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Erection of new dwellinghouse

Land adjacent to 30 Collimer Close, Chelmondiston, IP9 1HX

Planning Statement

On behalf of Mullins Dowse Architects

Prepared by Ben Norton LLB MRTPI

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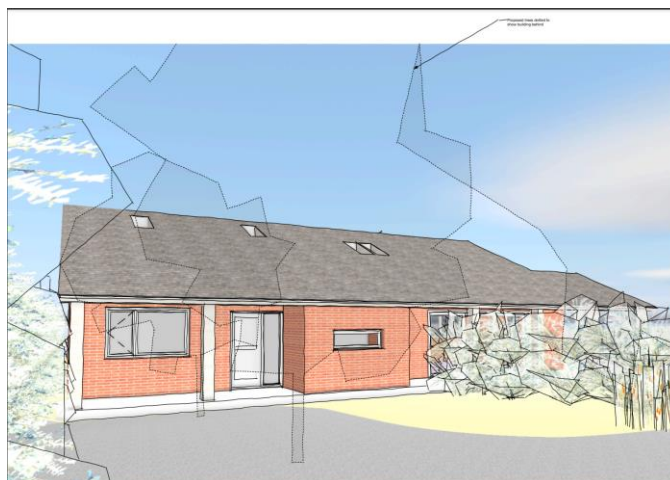
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01 Executive Summary



The proposed development site benefits from an existing planning consent, firmly establishing the principle of residential use, obviating the need for further discussion on the principle of development. Deliberate attention to the local context, characterised by single-storey housing, is evident in the design, which artfully utilises the site's topography to disguise the contrast with this context. This ingenuity results in a two-storey dwelling that maintains a harmonious single-storey appearance from the street, addressing the Council's concerns about scale and form and ensuring a seamless fit within the neighbourhood.

In alignment with Neighbourhood Plan policies (CP1, CP2), the proposal not only supports development within defined settlement boundaries but also presents a positive response to local design features. Thoughtful consideration of materials, form, and height respects the character of the immediate surroundings, demonstrating a commitment to local distinctiveness.

Environmental and biodiversity considerations (CP7, SP03, LP15) are seamlessly woven into the proposal, showcasing a comprehensive approach to sustainability. Beyond merely meeting minimum standards, the development surpasses expectations for sustainable construction and design (LP23), incorporating renewable energy, biodiversity enhancements, and efficient land use practices.

The application navigates through and aligns with broader policy objectives (SP01, SP03, SP09, SP10) related to housing delivery, settlement boundaries, environmental conservation, and climate change adaptation. Rigorous mitigation measures for wildlife protection reflect a responsible and environmentally conscious approach.

In summary, the proposed development not only ensures policy compliance but also offers a range of planning benefits. These include the addition of a dwelling, biodiversity gains, sustainability improvements, and a commitment to outstanding living conditions. Given its strong alignment with policy objectives and positive contributions to the local environment, expeditious approval of the proposed development is recommended.

02 Site and Surroundings

- 2.1 The application site is located in the village of Chelmondiston, in Suffolk, overlooking the river Orwell. It is garden land separated at some point from neighbouring dwellings. The site benefits from an extant planning permission for a dwellinghouse.
- 2.2 Collimer Close is an estate of 1960s bungalows, with a clear repetitive pattern and layout. While none of the properties are beautiful, there is a coherence to the street scene which defines a clear character.
- 2.3 This corner plot is currently unused land. Its severance from the garden of the neighbouring property has not unduly reduced the garden area of that property; the retained garden is still larger than neighbouring gardens.
- 2.4 While Collimer Close is sloped, the land level falls away dramatically from the entrance to the site, a function which the design makes use of as noted below.
- 2.5 The area is within the Suffolk Coast and Heaths National Landscape¹. This is a landscape protected for its national importance and great weight will be given to preserving that landscape.
- 2.6 The village of Chelmondiston is one of the largest villages on the Shotley Peninsula, some five miles southeast of the county town of Ipswich. It benefits from a range of facilities and services, including a primary school, pre-school, two village general stores, a village hall, a public house, and the hamlet of Pin Mill lies within the Parish boundary, with a further public house, two working boat yards, a chandlery, a photographic studio, and a café, among other services.
- 2.7 The site lies within the Chelmondiston Neighbourhood Plan Settlement Boundary (“the Chelpin Plan”).
- 2.8 The site is also within close proximity of two storey dwellings in Rectory Field and this important context must not be missed. The site gives opportunities for transition development between the predominant single storey context of Collimer Close, and the two-storey context surrounding it.

¹ National Landscapes is the new name for Areas of Outstanding Natural Beauty

03 Planning History

- 3.1 A full plans application for the erection of a single storey dwelling was refused by Babergh District Council in May 2020. It was reference DC/20/01040 and was refused on the grounds that:
- 3.2 “The proposed dwelling, by virtue of its set back position, would detract from the existing pattern of development within the street-scene which is arranged around the green. This would result in a visually harmful development which would neither conserve, enhance nor reinforce the character and local distinctiveness of the prevailing pattern of development within this part of the close. Together with the awkward arrangement, this lack of relatability to the estate would be out of character in this location.”
- 3.3 The proposed development was, therefore, considered contrary to (then) local policies CN01, HS28, core strategy policies CS11 and CS15, and paragraph 127 of the NPPF (2019).
- 3.4 The decision of the Council was subject to an appeal against refusal to the Secretary of State and was considered by Inspector Nick Palmer BA (Hons) BPI MRTPI in a decision issued on 11th December 2020 (APP/D3505/W/20/3252460).
- 3.5 The Inspector allowed the appeal and granted planning permission subject to just four conditions: the standard condition 1, the standard condition 2, a condition requiring the provision of the car parking before occupation, and a limitation on working hours.
- 3.6 A building control application dated 18th October 2023 confirms that work had started for this approved dwelling prior to the 11th December 2023 when by condition the consent would have lapsed. The building control application was determined on 4th December 2023 and confirmed that building work had started.
- 3.7 As a result, the planning consent has been crystallised and is now extant in perpetuity.

04 Planning Policy

- 4.1 The Planning Acts² provide that planning decisions shall be taken in accordance with the adopted Development Plan unless material considerations indicate otherwise.
- 4.2 The adopted Development Plan for this application site is made up of a number of documents:
- The Chelmondiston Neighbourhood Plan
 - The Babergh Mid Suffolk Joint Local Plan Part 1
 - The Babergh Core Strategy
 - The Babergh Local Plan First Alteration 2006 (as Saved)
- 4.3 Among the material considerations for the decision maker are the extant planning application, the Inspector's decision letter in allowing that development on appeal, and the provisions of the National Planning Policy Framework.
- 4.4 For the purposes of this application, the relevant paragraphs of the NPPF are taken from the September 2023 update to the NPPF, unless otherwise indicated.
- 4.5 The relevant policies are considered to be:

Babergh Mid Suffolk Joint Local Plan Part 1

- Policy SP01 – Housing Needs
- Policy SP03 – The sustainable location of new development
- Policy SP09 – Enhancement and Management of the Environment
- Policy SP10 – Climate Change
- Policy LP08 – Self-build and Custom-build
- Policy LP15 – Environmental Protection and Conservation
- Policy LP16 – Biodiversity and Geodiversity
- Policy LP17 – Landscape
- Policy LP18 – Area of Outstanding Natural Beauty³
- Policy LP23 – Sustainable Construction and Design
- Policy LP24 – Design and Residential Amenity
- Policy LP26 – Water resources and infrastructure
- Policy LP29 – Safe, Sustainable and Active Transport
- Policy LP32 – Developer Contributions and Planning Obligations

² Section 70(2) Town and Country Planning Act 1990, Section 38(6) Planning and Compulsory Purchase Act 2004

³ Areas of Outstanding Natural Beauty have been renamed National Landscapes to emphasise their importance

Chelpin Plan 2021

- Policy CP1 – New Housing within Settlement Boundaries
- Policy CP2 – Design Principles
- Policy CP6 – Protecting Other Open Spaces
- Policy CP7 – Conserving and Enhancing Valued Landscapes and Biodiversity

4.6 While there are policies within the Babergh Core Strategy 2014 and the Babergh Local Plan 2006 which have been “saved” to be replaced by the Babergh Mid Suffolk Joint Local Plan Part 2, none of these saved policies are considered to apply to the application site.

4.7 Likewise, we do not anticipate any of the policies contained in the Suffolk Minerals and Waste Local Plan to be relevant to this application.

05 Planning Considerations

- 5.1 The proposed site benefits from an extant planning consent for the construction of a dwelling house. This consent has been commenced, and consequently forms a legitimate fallback position.
- 5.2 As a result, the principle of development of the application site for residential use is established and need not be argued again.
- 5.3 Advice was sought from the Local Planning Authority (“the LPA”) which is Babergh District Council (“the Council”). This advice indicated that, subject to compliance with the policies of the new Babergh Mid Suffolk Joint Local Plan (“the JLP”), the principle of development is considered acceptable.
- 5.4 It is important to recognise that the characteristics of the site inform the design in this application. The site slopes away from the entrance, dropping several metres towards the river.
- 5.5 The surrounding housing in Collimer Close is all single storey, while several neighbouring dwellings in Rectory Field are two-storey. As a result, the Council advised that a single storey development would be supported. However, it is our view that the important context is that development should appear as a single storey dwelling from the street level. Using the topography of the site to maximise the floorspace available for the applicant without losing that important street context has informed the development design.
- 5.6 The proposal is for a two-storey dwelling, which will present as a single storey dwelling from the street. From public view points in Collimer Close the property will appear visually similar to the existing single storey dwellings.
- 5.7 The advice from the Council failed to take into account the adopted Neighbourhood Plan, which ousts the non-strategic policies in the district-wide plan where such reference is made.
- 5.8 Policy CP1 – New Housing Development within Settlement Boundaries, is a Neighbourhood Plan policy supporting development within the defined settlement boundaries as shown on the Policies Map. This includes the application site.
- 5.9 The policy provides that proposals for development will be supported within the defined settlement boundaries where they are consistent with the designation of those areas and other policies in the neighbourhood plan.
- 5.10 Policy CP2 – Design Principles requires new development to respond positively to the key attributes of the neighbourhood area and the key local design features of the

settlement within which it is located. Conversely, development will not be supported where it is poor design that has a significant adverse impact on the character of the area.

- 5.11 The application takes account of and responds to the existing street layout and plots. The fallback position is for a dwelling that does not relate well to the building line in either direction, while the proposed design makes a more sensible use of the site, with the dwelling closer to the highway, improving legibility.
- 5.12 The design proposals include built form that is not unusual or out of keeping. From the street – and all the way up the street – the proposed dwelling will present as a bungalow. The ridgeline matching neighbouring dwellings will add to this sense of coherence in the street scene.
- 5.13 The materials proposed reflect those prominent in the street scene, being primarily of brick and slate. Slate is preferred to the concrete roof tiles of the existing street scene due to its higher quality finish, and sustainability credentials. A mix of materials at the time of construction has been exacerbated by subsequent extensions but essentially the properties are brick built with dark grey roofs.
- 5.14 The building style of the existing dwellings is elementary, without garnishment. The style is functional rather than beautiful but retains a remarkable consistency in built form.
- 5.15 From the street view, the style of the proposed dwelling would remain understated and modest, while the style develops as you walk through or round the dwelling, to a more contemporary (but still restrained) style from the southern elevation.
- 5.16 The pattern of fenestration, type and style of glazing, doors, eaves and gables are all details which on the northern elevation will strongly reflect the vernacular scene along Collimer Close.
- 5.17 These elements have all been considered carefully in the design development, to reinforce local distinctiveness; a requirement of Policy CP2 (a), by responding to the layout, built form, materials, detailing, building style, and the design and scale of windows, glazing, doors and porches (among others).
- 5.18 Further, as noted above, the proposal makes a positive use of the local landform, maximising the use of the land while preserving the impression of a bungalow, in line with Policy CP2 (b).
- 5.19 As with Policy CP2 (g) and Policy CP2 (h), the proposal is not a generic design and takes account of local distinctiveness in terms of materials and form. In terms of height, the proposal respects the height of the immediate surrounding area.

- 5.20 The applicant considers that the requirements of Policy CP2 which are relevant to the proposed development have all been met and exceeded. As a result, it would be contrary for the Council to refuse consent on design grounds.
- 5.21 Policy CP7 is an important consideration, seeking to conserve and enhance valued landscapes and biodiversity. The application site is, like all of the area, within the Suffolk Coast and Heaths National Landscape, and is also within the Special Protection Area. It is within the Zone of Influence for the Ramsar site and the Site of Special Scientific Interest.
- 5.22 However, the planning Inspector has already found that housing development on this site would be within the context of the existing housing and therefore cannot be considered to harm the National Landscape.
- 5.23 The application proposal meets all the requirements of Policy CP7, and consequently represents exactly the sort of development the Neighbourhood Plan envisages.
- 5.24 Given the strong policy support for this proposed development from the Neighbourhood Plan, we turn to consider the strategic policies contained in the Babergh and Mid Suffolk Joint Local Plan Part 1, as well as non-strategic policies on subjects which the Neighbourhood Plan is silent.
- 5.25 The JLP provides (Policy SP01) for the delivery of at least 7,904 new dwellings within the plan period for the Babergh District. This is anticipated to be delivered at a rate of at least 416 dwellings annually.
- 5.26 Policy SP03 provides that new housing development will come forward within settlement boundaries; the policy specifically states that “the principle of development is established within settlement boundaries in accordance with the relevant policies of this plan.”
- 5.27 Policy SP09 provides for the enhancement and management of the environment. Development will be required to support and contribute to the conservation, enhancement and management of the natural and local environment and networks of green infrastructure, including landscape, biodiversity, geodiversity, and the historic environment and historic landscapes.
- 5.28 This development is proposed to be within the Protected Habitats Sites Mitigation Zone and consequently seeks to avoid harm in the first instance. The development will make any necessary appropriate contributions to management projects or monitoring of visitor pressure and urban effects on Habitats Sites. These are likely to be compliant with the HRA Recreational Disturbance and Avoidance Mitigation Strategy.
- 5.29 It is anticipated that the landscape design will deliver significant improvements in biodiversity, and consequently will be supported by SP03(4).

- 5.30 The development proposal is expected to be at the very highest level of sustainability. As a result, mitigation and adaptation to climate change is at the heart of the design. The proposals include renewable energy and holistic water management, in accordance with Policy SP10.
- 5.31 Policy LP08 seeks to support the construction of self-build and custom-build properties, as required by the Self-build and Custom Housebuilding Act 2015, as amended by the Levelling Up and Regeneration Act 2023. The Council states that it will support proposals for self-build or custom-built housing where it is in accordance with other relevant policies in the Plan.
- 5.32 The proposed dwelling is intended to be a self-build home for the applicant, who is on the self-build register.
- 5.33 Policy LP15 applies, in as much as it is not supplanted by Policy CP7 of the Neighbourhood Plan. The development proposal has a greater degree of consideration to the efficient use of land than the extant consent; bungalows are, by nature, land intensive, and the intelligent use of the topography of the site to allow a two-storey dwelling allows the footprint to be smaller than it otherwise would be.
- 5.34 The development proposed is on previously developed land, which Policy LP15(2)(a) prioritises, and the proposal will also make efficient use of existing resources and reduce the lifecycle impact of the construction materials. It is proposed to use recycled materials wherever possible.
- 5.35 The development proposal is an improvement over the extant consent in relation to Policy LP15(4), in as much as the amount of hard surfacing is reduced and consequently water management will be improved.
- 5.36 To demonstrate compliance with Policy LP16, a preliminary ecological assessment (“the PEA”) is provided alongside this application. The PEA concludes that:
- A Recreational Avoidance Mitigation Contribution will be made payable to Babergh District Council; at the time of writing, £121.89.
 - A soft landscaping scheme shall include the planting of new native species-rich hedgerows and trees on and around the site; the planting of a flowering lawn mix in the garden space, which is rich in nectar and pollen.
 - All construction works to be carried out in accordance with BS 5837:2012 for Trees in Relation to Design, Demolition and Construction.
 - If proposed works change to incorporate trees with PRF-1 bat roosting potential, a soft fell approach will be adopted, and one standalone bat box installed on a suitable mature tree for every PRF-1 tree lost.
 - Any lighting scheme will follow guidance from the Bat Conservation Trust.

- If NBCRM underlays are proposed for the roof space, these must be only those that have passed the snagging propensity test and must be supplied and installed with the necessary certification.
 - One integrated bat box will be installed on the proposed dwellinghouse.
 - One standalone bat box will be installed on a suitable tree on site.
- 5.37 After these precautionary mitigation measures, the PEA predicts no impact on bats as a result of the development plans. A European Protected Species Licence will not be required, and no further surveys are necessary.
- 5.38 The proposed works also require the following mitigation to avoid impacts on bird nesting habitat:
- Any works affecting bird nesting habitat such as management of hedgerows and trees would ideally need to be conducted outside the main nesting season. If work is planned during the bird nesting season (1st March to 31st July) then a precautionary check of all habitats will be conducted by a qualified ecologist immediately prior to the start of work. If any nesting birds are found, an appropriate protection zone from the nest will be required and will be maintained until the young have fledged.
- 5.39 As enhancements, the following will be included:
- One integrated swift box installed on the new dwelling.
 - One small bird box installed on an appropriate tree on site.
- 5.40 It is concluded that there is very little chance of great crested newts being disturbed during the proposed works. The site is suboptimal terrestrial habitat, and even in the worst-case scenario, as set out in Natural England's GCN method statement template, an offence is highly unlikely.
- 5.41 As a precautionary measure, a standard suite of mitigation measures is set out in the PEA, at Page 31 (Paragraph 7.20). After the precautionary method statement is followed, no impact on GCN as a result of the development is predicted, and no further surveys are necessary.
- 5.42 After the GCN precautionary method statement is followed, no impact on reptiles is predicted, and no further surveys are necessary.
- 5.43 A preconstruction survey for badger setts will be required within 30 days of the proposed start date. Badgers are a mobile species, and the site provides suitable habitat for their setts. A badger survey may be necessary if signs of an active sett are found within a distance from construction activities which might damage badger setts.

- 5.44 If a sett is discovered, the nature of planned works within 30m of the sett will require assessment for potential impacts and to inform an appropriate mitigation strategy. This may include further surveys and sett closure under licence.
- 5.45 If these precautionary measures are followed, no impact on badgers or their setts is predicted as a result of the plans.
- 5.46 It should be reiterated that there are no current badger setts on site, nor evidence of abandoned setts.
- 5.47 General mitigation will be included to protect wildlife during the construction period, including a rough sawn plank in any excavations, to allow any animals to escape if they fall in, and the storage of construction materials off the ground on pallets.
- 5.48 In addition, a log pile will be created in the northeast corner of the site using the remains of felled trees, to create a habitat for a wide variety of beetles and other wildlife, including stag beetles. In addition, a bee brick will be installed on the proposed dwelling.
- 5.49 As the Planning Inspector concluded, there will be no negative impact on the landscape character. As a result, the development complies with Policy LP17 and Policy LP18.
- 5.50 Policy LP23 provides the minimum standards for Sustainable Construction and Design. The proposed development includes significant sustainability credentials, including reductions in CO₂ emissions beyond the Part L requirements, higher water efficiency standards, climate change adaptation, and using solar gain and other energy efficiency measures.
- 5.51 The proposed development responds to the wider landscape and successfully safeguards the historic environment and natural features of the landscape.
- 5.52 It is harmonious with the location and appropriate by way of scale, mass, form, siting, design, materials, texture and colour in relation the surrounding areas. In particular, while the Council raised a concern regarding the scale and form, the proposal has been designed carefully to give the appearance of a single storey dwelling from all public views. The siting is more appropriate than the extant consent, and the materials, texture and colour are more consistent with the neighbouring dwellings than the extant consent.
- 5.53 As set out in the Design and Access Statement, the proposal will protect and retain as many trees and hedgerows as is possible, both during and post construction. The proposal will also see natural species rich landscaping and an additional native species rich hedge planted.

- 5.54 The proposal reinforces the strong consistent design approach to the public realm and includes visual links to neighbouring dwellings.
- 5.55 The Building for a Healthy Life design assessment framework has been considered during the design development, and good practice has been incorporated in the design. Soft landscaping, trees and connections to green infrastructure are prioritised.
- 5.56 The change in the siting of the proposal will better design out crime and create an environment more conducive to a feeling of safety; by relocating the proposed dwelling, a greater extent of the front of the property will be under natural surveillance.
- 5.57 The proposed development would not overlook, result in the loss of daylight or sunlight, would not be overbearing, would not introduce unacceptable levels of light pollution, noise, vibration, odour, emissions, or dust, and would generally conform to the amenity protections required.
- 5.58 Long term design principles have been followed, including the provision of a bin store, secure cycle storage, and sufficient garden space to provide for the occupiers.
- 5.59 The property is designed with the topography of the site in mind. As a result, there are steps inside, but the provision of a wet room and level access to the outside assists with the needs of disabled people and an ageing population.
- 5.60 As a result, the proposed development demonstrates compliance with Policy LP24 Design and Residential Amenity.
- 5.61 The proposed dwelling will make best use of renewable energy, in compliance with Policy LP25 and is not in a flood zone, in accordance with Policy LP27. Any developer contributions other than the RAMS payment will be secured through Planning Obligations.

06 Conclusions

- 6.1 The proposed development benefits from an existing planning consent which has commenced. As a result, the principle of development for residential use is well established and need not be reargued.
- 6.2 The design of the proposed development takes into account the local context, with much of the surrounding housing being single storey. While the Council supports a single-storey design, the proposal cleverly utilizes the topography to create a two-storey dwelling that visually appears as a single-storey from the street, maintaining harmony with the neighbourhood.
- 6.3 The proposal aligns with Neighbourhood Plan policies (CP1, CP2), supporting development within defined settlement boundaries and emphasising positive responses to local design features. It also considers local distinctiveness in terms of materials, form, and height, respecting the character of the immediate surrounding area.
- 6.4 The application demonstrates compliance with various policies related to environmental conservation and biodiversity (CP7, SP03, LP15). It incorporates measures to enhance biodiversity, includes sustainable design principles, and adopts mitigation strategies to protect wildlife habitats, contributing positively to the local environment.
- 6.5 The proposed development meets and exceeds the minimum standards for sustainable construction and design (LP23). It includes significant sustainability credentials, such as reducing CO2 emissions beyond regulatory requirements, higher water efficiency standards, climate change adaptation, and the use of renewable energy sources, aligning with broader policy objectives.
- 6.6 The proposal is policy compliant and offers numerous planning benefits, including the addition of a single dwelling, biodiversity gains, sustainability improvements, and outstanding living conditions.
- 6.7 As a result, the proposed development should be approved without further undue delay.