

**Philip Isbell - Corporate Manager**  
**Growth & Sustainable Planning**

**Babergh District Council**

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Website: [www.babergh.gov.uk](http://www.babergh.gov.uk)



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**Please ask for:** Lynda Bacon  
**Your reference:**  
**Our reference:** DC/17/05770  
**E-mail:** [planninggreen@baberghmidsuffolk.gov.uk](mailto:planninggreen@baberghmidsuffolk.gov.uk)  
**Date:** 5th January 2018

Dear Sir/Madam

**Proposal:** Written enquiry for the re-development of the site to include the retention of the existing building and the erection of 4no. detached dwellings.

**Location:** Farmers Guide, Parkside, London Road, Ipswich IP4 1AS

Thank you for your request for pre-application advice. I have reviewed the information provided and provide the following information and advice:

**Site Constraints:**

The site is located within the designated built up area boundary for the wider Ipswich Fringe as defined in the Babergh Local Plan (2006), the site is also situated within a Special Landscape Area.

Access to the site is via London Road, which is a classified 'A' road (A1214). There are a number of trees across the site, including individual trees, groups and woodland, that are protected by a Tree Preservation Order (BT 126).

**Description of Proposal:**

Written enquiry for the re-development of the site to include the retention of the existing building and the erection of 4no. detached dwellings.

**Plans & Documents Considered:**

The plans and documents recorded below are those which have been considered:

Defined Red Line Plan - Received 16/11/2017  
Proposed site plan - Received 16/11/2017  
Concept Statement - Received 16/11/2017

**Relevant Planning History:**

B//86/00210	OUTLINE - CHANGE OF USE OF EXISTING PROPERTY TO SINGLE DWELLING AND	Refused 30/04/1986
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B//87/00491	ERECTION OF SIX DWELLINGS OUTLINE - CHANGE OF USE OF PROPERTY TO SINGLE DWELLING AND ERECTION OF TWO DWELLINGS (AS AMENDED BY LETTER DATED 02/06/87)	Granted 17/06/1987
B//93/00913	ERECTION OF 2 DETACHED TWO-STOREY DWELLINGS WITH DETACHED DOUBLE GARAGES AND ERECTION OF DETACHED DOUBLE GARAGE FOR PARKSIDE, CHANGE OF USE OF PARKSIDE FROM GUEST HOUSE TO SINGLE DWELLING. ALTERATION TO EXISTING VEHICULAR ACCESS AMENDED BY LETTER DATED 30.09.93 AND AMENDED PLANS RECEIVED 01.10.93	Granted 08/10/1993
B//95/00793	CHANGE OF USE FROM BOARDING HOUSE TO OFFICES, FORMATION OF ASSOCIATED CAR PARKING AREA AND ALTERATIONS TO EXISTING ACCESS AS AMENDED BY REVISED DRAWINGS RECEIVED ON 03.08.95	Granted 07/08/1995
B//03/00643	Erection of balcony to rear elevation and alteration of window to door opening.	Refused 02/06/2003
B/06/00893	Felling of 1 no. Ash Tree (T1) and selective coppice of various trees within W1 covered by Tree Preservation Order No. BT126.	Granted 05/07/2006
B/09/00706	Removal of 1 no. dying Robinia tree (subject to replacement) within Group G6 of Tree Preservation Order BT 126.	Granted 27/07/2009
B/10/00570	Remove 2 no. dead/dying Horse Chestnut trees within Group 5 of Tree Preservation Order No BT 126. Duty to plant replacements is discharged due to close proximity of other existing mature trees.	Granted 15/06/2010

### **Relevant Planning Policies:**

NPPF - National Planning Policy Framework  
 CN01 - Design Standards  
 CR04 - Special Landscape Areas  
 EM24 - Retention of Existing Employment Sites  
 EN22 - Light Pollution - Outdoor Lighting  
 HS28 - Infilling/Groups of dwellings  
 TP15 - Parking Standards - New Development  
 CS01 - Applying the presumption in Favour of Sustainable Development in Babergh  
 CS02 - Settlement Pattern Policy  
 CS13 - Renewable / Low Carbon Energy  
 CS14 - Green Infrastructure  
 CS15 - Implementing Sustainable Development  
 CS18 - Mix and Types of Dwellings

### **Officer Assessment:**

Your pre-application enquiry concerns the erection of four new dwellings, together with the potential change of use of the existing property known as Parkside from its current use as offices to use a single dwelling. You have explained in the submitted Concept Statement that your proposal allows for the retention of the existing office, or alternatively, the existing office premise could be converted to a residential use as 'Permitted Development' (subject to the submission of an application to the Council for a determination as to whether its prior approval is required).

The section of London Road within the Babergh District is identified as being part of the Ipswich Fringe under Policy CS2 of the Babergh Core Strategy (February 2014). The application site is located within the defined built up area boundary for the settlement and the principle of residential development in this location is therefore acceptable.

Any formal application for planning permission will therefore fall to be determined against saved and adopted policies of the Local Development Plan and the National Planning Policy Framework (NPPF). Policies CS1, CS2, CS13, CS14, CS15 and CS18 of the Core Strategy and Saved Policies CR04, CN01, EM24, EN22, HS28 and TP15 are all relevant to your enquiry.

In general terms, these policies relate to the design, layout and setting of the proposed development in the context of the existing pattern of development in the area and require new development to respect the locally designated landscape and its features and streetscape and to make a positive contribution to the local character, shape and scale of the area.

Policy EM24 is worth particular mention as it seeks to protect existing employment sites from being redeveloped for non-employment uses without tested justification. Your specific proposal involves an existing office use that would benefit from protection under Policy EM24 and whilst it is acknowledged that the existing office premise could potentially be converted to a residential use as 'permitted development' without requiring full planning permission; it should be noted that should an application be submitted to redevelop the site in advance of the change of use of the office to residential, the Planning Authority would need to be satisfied that the office use remained viable and unaffected by the proposed new dwellings and this would extend to ensuring that the loss of car parking associated with the office did not impact on the viability of the site for commercial use.

I would therefore suggest that your client further explores their options for the existing office use at the site as:-

- i) If it is the intention to convert the premise to a residential use, the steps required to facilitate the residential use of the existing building should commence i.e. an application for the Council's 'prior approval' for the change of use of the office to residential dwelling under Class O of the GPDO should be submitted to further advance the proposal in terms of the future use of the existing building on site.
- ii) If it is the intention to retain the existing office use of the building, the residential development proposed for the remainder of the site should make provision for the retention of sufficient car parking to service the existing office use.

At the current time the Council does not have a five-year supply of housing land as required by the National Planning Policy Framework, such that the policies for the supply of housing are considered to be out of date by the NPPF. The NPPF nevertheless requires that development be sustainable and that adverse impacts do not outweigh the benefits to be acceptable in principle.

The balance of this acceptability is based on the three strands of sustainable development, economic, social and environmental. The site is within the defined built up area boundary for the Ipswich Fringe and is positioned amongst neighbouring properties and in this regard the proposal would be likely to be considered to fall within the dimensions of sustainable development.

It now follows that having established, as a matter of principle, that the site is within an appropriate location for redevelopment, there are site specific particulars relevant to this proposal to draw your attention to. In my view, the main issue affecting the redevelopment of this site for 4 new dwellings is the detailed design and layout of the proposal having particular regard for the proximity of new development to existing trees that are afforded protection by virtue of a preservation order.

Saved Policy HS28 of the Babergh Local Plan requires applications for infilling or groups of dwellings to seek to ensure a good standard of amenity for all existing and future occupants of land and buildings. Additionally, Saved Policy CN01 requires all new development proposals to be of an appropriate scale, form, detailed design and construction materials for the location.

You have provided an indicative site layout plan showing an in-depth development across the site with potentially two dwellings positioned towards the site frontage with a further three dwellings located behind; all being accessed via a new shared drive off the existing vehicular access point. It is my view that given the location of the site at the eastern end of a row of linear frontage development and the position of the site relative to adjacent public park land, an in-depth development is not likely to be resisted in this location as a matter of principle.

You have indicated in the submitted Concept Statement that the proposed development will offer a variable mix in terms of the type of accommodation proposed and that neighbouring amenity will be respected. You also explain that the suggested layout will be developed further in response to the tree survey work that you will be undertaking to inform your proposal, which will be essential to the successful outcome of any future planning application that is submitted. The submitted Concept Statement also indicates that whilst the proposed scheme is likely to be drawn in the style of the Suffolk architectural vernacular, a contemporary design solution could also be explored. In my opinion, there are no significant site constraints that would restrict the design style of the development, provided the design principles as set out in Policy CN01 are satisfactorily demonstrated by your submissions.

As part of this pre-application enquiry you have requested that comments be sought from the County Council as Local Highway Authority. The comments received from County Highways are noted below advising that it is highly unlikely that SCC would object to a full application subject to the provision of Electric Vehicle charging points and suitable bin presentation and storage areas.

### **Conclusion:**

In my opinion and from the information provide, the principle of the proposal would appear to be acceptable. However, any formal application submitted should clarify the clients position with regard to the status of the business use of the existing property and be fully supported by a comprehensive arboricultural report to demonstrates, to the satisfaction of the Council's Tree Officer, that the development does not affect protected trees.

This advice is informal officer opinion only and made without prejudice to the formal determination of any application. If you want a formal opinion then you will need to make an application with its associated supporting documentation, plans and fee.

All applications will be subject to consultation and publicity and any proposal may be subject to a call-in by a Councillor for determination at Development Control Committee.

### **Application Submission:**

Our Joint Local Validation Checklist sets out the details required for each application and this is available at

<http://www.midsuffolk.gov.uk/planning/development-management/making-a-planning-or-listed-building-consent-application/national-and-local-validation-requirements/>

However, on the basis of the information provided , I would particularly draw your attention to the need to provide;

- Planning Statement
- Arboricultural Report including a Tree Survey, Protection Plan and Arboricultural Impact Assessment
- Phase 1 Contamination Land Assessment including report and completed District Council Questionnaire
- Ecological Assessment

This is not an exhaustive list of all documents and information which need to support your application, as mentioned above please consult the Joint Local Validation Checklist.

We recommend that applications are submitted on the Planning Portal, which also provides further advice on making planning applications: <https://www.planningportal.co.uk/>

As part of any application you will need to submit the appropriate CIL form, which is available on our website.

The Community Infrastructure Levy (CIL) is a new, fixed rate payment that councils can charge on new buildings in their area to off-set the impacts of additional homes and businesses on facilities such as roads, schools, open space and health centres (infrastructure) and to enable sustainable growth. The proposed development will be liable for a CIL payment and further information is available on our website via <http://www.babergh.gov.uk/planning/community-infrastructure-levy-and-section-106/community-infrastructure-levy-cil/>

The application, if approved, will require the completion of a S106 agreement to secure a contribution towards the Recreation Avoidance and Mitigation Strategy (RAMS). The Recreation Avoidance and Mitigation Strategy (RAMS) package includes a proportionate financial contribution towards visitor management measures for the Stour & Orwell Estuaries SPA, secured by a s106, to ensure that implementation of the package of mitigation measures avoids any likely significant effect on the Stour and Orwell Estuaries SPA/Ramsar resulting from the occupation of new dwellings.

### **Consultation Responses:**

#### **SCC - Highways**

As the proposal is via an existing access with good visibility it is highly unlikely that SCC would object to a full application provided:

- Vehicle, Cycle and Electric Vehicle charge points are implemented as per the guidance available within SGP15.

- Bin Presentation and Storage would need to be included within the full application and must not obstruct the vehicular access/visibility splays.

If you have requested a consultation response and no response is set out above, a refund of this part of the fee will be due. Nonetheless a response will be provided as soon as possible.

If the above applies, you will be contacted about it as soon as possible and you should expect to receive a refund within 21 days.

I hope that this provides useful information with regards to your enquiry. If you have any queries in respect of this letter, or require clarification of issues please do not hesitate to contact me. If you would like further discussion with regards to the detail of the proposal this would be subject to a charge for further advice, see [www.babergh.gov.uk](http://www.babergh.gov.uk) for further details.

Yours faithfully

**Lynda Bacon** - Planning Officer

*on behalf of Philip Isbell – Corporate Manager – Growth & Sustainable Planning*

Please note that any advice provided by the Council's Officers is informal opinion only and is made without prejudice to any formal determination which may be given in the event of an application being submitted. In particular, it will not constitute a formal response or decision of the Council with regard to any future planning applications, which will be subject to wider consultation and publicity. Although the Case Officer may indicate the likely outcome of a subsequent planning application, no guarantees can or will be given about the decision.

Please also note, responses to pre-application enquiries are only valid for six months from the date of receipt. You should seek confirmation that circumstances have not changed if you are submitting an application outside of this period.