal, these policies will be referred to within the 'Planning Considerations' section of this report.

6.0 Planning Considerations

Principle of Development

- 6.1 Paragraph 10 of the NPPF states *"So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development"*.

- 6.2 Paragraph 8 of the NPPF sets out three objectives for achieving sustainable development:

"a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy".

- 6.3 Policy LP04 makes specific provision for replacement dwellings subject to certain criteria being met. There cannot, therefore, be any objection to the principle of replacing these properties in planning policy terms, and it is the impact of the proposals and their compliance with the

specific requirements of policy LP04 that requires further detailed consideration. This is set out below.

Policy LP04

6.4 Policy LP04 states:

Policy LP04 - Replacement Dwellings and Conversions

- 1. Proposals for replacement dwellings will be supported where the building to be replaced has a lawful use as a permanent residential dwelling.**
- 2. Proposals for conversion of buildings to residential must demonstrate the structure is capable of accommodating the use and the development would reuse redundant or disused buildings and enhance its immediate setting.**
- 3. Additionally, proposals for replacement dwellings and/or conversions must:**
 - a) Be of an appropriate scale and setting for the area, and use materials to achieve a high standard of design in response to the context, and the character and appearance of the surroundings;**
 - b) Consider the amenity for both existing and for future occupiers;**
 - c) Have safe and suitable access and parking;**
 - d) Reuse redundant or disused buildings where possible; and**
 - e) In sensitive areas not be more visually intrusive than the original building.**

6.5 In considering the policy criteria, it is clear that the properties to be replaced are lawful residential dwellings of permanent construction such that criterion 1 is complied with.

6.6 Criterion 2 is not relevant to this proposal.

6.7 Criterion 3 contains four separate requirements labelled a) to e) respectively. Each element is considered in turn.

“a) Be of an appropriate scale and setting for the area, and use materials to achieve a high standard of design in response to the context, and the character and appearance of the surroundings”

6.8 The proposal results from a detailed assessment of the quality and character of buildings in the vicinity of the site. The scale and form of the proposed dwellings have been carefully considered to reflect the rural siting and to look to bring about enhancement to the overall quality of this land, and the palette of materials to be used in the finish of the dwellings are entirely consistent with the setting and appropriate in the Mid Suffolk countryside.

6.9 The proposal would, therefore, comply with this aspect of policy LP04.

“b) Consider the amenity for both existing and for future occupiers”

6.10 The proposal would not result in detriment to the amenity of any adjacent properties. The orientation of the proposed properties, coupled with the separation distances, precludes any detrimental impacts and ensures that the amenity of nearby residences is not harmed.

6.11 The proposal seeks to include additional land to the rear of the dwellings to provide garden areas that are more proportionate and generally more in character with the surroundings. The impacts of this are considered in detail in respect of the assessment of policy LP21 later in this statement, however for the purposes of this element of LP04 the increased garden spaces would provide private amenity spaces set away from the road. The amenity of future occupants would thereby be improved through this proposal.

“c) Have safe and suitable access and parking”

6.12 The proposals continue to utilise the existing access arrangements which are safe and suitable for the new dwellings.

6.13 Appropriate parking and turning space is provided.

“d) Reuse redundant or disused buildings where possible”

6.14 It is unclear what relevance this has to a proposal for a replacement dwelling/dwellings. This seems to relate to the matter of conversion that this policy also covers, so is not directly relevant here.

“e) In sensitive areas not be more visually intrusive than the original building”

- 6.15 The site does not lie within a sensitive area. However, the visual appearance of the new properties would be a significant enhancement relative to the existing dwellings.
- 6.16 There is a significant belt of mature landscaping to the west of the site, providing a significant screen when approaching Barking Tye along the B1078 from the direction of Great Bricett. The new dwellings would only be seen in the context of the existing dwellings to the east and northwest of the site, which are all two-storey scale. The proposals would not, therefore, intrude into the landscape setting of the site.
- 6.17 The proposal thereby also complies with this aspect of policy LP04.

Policy LP21

- 6.18 As the proposal also includes the change of use of modest element of the adjacent field to be included within the garden of the new properties, policy LP21 is engaged here. Policy LP21 states:

Policy LP21 – Agricultural Land to Residential Garden Land

- 1) The change in use of agricultural land to residential garden land or land ancillary to a residential dwelling may be permitted subject to:**
 - a. The location, size and scale of the proposal not having an adverse impact on the landscape characteristics and biodiversity of the locality;**
 - b. The proposal not resulting in the loss of trees and hedgerows which contribute to the character of the area;**
 - c. The proposal not having an unacceptable amenity impact on nearby residential occupiers; and**
 - d. The cumulative impacts of separate individual changes for similar development being acceptable.**

- 6.19 As with the assessment made under LP04 above, the specific criteria within LP21 are considered in turn below.

“a. The location, size and scale of the proposal not having an adverse impact on the landscape characteristics and biodiversity of the locality”

- 6.20 The extract below shows the existing curtilage definition relative to the adjacent properties, with the site to the very left end of the image.



- 6.21 The same extract is reproduced below, with the new curtilage line shown in green.



- 6.22 The proposal seeks to provide a more natural edge to the curtilage, providing a more proportionate garden area to the new properties that is more representative of the size of adjacent curtilages. A new hedge will be planted along the rear boundary, encouraging a green corridor along the existing hedgerow to the east and into the landscaped area that lies to the west of the site. This green link will encourage biodiversity and provide habitat that will enable wildlife to move freely along the field edge.

“b. The proposal not resulting in the loss of trees and hedgerows which contribute to the character of the area”

- 6.23 The proposal will provide new hedgerow planting that will be longer than the existing boundary planting, and can incorporate a range of native and woody species that will encourage biodiversity. The applicant will provide a detailed landscaping proposal as a condition of any permission granted to ensure this can be secured and retained.

“c. The proposal not having an unacceptable amenity impact on nearby residential occupiers”

- 6.24 There is nothing to suggest that this proposal would give rise to an unacceptable impact on the amenity of neighbouring property.

- 6.25 The proposal seeks to extend the residential gardens in a manner consistent with the projection of the only immediately adjacent garden. The proposal does not seek to provide for any noisy uses nor to bring the garden closer to another property.

“d. The cumulative impacts of separate individual changes for similar development being acceptable”

- 6.26 The applicant is not aware of any other such proposals being brought forward/having been brought forward.

- 6.27 Given the location of these properties, it is unclear that there would be any other proposal that would directly affect this land in any event.

Efficient Use of Land

- 6.28 Paragraph 119 identifies that:

“Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions”.

- 6.29 Paragraph 124 reaffirms this, stating that:

“Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed, attractive and healthy places”.*

- 6.30 The proposal seeks to make efficient and effective use of the site, delivering dwellings that make better use of the land and which bring enhancement to the character of the area. The proposal thereby complies with the aims of paragraphs 119 and 124 of the NPPF.

Design and Layout

- 6.31 Chapter 12 of the National Planning Policy Framework (NPPF) sets out the Government’s aims to achieve well-designed places. It states (paragraph 126) that:

“126. The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this”.

- 6.32 The above has formed the basis of the design approach taken in respect of this proposal. The applicant, supported by Ian Smillie Architectural Services, has given consideration to a number of material considerations in the design of this proposal with the overall aim of achieving a high standard of design that would enhance the surroundings and ensure the development sits comfortably in its environs. The existing bungalows would be replaced with attractive,

modern, dwellings that would raise the architectural quality of the site and provide highly efficient properties that would vastly out-perform the poorly insulated bungalows that currently stand here.

- 6.33 The finishes to the new dwellings are respectful of the local area, and would provide interest to the facades, retaining a rural appearance that is wholly reflective of the rural setting.
- 6.34 The layout facilitates turning and parking space on the site, and offers an extended curtilage consistent with the size of other gardens locally.
- 6.35 For all of these reasons, the proposal demonstrates an attention to detail and a design approach that ensures that the proposed works are compliant with policies LP04 and LP24.

Landscape Impact

- 6.36 Paragraph 174 of the NPPF states that:

“Planning policies and decisions should contribute to and enhance the natural and local environment by:

(a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

(b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

(c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

(d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

(e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local

environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
(f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate”.

- 6.37 The current buildings sit in a context containing other dwellings of greater scale and wider prominence. The proposed dwellings will not be visually prominent when viewed from the highway or within the wider landscape. The significant trees and hedgerow which lie adjacent to the site and provide a backdrop such that the impact of these buildings on the landscape is not harmful.
- 6.38 The form and scale of the dwellings is not such that the physical impact of the built form on the site would erode the landscape setting. There is nothing about this proposal which seeks to introduce harm, with any impacts being localised due to the contained nature of the site and the scale of adjacent properties.
- 6.39 As such, this proposal complies with the requirements of paragraph 174 of the NPPF as well as the respective elements of LP04 and LP17 which address landscape impact.

Highway Safety

- 6.40 The proposal seeks to make use of the existing access. Ample parking would be provided within the site including turning and manoeuvring space.
- 6.41 According to www.crashmap.co.uk, there have been no accidents within vicinity of the access identifying that the existing access does not give rise to significant detrimental highway safety concerns.
- 6.42 The use of the site for two dwellings would not intensify the use of the access. There are, therefore, no detrimental impacts resulting from the proposed replacement properties

- 6.43 The proposal is, therefore, in accordance with the provisions of paragraph 110 of the NPPF, which identifies that in assessing specific applications for development it should be ensured that safe and suitable access can be achieved for all users.

Land Contamination

- 6.44 Submitted with this application is a Groundsure Homescreen Report which demonstrates that the land is not known to be, or likely to be, contaminated.
- 6.45 The proposal is therefore in accordance with paragraph 183(a) of the NPPF which states that planning policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

Flood Risk and Drainage

- 6.46 The site lies wholly in Flood Zone 1 and is, therefore, outside the designated Flood Zones 2 and 3. Suitable drainage can be designed to ensure that the development does not increase the risk of flooding elsewhere.
- 6.47 As such, there is no identifiable restraint upon the delivery of drainage for both surface and foul water that would prevent planning permission being granted in this regard.

Biodiversity and Ecology

- 6.48 Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010 (Implemented 1st April 2010) provides that all "competent authorities" (public bodies) to "have regard to the Habitats Directive in the exercise of its functions".
- 6.49 Guidance on the conservation of protected species is given in ODPM Circular 06/2005. At Paragraph 99 the Circular advises that the presence or otherwise of protected species, and the extent to which they might be affected by the proposed development, must be established before planning permission is granted.

- 6.50 In this instance, the proposal relates to the replacement of two existing dwellings with two new properties such as to be no loss of habitat. In any event, there is significant scope to bring about biodiversity enhancements on the site such as to provide a net gain across the site.

Heritage Impacts

- 6.51 The proposal does not engage the setting of any heritage assets and, therefore, there is no heritage harm which occurs.

7.0 Planning Balance

- 7.1 The proposal seeks permission for the replacement of two dated bungalows with two new dwellings.
- 7.2 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The consideration is, therefore, whether the development accords with the development plan and, if not, whether there are material considerations that would indicate a decision should be taken contrary to the development plan.
- 7.3 The development plan comprises the Part 1 Joint Local Plan adopted in November 2023. In accordance with policy LP04, the proposal seeks to replace existing dwellings where there can be no 'in-principle' objection to the proposal.
- 7.4 The material considerations that are relative to the determination of this application have been satisfactorily addressed (including design and layout, highway safety, biodiversity, land contamination and residential amenity) such that they have been found to comply with the provisions of the NPPF and the relevant development plan policies. The proposal has been found to comply with policies LP04, LP21 and LP24 as the most relevant policies in the determination of this proposal.

- 7.5 The proposal would make efficient use of the site, and the applicant considers that, for all of the reasons given, the proposal is not harmful. Indeed, the proposal would deliver visual and biodiversity enhancements that would be benefits resulting directly from the proposed development.
- 7.6 As such, the LPA is requested to support this proposal and approve this application.