

PRE-APPLICATION ENQUIRY DC/25/00813



30 Edies Lane, Leavenheath, Colchester, Suffolk CO6 4PA

Pre-application Enquiry

This advice is provided as part of the Council's pre-application advice service.

The advice provided here represents a professional officer opinion based on the material submitted and is given in good faith. The Council as Local Planning Authority must consider every planning application on its own merits after having regard to all material planning considerations. The advice provided here is not in respect of a planning application, has not been subject to public consultation or appropriate statutory consultations and is not necessarily accompanied by all the required supporting material and on that basis the advice is not binding on the Council as the Local Planning Authority.

This advice does not pre-determine the outcome of any subsequent planning application based on the submitted material and/or the Advice provided.

In providing this advice the Council is seeking to proactively and constructively provide support to potential applicants seeking to deliver sustainable development as encouraged by the Government within the National Planning Policy Framework [NPPF] and national Planning Practice Guidance [PPG].

The Council is permitted to charge for this advice under the provisions of the Local Government Act 2003. The intention is to recover the cost of providing the service and not to deter applicants and their agents from engaging in pre-application discussions.



The Proposal

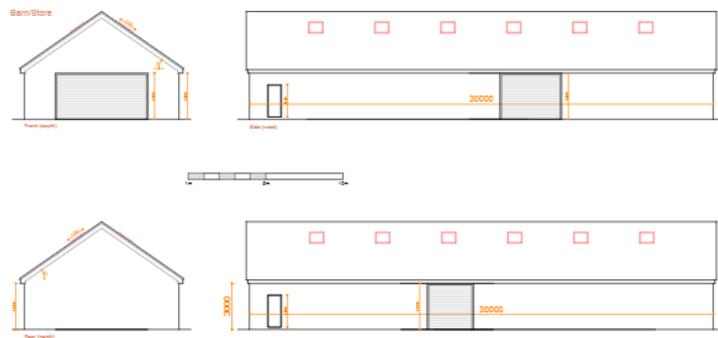
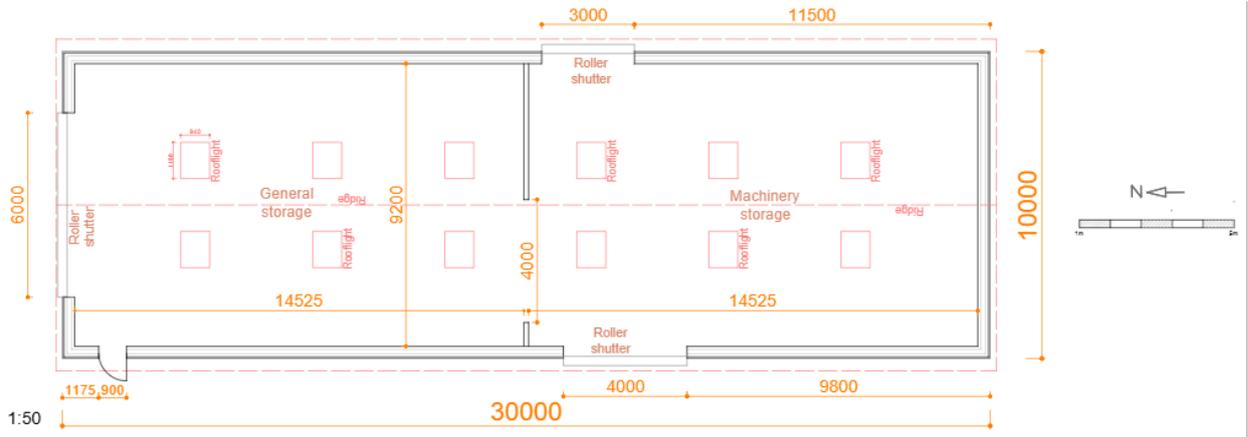
The proposed development is for:

Written Response Only - Existing bungalow roof to be raised to allow a 'full' first-floor. Front, side & rear two-storey extensions with new cartlodge to front and storage barn to rear. Part of rear extension to be single storey with balcony above.

The supporting material comprises:

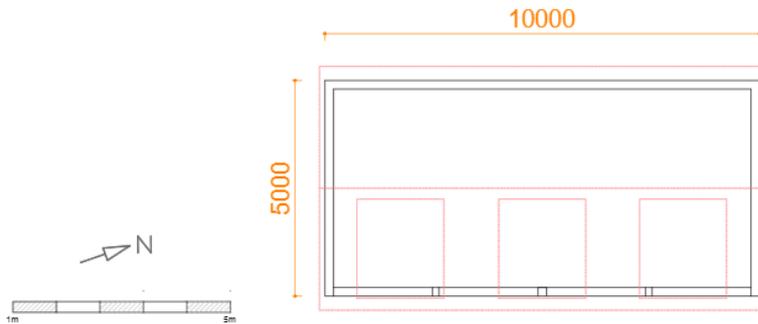
Plans - Proposed 0503/PRE/06 - Received 21/02/2025
 Plans - Proposed 0503/PRE/07 - Received 21/02/2025
 Existing Site Plan 0503/PRE/08 - Received 21/02/2025
 Elevations - Proposed 0503/PRE/05 - Received 21/02/2025
 Proposed Site Plan 0503/PRE/09 - Received 21/02/2025
 Design and Access Statement - Received 21/02/2025

The Proposed Development and Site



Client	Adam & Yvonne Villa
Project title	Reconstruction of 20 Scales Lane, Levensharnish, COSE 1024
Drawing title	Barn/Store - Proposed
Scale	1:50 & 1:100 (S)
Date	19/02/25
Scale	1:50
Scale	1:100
Scale	1:100

1:100



1:50

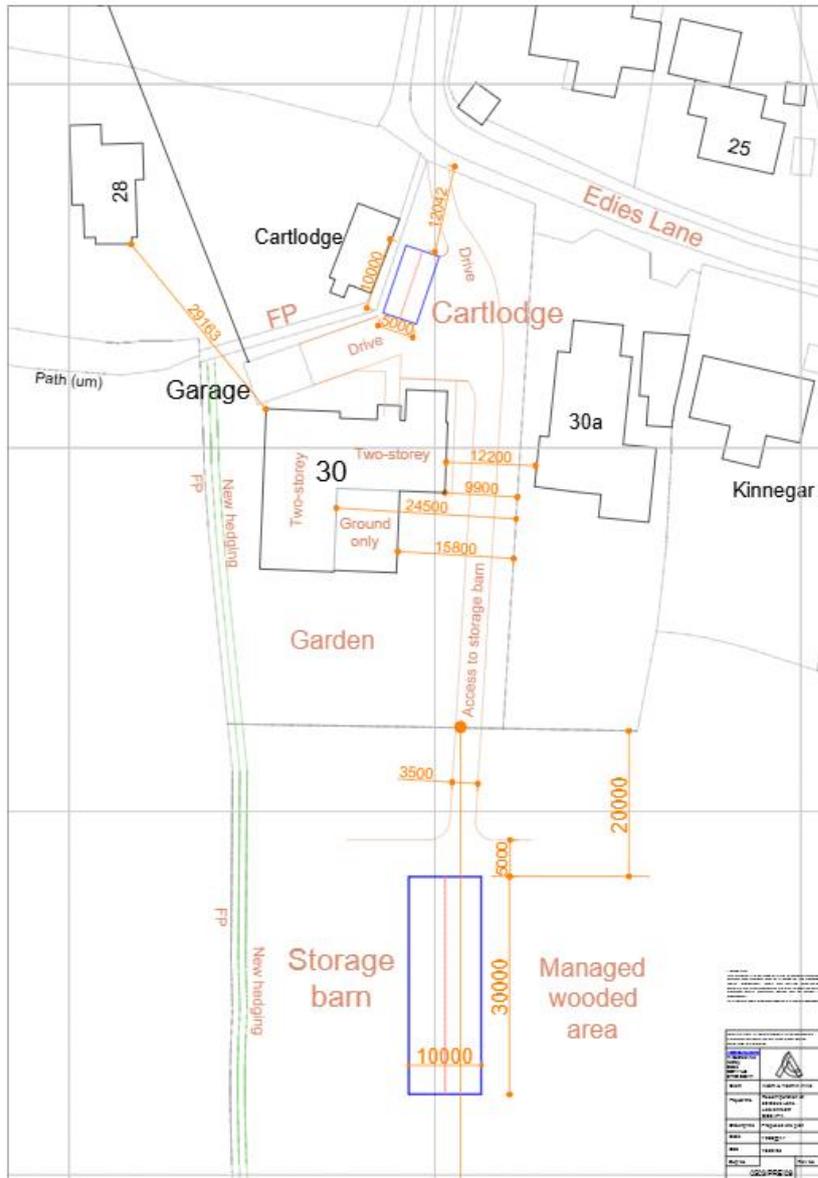


Please note:
This drawing is to be used as a guide to the proposed development. It is not to be used for any other purpose. The client is responsible for ensuring that the proposed development complies with all applicable regulations and standards. The client is responsible for obtaining all necessary permissions and approvals. The client is responsible for ensuring that the proposed development is constructed in accordance with the approved plans. The client is responsible for ensuring that the proposed development is maintained in accordance with the approved plans.

Client	Adam & Yvonne Villa
Project title	Reconstruction of 20 Scales Lane, Levensharnish, COSE 1024
Drawing title	Cartlodge - proposed
Scale	1:50&A2
Date	19/02/25
Scale	1:50
Scale	1:100

1:100

0503/PRE/07





Relevant Planning History

REF: B/1041/83/FUL	Erection of single storey side extension.	DECISION: GRA 23.01.1984
REF: B/0281/76/OUT	Erection of dwelling with garage and construction of vehicular access	DECISION: REF 07.05.1976
REF: B/0407/77/FUL	Use of land for siting of residential caravan.	DECISION: GRA 05.07.1977
REF: B//90/01219	PART SUBMISSION OF DETAILS UNDER OUTLINE PLANNING PERMISSION B/89/1855 - EXTERNAL APPEARANCE OF DETACHED BUNGALOW AND GARAGE, THE MEANS OF ACCESS TO AND LANDSCAPING OF THE SITE AS AMENDED BY THE APPLICANTS REVISED DRAWING NO 1147/A/5 RECEIVED ON 01.03.91 AND AMPLIFIED BY APPLICANTS LETTER DATED 28.02.91	DECISION: GRA 05.03.1991

Planning Policy

National Planning Policy Framework (NPPF)

The NPPF was revised in 2024, and includes, at its heart, a presumption in favour of sustainable development. However this does not affect the statutory status of the development plan (Local Plan) as the starting point for decision making.

The NPPF is a material planning consideration and you should have regard to this in the submission of any application. Particular paragraphs may be referenced in the advice below, but this does not exclude other paragraphs from being relevant to your proposal.

The Council's Adopted Development Plan: The Babergh and Mid Suffolk Joint Local Plan

The Joint Local Plan replaces the previous Local Plan, for both Babergh and Mid Suffolk District Councils.

[Part 1 of the Joint Local Plan](#) was adopted in November 2023 by Babergh and Mid Suffolk. Part 1 policies set out development which is acceptable, and restrictions to development.

A review of the Joint Local Plan and its policies will now be undertaken following updates to the NPPF in late 2024.

The site is also within the Leavenheath Neighbourhood Plan area

[Neighbourhood planning - Babergh District Council - Babergh & Mid Suffolk District Councils - Working Together](#)

Please see the below link for the Policies Maps, providing details on neighbourhood plans, Conservation Areas, Listed Buildings, Flood Mapping for example:

<https://baberghmidsuffolk.opus4.co.uk/planning/localplan/maps/bmsdc-joint-local-plan-part-1#>

Relevant Policies include:

Babergh Mid Suffolk Joint Local Plan

- SP03 - The sustainable location of new development
- SP09 - Enhancement and Management of the Environment
- SP10 - Climate Change
- LP03 - Residential Extensions and Conversions
- LP16 - Biodiversity & Geodiversity
- LP23 - Sustainable Construction and Design
- LP24 - Design and Residential Amenity
- LP24 - Design and Residential Amenity
- LP29 - Safe, Sustainable and Active Transport

Leavenheath Neighbourhood Plan

- LEAV3 – Landscape and biodiversity
- LEAV9 – Design principles
- LEAV10 – Walking and cycling

NPPF - National Planning Policy Framework

Constraints

The Leavenheath Settlement Boundary intersects the site with the dwelling and residential curtilage within, and the wooded area south outside of the boundary.
Footpath W-362/013/0 runs along the northern and western boundary of the site.
Property is not listed, however Grade II 'Stonicott' is approximately 70 metres to the north-west.
Not located within a conservation area, nor National Landscape.
No formally protected trees within the boundary nor immediate proximity.
Within Flood Zone 1.

Varying degree of surface water flooding ranging from very low, to a high risk on the area between the dwelling and 30a.

Consultation Responses

No consultation was undertaken as part of this pre-application.

Advice:

Principle of Development

The principle of development is set out within policy SP03 of the Babergh Mid Suffolk Joint Local Plan which seeks to direct all new development to within existing settlement boundaries aside from where it accords with Table 5 to the policy which permits development outside of settlement boundaries under specific circumstances.

In this particular instance, the settlement boundary appears to intersect the site, with the dwelling and residential curtilage within the settlement boundary, and the larger wooded area to the south outside. As such, the acceptability of the principle of development is split.

The works proposed to the dwelling along with the detached cart lodge forward of the dwelling are acceptable in principle, whereas the principle for the large, detached storage building is unacceptable given where it lies in relation to the settlement boundary and that it is not supported by a Table 5 policy.

Furthermore, the red line plan submitted appears to encompass a significantly large area of woodland south of the property which is not garden land. Any development in this area would also require a change of use of land, which is unlikely to be granted.

Flood Risk and Surface Water Drainage

Whilst the property is located within Flood Zone 1, it has been identified that the site is at a varying degree of surface water flooding. Based upon GOV.UK surface water flood maps, it would appear that a small area forward of the property is at a low risk, whilst a larger area east of the dwelling between the property and 30a is at a high risk. When considering the projected 2040 and 2060 surface water flood layers, it appears the risk slightly expands but the severity does not worsen.

When considering the proposed development, it does not appear that any built form of the property would be built in the area at a highest risk of surface water flooding, however the access path to the southern storage barn would be directly through this area. As such and to mitigate any impact that may be caused, it would be requested that any surfacing material is porous to limit the implications on the areas at the highest risk of surface water flooding, this would be required to be set out within a site-specific flood risk assessment.

A site-specific Flood Risk Assessment would be required which must show the risk from all forms of flooding, be modelled with climate change, demonstrate that the development does not displace flood water and that any risk to the proposed development is mitigated.

Heritage

A proposal that includes the curtilage or setting of a Listed Building or works to a Listed Building must respond to this significant consideration. The duty imposed by the Listed Buildings Act 1990 imposes a presumption against the grant of planning permission which causes harm to a heritage asset. A finding of harm, even less than substantial harm, to the setting of a listed building must be given "considerable importance and weight*" (*Bath Society v Secretary of State for the Environment [1991] 1 W.L.R. 1303).

As identified, whilst the property itself is not listed, a Grade II Listed property 'Stonicott', is identified north-west of the property. Due to the separation between the designated asset and the application site it's unlikely that the proposal would cause a detriment to the asset, however a formal view would be taken from The Council's Heritage Team should an application be submitted.

Design and Layout

Noting the number of features proposed under this pre-application, for ease and clarity each matter will be dealt with individually.

Firstly, a detached cart lodge is proposed north of the property, located in a similar position to that of the neighbouring cartlodge associated with No.28. Whilst in this regard the position of the cart lodge is appropriate, with note to the Neighbourhood Plan and the Leavenheath Design Guidelines and Codes (June 2021) in which LEAV9 refers to, the document states 'Garages should be in line or recessed from the main building line and not dominate the street.'. Due to the position of the property at the end of Edies Lane before the highway turns west, construction of a cart lodge in this position would likely block views of the property and therefore would be the dominant feature within the street scene. As such, whilst the principle of a detached cart lodge is not necessarily opposed, a more suitable location should be sought to minimise the dominance of the feature. Aside from this and noting the comments in regard to the parking capabilities of the structure, it is not clear if a first-floor element is proposed and how access would be achieved. More information would be required should an application be forthcoming, however presently the dormers result in a top heavy appearance of the structure, and the inclusion of roof lights instead of dormers would be encouraged.

In regard to the proposed storage barn to the rear of the property, strong discouragement would be given towards bringing this element to application stage. Whilst it is noted that the entire plot of No.30 is large and presently seems to be underutilised, concern is raised in regard to both the separation distance between the barn and the dwelling and also the scale of the barn and the dwelling in comparison. Under LP24 of the Joint Local Plan, all new development must be of a high-quality design, with a clear vision as to the positive contribution the development will make to its context, along with having an appropriate scale and nature. Considering that the storage barn is to have a length of approximately 30 metres, whilst the dwelling, once extended would have a total depth of 22 metres. Seeing as the storage barn is larger than the actual dwelling it is considered to fail LP24 and would be of an inappropriate scale. Within the accompanying planning statement, the justification for the barn is to allow the owners to house machinery required to upkeep the large garden. Whilst this is noted, perhaps a smaller scale barn would be more appropriate. Equally, the design of the barn is to be agricultural in appearance, finished in corrugated steel sheeting. Noting the residential nature of the area, concerns are raised that the siting of an agricultural building would be out of place, especially due to the prominence it may have from the highway. Alongside this, it is also not clear if the storage barn would be an ancillary use to the property, potentially requiring the submission of a full application depending on the use and location.

Finally, when considering the extensions proposed to the dwelling itself, the principle of extending the dwelling is acceptable, however the present design is looking to overdevelop the dwelling. Whilst the scheme would technically be conducted through the extension of the dwelling, the present identity and form of the existing dwelling is all but lost. As such the development is more akin to the complete demolition and reconstruction of a dwelling rather than the extension of the existing. Irrespective, in its current form prior to the submission of a formal planning application, it would be encouraged that the design be revisited. As part of this pre-application proposed floor plans have not been submitted, resultant advice is offered purely on an elevational perspective. Presently the elevations of the proposed dwelling seem very glazing heavy and without the submission of floor plans no justification for this level of glazing is provided. The three large, rounded windows on the front of the property are intriguing. Whilst employing this type of glazing may create interest, having three of these windows on the front elevation begins to create a conflict of dominance of which is the most prominent. Along with this, ample glazing is proposed on both the eastern and western elevations along with the inclusion of a balcony at first floor level. Concerns are raised that this level of glazing on the side elevations may result in impact upon the neighbouring residential amenity, with multiple new aspects of view over their properties introduced. Along with this, the principle of extending the dwelling to this extent is also somewhat opposed. When considering the remainder of the dwellings on Edies Lane, whilst development is of a mixed scale, noting appears to be of this type of scale resulting in this dwelling likely appearing out of place. As such it is considered that a redesign of the scheme be undertaken taking into account LP24 and LEAV9 of the Development Plan to lessen the proposal.

Highways, Access and Parking

Presently it has not been disclosed either the number of bedrooms as existing within the property nor the number of bedrooms as a result of the development. However, due to the sizable extension, it is assumed that the number of bedrooms would likely increase.

LP29 of the Joint Local Plan, which set out safe, sustainable and active transport, makes reference to applications complying with the relevant parking guidance, in this instance, Suffolk Guidance for Parking (2023). As contained within the document, the minimum requirement for off-street parking per number of bedrooms is laid out along with the minimum size requirement for garages to constitute parking spaces.

The guidance sets out that one-bedroom dwellings requires one off-street parking space, two- and three-bedroom dwellings require two off-street parking spaces and dwellings with four bedrooms or more require three parking spaces. Regardless of the resultant number of bedrooms, it would appear that there would be provision for at least three parking spaces and therefore no immediate concern would arise.

However, concern does arise when considering the proposed four bay cart lodge which would appear to fail Suffolk Guidance for Parking requirements. As set out, cart lodges are expected to provide the same internal space as a garage, this being 6.0m by 3.0m at minimum. As proposed, the cart lodge would only feature a width of 2.3 metres between the oak posts, along with having a depth of 5 metres. Therefore, the cart lodge as a feature would, in technical terms, be unusable. Based on proposed plans when measuring from the two external oak posts, the cart lodge would have a width of 9.5 metres and therefore would accord with the width for three parking spaces. Therefore, should an application be submitted, it would be suggested that the design and post placement be revised to lessen the cart lodge to a three-bay style, whilst also increasing the depth.

Landscaping

Concerns arise notably in regard to the provision of the storage barn in what appears to be a heavily wooded area. Due to the dense appearance of the site, it would be reasonable to consider that in order to facilitate space for the large building that some trees and shrubs would require removal. Whilst none of the woodland is formally protected, The Council would wish to avoid any mature or notable trees being removed. Therefore, should an application be submitted an arboricultural report would be requested to assess the impacts the proposal could have on the woodland area.

Ecology

Due to the southern portion of the site appearing to not be residential curtilage, the provision of the storage building would require the submission of a full planning application, which would trigger the requirement of demonstrating 10% biodiversity net gain. Noting the heavily wooded appearance of the area, sufficient mitigation would be required to be provided on the loss of any habitats. Should it be calculated that 10% net gain cannot be secured on site, the applicant would be required to explore off site options or purchasing credits to offset the development.

Alongside this, due to the impact upon the wooded area, the application would require the submission of ecological appraisals both in regard to the wooded area but also the works undertaken to the roof of the dwelling which may impact upon bats.

Notwithstanding this, the cart lodge and extension elements of this proposal could be achieved under a householder planning application which is exempt from providing biodiversity net gain. However, LP16 sets a local requirement for the provision for biodiversity enhancement measures. As such should an application be forthcoming, it would be reasonable to request that integrated biodiversity enhancement measures be provided. Should these elements not be included they would be secured via condition.

Residential Amenity, Safe and Secure Communities

As briefly touched upon in the design section, concern is raised in regard to the potential impact upon the residential amenity of neighbouring dwellings. This is caused by the introduction of ample glazing on all elevations, along with the provision of a small balcony to the rear of the property. Whilst there is no set distance in regard to where infringements on residential amenity will or will not occur, concerns nonetheless persist. Efforts should be made to both eliminate some of the glazing most notably on the eastern elevation, along with also employing boundary treatments to limit the visibility cross boundary.

Whilst a separation distance between the application property and No.30a has been maintained through the proposal, the introduction of first floor elements and the balcony to the rear may have potential to harm neighbouring residential amenity. As such, it would be suggested that planting be employed along the eastern boundary as to aid No.30a in retaining the privacy of their rear garden.

Conclusions/ Planning Balance

In conclusion, based on the current contents of the pre-application and the numerous issues identified, The Council would discourage this proposal moving to formal application. Whilst the principle of a small extension to the dwelling may be supported the current scheme is considered to

be a vast overdevelopment of the plot which loses any and all character of what is currently there. Further, the provision of the storage barn to the rear of the property is wholly unacceptable with note to both the location outside of the settlement boundary, likely biodiversity impacts and the inappropriate design both in terms of scale and appearance.

Additional Pre-App

If you require further advice following the above, for example following design amendments, or as a design evolves prior to submitting an application, or if our advice is that you should take further pre-application advice, for design amendments or further heritage advice following revisions, you can request a follow-up pre-app.

Please see the details, and make a new enquiry using the following link:

<https://www.babergh.gov.uk/pre-application-advice>

Planning Risk Assessment

Should an application be submitted, The Council consider that in its current form this proposal would be a high risk. Concerns are raised in regard most notably to SP03 and LP24 of the Joint Local Plan, along with LEAV9 of the Neighbourhood Plan. It is considered presently that the scale of development exceeds what is suitable for this site, and that the provision of the storage barn is wholly unacceptable. Should revisions be undertaken lessening the extensions to the dwelling, repositioning the cart lodge and eliminating the storage barn, there is potential that the application could be supported. Further, should an application be forthcoming including the storage barn, as this is not within residential curtilage a full planning application would be required.

Expected Supporting Material in the Event of a Planning Application

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

[Validation requirements - Babergh District Council - Babergh & Mid Suffolk District Councils - Working Together](#)

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

- Defined red line site plan
- Existing and proposed site plan
- Existing and proposed block plan
- Existing and proposed elevations
- Design and access statement
- Flood risk assessment
- Biodiversity net gain metric
- Ecological appraisal/report (as required)

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.

- For Householder development (not suitable for joint Listed Building Application) you can submit electronically on our website

[Make a planning application - Babergh District Council - Babergh & Mid Suffolk District Councils - Working Together](#)

- For all types of development you can submit electronically via the Planning Portal https://www.planningportal.co.uk/info/200232/planning_applications (please note that applying via this site may incur a submission charge)
- For all types of development you can download the relevant application form from the Planning Portal and send to us by email or post https://www.planningportal.co.uk/info/200126/applications/61/paper_forms

Please Note the Fee Regulations were updated on 6th December 2023, more information about the fees can be found here:

[A Guide to the Fees for Planning Applications in England \(planningportal.co.uk\)](#)

Application Progress

If you submit a formal application we recommend you track its progress by searching using your application reference on our [Public Access webpage](#) and reviewing any comments received.

Technical Consultees are expected to provide formal comments within 21 days from the validation date but may do so sooner. By tracking the progress of your application this can allow you to review comments and provide any additional information during the course of the application.

Note: Pre-applications are not available to search online.

You can register and sign up to receive alerts for your application and any others in your area. Details of how to register can be found on our website via this link:

babergh.gov.uk/documents/d/asset-library-54706/idx-user-guide-planning-

Contributions

Community Infrastructure Levy

Applications for development are subject to Community Infrastructure Levy (CIL).

All new build development over 100sqm (internal), including residential extensions and annexes and all new dwellings regardless of size must pay CIL.

CIL is payable on Permitted Development as well as Planning Permission development

CIL is payable when the development is commenced and you must notify of commencement using the appropriate forms

Failure to submit a Form 6 Commencement Notice and give a minimum of 1 days' notice of commencement will result in the loss of exemptions, relief and/or the right to pay CIL by instalments.

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

<https://www.midsuffolk.gov.uk/planning/community-infrastructure-levy-and-section-106/community-infrastructure-levy-cil/>

The CIL forms are also available online:

https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/5

The phasing of community infrastructure levy (CIL) payments may be very important to your cash flow and viability of a development, especially for major developments and any development with Self Build Housing aspirations. If it is intended at any time that your development will be phased then you will need to ensure such phasing is expressly detailed in the planning application prior to determination. You should ensure phasing is clear within the description of development, any conditions imposed and any planning obligations. You will need to also ensure the planning case officer is fully aware of the intention to phase the development and include a phasing plan that shows the relevant phases of the development as well as a clear linear sequence of such phases that would align with the phasing of CIL payments you would find acceptable.

Building Control

Pre-application advice is also available from our Building Control Team. Find information online: <https://www.midsuffolk.gov.uk/building-control/> or contact the Building Control Manager, Paul Hughes, on 01449 724502. We can offer specialist support, local knowledge and a quality service with expert independent and impartial advice.

Charges include access to the surveyor appointed for any query that may arise before or during construction as well as a tailored inspection regime including inspections which only need to be booked by 10am on the day the inspection is required.

We can also provide carbon emission / fabric energy efficiency calculations at pre-application stage to support planning applications and the necessary Part L calculations and Energy Performance Certificates for Building Regulations compliance and our partners at LABC Warranty can offer a very competitive warranty for all new dwellings which we would be happy to provide further details for / liaise with on your behalf.

NOTES

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.

This advice is based on the information provided, background details and constraints at the current time. These circumstances can change and this may affect the advice you have received. You may wish to seek confirmation that the circumstances have not changed if you are considering submitting an application and any substantial amount of time has passed since the date of this advice.

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5th March 2025

Any questions please contact us

