

Parish: GREAT CORNARD

Location: Upper Carsons, 90 Canhams Road.

Proposal: Erection of 5 (no) two bedroom dwellings and two (no) 2-bedroom bungalows with associated access and parking.

Applicant: Waterford East Anglia LLP.

Case Officer: Gareth Durrant

Date for Determination: 27/05/08

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This application was deferred from the meeting of this Committee on 28 May 2008 to enable further discussions to be undertaken about the layout and access.

A. Layout – The applicants have confirmed their view that the proposed layout is the optimum layout of the site having regard to the potential impact upon residential amenity and highway safety and have requested the application is determined in its current form.

B. Highway Safety – Following concerns raised at the meeting by Committee Members, a private highway consultant was commissioned to undertake a review and appraisal of the application. His comments are summarised as follows;

- *I can fully appreciate your Members' concern over highway safety given the appearance of the site now where the use of the access could increase the accident potential because of lack of visibility caused by existing growth on the site frontage. However, this has been recognised by the Highway Authority in the conditions that have been recommended in their consultation and it can be fairly claimed that there will be a highway planning gain in that the existing access closer to the junction will be effectively closed and replaced by a new junction which will have appropriate visibility splays and gradients as recommended in the Highway Authority's consultation.*
- *It is clear from the past history of the site that the Highway Authority are being consistent and in accordance with advice contained in Planning Policy Guidance Notes the Applicant has discussed in detail with the Highway Authority the requirements which do accord with the latest advice contained in the 'Manual For Streets' which superseded the advice contained in 'Places, Streets and Movement' which recommended larger visibility splays.*
- *In conclusion I consider that there is not a sustainable highway objection to the development that would stand the test of a Planning Appeal. I consider it essential that if Planning Permission is granted the Conditions recommended by the Highway Authority are attached to the Consent and that those Conditions are closely monitored by the enforcement officer so that the gradient of the access and its visibility splays are provided precisely as recommended.*

*The proposal will undoubtedly increase the numbers of slowing and turning movements in the area of the junction but they will be using a junction located further away from the junction than the existing junction to No. 90 Canhams Road and in view of the growth on the site frontage I fully understand local Members concerns. No doubt they will contact your Enforcement Officer if Planning Permission is granted and the site developed without complying with the Conditions imposed*

## **THE SITE**

1. The application site contains one detached two-storey dwelling known as Upper Carsons, No 90 Canhams Road. The dwelling is accessed from Canhams Road by an existing vehicular access. One oak tree and a row of beech trees located on the side boundary of the site fronting towards Northern Road are protected by Tree Preservation Order No. 381. Other boundaries of the site adjoin existing two storey residential development. The site is in part elevated above Canhams Road as the ground level of the metalled carriageway of Canhams Road drops away in a westerly direction. As such a bank lies between the frontage of the site to Canhams Road. Otherwise the application site area is relatively flat.

## **THE PROPOSAL**

2. The application is for full planning permission for the erection of 8 dwellings. These are to be provided in two terraced blocks. Plots 1-5 are to be provided to the Canhams Road frontage. They are two-storey (8.4 metres to ridge) in scale each containing 2 bedrooms. The terrace is to be finished in a mix of brick and render (materials to be agreed). Plots 6-8 are to be sited behind plots 1-5 and are a terrace of 2-bed bungalows (4.8 metres to ridge), also finished in a mix of brick and render (materials to be agreed).
3. The application is accompanied by a design and access statement, a bat survey and an arboricultural report. These documents can be viewed in advance of the meeting by prior arrangement with the case officer.

## **RELEVANT HISTORY**

4. 2008 – Permission granted for works to trees protected by Tree Preservation Order No. BT381 (application no. B/08/00120/TPO). The approved works were;
  - Reduction in the crown of the oak tree by 20%.
  - Reduction the line of beech trees to 3 metres in height and maintain as a hedge.
5. 2006 – Outline planning permission refused for the erection of 14 two-storey terraced dwellings with associated car parking and access (siting and design were included for determination within the application – application no. B/06/00040/OUT). A subsequent appeal against the decision to refuse planning permission was dismissed. Planning permission was refused for the following reasons;
  - Overdevelopment of the plot (size of footprint of the buildings and inadequate amenity space)
  - Cramped layout and the siting of two-storey development would be out of character with the area.
  - No ecological survey submitted (bats).

- Inadequate provision for public open space.
  - Detrimental impact upon residential amenity (car parking adjacent to the boundary with 88 Canhams Road).
  - Inadequate visibility splays for the access.
  - No assessment of potential impact upon the protected trees.
6. 2005 – Outline planning permission refused for the erection of 12 flats with associated car parking and vehicular access (application no. B/05/01078/OUT). Planning permission was refused on the following grounds;
- Overdevelopment of the plot (size of footprint of the buildings and inadequate amenity space)
  - Cramped layout would be out of character with the area.
  - No ecological survey submitted (bats).
  - Inadequate provision for public open space.

### **NATIONAL GUIDANCE**

- 7. **PPS1** Delivering Sustainable Development
- 8. **PPS3** Housing
- 9. **PPS9** Biodiversity and Geological Conservation
- 10. **PPG13** Transport
- 11. **PPG17** Planning for Open Space, Sport and Recreation

### **PLANNING POLICIES**

12. The following Development Plan comprises the East of England Plan, adopted 2008, saved policies in the Suffolk Structure Plan, adopted 2001, and the Babergh Local Plan (Alteration No.2) adopted 2006. The following policies are relevant to this proposal:

#### **East of England Plan, 2008**

- **SS1** (Achieving sustainable development)
- **SS2** (Overall spatial strategy)
- **SS4** (Towns other than Key Centres and rural areas)
- **ENV7** (Quality in the Built Environment)

#### **Babergh Local Plan (Alteration No.2) 2006**

- **EN03** (Protected species)
- **EN04** (Retention of semi-natural features)
- **HS01** (Housing in towns)
- **HS27** (Housing densities and house type)
- **HS28** (Infilling)
- **HS30** (Design of new housing)

- **HS32** (Public open space provision on small sites)
- **HS34** (Small dwellings)
- **CN01** (Maintaining local distinctiveness)

**The relevant documents can be viewed via the internet. Please see Page 4 for details.**

## **OBSERVATIONS**

13. PC – Object. The following comments were provided;
- Access – the proposed entrance to the development is too close to an extremely busy road/junction. Cars park on both sides of Canhams Road giving drivers poor visibility of the traffic coming up and down Canhams Road.
  - Increased traffic levels – not only will this proposed development deliver a great deal of extra traffic onto an already busy road, but with the approval to build on Carsons Drive Field, the volume of traffic using the road/junction, one of the main arterial routes into Great Cornard, will increase greatly.
  - There is an extremely good mix of native and species trees all around and within the site, some are covered with Tree Preservation Orders but not all. This supports a varied mix of wildlife and bats, essential for Cornard’s environmental health.
  - Over development of the site.
14. LHA – recommend that any permission granted is subject to conditions to ensure the provision of the access (and stopping up of the existing access), suitable access/driveway gradients, provision of the visibility splays and areas for parking/manoeuvring of vehicles.
15. SCC (Archaeology) – there would be no significant impact on known archaeological sites or areas with archaeological potential and as such no archaeological mitigation is required.
16. SWT – We have read the bat survey and are satisfied with the findings of the ecologist that bats are not present in the building to be demolished. Having checked our records we can, therefore, confirm based on the available information, this proposal does not appear to have any impact upon protected species or designated habitat or priority Suffolk Biodiversity Action Plan habitats or species.
17. Head of Contract and Asset Management – The arboricultural report provides comprehensive and satisfactory analysis of the influence of development on the protected trees. However, due to the sensitivity of the works proposed to overcome adverse impact to the trees, details of the monitoring programme will need to be secured.

## **REPRESENTATIONS**

18. Three letters of objection have been received from local residents. The issues and objections raised are summarised as follows;
- Highway safety (close to busy junction – speeding traffic in front of the site – other developments in Great Cornard increasing traffic volumes – detrimental to pedestrian safety also).

- Car parking is not sufficient and will lead to vehicles being parked in the highway.
- The 2 car parking spaces adjacent to No.88 will cause loss of amenity to nearby dwellings.
- The elevated levels of the site in comparison to the dwellings to the south will impact upon privacy.
- There is some uncertainty about the location of the front boundaries to no's 86 and 88 Canhams Road.
- Gross overdevelopment of the site.
- If planning permission is granted, the access should be wide enough for vehicles to pass, substantial planting should be provided to site boundaries and the bungalows should never be allowed to be converted to two-storey's.
- No more than one or two dwellings should be built here.
- Access should not be permitted to Canhams Road.

## **PLANNING CONSIDERATIONS**

19. The application site is situated within the built up area boundary of Great Cornard. Accordingly its redevelopment for (a more intensive) residential development is acceptable in principle. The issues considered central to the determination of this application are;
- layout and design,
  - access and highway safety, and,
  - impact upon residential amenity.

### **Layout and design**

20. This application proposes the erection of 8 dwellings on a 0.19 hectare site representing a density of 42 dwellings per hectare. The site is physically capable of accommodating this density of development given the small scale nature of the dwellings (each with two-bedrooms) and their terraced nature. The development of the site with 8 dwellings would not have a detrimental impact on the character of this part of Great Cornard.
21. The detailed design of the dwellings is also acceptable. A mix of materials is proposed to the two and single-storey dwellings, although precise brick and tile details are to be agreed. The provision of the new vehicular access and driveway will require some remodelling of the existing banking which fronts onto Canhams Road. This can be achieved without visual detriment with a sympathetic landscaping scheme. The submission of a schedule of external building materials and a landscaping scheme could be imposed as conditions of any planning permission granted.
22. There are protected trees (TPO) at the site which could be affected by these development proposals. The application is accompanied by an arboricultural report and the Council's Arboricultural officer is content with its conclusions, subject to conditions.

23. The application proposes 12 car parking spaces for the 8 dwellings proposed which equates to 1.5 spaces per dwelling. The adopted Suffolk Advisory Parking Standards require maximum provision of 1.5 spaces (average) per dwelling. At sustainable urban locations where access to public transport is good, the standard is reduced to a maximum of 1 space per dwelling and at urban locations where off-peak public transport services are poor, the maximum provision is 2 spaces per dwelling. In this case, the 1.5 space per dwelling parking provision proposed is adequate and accords with the adopted Standards given the location of the site relative to public transport services (which are not good off peak) and the small size of the individual dwelling units (each with 2 bedrooms).

#### **Access and highway safety**

24. Vehicular access to the site is not ideal and requires some re-modelling of the Canhams Road frontage banking. However, the applicant's have demonstrated that safe vehicular access can be achieved at the site and the application proposal has not attracted adverse comments or objections from the LHA (paragraph 14 above). Furthermore an independent expert review of the highway implications of this development proposal has not raised concerns or identified significant safety issues (see paragraph B at the beginning of this report). Whilst concerns expressed on highway safety grounds by the Parish Council and other objectors are noted, a refusal of planning permission on highway safety grounds cannot be sustained in this case.

#### **Impact upon residential amenity**

25. The provision of the two-storey terrace of dwellings (5 units) to the Canhams Road frontage would have no materially detrimental impact upon the amenities of occupiers of nearby dwellings. Furthermore, the in-depth development of a terrace of three bungalows to the rear of the site would not give rise to concerns of overlooking, loss of light or unneighbourly dominance. If planning permission were to be granted a condition could reasonably be imposed to exercise controls over the provision of new openings and/or extensions (including new window openings) within the roof spaces of these dwellings.
26. One of the objectors to the application has expressed concern that two parking spaces shown close to the south-west boundary of the site would have a detrimental impact upon residential amenity. These spaces are adjacent to the front garden of the neighbouring dwelling (No. 88 Canhams Road) to the south west, but are to be sited some 10-metres forward of the front façade of that dwelling. This relationship is acceptable and comparable to many other properties which sit adjacent to garaging/parking spaces of their neighbours.

#### **Other issues**

27. Policy HS32 of the adopted Local Plan requires all applications proposing new dwellings to make provision for public open space. This is either in the form of on-site provision (minimum of 10% of the application site area) or off-site provision in the form of a commuted payment. In this case, given the small size of the site and layout of the development on site public open space provision is not considered appropriate. Accordingly the officer recommendation below makes provisions to secure a commuted payment. The development proposal is too small to attract an education or affordable housing contribution.
28. The applicant has provided adequate information in order to demonstrate the development would not have an adverse impact upon protected species.

## REASONS FOR APPROVAL

29. The proposed development is in accordance with policies SS1, SS2, SS4 and ENV7 of the East of England Plan 2008 and the adopted Local Development Plan policies ENV7, EN03, HS01, HS27, HS28, HS30 HS32, HS34 and CN01 by reason of the scheme constituting acceptable group development in terms of its, layout, design, form, scale, materials and relationship to adjoining development. There is no highway objection to the proposal and there are insufficient grounds on which to justify refusal in terms of its impact upon residential amenity, protected species, protected trees or the character and appearance of the town. The application makes adequate provision for public open space provision in accordance with Policy HS32 and PPG17.

## RECOMMENDATION

- (1) That the Solicitor to the Council be authorised to secure a Planning Obligation under Section 106 of the Town and Country Planning Act, 1990, to provide:-
- Contribution towards Public Open Space provision.
- (2) That, subject to the Planning Obligation in Resolution (1) above being secured, the Chief Planning Control Officer be authorised to grant planning permission subject to conditions, including:
- Materials
  - Levels (existing and proposed finished ground levels and finished ground floor levels).
  - Landscaping scheme
  - Details of proposed boundary treatments
  - Removal of GPDO rights for the insertion of new extensions and/or openings above ground floor level (including the roof) in any part of the roofs of plots 6-8 (inclusive).
  - Highway conditions (provision of the access, visibility splays, provision of parking/manoeuvring areas gradients etc)
  - As recommended by Head of Contract and Asset Management
- (3) That, in the event of the Planning Obligation referred to in Resolution (1) above not being secured, the Chief Planning Control Officer be authorised to refuse planning permission for the following reasons.
- Inadequate provision for public open space being contrary to Policy HS32 and PPG17.