

**Target Decision Date: 28/04/2023**

**Expiry Date: 05/05/2023**

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## **OFFICER'S REPORT AND RECOMMENDATION**

**CASE OFFICER:** Emily Vuyk

**CASE REFERENCE:** DC/22/06207

### **The Openness of Local Government Bodies Regulations 2014**

The national regulations on openness and transparency in local government require the recording of certain decisions taken by officers acting under powers delegated to them by a council. The written record should include the following: The decision taken and the date the decision was taken; the reason/s for the decision; any alternative options considered and rejected; and any other background documents. This report and recommendation constitutes the written record for the purposes of the regulations and when read as a whole is the reason for the decision.

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**PROPOSAL:** Householder Application - Erection of rear extension and internal changes to layout.

**LOCATION:** 1 Hill House Cottages, Wades Lane, Shotley, Ipswich, Suffolk, IP9 1EW

**PARISH:** Shotley.

**WARD:** Ganges.

**APPLICANT:** Mrs Kathryn Blake

**SITE NOTICE DATE:** 05/01/2023

**PRESS DATE:** 27/12/2022

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## **BACKGROUND DOCUMENTS**

This decision refers to drawing number 5559-0100-P02 Site Location Plan received 15/12/2022 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

The plans and documents recorded below are those upon which this decision has been reached:

Defined Red Line Plan 5559-0100-P02 Site Location Plan - Received 15/12/2022

Existing Site Plan 5559-0101-P01 - Received 15/12/2022

Elevations - Existing 5559-0300-P02 - Received 15/12/2022

Floor Plan - Existing 5559-0301-P01 - Received 15/12/2022

Proposed Site Plan 5559-0102-P04 - Received 04/05/2023

Floor Plan - Proposed 5559-0303-P10 - Received 04/05/2023

Elevations - Proposed 5559-0400-P10 - Received 04/05/2023

Bat Survey REP23010 dated March 2023 by Robson Ecology Ltd - Received 13/03/2023

Application Form Certificate B - Received 15/12/2022

TCPA (DM Procedure) Order 2015 Notice Under Article 13 of Application for Planning Permission

Completed Form Copy - Received 19/12/2022

Planning Officer & Agent Email Exchange Negotiation of Design Amendments - Received 04/05/2023

The application, plans and documents submitted by the Applicant can be viewed online at [www.babergh.gov.uk](http://www.babergh.gov.uk) or [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk).

## **SUMMARY OF CONSULTATIONS AND REPRESENTATIONS**

### **Shotley Parish Council Comments Received - 26/01/2023 – Recommend Refusal of Permission**

The Shotley Parish Council would like to recommend the refusal of this planning application. Members do not feel that the re-submission is significantly different enough when compared to previous submissions.

### **Dedham Vale Society Comments Received - 10/01/2023 – No Objection subject to Landscaping**

The application site is located at the end of Wades Lane, a narrow winding single track lane off the main B1456. Hill House, which is grade II listed lies approximately 100m to the southeast of 1 & 2 Hill House Cottages

Well-designed modern buildings can be delivered within the AONB where they contribute to its conservation and enhancement and where the design and siting is sympathetic to the environment in which they are being proposed.

The materials being proposed for the construction of the extension are considered appropriate. The design, while contemporary, has been simplified and reduced substantially in scale. These changes address many of the concerns raised by the AONB team to the previous scheme at this site (ref DC/22/01059). The reduction in scale (height) will deliver an extension that is more subservient to the host dwelling and more respectful to the simple built character of the existing cottages. The simplification of the design and reduced height will also reduce potential impacts on the residential amenity of number 2 Hill Cottage. The single storey extension will also be much less visually intrusive in the flat estuary landscape.

The vegetation fronting Wades Lane while mature is of mixed quality with some of the evergreens in decline. Consideration should be given to strengthening the frontage planting with new native trees, if space allows, to ensure that the site which sits slightly elevated above the highway remains effectively screened from the southern elevation.

### **Heritage Team Comments Received - 11/01/2023 – No Objection or Harm subject to Conditions**

#### **Summary and Recommendation**

1. I consider that the proposal would cause no harm to the significance of a Non-Designated Heritage Asset, or to the setting of Grade II listed Hill House insofar as it contributes to its significance and understanding.
2. I recommend conditions to secure details of the proposed roof covering materials, wall cladding materials, eaves and verge details, fenestration details, rooflight details, external flue and mechanical extraction details and rainwater goods.

#### **Discussion**

The proposal is for the erection single storey rear extension to 1 Hill House Cottage and internal layout changes.

1 and 2 Hill House Cottages are a pair of very late C19 red brick built 'two-up two-down' workers style houses, with a continuous rear lean to offering two extra rooms at ground floor level and mirrored contemporary outhouses. The earliest they appear on historic OS maps is on the 1896 1 inch OS Map. As they did not appear on the 1881 6 inch OS map, it is likely that they were constructed in the very late C19.

From the polite symmetrical front and prominent position along Wades Lane when approaching Hill House, it is reasonable to assume that the cottages were deliberately designed to provide a well-designed, if modest, pair of workers cottages for the farm.

Their current largely unaltered appearance, polite 'façade', prominent placement along Wades Lane and historic association with Grade II listed Hill House are sufficient to consider the cottages a Non Designated Heritage Asset (NDHA).

As such, the heritage concerns relate to the possible impact of the works to the significance of 1 and 2 Hill House Cottages themselves and to the setting of Grade II listed Hill House, insofar as it contributes to its significance and appreciation.

Following discussions as part of a pre-application enquiry under reference DC/22/04384, the revised single storey scheme with a simplified design which incorporates the paired outhouse has been submitted.

Alterations to the wall height have mitigated the previous concerns at pre-application stage regarding overly large fascias. Whilst it is still considered unfortunate that a new opening will be inserted into the paired outhouse, the simplified single storey scheme is considered appropriately subservient in scale with a minimalist contemporary design which is clearly distinct architecturally.

In conclusion, the proposed extension is considered to cause no harm to a Non Designated Heritage Asset, and a no harm to the setting of a Grade II listed building subject to conditions. Therefore, the works meet the requirements of the NPPF and of Local Plan Policies CN01 and CN06.

#### Recommended Conditions

- Prior to commencement, manufacturers details of proposed roof covering materials shall be submitted and approved. - Prior to commencement, manufacturers details of proposed wall cladding materials shall be submitted and approved. - Prior to commencement, large scaled drawings of the proposed eaves and verge details shall be submitted and approved. - Prior to commencement, large scaled elevational and section drawings of the proposed fenestration details shall be submitted and approved. - Prior to commencement, large scaled elevational and section drawings of the proposed rooflight details shall be submitted and approved. - Prior to installation, manufacturers details and scaled drawings as appropriate of the proposed external flue details and mechanical ventilation shall be submitted and approved. - Prior to installation, manufacturers details of the proposed rainwater goods shall be submitted and approved.

#### **Ecology - Place Services Comments Received - 18/01/2023 – Holding Objection**

Holding objection due to insufficient ecological information on European Protected Species (Bats).

#### Summary

We have reviewed the submitted information provided by the applicant and note that an ecological assessment has not been provided. As a result, we have conducted a desk study to assess the likelihood of impacts upon designated sites, Protected and Priority Species / Habitats for this development. This included a review of the Suffolk Biodiversity Information Service records, Magic.defra.gov.uk and aerial imagery.

The desk study concluded the site is approximately 300 metres away from the Stour and Orwell Estuaries Special Protection Area (SPA) and Ramsar Site, as well as the underpinning Orwell Estuary Site of Special Scientific Interest (SSSI). As a result, we have reviewed the likely impacts from the development and consider that the proposals will be too small in scale and extent to result in impacts upon to qualifying features, especially as the site is screened from the Orwell estuary. As a result, we are satisfied that the proposals will not result in a likely significant effect on the Habitat site, therefore impacts can be screened out for this scheme.

However, there is a risk the proposed extension will result in impacts upon roosting bats. Therefore, we are not satisfied that there is sufficient ecological information available for determination, as further information is required to determine the likelihood that bats will be impacted by this extension.

As a result, we recommend that a Preliminary Roost Assessment is provided to determine the likely impacts upon bats for these proposals. Further bat activity surveys may then be required prior to determination, depending on whether the building contains potential roost features for bats. All surveys should be carried out by suitably qualified ecologists following standard methodologies.

This is required prior to determination because the Local Planning Authority must consider the guidance under paragraph 99 of the ODPM Circular 06/2005. This 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. Therefore, if there is a reasonable likelihood of protected species being present and affected by the development, the surveys should be completed and any necessary measures to protect the species should be in place before the permission is granted.

Furthermore, the Local Planning Authority, as a competent authority, should have regard to the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended) when reaching planning decisions and must not leave this until the licence application stage (based on the judgement in the Hack Green Group (Appellant) v Cheshire East Council [2006] - APP/R0660/W/15/3131662). Therefore, if a European Protected Species Mitigation Licence is required for this application, appropriate mitigation measures to support the provision of the licence must also be outlined prior to determination to allow certainty to the LPA that a licence will likely be granted.

Therefore, this further information is required to provide the LPA with certainty of impacts on protected and Priority species and enable it to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006.

We look forward to working with the LPA and the applicant to receive the additional information required to support a lawful decision and overcome our holding objection.

### **Ecology - Place Services Comments Received - 13/04/2023 – No Objection**

No objection subject to securing ecological mitigation and enhancement measures.

#### Summary

We have reviewed the submitted documents for this application, including the Preliminary Bat Roost Assessment (Robson Ecology Ltd, March 2023), relating to the likely impacts of development on designated sites, protected and Priority species & habitats.

We are satisfied that there is sufficient ecological information available for determination, following the confirmation that the buildings contain negligible potential for roosting bats.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Preliminary Bat Roost Assessment (Robson Ecology Ltd, March 2023) should be secured and implemented in full, which include precautionary measures for nesting birds and implementation of sensitive lighting.

In addition, we support the proposed bespoke biodiversity enhancements, which have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework 2021. Therefore, we encourage that the applicant to implement the proposed bat box and sparrow terrace in line with the Preliminary Bat Roost Assessment.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013.

Submission for approval and implementation of the details below should be a condition of any planning consent.

#### Recommended conditions

#### 1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

“All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Bat Roost Assessment (Robson Ecology Ltd, March 2023) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

**Dedham Vale Society – Consultation Comments-** None were received

No response returned by close of consultation.

**Suffolk County Council’s Archaeological Services – Consultation Comments-** No response

No response returned by close of consultation.

**Local Community – Representation – One Neighbour Representation in objection received**

This representation related to potential of overdevelopment of the plot, loss of privacy, landscape, and out of context design. These matters are relevant to control by planning policy and are considered below.

#### PLANNING POLICIES

NPPF - National Planning Policy Framework

NPPG-National Planning Policy Guidance

The Babergh Core Strategy (2014) policies:

CS01 - Applying the presumption in Favour of Sustainable Development in Babergh

CS15 - Implementing Sustainable Development

The Babergh Local Plan (2006) policies:

CN01 - Design Standards

CR02 - AONB Landscape

CN06 - Listed Buildings - Alteration/Ext/COU

CR07 - Landscaping Schemes

CR08 - Hedgerows

TP15 - Parking Standards - New Development

EN22 - Light Pollution - Outdoor Lighting

HS33 - Extensions to Existing Dwellings

The Emerging Joint Local Plan – Part 1 policies with examination stage Reg 25 modification:

SP09 - Enhancement and Management of the Environment

SP10 - Climate Change

LP03 - Residential Extensions and Conversions  
LP15 - Environmental Protection and Conservation  
LP16 - Biodiversity & Geodiversity  
LP18 - Area of Outstanding Natural Beauty  
LP19 - The Historic Environment  
LP23 - Sustainable Construction and Design  
LP24 - Design and Residential Amenity  
LP26 - Water resources and infrastructure  
LP27 - Flood risk and vulnerability  
LP29 - Safe, Sustainable and Active Transport  
LP30 - Managing Infrastructure Provision

## **PLANNING HISTORY**

**REF:** DC/22/01059      Householder Application - Erection of part two storey, part single extensions (following demolition of outbuilding).      **DECISION:** WDN

## **ASSESSMENT**

From an assessment of relevant planning policy and guidance, representations received, the planning designations and other material issues the main planning considerations considered relevant to this case are set out including the reason/s for the decision, any alternative options considered and rejected. Where a decision is taken under a specific express authorisation, the names of any Member of the Council or local government body who has declared a conflict of interest are recorded.

### **Proposal**

This application seeks planning permission for the erection of rear/side extension, including associated internal changes to layout of the host dwelling and consequential external alterations to its appearance.

As well as the alteration of a single storey outbuilding to enable conversion to additional living space.

### **Pre-Application Advice**

DC/22/04384 specified within application. Concluded as negative view by planning team of the proposal.

### **Details of Amended Plans and Negotiations**

The application was subject to receipt of additional information during the course of determination.

A Bat Habitat Assessment was invited and supplied in response to consultation request for information.

Minor amendments to the proposal were invited by the planning officer and negotiated to improve design.

Revised drawings were submitted on the 4<sup>th</sup> of May 2023 in response and resolved the concerns raised.

## **Site and Surroundings**

1 Hill house Cottages is a red brick built one-and-half storey semi-detached dwelling with a black pantiled dual pitched roof featuring gabled wall mounted dormers, a central ornate chimney and a steep catslide. At the rear there is an incongruous relatively modern built single storey flat roofed extension comparative to the likely Victorian age of the dwelling, and the existing window joinery is timber without glazing bars.

The partnered dwellings are mostly symmetric in their appearance and arrangement both benefiting by an accompanying outbuilding to their rear and disproportionately large plots of significant garden length. Surrounding the site generally is open farmland, some hedgerow and scattered pockets of woodland.

The nearest neighbours are attached to the north being 1 Hill House Cottages, Orwell view Barns to the east of the site, and the more distant listed building Hill House is a detached dwelling to the southeast.

The site is relatively isolated located in the countryside and set in an Area of Outstanding Natural Beauty.

## **Principle of development**

The starting point for any planning decision is the development plan, as identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004. Determination of any application must be made in accordance with the up-to-date development plan unless material considerations indicate otherwise. A key material consideration regarding the principle of development is the NPPF as revised in 2021.

Paragraph 219 of the NPPF identifies that the weight attributed to a plan policies should be according to their degree of consistency with the NPPF. The closer the aims of the plan policy are to the NPPF the greater the weight that can be attributed to them when used to assess a proposal at application.

This site is in the Shotley parish where there is no adopted or emerging draft Neighbourhood Plan.

The Babergh district's development plan comprises of a combination of the Babergh Core Strategy 2014 and saved policies of the Babergh Local Plan 2006 and these considerations apply to development within Shotley. Those policies contained are not out-of-date in respect to the NPPF despite the progression of the emerging Joint Local Development Plan (JLP) - Part 1 for Babergh and Mid Suffolk districts which has reached regulation 25 - Proposed Modifications Consultation (March 2023), after the draft policies were modified by the planning inspector, they now carry added weight onto their initially limited weight. Consequently, the policies of the adopted Babergh Core and Local Development Plan are most relevant.

However, it is acknowledged that occasionally there may be additional relevant considerations engaged for applications by the criteria of the emerging JLP policies. Although in most instances these emerging JLP policies share much of the same aims as the adopted local plan policies they may be used as part of proposals assessment since the draft JLP policies also offer an up-to-date criteria in-line with the NPPF.

As a proposal for extension and alteration to a building identified as a potential non-designated heritage asset located in the countryside and AONB. The adopted policies that are of most relevance and carry greatest weight in assessment of the development proposal are CS01, CS15, CN01, CR02, CN06, R07, CR08, TP15, EN22, and HS33, as well as where relevant the NPPF. To be factored alongside the considerations of the emerging draft Joint Local Plan policies LP03, LP15, LP16, LP18, LP19, LP23, LP24, LP27, and LP29 which carry the least weight in decision-making and assessment of this proposal.

Those policies protect amenity and ensure the environment is maintained and enhanced with consideration of the existing landscape and design of the local area. They also ensure adequate parking and manoeuvring provision of vehicles is provided in accordance with the adopted parking standards. The policies support a presumption in favour of sustainable development and renewable technologies.

Subject to compliance with the details of those policies then the proposal will be acceptable in principle.

Core Strategy Policy CS01 directs decision makers towards the presumption in favour of sustainable development in line with the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in Babergh district.

The policy directs that applications that are supported by appropriate / proportionate evidence and accord with the policies in the new Babergh Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise taking into account whether specific policies in that Framework indicate that development should be restricted.

The principle of the development of this proposal is considered acceptable in accordance with those relevant policies. Planning matters and other material considerations are detailed by the sections below.

## Design and Layout

There are several policies that collectively account for design assessment of new development.

Policy CN01 of the development plan sets the expectation of what can be considered as acceptable design when assessing development proposals. The policy calls for all new development to be of appropriate scale, form, detailed design and construction material for the location. A key measure is if the proposal creates an interesting and attractive public/private space in/around the development.

*“CN01 All new development proposals will be required to be of **appropriate** scale, form, detailed design and construction materials for the location\*. Proposals must pay particular attention to:*

- *the scale, form and nature of adjacent development and the environment surrounding the site;*
- *the materials forming the external elevations and roofs of the buildings;*
- *retaining and incorporating local features, both natural and built;*
- *existing and proposed hard and soft landscaping;*
- **creating interesting and attractive public and private spaces in and around the development;** and
- *the content of any adopted Village Design Statements.*

*\*In some locations, contemporary, modern designs with flair and imagination incorporating modern materials will be appropriate.”*

Policy HS33 outlines the basis for which an extension can be granted permission as:

*“HS33 Planning permission will be granted to extend a dwelling if:*

- *the scale, mass, external materials and architectural details of the proposed extension **blend** in with those of the dwelling and its wider setting;*
- *the extension reflects and **respects** the relationship of the site and its setting, and those of adjoining dwellings;”*

The emerging Joint Local Plan policy LP03 with modification has similar measures but also includes:

*“1) Proposals for extensions to existing dwellings or conversions of buildings to ancillary use within the curtilage of residential dwellings will be supported where they:*

*b) Will not result in over-development of the plot and will retain suitable amenity space. **The cumulative effects of a number of extensions or conversions within the plot will be taken into account.**”*



The design of the proposed alternative scheme of development is evaluated by the below sections:

Layout:

The proposed extension will be linked to the host dwelling from an existing door at the east elevation. The larger remainder of the proposed extension is situated to the rear of the host dwelling and is distinct. It will infill space between the rear elevation of the dwelling and the outbuilding nearby to act as a kitchen. The side encroaching element is to create an entry courtyard and accommodate a sitting/dining space.

The internal alterations consist of removal of an internal partition walls and staircase relocation so the reconfigured ground floor will include two double bedrooms, a boot room entry lobby, and a bathroom. At first storey a third bedroom with ensuite will be created, and the outbuilding converted to a utility room.

Scale:

The proposed extension amounts to addition of a linking projection 5.2m x 6.5m from the rear elevation then a further 5.9m x 6.8m forms the bulk of the connected extension at the side. The rear element will include a flat roof overall 2.8m high with a largely glazed roof that breaks up the sense of enclosing mass. The side element will be a solid flat roof set at same height amended to not attach to outbuildings gable.

The existing outbuilding is 3.4m x 3.8m with a pitched roof 2.2m high to eaves and 3.7m high to the ridge.

The cumulative development does not constitute overdevelopment of the plot and is of subservient scale.

Appearance:

The proposed extension exterior walls are to be finished by complementary red brickwork, the roof with pressed sheet metal, the window and door joinery is colour coated aluminium and the rainwater goods and fascia are metal. The extension includes limited but large openings with extruded reveals to the rear and side and sets of large span doorways. There will be a visible flue installed in the roof. The design and form will appear distinct and subservient to the host dwelling, as a contemporary styled linking structure.

Overall, the proposed design respects the character of the dwelling and the site setting to create an interesting public facing space that will not obscure the potential assets features of interest as considered by policies CN01, CN06, CS15, HS33, LP03, LP19, LP24 and the NPPF, which share similar aims in that they intend to safeguard an areas local distinctiveness and deliver appropriate in-context design.

## **Historic Environment and Heritage**

The site is located at a relatable distance to a listed building Hill House, as such the dwelling itself is identified to be a potential non-designated heritage asset due to this historic relationship and its design.

Therefore, the building's setting and curtilage may contain outbuildings and enclosure of importance.

Policies CN01 and CN06 are used to measure the impact of a proposal to a listed building and design.

*"Proposals for the alteration (including part demolition), extension of buildings of Special Architectural or Historic Interest (including curtilage structures), or new work within the curtilage or setting of a listed building should:*

- preserve the historic fabric of the building, and ensure that all proposals to remove by demolition, or alter any part of the building are justified in terms of preserving the special character of the building and will cause the minimum possible impact;*
- retain all elements, components, and features which form part of the building's special interest and respect the original scale, form, design and purpose of the architectural unit;*
- not conceal features of importance or special interest;*

- *be of an appropriate scale, form, siting and detailed design to harmonise with the existing building and its setting;*
- *retain a curtilage area and/or setting which is appropriate to the listed building and the relationship with its surroundings;*
- *include fenestration which respects the character of the building;*
- *use materials and components which are natural or handmade, and which complement or harmonise with those on the building and the area. This will include: lime plasters and limen mortars; natural clay or slate roofs; bricks;*
- *use appropriate detailing, finishes, and colours, both internally and externally;*
- *respect those features which contribute positively to the setting of a listed building including space, views from and to the building and historic layout."*

Please note that the emerging Joint Local Plan policy with modification requires that development:

*"5. When considering applications where a level of harm is identified to heritage assets (including historic landscapes) the Councils will consider the extent of harm and significance of the asset in accordance with the relevant national policies. Harm to heritage assets (regardless of the level of harm) will require clear and convincing justification."*

For review of this development proposal NPPF requires by paragraph 197 the following considerations:

*"197. In determining applications, local planning authorities should take account of:*

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness."*

The heritage officer is of the view that no heritage harm is caused by the development to the listed building and potential non designated asset or impact to their setting subject to conditions given.

When considering the potential impact of development to a non-designated asset the NPPF paragraph 203 directs that a balanced judgement is required:

*"203. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."*

Since the revised design does not result in an extension of wholly dissimilar appearance but offers further relief and spacing of the new built form away from the outbuilding the proposal demonstrates sensitivity to the historic but form so that its symmetric arrangement can still be appreciated because the extension acts as a discrete and distinctly contemporary infill between the host dwelling and outbuilding. Which will replace an incongruous extension by a higher standard of design quality in a materials palette that references the historic architecture and has

simple detailing and limited large expanses of glazing that is well proportioned and positioned so that the extensions light massing does not cause the symmetric façade to appear off-balance. Alternative design options have been explored and this scheme is the most successful of the iterations.

Consequently, mindful of that a balanced judgement is required and that the design poses no harm, it is considered appropriate to recommend approval of the development with conditions of the heritage officer.

### **Highway Safety (Parking, Access, Layout)**

Transport and travel focused policies TP15 and LP29 direct to consideration of the SPD. The adopted Supplementary Planning Guidance (SPG) is Suffolk County Council Parking Standards (2019).

The existing and proposed floorplans indicate that the dwelling's number of bedrooms will increase from two to three by result of the proposal. The minimum onsite parking expectation for a dwelling with two or three bedrooms is the same being at least two vehicle spaces, no details for this provision are submitted.

Therefore, it is felt prudent to also attach condition to the development to secure long-term retention of suitable parking and turning onsite because the side extension will constrain improvement of provision. However, the site is large enough to accommodate storage of construction materials and is able to host a skip. There is no parking restriction within the immediate locality of the site for contractor parking needs.

The works do not affect highway safety, the site's ability to accord to policy TP15 is not compromised.

### **Residential Amenity**

Policies within the adopted development plan require, inter alia, that development does not materially or detrimentally affect the amenities of the occupiers of neighbouring properties. It is considered that this proposal does not give rise to any concerns of loss of neighbour amenity by reason of the substantive 100m distance between Hill House Cottages and the detached neighbour Hill House with intervening vegetation to further limit ability to onlook private property. In regard to the attached neighbour 2 Hill House Cottages to the north, the low profile form of the single storey extension is not likely to cause significant overshadowing issues of primary living accommodation or to their generous sized garden and does not create an overbearing relationship or any ability to onlooking owing to the lack of openings upon the north facing elevation which appears as though it will be a high boundary wall subdividing the plots. To prevent undue disturbance during the construction phase it is recommended that conditions be attached to permission for restriction of construction work hours and to prevent burning of waste onsite.

Overall, the proposal's impact is low and respectful to neighbour properties as required by policy HS33.

### **Landscape and Trees**

The gardens are mostly retained and there are no trees in the site protected by tree preservation order.

This site is located in countryside, at a prominent elevated position on the Shotley Peninsula headland. Although there is limited visibility of the site and relatively small dwelling from a distance, there is a public right of way footpath immediately adjacent routed along the site's southern boundary and Wades Lane.

From which there is significant visibility of the site, and the proposed development will be largely visible. There is some limited screening afforded by the natural embankment of the sloped site and hedging, as well as a backdrop of tree planting and surrounding tree belts or hedgerows of the agricultural farmland. So that the new built form is not obtrusive to the countryside will blend with the surrounding development.

The site is also in an Area of Outstanding Natural Beauty, but the type, scale and discrete location of the development makes negligible impact upon the appreciation and quality of the AONB landscape setting. Given that the scale of the development is domestic and minor taking a low-profile single storey form. So that the new built form is not obtrusive to the countryside and blends with surrounding development.

The comments from the AONB officer echo this judgement of the proposed developments likely impact and suggest that planting at the southern site boundary should be strengthened to improve the landscape. Mindful that new development within the countryside should deliver landscape enhancement, a condition is considered relevant and necessary to agree a suitable scheme of site perimeter planting.

Furthermore, given the relative isolation of the site and the Dark skies Project ambition within the AONB, it is also considered necessary to restrict external lighting installation at the site to excessive lighting. In line with the expectations of Babergh Local Plan policy EN22 which seeks to prevent light pollution.

Overall, the proposal integrates with the landscape and causes no detrimental effect as per policy CR02.

### **Ecology and Biodiversity**

Consultation was invited from the council's Ecologist because there was potential for suitable habitat. Namely, an accessible historic outbuilding and pockets of woodland and hedgerow within the locality. The council's ecologist has reviewed the later submitted bat survey and is satisfied that the development can be carried out with suitable measures in place during construction for mitigation of disturbance to wildlife and compensation for any loss of potential habitat by way of biodiversity enhancement measures. The condition given by the ecologist can be tailored to ensure the works are undertaken in this manner, and is considered necessary and proportionate to attach to the permission given the scale of alteration.

Having reviewed the bat survey report it is also considered necessary and relevant to attach a condition for agreement of a suitable wildlife friendly external lighting scheme for the site given its relative isolation. So that features nearby the site that are likely to be suitable habitat for foraging bats are safeguarded.

Regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 (Implemented 30<sup>th</sup> November 2017) provides that all "competent authorities" (public bodies) to "have regard to the Habitats Directive in the exercise of its functions." It has been considered that no criminal offence under the 2017 Regulations against any European Protected Species is likely to be committed. There are no recordings of protected species or their habitats within the site or likely to be affected in the immediate area.

There are no known issues identified to warrant refusal in respect of biodiversity consideration of CS15.

### **Flood Risk**

The site is located in Flood Zone 1, where there is a limited potential for flooding and a limited history. Neither has this site been identified to be subjected to a high risk for surface water flooding events.

The proposal is considered to not cause any detrimental effect to the drainage of the site as per CS15.

### **Town/Parish Council**

*"The Shotley Parish Council would like to recommend the refusal of this planning application. Members do not feel that the re-submission is significantly different enough when compared to previous submissions."*

The concern raised by Shotley Parish Council has been considered, however the Babergh Local Planning policies make allowance for contemporary design approaches where sites are deemed appropriate, in this instance the applicants have engaged in pre-application services to resolve design based concerns to a level found acceptable to remove the objections previously raised by the technical consultees for the AONB and Heritage matters. The NPPF under paragraph 38 directs decision makers to seek creative solutions where possible.

*“38. Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.”*

The local planning authority has engaged in negotiation during the course of this application in response to all concerns raised and with the aim to achieve a high standard of design through the negotiation of several minor amendments to the extensions design which now takes a single-storey form comparative to the two-storey extension of the withdrawn application, and no longer includes a proposed dormer.

Therefore, this scheme is considered to be an alternative design and revised development proposal to that previously submitted. In order to safeguard qualities of local distinctiveness, on this occasion the legibility of the symmetric built form of the dwelling and outbuildings and their appreciation. Further design amendments were invited namely lighter weight attachment with existing outbuilding and fenestration rearrangement so that glazing would set apart the newer built additions from those historic. The negotiated revised design of the proposal is felt to demonstrate that an appropriate level of attention has been given to the distinctive qualities of the buildings and site so that the development is respectful.

## **CONCLUSION**

The proposed development is considered to result in no adverse impact on highways safety, residential amenity, the AONB, the natural and historic environment or biodiversity interests to warrant its refusal. A balanced judgement is required in respect of NPPF paragraph 203 since the host building is identified to be a candidate non-designated heritage asset, the amended design now respects the distinctive features. The extension to enable internal re-configuration of the host-dwelling with conserve its optimal viable use.

Otherwise, the contemporary design proposal for extension of the building is assessed to be in accordance with the expectations of CN01, CN06, CS15, HS33 and the relevant NPPF paragraphs.

The concerns of the heritage officer can be controlled by suitable conditions to secure appropriate architectural design detailing and specification of precise finishes within the setting of the potential asset.

Recommendation is to grant permission subject to the conditions recommended by the heritage officer, and the ecological consultant in addition to a condition to agree a proposed onsite parking arrangement.

Furthermore, conditions to control external lighting installation onsite, and to remove permitted development rights, control construction works hours and prevent burning of construction waste onsite.

To ensure that the development harmonises with the AONB landscape it is advised to secure planting onsite by way of a landscape strategy condition and a suitable seasonal implementation condition trigger.

## **RECOMMENDATION**

*I have considered Human Rights Act 1998 issues raised in relation to this proposal including matters under Article 8 and the First Protocol. I consider that a proper decision in this case may interfere with human rights under Article 8 and/or the First Protocol. I have taken account of exceptions to Article 8 regarding National Security, Public Safety, Economic and wellbeing of the Country, preventing Crime and Disorder, protection of Health and Morals, protecting the Rights and Freedoms of others. I confirm that the decision taken is necessary, not discriminatory and proportionate in all the circumstances of the case.*

<b>RECOMMENDED DECISION:</b>	Granted
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Case Officer Signature: Emily Vuyk	Date: 05/05/2023
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