

Item No: 1 Reference: B/07/01216/FUL
FULL

Parish: GREAT WALDINGFIELD

Location: Part side garden, The Old Mill House, Lavenham Road.

Proposal: Erection of 1 (no.) detached two-storey dwelling. Alteration to existing vehicular access.

Applicant: Mr R Griffiths

Case Officer: Gareth Durrant

Date for Determination: 15 September 2007

The application is referred to the Development Committee for determination at the request of the local Member.

THE SITE

1. The application site measures approximately 18 x 18 metres and is set back from Lavenham Road in the village of Great Waldingfield. It is situated adjacent to two dwellings known as 'Old Mill House' and 'Old Mill Cottage'. Also adjacent to the site access is a relatively new dwelling known as 'The Hawthorns'. It is also close to the village hall to the north of the village. Vehicular access to the site is shown via an existing access which also serves these three existing dwellings. The access drive is approximately 36 metres long to the edge of the site. Apart from being located within the defined built up area boundary of the village, there are no planning constraints relevant to the site (i.e. Conservation Area, Special Landscape Area etc.).

THE PROPOSAL

2. The application is for the erection of a two-storey dwelling with a ridge height of 7 metres. The walls of the dwelling would be finished with red brick with natural slate to the roof. The application is accompanied by a design and access statement which can be viewed in advance of the meeting by prior arrangement with the case officer.

RELEVANT HISTORY

i) application site

3. 2005 – planning permission refused for the erection of detached two-storey dwelling and alteration of new vehicular access (B/05/01952/FUL). The reasons for refusal were as follows:

Policies LP4 of the Babergh Local Plan, Alteration No.1 and HS02 of the Babergh Local Plan, Alteration No.2 (Second Deposit Draft) state that within villages, housing developments in the form of infilling will normally be granted planning permission provided there is no significant adverse impact on (inter alia):- residential amenity.

Policies LP17 of Alteration No.1 and HS12 of Alteration No.2 (Second Deposit Draft) state that planning permission for infilling or groups of dwellings will be refused where (inter alia) the proposal represents over-development to the detriment of the environment, the character of the locality, residential amenity or highway safety, or where the layout provides an unreasonable standard of privacy, garden size or public open space. Furthermore, Policy CN01 of Alteration No.2 requires all new development proposals to be of appropriate scale, form, detailed design and construction materials for the location and proposals must pay particular attention to (inter alia) the form and the nature of the environment surrounding the site. The Local Planning Authority considers that the proposed dwelling (if approved) would result in the over-development of the site by virtue of cumulative impact of i) the height, bulk and design of the proposed dwelling and the size of its footprint, ii) the siting of the proposed dwelling in close proximity with the neighbouring property (Mill Cottage) and a poor design which presents an almost entirely blank wall on its North West Elevation and the need for a fence along its boundary with the access in order to enclose the garden. As such, the proposal is considered contrary to the provisions of the aforementioned extant and emerging Local Plan policies.

ii) adjacent site

4. **‘The Hawthorns’** – Planning permission granted for the erection of a single-storey dwelling and alterations to existing vehicular access (B/04/01316/FUL).

NATIONAL GUIDANCE

5. PPS1 (Delivering Sustainable Development) - relates to achieving sustainable development and high quality layout and design.
6. PPS3 – (Housing) sets out the Governments housing policies for planning.
7. PPG13 – (Transport) sets out Government policies regarding Transport, including car parking.

PLANNING POLICIES

8. The following Development Plan policies are relevant to this application;

Babergh Local Plan (Alteration No.2)

HS02 and HS03 (housing development in villages)
HS27 (housing density and house type)
HS28 (infilling)
HS30 (design of new housing)
HS32 (public open space provision – small sites)
CN01 (maintaining local distinctiveness)
TP15 (parking standards)

This report only includes policy references. For further details please see Page 4.

OBSERVATIONS

9. PC – object to the application on the following grounds;
- Road safety – this would make four dwellings using the existing access onto the B1115. The closeness of the village hall would cause a heavy vehicular access to that stretch of road.
 - This is already a well developed site and a further dwelling would be overdevelopment.
14. LHA – recommend the imposition of two conditions to ensure i) the vehicular access is laid out in a satisfactory manner and ii) the vehicle parking and manoeuvring areas are provided.
15. EA – do not wish to comment.

REPRESENTATIONS

16. One letter has been received in objection to the application. The issues and objections raised are summarised as follows;
- Overdevelopment of a small edge of the village (cumulative effect should be considered).
 - Adverse impact upon residential amenity (noise to, overlooking of and dominance over Old Mill Cottage)
 - Adverse impact upon the environment
 - Adverse impact upon the character of the area
 - Adverse impact upon highway safety.
 - The hedgerow referred to by the applicant is not part of the application site
 - Potential damage to Old Mill Cottage during construction
 - It should be sited further away (i.e. on the footprint of the buildings proposed for demolition).

PLANNING CONSIDERATIONS

17. The application site is situated within the built up area boundary. As such the proposed development of the site is acceptable in principle and indeed accords with National and Local policies which seek to make more efficient use of urban brownfield land. The issues central to the determination of this application are;
- Layout and design – impact upon character of the area.
 - Impact upon residential amenity
 - Impact upon highway safety.
 - Planning history

Layout and design – impact upon the character of the area.

18. Whilst set back from the highway, the proposed dwelling would be set amongst other 'backland' dwellings, namely 'Old Mill Cottage', 'Old Mill House', 'Ye Olde Cottage' and 'Lyngarry Place'. The siting of an additional dwelling at this location would not be out of character with the pattern of existing development in the vicinity of the site, nor to the wider village.

19. The dwelling is a modest two-storey cottage to be finished in red brick and slate. The building takes on a typical cottage appearance which would not be out of character with its context. The form, scale and detailed design of the proposed cottage is acceptable.

Impact upon residential amenity

20. The application dwelling is sited at right angles to Old Mill Cottage and behind the line of 'Old Mill House'. There are five windows proposed at first floor level in the dwelling. Two of these serve bedroom accommodation off the rear elevation and overlook fields to the east. The other three are on the front elevation (facing towards the front gardens of Old Mill Cottage) and serve a stairwell/landing and bathroom. Whilst these windows face towards an existing dwelling, concerns of potential loss of amenity do not arise because, i) the three windows in question do not serve primary rooms, ii) the windows face towards frontage gardens which are not vital private areas (there would be no overlooking of the rear garden areas of the cottage), iii) there would be no direct overlooking of windows (the front elevation of 'Old Mill Cottage' is at right angles to the front elevation of the proposed dwelling), and iv) there is a significant beech hedge in between the proposed dwelling and 'Old Mill Cottage', which is under the control of the occupiers of 'Old Mill Cottage'.
21. There are no first-floor windows in the side elevations of the proposed dwelling and no there would be no significant material adverse impact upon the amenities of the occupiers of 'The Old Mill House'. If planning permission was granted for the development, it would be reasonable to impose a condition to exercise control over the insertion of any new openings in the front (west) or side (north and south) elevations of the dwelling above ground level (including the roofspace).

Impact upon highway safety

22. There are no highway safety related concerns arising from this application. The driveway is already used for vehicular access to serve the group of dwellings which share the driveway to the application site and improvements are proposed as part of the application. Furthermore the County Council, as Local Highway Authority, has not raised objections to the application (subject to the imposition of conditions).

Planning history.

23. Planning permission was refused in 2005 for the erection of a dwelling at this site. The reasons for refusal are reported at paragraph 3 above. The application proposals have been amended such that the previous objections (predominantly scale and layout) have been adequately addressed.

Other issues

24. 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.

25. The development proposal is too small to attract an education or affordable housing contribution.

Conclusions

26. The application site is within the settlement boundary of the village and the proposal is acceptable with regard to its potential impacts upon residential amenity and highway safety. Furthermore, the layout of the site and design, scale and form of the building is acceptable and the scheme has addressed the reasons for refusal cited against the earlier application for a similar development of this site.

REASON FOR APPROVAL

27. The proposal for the erection of a single dwelling and alterations to existing vehicular access at a site within the defined built up area boundary of the Great Waldingfield village accords with the provisions of Development Plan policies HS02, HS03, HS27, HS28, HS32, and CN01. These policies require high design and layout standards for new housing development, adequate parking, protection of residential amenity and highway safety. In this case, the proposed dwellings are of a high quality of design and layout and would not be harmful to the amenities of occupiers of adjacent dwellings and would be acceptable with regard to highway safety issues. Furthermore, the development makes adequate compensatory provision for the public open space requirements generated by it.

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 ensure the payment of developer contributions 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 the conditions, including:
- Materials
 - Landscaping
 - Withdrawal of GPDO rights for first floor openings within front and both side elevations
 - Withdrawal of GPDO rights for the erection of extensions and outbuildings.
 - As recommended by LHA
 - Protection of the hedgerow during construction works
- (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 reason:
- Inadequate provision for public open space being contrary to Policy HS32 and PPG17.

DECISION

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