

**Target Decision Date: 11/04/2023**

**Expiry Date: 25/04/2023**

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

**CASE OFFICER:** Grace Waspe  
**CASE REFERENCE:** DC/23/00921

### **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 - Widening of driveway. Replacement and extension of dropped kerb. Replacement of damaged concrete slab with block paving. Creation of soakaway. Replacement of gravel.

**LOCATION:** Chestnuts Farmhouse (west), Charles Tye, Ringshall, Stowmarket, Suffolk, IP14 2HU

**PARISH:** Ringshall.

**WARD:** Battisford & Ringshall.

**APPLICANT:** Mr Adrian Williams

**SITE NOTICE DATE:** 21/03/2023

**PRESS DATE:** N/A

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## **BACKGROUND DOCUMENTS**

This decision refers to drawing number TQRQM23059105026385 received 28/02/2023 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 TQRQM23059105026385 - Received 28/02/2023

Block Plan - Proposed TQRQM23059110054416 - Received 28/02/2023

Existing Site Plan 1 - Received 23/02/2023

Proposed Site Plan 2A - Received 24/04/2023

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**

SCC - Highways- Consulted on 01/03/2023- Comments Received 17/03/2023.

Ringshall Parish Council- Consulted on 01/03/2023- No comments received.

## **PLANNING POLICIES**

NPPF - National Planning Policy Framework  
NPPG- National Planning Policy Guidance  
FC01 - Presumption In Favour Of Sustainable Development  
FC01\_1 - Mid Suffolk Approach To Delivering Sustainable Development  
CS01 - Settlement Hierarchy  
CS02 - Development in the Countryside & Countryside Villages  
CS05 - Mid Suffolk's Environment  
LP24 - Design and Residential Amenity  
GP01 - Design and layout of development  
H16 - Protecting existing residential amenity  
H17 - Keeping residential development away from pollution  
T09 - Parking Standards  
T10 - Highway Considerations in Development  
LP29 - Safe, Sustainable and Active Transport

## **PLANNING HISTORY**

**REF:** 0583/82                      Division of existing house into two dwellings including removal of staircase and partition walls to enable division to be effected, with layout of new vehicular access.                      **DECISION:** GTD

**REF:** 0055/82/LB                      "Alterations, including the division of existing dwelling into two."                      **DECISION:** GTD

## **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.

### **Site and Surroundings**

The application site encloses Chestnuts Farmhouse (west), a semi-detached dwelling with associated garden and garaging. The countryside surrounding this site consists much of farmland, with large open fields a defining feature of the landscape. The vehicular access "apron" to the site was previously formed of concrete slab, with gravel surfacing beyond this. The vehicular access and dropped kerb were formerly approximately 6.5m wide, with hedging either side; the entrance has since been widened to approx. 7.7m. The surfacing materials have been replaced with block paving for the first 4.6 metres and new gravel beyond this. New planting has been undertaken along the site frontage, which is currently under 1m in height.

### **Principle of development**

Ringshall is a Secondary Village as defined by Policy CS1 of Mid Suffolk District Council's 2008 Core Strategy. While the proposal sits outside of any defined settlement boundary and does not fall under any of the categories defined by Policy CS2, it is considered to generate benefit worthy of planning permission as it provides a tidy and stable surface for vehicles, cyclists and pedestrians. Furthermore, highway safety for all users of the road is preserved by the omission of any obstructions to the visibility

splay. It is for these reasons the proposal is considered to accord with Policies T9 and T10 of the Mid Suffolk 1998 Local Plan and Policy 29- Safe Sustainable and Active Transport of the Babergh and Mid Suffolk Joint Local Plan (hereafter referred to as the JLP). The principle of the proposed development is therefore considered acceptable.

### **Design and Layout**

Policy LP24 of the JLP in addition to Policy GP01 of the 1998 Local Plan encourage good design and layout, among other things; these policies carry significant weight.

The vehicular access, which now uses block paving in lieu of damaged concrete, has not changed in a manner that constitutes poor design, and is considered an improvement to the overall appearance of the site frontage. The layout has seen only minor changes, with the access apron and dropped kerb widened by approximately 1.2m. The open feel of the site frontage with its new planting relates well to the surrounding countryside which enjoys section of road bordered by hedging and trees, and sections without. The block paving and gravel materials are sympathetic to the locality, providing a less utilitarian and more attractive finish to the vehicular access.

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

As discussed earlier in this report, this development engages Policies T9 and T10 of the Mid Suffolk 1998 Local Plan, which call for the provision of parking and manoeuvring and having regard to highway matters such as the provision of safe access to and egress from the site. With larger vehicles using the road in front of the application site to access the neighbouring Chestnut Farm, the preservation of highway safety is paramount. There are no impacts on highway safety significant to warrant refusal, and all existing parking and manoeuvring space is to be retained.

### **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 layout, form and design.

### **Other Matters**

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. It is unlikely that any protected species would be found within this site and as such this proposal is not considered to be harmful in terms of biodiversity issues.

### **CONCLUSION**

The revisions to this site's vehicular access are considered a betterment and with time will see the maturing of new planting along the frontage. The materials and layout are considered to be harmonious with the wider setting of Charles Tye/Ringshall. Residential amenity and highway safety are not detrimentally affected by the proposal.

Approval is recommended due to this proposal's sympathetic design and accordance with the aforementioned planning policies.

**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.*

**RECOMMENDED DECISION:** APPROVAL

Case Officer Signature: Grace Waspe	Date: 25/04/2023
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