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**TOWN AND COUNTRY PLANNING ACT 1990  
OUTLINE PLANNING APPLICATION  
ERECTION OF DETACHED DWELLING (RESUBMISSION)  
LAND AT THE GABLES, COMBS LANE, STOWMARKET IP14 2DD**

PLANNING STATEMENT  
Incorporating  
LOCAL VALIDATION STATEMENT

Ref: 1073/4  
February 2024

## INTRODUCTION

1. This statement has been produced in support of an outline planning application proposing the erection of a detached dwelling at land at The Gables, Combs Lane, Stowmarket IP14 2DD.
2. The application comprises this statement and the following documents;
  - Application Forms and Certificates;
  - Site plan;
  - Indicative layout plan;
  - Enviroscreen Report;
  - Land Contamination Questionnaire;
  - Flood Risk Assessment; and,
  - Witness Statements.
3. This is an outline planning application. Precise details of the 'appearance', 'layout' 'scale' and 'landscaping' will be agreed as 'Reserved Matters' at a later stage, only 'means of access' is included as part of this application.
4. This application follows the previous application which was refused (DC/23/03680).
5. The Council's sole reason for refusing DC/23/03680 stated in part "*The site is a small plot which is used as a access for agricultural land to the rear of the site*". That is not correct. The application site has been part of the garden of The Gables. It comprises an area of lawn, a driveway and hardstanding beyond which are buildings previously used for garaging and domestic storage for The Gables.
6. The application site, as defined by the redline on the location plan, is land which has been part of the residential curtilage of The Gables. The land shown crossed and edged in blue on the plan is also land which was part of the residential curtilage of The Gables. The remainder of the land shown edged blue is other amenity land associated with The Gables. None of the land is agricultural as stated in the Councils previous reasons for refusal. This fact is confirmed by the Statutory Declarations included with this submission and by Google Maps. The map dated 2000 clearly shows the former livestock buildings removed and the land in use as garden.

7. The land shown crossed blue will form part of the garden of the new dwelling. As this is already part of the residential curtilage of The Gables, its use as garden land for the new dwelling does not require planning permission as it does not involve a material change of use.
8. The red line does not include the additional land edged blue as it is within Flood Zone 2 (FZ2) and would therefore necessitate a sequential test. The Council can ensure that the new dwelling is provided with adequate garden land by imposing a condition on the planning permission stipulating that the land shown crossed blue on the location plan shall be provided as part of the garden for the dwelling and thereafter retained.
9. The following statement is in two parts. The first part deals with the Council's Local Validation Requirements for planning applications. The second part is a Planning Statement which refers to relevant national and local planning policies and all other material considerations.

#### **LOCAL VALIDATION REQUIREMENTS**

##### ACCESS

10. The proposed dwelling will be served by the existing vehicular access which benefits from good visibility in either direction. The frontage of the site is within the 30mph zone. A single dwelling will not generate significant levels of traffic movements. The vehicle movements associated with the development can easily be absorbed by the local road network without any material impact on highway safety.

##### ARCHAEOLOGY

11. The Historic Environment Records confirm that there are no recorded archaeological finds at or near the application site. Consequently, there is no need to carry out any pre-commencement investigation and there is no justification for a condition requiring a programme of archaeological work.

## BIODIVERSITY

12. The application site is part of the curtilage of The Gables. The majority of the application site is hardsurfaced, the remainder is garden. The storage building on the site to be demolished is a nissen hut. Its form and construction do not provide suitable roosting habitat for bats. There is adequate space within the land edged blue to provide 10% Biodiversity Net Gain (BNG).

## DRAINAGE

13. The proposed dwelling will be connected to the main sewer. Surface water will discharge to soakaways. As this is an outline planning application, precise details of surface water drainage are matters which can be dealt with by a planning condition.

## FLOOD RISK ASSESSMENT

14. The application is accompanied by a Flood Risk Assessment which demonstrates that of the dwelling would not be at risk.

## HERITAGE STATEMENT

15. The application site is not in a conservation area and no listed buildings, Scheduled Ancient Monuments or any other heritage assets are nearby that would be affected by the development.

## LAND CONTAMINATION

16. The application is accompanied by an Enviroscreen Report.

## LANDSCAPE IMPACT ASSESSMENT

17. The application site is not within a Special Landscape Area, Area of Outstanding Natural Beauty, Visually Important Open Space or any other area of special landscape designation. The proposed dwelling will be visible from other properties nearby, but just because something is visible doesn't mean it is harmful. It is a long-established principle of planning law that no one has a right to a view.

## PLANNING STATEMENT

18. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning decisions must be made in accordance with the Plan unless material considerations indicate otherwise.
19. In this case, the Development Plan for the area comprises the Babergh and Mid Suffolk Joint Local Plan (JLP).
20. The National Planning Policy Framework (NPPF) sets out the Government's planning policies and objectives and is a material consideration. The main theme of the NPPF is to set out a presumption in favour of sustainable development.

### Babergh and Mid Suffolk Joint Local Plan (JLP)

21. Policy SP01 deals with housing needs. It states in part *"In Mid Suffolk District, the Joint Local Plan (parts 1 and 2) will seek to deliver a minimum of 10,165 net additional dwellings (535 dwellings per annum) over the plan period"*.
22. Policy SP03 deals with the sustainable location of new development. The second paragraph of policy SP03 states in part *"The principle of development is established within settlement boundaries in accordance with the relevant policies of this plan"*.
23. In this case, the application site is located within the settlement boundary for Stowmarket.
24. Policy LP16 deals with biodiversity and geodiversity. It requires in part that developments identify opportunities for securing the equivalent of a minimum 10% increase in biodiversity. In this case, there is adequate land within the applicants control (shown edged blue on the application plan) to provide Biodiversity Net Gain.
25. Policy LP23 deals with sustainable construction and design. In this case, the requirements of policy LP23 are matters which can be resolved at the Reserved Matters stage. They are not matters for consideration at outline stage.
26. Policy LP24 deals with design and residential amenity. In this case, appearance, scale and layout are Reserved Matters and therefore the 'design' element is a matter to be considered at a later stage. Nevertheless, the erection of a dwelling on the site would reinforce the existing pattern of linear development along this part of Combs Lane. The

dwelling could be accommodated on this site without impacting on residential amenity.

#### National Planning Policy Framework (NPPF)

27. The National Planning Policy Framework (NPPF) sets out the government's planning policies for all forms of development. At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 8 of the NPPF describes the three objectives of sustainable development as economic, social and environmental and states that these objectives give rise to the need for the planning system to perform an economic role, a social role and an environmental role.
28. This proposal meets each of those three objectives of sustainable development. Firstly, the proposal will meet the economic role by generating jobs in the local building trade during construction and by helping to maintain the viability of local shops and services nearby and in the town centre.
29. The proposal will meet the social role of sustainable development by providing a modest home suitable for an elderly couple wanting to downsize or young persons taking their first steps on the housing ladder.
30. The development also accords with the environmental role of sustainable development. The site is in a sustainable location so future occupants will be within walking/cycling distance of local services and bus stops providing a service to the town centre.

#### **CONCLUSIONS**

31. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (As amended) requires planning decisions to be made in accordance with development plan unless material considerations indicate otherwise.
32. The site is located within the settlement boundary for Stowmarket and therefore the principle of the development accords with the relevant Local Plan policy and finds support from the NPPF.

33. The proposed development will generate economic, social and environmental benefits fulfilling the three objectives of sustainable development without causing any significant and demonstrable impacts on any interests of acknowledged importance.

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February 2024