

Development Control Committee **5 July 2023**

Planning Application DC/22/2078/FUL & Listed Building Consent DC/22/2079/LB – Land at Malting Row, Honington

Date registered: 8 December 2022 **Expiry date:** 5 February 2023 EOT
7 July 2023

Case officer: Amey Yuill **Recommendation:** Approve applications

Parish: Honington cum **Ward:** Bardwell
Sapiston

Proposal: Planning Application - conversion of existing outbuilding to form dwelling
Application for Listed Building Consent - conversion of existing outbuilding to form dwelling

Site: Land at Malting Row, Honington

Applicant: Mr J Lumley

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and associated matters.

Recommendation:

It is recommended that the committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

Amey Yuill

Email: amey.yuill@westsuffolk.gov.uk

Telephone: 01284 763233

Background:

These applications were considered at Delegation Panel on 8 June 2023 as the Officer's recommendation for APPROVAL of both the Planning Application and Listed Building Consent is contrary to the Parish Council's objection to the applications.

It was agreed by the Delegation Panel that the matters should be referred to the Development Control Committee for determination.

A site visit is scheduled to take place on Monday 3 July 2023.

Proposal:

1. Planning permission and listed building consent is sought for the conversion of an existing outbuilding to the rear of 1-8 Malting Row, Honington, to form a single storey, two-bedroom dwelling.
2. The dwelling would measure 13.68 metres in length, 5.93 metres in width, 1.81 metres to the eaves and 3.07 metres to the ridge.
3. The conversion would involve vegetation being cleared from the site to expose the existing structure, followed by the restoration and repair of the original fabric of the outbuilding, retaining the original form and retaining and reinstating the original proportions and finishes of the building.
4. The collapsing 'flat' roofed extension is to be reinstated and external finishes are to match those of the original building, with black painted weatherboard cladding, over a soft red brick plinth, with clay pantiles to the roof and external render to masonry walls.
5. Window and door openings would largely reuse the original opening locations, with timber casement windows and timber doors.
6. Vehicular access to the building would be from the existing track / drive entrance way off Malting Row and parking would be provided to the west of the dwelling, within the application site.
7. It should be noted that the proposed plans have been amended from what was originally submitted, with the reduction of the red outline for the site to limit the curtilage of the proposed dwelling. This was requested by officers due to the garden land being located in the countryside and otherwise conflicting with Policy DM25.

Application supporting material:

8. DC/22/2078/FUL
 - Existing Plans (drawing no. 03)
 - Proposed Plans (drawing no. 04)
 - Location Plan (drawing no. 00 A)
 - Existing and Proposed Block Plan (drawing no. 01 A)
 - Existing Site Plan (drawing no. 02 A)
 - Proposed Site Plan (drawing no. 06 B)
 - Design and Access Statement

- Preliminary Ecological Appraisal
- Land Contamination Questionnaire
- Land Contamination Report
- Structural Assessment
- Application Form

9. DC/22/2079/LB

- Existing Plans (drawing no. 03)
- Proposed Plans (drawing no. 04)
- Location Plan (drawing no. 00 A)
- Existing and Proposed Block Plan (drawing no. 01 A)
- Existing Site Plan (drawing no. 02 A)
- Proposed Site Plan (drawing no. 06 B)
- Design and Access Statement
- Preliminary Ecological Appraisal
- Land Contamination Questionnaire
- Land Contamination Report
- Structural Assessment
- Application Form

Site details:

10. This site sits within the historic centre of Honington village, within the Honington Conservation Area, and partially within the Housing Settlement Boundary, with the southern aspect of the site being within land designated as countryside for planning purposes. The building itself sits within the designated settlement boundary with the garden land being mostly outside.

11. The site comprises an existing clay lump and timber framed outbuilding, with render and black weather board cladding and a clay pan tile roof. The building is currently in a state of disrepair, set within an overgrown piece of garden land. The site is accessed via a driveway to the west of No. 1 Malting Row, opposite Honington CEVC Primary School.

12. The site sits to the rear of 1-4 Malting Row, Old Oaks and 8 Malting Row, which is a terrace of Grade II Listed cottages. At one time the gardens of the Malting Cottages extended to the outbuilding and beyond. However the land has since been sold off and is now a stand-alone plot. Therefore, whilst the outbuilding itself is not formally listed it is curtilage listed due to its historic relationship with the Malting Cottages, which is the reasoning for the requirement to also seek Listed Building Consent for the proposed works.

13. The outbuilding is a modest single storey structure which is now unused and has, over time, become overgrown with vegetation.

Planning history:

14. No relevant planning history for the site.

Consultations:

15. **Conservation Officer** – Advised that the repair and conversion of the outbuilding would encourage the tidying of the site generally which would benefit the setting of the listed buildings. Furthermore, the proposals are sympathetic to the fabric of the building and comprise like-for-like repairs and reinstatement, ensuring the survival of the outbuilding.
16. Therefore, the Conservation Officer advised they have no objections to the proposal, subject to conditions requiring:
- the submission of a fully detailed specification for the restoration work
 - that all new external and internal works and finishes and works of making good to the retained fabric shall match the existing historic work adjacent
 - the submission of details for any mechanical and electrical extract fans, ventilation grilles, security lights, alarms, cameras, and external plumbing, including soil and vent pipe prior to installation
 - the submission of details for new external doors and windows
 - the submission of details for internal joinery
17. **Private Sector Housing and Environmental Health Officer** – Raised no objection to the proposal subject to a condition controlling the hours of demolition and construction to social hours only.
18. **Development Monitoring Officer** – No comments received.
19. **Leisure and Cultural Operational Manager** – No comments received.
20. **Environment Team** – Advised they are satisfied that the risk from contaminated land is low on the site, however, recommended an informative be placed upon the condition advising that should contaminated land be encountered, the developer should contact the Local Planning Authority as soon as possible. It was also advised that electric vehicle (EV) charge points are required as a result of the development via Building Regulations.
21. **Suffolk County Council Highway Authority** – No objections raised subject to conditions including pre-commencement conditions for details of cycle storage and bin presentation areas, and surface water drainage details, as well as conditions for the improvement of the existing access, surfacing of the existing access, the provision of parking and manoeuvring areas, and EV charge points.
22. **Suffolk Fire and Rescue Service** – No objections raised but provided advice regarding firefighting facilities and water supplies.
23. **Place Services – Ecology** – No comments received.

Representations:

24. **Parish Council** – Honington Cum Sapiston Parish Council objected to both the initial consultation and the second consultation following the submission of amended plans and additional information. The reasons provided for the objection included:

- Access from the proposed dwelling is onto a narrow road which is very close to an entrance of the local primary school. Drop off and pick up times, at school, are extended due to breakfast clubs/after school clubs so this can mean the road is heavily used from 7.45-9.00am and 3.00-5.00pm.
- The plot itself is less than desirable as it is at the rear of a number of grade 2 listed cottages and constitutes back fill land.
- Councillors are surprised to receive this planning application after a previous one was rejected by St Edmundsbury Council, albeit some years ago.
- The Ecology report omitted to report on the evidence of bats which inhabit the site. Councillors raised concerns about the timing when the report was carried out, in respect of bat activity.
- The occupiers of the cottages have access to the track and take their refuse bins to the side of the properties, leaving them on the track, ready for collection. They have been told by WSC that they may not leave them on the pavement as they will block the footpath.
- Councillors queried the consultation process of the applications as no residents have been informed of the proposals, although there is a notice on a telegraph post.
- Concerns were raised about access to the school with pupils and parents walking to school and using the only footpath on that road.
- Drainage capacity for the existing properties has been an issue in the past. The planning committee felt after consideration that the Parish Council could not support the application.

25. **Ward Member** – Councillor Andrew Smith of Bardwell Ward did not provide comments for either application.

26. **Neighbour Representation** – Thirteen neighbour representations were received for the full planning application and eleven neighbour representations were received under the listed building consent application. These were following both the first and second consultation after amended plans and addition information were submitted.

27. The following addresses provided representations:

- 1 Malting Row
- 7-8 Malting Row
- Rosecott House
- 7 Bletcheingley Road
- The Chestnuts
- The Walnuts
- 3 Malting Row
- Old Malsters Cottage
- Honington CEVC Primary School

28. All representations received objected to the proposal for the reasons summarised below:

- safety of access – does not meet SCC standards requirement in terms of access width and concerns around visibility
- increased vehicle movements which may impact traffic
- noise impact during construction and as a result of a new dwelling
- proposal would set precedent to convert other buildings to dwellings

- adverse impact upon biodiversity
- lack of privacy to neighbouring dwellings
- potential to cause damage to nearby listed buildings
- may impact sewers by strain to system
- impede bin storage/presentation areas of Malting Cottages
- issues from construction vehicles blocking traffic
- adverse impact upon character of listed buildings
- impact upon light into garden
- impact and loss of landscaping on site
- concerns around land to the rear of the dwelling being used for further development in the future
- issues with being able to convert the existing building
- question over access land ownership
- potential to devalue properties along Malting Row

Policy:

29. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.

30. The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy 2010 & Rural Vision 2031 have been taken into account in the consideration of this application:

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM5 Development in the Countryside
- Policy DM7 Sustainable Design and Construction
- Policy DM11 Protected Species
- Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM13 Landscape Features
- Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- Policy DM15 Listed Buildings
- Policy DM17 Conservation Areas

- Policy DM18 New Uses for Historic Buildings
- Policy DM22 Residential Design
- Policy DM25 Extensions to Domestic Gardens in the Countryside
- Policy DM46 Parking Standards
- Core Strategy Policy CS2 - Sustainable Development
- Core Strategy Policy CS3 - Design and Local Distinctiveness
- Core Strategy Policy CS4 - Settlement Hierarchy and Identity
- Vision Policy RV1 - Presumption in favour of Sustainable Development

Other planning policy:

31.National Planning Policy Framework (NPPF)

32.The NPPF was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2021 NPPF that full weight can be attached to them in the decision making process.

Officer comment:

Full Planning Application

33.The issues to be considered in the determination of the full planning application are:

- Principle of development
- Design and impact on character and Conservation Area
- Impact on listed buildings
- Impact on residential amenity
- Highway impact
- Landscape and ecology
- Other matters

Principle of development

34.The existing building and proposed dwelling element of the site are located within the housing settlement boundary of Honington, however, the rear garden and proposed parking area within the red outline of the site are located in land designated as countryside for planning purposes.

35. With the existing building being located within the housing settlement boundary of Honington, where the principle of new dwellings is supported in accordance with the provisions of CS4 of the St Edmundsbury Core Strategy, the principle of development is considered acceptable, and is further supported by the weight to be attached to Policy DM1.
37. DM25 deals with extensions to domestic gardens within the countryside, which is therefore relevant to this proposal as the proposal would result in garden land within what is classed as countryside. DM25 states that extensions to domestic gardens within the countryside will not normally be permitted. However, small, unobtrusive extensions of residential curtilages into the surrounding countryside, which will not adversely affect the character and rural amenities of the site and wider countryside will be permitted where the following criteria are met:
- a. the development will not involve the loss of the best and most versatile agricultural land;
 - b. the proposal will not involve the loss of an important hedgerow or other important landscape feature;
 - c. there will be no significant detrimental effect upon biodiversity interests; and
 - d. that provision is made for suitable landscaping to ensure boundary treatment is of an appropriate rural character and appearance.
38. Initially the proposed plans indicated a residential curtilage and garden which extended all the way to southern boundary shared with No.1 Ixworth Road. However, officers considered the scale of the garden was neither small nor unobtrusive, therefore amendments were sought.
39. Amended plans were received following the concerns being raised with the scale of the garden which show a reduction in the red outline of the site from what was originally submitted. The proposed incursion into the countryside has been reduced to what is deemed to be an acceptable level. Therefore, the proposal is considered compliant with policy DM25.
40. With the site sitting partially outside of the housing settlement boundary, within land designated as countryside, policy DM5 is also relevant, with it seeking to protect areas designated as countryside from unsustainable development. However, with the built development lying within the housing settlement boundary and only the rear garden being within the countryside, policy DM25 is considered most relevant in this instance.
41. With the existing building having historically related to the listed malting cottages to the north, policy DM18 is relevant to the proposal. DM18 relates to developments for new uses of historic buildings and states that permission for the adaptation of a historic building to sustain a new use will be permitted where the proposal will protect the special significance of the building, and would not have a detrimental impact on:
- a. the character, appearance and setting of the building or significant elements of the buildings historic fabric;
 - b. the scale, height, massing, alignment, style and materials of the building;
 - c. the form, function and manner of construction of the building.

42. All development proposals should provide a clear justification for the works, especially if these works would harm the significance of a historic building or its setting, so that the harm can be weighed against any public benefits.
43. The current outbuilding is in a state of disrepair and on the verge of being lost, however, some of it survives in a condition which can be retained and repaired. The conversion seeks to revitalise the building to form a new dwelling in a sympathetic manner, matching the current footprint, height and historic materials of the building to that which is existing. Therefore, the proposal is considered to enhance the setting of the listed buildings to the north and to also ensure the survival of the historic outbuilding, in accordance with DM18. This offers weight in support of approval of both applications.
44. Whilst the broad principle of development is therefore considered to be acceptable, the proposed development also needs to be considered against other policies and material consideration which will be discussed within the report below.

Design and impact on character and Conservation Area

45. Development such as the provision of a new dwelling will need to be in accordance with policy DM2 and requires proposals to respect the character and appearance of the immediate and surrounding area, and that there is not an adverse impact upon residential amenity, highway safety or important trees within the street scene. Along with CS3, DM2 requires development to conserve and where possible enhance the character and local distinctiveness of the area.
46. Policy DM22 states that residential development proposals should maintain or create a sense of place and/or character by utilising the characteristics of the locality to create buildings and spaces that have a strong sense of place and distinctiveness, using an appropriate and innovative design and approach and incorporating a mix of housing and unit sizes that is appropriate for the location.
47. Furthermore, policy DM2 and DM17 state that proposals for development within, adjacent to or visible from a Conservation Area should preserve or enhance the character or appearance of the Conservation Area or its setting, and views into, through, and out of the area. This stance is supported by The Planning (Listed Buildings and Conservation Areas) Act 1990 (under Section 72) requiring special attention to be paid by the decision maker to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
48. At present, the existing outbuilding is dilapidated, with vegetation overcoming the building, and with a partial collapse of the roof. The outbuilding is unused and sits within an overgrown garden to the rear of Malting Cottages. However, glimpsed views of the building and site can be seen from the public realm and from Honington Conservation Area via the driveway access to the west of No.1 Malting Row from Malting Row.
49. The planning application seeks the conversion of the existing building through restorative and repair works of the original fabric of the

outbuilding. The proposal would retain the original form of the outbuilding, with a single storey height, a double pitched roof structure which can be seen from Malting Row and then a single storey flat roof element to the southern elevation. Therefore, retaining and reinstating the original proportions, with no increase to the overall height of the building or extension to the floor print from what has historically been in situ.

50. The external finishes to the proposed dwelling would be to match those of the original building, with black painted weatherboard cladding, over a soft red brick plinth, clay pantiles to the roof, and render to masonry walls. Window and door openings would largely reuse the original opening locations, and the windows and doors would be timber.
51. The proposal is considered to be sympathetic to the character of the existing building, the Conservation Area and the surrounding area in general and would result in an approved appearance to what is currently a failing and unsightly structure. Whilst only glimpsed views of the site are achieved from Malting Row, the proposed conversion of the outbuilding to a dwelling would enhance the character of the Conservation Area, whilst respecting the historic building's layout and fabric.
52. In addition, the Conservation Officer has advised they have no concerns regarding the proposal's impact upon the Conservation Area, therefore, the proposal is considered to be compliant with policy DM2, DM17, DM22, CS3 and the provisions of the NPPF.

Impact on listed buildings

53. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing a listed building or its setting or any features of special architecture or historical interest which it possesses.
54. Paragraph 199 of the NPPF states that when considering the impact of a proposed development upon the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater that weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
55. Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
56. Policy DM15 of the Joint Development Management Policies Document states that proposals to alter, extend or change the use of a listed building or development affecting its setting will be permitted where they are of an appropriate scale, form, height, massing and design which respects the existing building and its setting.
57. In this case the outbuilding is within the historic curtilage of the Grade II listed buildings to the north (Malting Cottages) and it contributes to their setting, and forms part of the larger plot of garden land to the south.

58. The existing outbuilding is in a state of disrepair and on the verge of being lost. Therefore, with the proposed conversion seeking to revitalise the building to form a new dwelling in a manner which respects the existing character of the building and the setting of the Malting Cottages to the north the proposed development is welcomed in terms of the preservation and enhancement of a curtilage listed building and the retention of the historic character and setting of the listed cottages to the north.
59. The Conservation Officer provided comments during the course of the applications, acknowledging that the building is in a dilapidated condition but some of it survives in a condition which can be retained and repaired.
60. It was advised that the repair and conversion of the outbuilding would encourage the tidying of the site generally which would benefit the setting of the listed buildings and that the proposals are sympathetic to the fabric of the building and comprise like-for-like repairs and reinstatement, ensuring the survival of the outbuilding.
61. Neighbour representations received did raise concerns that the proposal would result in harm to the character and setting of the listed Malting Cottages and that vehicle movements past No.1 Malting Cottage could damage the listed buildings. However, these concerns were not mirrored in the Conservation Officer's advice or comments. The Conservation Officer advised that the proposal is not considered to result in harm the setting of the listed buildings, nor to the curtilage listed building, noting that the proposal will reinstate the historic structure, albeit, with an alternative use as a dwelling.
62. Therefore, the proposed conversion of the existing outbuilding to a dwelling is considered to comply with policy DM15, as well as the provisions of the NPPF.
63. The Conservation Office did not request that any conditions be placed upon the full planning application, however, has requested some heritage conditions for the listed building consent, which will be addressed later in the report.

Impact on residential amenity

64. Policies DM2 and DM22 seek to ensure that new development does not have a detrimental impact on residential amenity, nor upon the amenities of the wider area. The policy states that the effects upon the amenities of adjacent areas by reason of noise, smell, vibration, overlooking, overshadowing, loss of light or other pollution (including light pollution, or volume or type or vehicular activity generated), must be considered.
65. Concerns have been raised by the nearby residents along Malting Row that the proposed development would result in an adverse impact upon the amenity of their properties due to noise both during construction and once the dwelling is occupied. Concerns have also been raised about overlooking and loss of privacy, and that the increase in vehicular movement along the shared access as a result of the development would result in harm to their properties. In addition, concerns around devaluation of their own property were raised, however, this is not a material planning consideration and will therefore not be addressed in the report.

66. The proposed development would result in the conversion of the existing outbuilding into a single storey, two bed dwelling, which would follow the same footprint and form as the existing and historic outbuilding structure. The proposed dwelling would be not taller than the existing outbuilding and would extend no closer to the Malting Cottage dwellings. Furthermore, the existing rear gardens of the Malting Row cottages are bound by fencing and the boundary to the front (north elevation) of the dwelling proposed is to be lined with a timber post and rail fence. Therefore, officers do not consider the proposed development would result in overlooking or loss of privacy to any neighbouring property.
67. In terms of the proposal's potential to result in increased noise levels to a degree which would result in an adverse impact upon neighbouring amenity, the Environmental Health Officer (EHO) has reviewed the proposal and has stated they have no concerns regarding noise. However, the EHO did recommend a condition to control the hours of construction and demolition for the development, those being 8am until 6pm Monday to Friday and 8am to 1pm on Saturdays, with no construction or demolition permitted on Sundays or public / bank holidays. This condition is deemed to be acceptable to ensure neighbouring amenity during the construction period.
68. Regarding concerns that increased vehicle movements would adversely impact neighbouring amenity, it is noted that the access to the site is via a driveway which runs along the western boundary of No.1 Malting Row and the eastern boundary of Rosecott House, therefore, additional vehicle movements may be noticed by both of these properties. However, the access is existing and is currently used by residents of the Malting Cottages. In terms of the scale of dwelling proposed (two bedrooms), the number of vehicles passing by No.1 Malting Row and Rosecott House are not deemed to have such an adverse impact upon the occupiers of the properties to warrant the refusal of the application.
69. Therefore, whilst the proposal may have some modest adverse impact upon neighbouring amenity by reason of noise and disturbance from vehicle movements, officers consider the proposed development complies with policy DM2 and DM22 of the local plan in regard to residential amenity.

Highway impact

70. Policy DM46 states that all proposals must comply with Suffolk Parking Guidance and Local Planning Authorities will seek to reduce over-reliance on the car and to promote more sustainable forms of transport. Furthermore, Policy DM2 of the Joint Development Management Policies Document seeks to ensure that proposals maintain or enhance the safety of the highway network.
71. Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

72. A number of concerns have been raised by local residents, including the nearby primary school and the Parish Council, in terms of the proposal's impact upon highway safety. Comments received state the proposal's access does not meet Suffolk County Council Standards in terms of width and visibility, that the proposal will lead to increased vehicle movements which would lead to increased traffic on the highway, the proposal would impede the safety of children walking to the nearby school, and that it would impact the ability of the Malting Row cottages to store their bins on the access. In addition, the ownership of the access was brought into question, with it being advised the access is shared ownership with the cottages.
73. In terms of the access ownership, the agent for the application has advised that the driveway and access which runs alongside No.1 Malting row is owned by the applicant and access is permitted over this driveway for the occupiers of the Malting Row cottages adjacent to this site. Furthermore, there is no right for bin storage on this driveway, however, it is thought that bin storage in this area may have been a suggestion to prevent storage of bins on the pavement.
74. Suffolk County Council as Local Highway Authority were consulted at both the first and second round of consultation and provided comments following their review of the proposal and the submitted plans. The Highway Authority advised they have no objection to the proposal subject to conditions for the submission of details of cycle storage and bin presentation areas, surface water drainage details, for the improvement of the existing access in accordance with the Suffolk County Council standard access drawing DM03, surfacing of the existing access, the provision of parking and manoeuvring areas, and installation of EV charge points. These conditions are considered reasonable and necessary by officers to ensure the safety of highway users and that sustainable transport methods are promoted.
75. Officers are therefore satisfied that the proposal would not lead to such adverse impact upon the highway for the application to be reasonably refused and the proposed is therefore considered to comply with both policy DM46 and DM2, as well as the provisions of the NPPF.

Landscape and ecology

76. Policy DM13 states development will be permitted where it will not have an unacceptable adverse impact on the character of the landscape, landscape features, wildlife, or amenity value.
77. Policy DM11 states that development which would have an adverse impact on species protected by the Conservation of Habitats and Species Regulations (2010) (as amended), the Wildlife and Countryside Act (1981), the Protection of Badgers Act (1992), and listed in the Suffolk Biodiversity Action Plan, or subsequent legislation, will not be permitted unless there is no alternative and the local planning authority is satisfied that suitable measures have been taken to: a. reduce disturbance to a minimum; and b. i. maintain the population identified on site; or ii. provide adequate alternative habitats to sustain at least the current levels of population.

78. Policy DM12 states as part of the requirements of other policies in this plan, measures should be included, as necessary and where appropriate, in the design for all developments for the protection of biodiversity and the mitigation of any adverse impacts. Additionally, enhancement for biodiversity should be included in all proposals, commensurate with the scale of the development.
79. A Preliminary Ecological Appraisal was submitted with the application, in which it was identified that no further surveys are required on site, and that the habitats on the site are of low ecological value, with no significant ecological constraints. However, to ensure that legal obligations are met, precautionary measures should be implemented, which are outlined within section 7 of the report, and can be controlled through a condition requiring the accordance with the Preliminary Ecological Appraisal, as well conditions securing biodiversity mitigation, enhancement measures, and lighting design.
80. The site has areas of thick vegetation at present and large trees sit along the east, west and southern boundary. Whilst much of the overgrown vegetation would likely be removed or cut back to enable the development and habitation of the proposed dwelling, no trees are proposed for removal for the development and with the site sitting within the Conservation Area, the trees are, by default, protected, therefore permission would need to be sought for their removal or any works to the trees. However, it is considered reasonable and necessary by officer that conditions be placed upon the permission to require the submission of a Soft Landscaping Scheme and Hard Landscaping Scheme to ensure the enhancement of the site in landscape character terms.
81. In summary, the proposed development is considered to comply with DM11, DM12 and DM13 in terms of its impact on biodiversity and ecological enhancement requirements.

Other matters

82. During the course of the application the Environment Team advised that based on the information provided they were satisfied that the risk of contaminated land is low, however, advised that if permission were to be granted, if during development, contamination is encountered which has not previously been identified then the developer should contact the Local Planning Authority.
83. In addition, the Environment Team advised that in accordance with Building Regulations, electric vehicle charging points should be provided. This can be further controlled by the use of a condition, which is considered reasonable to promote and facilitate the uptake of electric vehicles on the site to minimise emissions and ensure no deterioration to the local air quality, in accordance with Policy DM14.
84. Policy DM7 of the Joint Development Management Policies Document requires developers to demonstrate water efficiency measures (and one of the options is 110 litres water use per person, per day), therefore, it is considered reasonable to require the more stringent water efficiency measures set out in the Building Regulations be applied to this development, through the use of a condition.

85. Comments were received from the Environmental Health Officer during the course of the application and raised no objection to the proposal, subject to conditions requiring restricted construction and demolition times to ensure the proposal has no adverse impact upon residential amenity. Officers consider the condition recommended by the Environmental Health Officer to be reasonable and necessary.

86. Policies DM1, CS2 and RV1 seek to secure sustainable development for all proposals. This proposal is for the conversion and reuse of an existing structure within the housing settlement boundary of Honington to a dwellinghouse. Existing materials of the building would be retained, repaired, and restored where possible, which is welcomed in the sense that the building would not be entirely made from new materials, reducing the carbon footprint of the development. The proposal is therefore considered to comply with the sustainable development policies.

Conclusion

87. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with the relevant development plan policies and the National Planning Policy Framework (2021).

Officer comment:

Listed Building Consent

88. The issues to be considered in the determination of the listed building consent application are:

- Principle of Development
- Impact on Listed Building

89. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing a listed building or its setting or any features of special architecture or historical interest which it possesses.

90. Paragraph 199 of the NPPF states that when considering the impact of a proposed development upon the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater that weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

91. Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

92. Policy DM15 of the Joint Development Management Policies Document states that proposals to alter, extend or change the use of a listed building or development affecting its setting will be permitted where they are of an appropriate scale, form, height, massing and design which respects the existing building and its setting.

93. In this case the curtilage listed outbuilding is within the historic curtilage of the Grade II listed buildings to the north (Malting Cottages) and it contributes to their setting, and forms part of the larger plot of garden land to the south.
94. As previously detailed within the officer comments for the full planning application, the conversion and repair of the outbuilding to create a new dwelling is considered to be acceptable from a heritage perspective, with the Conservation Officer raising no objection to the proposal. However, the Conservation Officer requested that six conditions be placed upon the listed building consent, if granted, requiring:
- a. the submission of a fully detailed specification for the restoration work,
 - b. that all new external and internal works and finishes and works of making good to the retained fabric shall match the existing historic work adjacent,
 - c. the submission of details for any mechanical and electrical extract fans, ventilation grilles, security lights, alarms, cameras, and external plumbing, including soil and vent pipe prior to installation,
 - d. the submission of details for new external doors and windows, and
 - e. the submission of details for internal joinery. The conditions have been shared with the agent for the application and have been agreed.
95. Therefore, the proposal is deemed to comply with both local and national policy in terms of its impact upon the listed buildings to the north and their setting, as well as the curtilage listed outbuilding itself, subject to compliance with the conditions detailed above.

Conclusion

96. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with the relevant development plan policies and the National Planning Policy Framework (2021).

Recommendation:

97. It is recommended that planning permission be **APPROVED** subject to the following conditions:

- 1 The development hereby permitted shall be begun not later than three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents, unless otherwise stated below:

Reason: To define the scope and extent of this permission.

Reference number	Plan type	Date received
------------------	-----------	---------------

03	Existing Plans	30 November 2022
04	Proposed Plans	30 November 2022
00 A	Location Plan	18 April 2023
01 A	Existing and Proposed Block Plan	18 April 2023
02 A	Existing Site Plan	18 April 2023
06 B	Proposed Site Plan	18 April 2023
	Design and Access Statement	30 November 2022
	Preliminary Ecological Appraisal	30 November 2022
	Land Contamination Questionnaire	8 December 2022
	Land Contamination Report	8 December 2022
	Structural Assessment	3 April 2023
	Application Form	30 November 2022

- 3 No other part of the development hereby permitted shall be occupied until the existing vehicular access has been improved, laid out and completed in all respects in accordance with Suffolk County Council's standard access drawing DM03, with a minimum entrance width of 4.5 metres for a shared access and made available for use. Thereafter the access shall be retained in the specified form.

Reason: To ensure that the layout of the existing access is improved to an appropriate specification at an appropriate time in the interests of the safety of persons using the access and users of the highway, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 4 Prior to first use of the development hereby permitted, the existing access onto the site shall be properly surfaced with a bound impervious material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason: To secure appropriate improvements to the existing vehicular access and to prevent hazards caused by loose materials being carried out into the highway, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 5 Prior to first use of the development hereby permitted, the area(s) within the site shown on drawing No. 06 B for the purpose of loading, unloading, manoeuvring and parking of vehicles shall be provided. Thereafter the area(s) shall be retained and used for no other purpose.

Reason: To ensure that sufficient space for the on-site parking of

vehicles is provided, in accordance with policy DM2 and DM46 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 6 Before the development is commenced, details of secure, lit and covered cycle storage and electric vehicle charging infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To encourage the use of sustainable forms of transport and reduce dependence on the private motor vehicle, by ensuring the provision at an appropriate time and long term maintenance of adequate on-site areas and infrastructure for the storage of cycles and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking (2019), policy DM2 and DM45 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 7 No development above ground shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway, in accordance with policy DM2 and DM6 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 9 and 14 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 8 Before the development is occupied details of the areas to be provided for the presentation for collection/emptying of refuse and recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway, in accordance with policy DM2 and DM45 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 9 No development above ground level shall take place until a scheme of soft landscaping for the site drawn to a scale of not less than 1:200, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include accurate indications of

the position, species, girth, canopy spread and height of all existing trees and hedgerows on and adjacent to the site and details of any to be retained, together with measures for their protection during the course of development. Any retained trees removed, dying or becoming seriously damaged or diseased within five years of commencement shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation. The works shall be completed in accordance with the approved plans and in accordance with a timetable to be agreed with the Local Planning Authority.

Reason: To enhance the appearance of the development and to ensure that the most vulnerable trees are adequately protected during the periods of construction, in accordance with policies DM2, DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 10 No development above ground level shall take place until details of a hard landscaping scheme for the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels and contours showing earthworks and mounding; surfacing materials; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulations areas; hard surfacing materials; minor artefacts and structures (for example furniture, play equipment, refuse and/or other storage units, signs, lighting and similar features); proposed and existing functional services above and below ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features); retained historic landscape features and proposals for restoration where relevant. The scheme shall be implemented prior to the occupation of any part of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority).

Reason: To assimilate the development into its surroundings and protect the character and appearance of the area, in accordance with policies DM2 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 11 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Greenlight, 29 November 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g., an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in

accordance with the approved details.

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) as updated by the Environment Act 2021 and to ensure that the land is used in such a manner as to improve its ecological and nature conservation value, in accordance with policies DM11 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 12 Prior to occupation details of biodiversity enhancement measures to be installed at the site, including details of the timescale for installation, shall be submitted to and approved in writing by the Local Planning Authority. Any such measures as may be agreed shall be installed in accordance with the agreed timescales and thereafter retained as so installed. There shall be no occupation unless and until details of the biodiversity enhancement measures to be installed have been agreed in writing by the Local Planning Authority.

Reason: To secure biodiversity enhancements commensurate with the scale of the development, in accordance with policies DM11 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 13 Prior to occupation a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

- 14 Demolition or construction works shall not take place outside 8am to 6pm Mondays to Fridays and 8am to 1pm on Saturdays and at no time on Sundays, public holidays or bank holidays.

Reason: To protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 15 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in accordance with policy DM14 of the West Suffolk Joint Development Management Policies Document 2015, paragraphs 170,178 and 179 of the National Planning Policy Framework (NPPF), Environment Agency Groundwater Protection: Principles and Practice (GP3) and all relevant Core Strategy Policies.

- 16 The dwelling(s) hereby approved shall not be occupied until the requirement for water consumption (110 litres use per person per day) in part G of the Building Regulations has been complied with and evidence of compliance has been obtained.

Reason: To ensure that the proposal meets with the requirements of sustainability, in accordance with policy DM7 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies. The higher standards for implementation of water efficiency measures set out in the Building Regulations are only activated if they are also a requirement of a planning condition attached to a planning permission.

- 17 Prior to first occupation, all dwellings with off street parking shall be provided with an operational electric vehicle charge point at reasonably and practicably accessible locations, with an electric supply to the charge point capable of providing a 7kW charge.

Reason: To promote and facilitate the uptake of electric vehicles on the site in order to minimise emissions and ensure no deterioration to the local air quality, in accordance with Policy DM14 of the Joint Development Management Policies Document, paragraphs 105 and 110 of the National Planning Policy Framework paragraphs 105 and 110 and the Suffolk Parking Standards.

98. It is **recommended** that listed building consent be **granted** subject to the following conditions:

- 1 The works to which this consent relates must be begun not later than three years from the date of this notice.

Reason: In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following

approved plans and documents, unless otherwise stated below:

Reason: To define the scope and extent of this permission.

Reference number	Plan type	Date received
03	Existing Plans	30 November 2022
04	Proposed Plans	30 November 2022
00 A	Location Plan	18 April 2023
01 A	Existing and Proposed Block Plan	18 April 2023
02 A	Existing Site Plan	18 April 2023
06 B	Proposed Site Plan	18 April 2023
	Design and Access Statement	30 November 2022
	Preliminary Ecological Appraisal	30 November 2022
	Land Contamination Questionnaire	8 December 2022
	Land Contamination Report	8 December 2022
	Structural Assessment	3 April 2023
	Application Form	30 November 2022

- 3 The relevant works shall not take place/no development above ground level shall take place until details in respect of the following have been submitted to and approved in writing by the Local Planning Authority.

a. Fully detailed specification for the restoration work

The works shall be carried out in full accordance with the approved details unless otherwise subsequently approved in writing by the Local Planning Authority.

Reason: To protect the special character, architectural interest and integrity of the building, in accordance with policy DM15 and DM16 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and all relevant Core Strategy Policies.

- 4 All new external and internal works and finishes and works of making good to the retained fabric shall match the existing historic work adjacent in respect of materials, methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect the special character, architectural interest and integrity of the building, in accordance with policy DM15 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act

1990 and all relevant Core Strategy Policies.

- 5 No mechanical and electrical extract fans, ventilation grilles, security lights, alarms, cameras, and external plumbing, including soil and vent pipe shall be provided on the exterior of the building until details of their location, size, colour and finish have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the special character, architectural interest and integrity of the building, in accordance with policy DM15 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and all relevant Core Strategy Policies.

- 6 No works involving new/replacement windows shall take place until elevation(s) to a scale of not less than 1:10 and horizontal and vertical cross-section drawings to a scale of 1:2 fully detailing the new/ replacement windows to be used (including details of glazing bars, sills, heads and methods of opening and glazing) have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority all glazing shall be face puttied. The works shall be carried out in complete accordance with the approved details.

Reason: To protect the special character, architectural interest and integrity of the building, in accordance with policies DM15 and DM17 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and all relevant Core Strategy Policies.

- 7 No works involving new/replacement doors shall take place until elevation(s) to a scale of not less than 1:10 and horizontal and vertical cross-section drawings to a scale of 1:2 fully detailing the new/ replacement internal/external doors and surrounds to be used (including details of panels and glazing where relevant) have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority all glazing shall be face puttied. The works shall be carried out in complete accordance with the approved details.

Reason: To protect the special character, architectural interest and integrity of the building, in accordance with policies DM15 and DM17 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and all relevant Core Strategy Policies.

- 8 No works involving external joinery shall take place until the details of the type and colour(s) of the following have been submitted to and approved in writing by the Local Planning Authority:

- a. Protective finish to be used on all external joinery
- b. Paint to be used on external softwood joinery
- c. Stain to be used on any external hardwood joinery
- d. Lime-wash to be used on any external joinery.

The works shall be carried out in complete accordance with the approved details unless the prior written consent of the Local Planning Authority is obtained for any variation.

Reason: To protect the special character, architectural interest and integrity of the building, in accordance with policies DM15 and DM17 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and all relevant Core Strategy Policies.

Documents:

99. All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/2078/FUL](#) and [DC/22/2079/LB](#)