

EAST BERGHOLT – ORVIS LANE

Erection of 2 no. detached two-storey dwellings (following demolition of existing dwelling).  
Construction of new vehicular access.

Applicant: Mr F. Dodgson

Case Officer: Fiona Bradley

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SITE

1. The site is located at the southern end of Orvis Lane. It currently comprises a bungalow, which is in a state of disrepair, with the remainder of the site being overgrown. There are a number of large holly trees and fruit trees on the site. A hedge runs along the northern boundary. Public Footpath No. 29 lies immediately to the north of the site, adjacent to the hedge. There is an existing pedestrian access off Orvis Lane.
2. Orvis Lane comprises a mixed form of residential development including two storey dwellings and bungalows, both detached and semi-detached. Orvis Farm is located to the south of the site.
3. The application site is within the built up area boundary for the village. It is also within an Area of Outstanding Natural Beauty.

PROPOSAL

4. The application proposes the erection of two, two-storey detached dwellings. The proposed dwellings each have four bedrooms and a single attached garage with parking space for an additional car on site. The houses would be set back between 5 and 7.5 metres from the front boundary.
5. The construction of new vehicular accesses to each house is proposed.
6. The northern most house has a maximum ridge height of approximately 8.7m, an overall depth of 9.2m and a maximum width of approximately 9m (including attached garage). A mixture of render, red facing brickwork and weather boarding is proposed, together with pantiles to the roof.
7. The southern most house has a maximum ridge height of approximately 7.5m, an overall depth of 10.7m and a maximum width of approximately 11.9m (including attached garage). A mixture of render, red facing brickwork and weather boarding is proposed, together with pantiles to the roof.
8. The application is supported by a design and access statement which makes the following points in its summary:
  - The character of the proposals is of a high quality.
  - The proposals are contextual in terms of building character, finishes and scale.

- The proposals comply with local planning policy.
- The site already has approved residential use.
- There will be little, or no, increase in traffic.

#### RELEVANT HISTORY

9. None.

#### NATIONAL GUIDANCE

10. **Planning Policy Statement 1: Delivering Sustainable Development**

**Planning Policy Statement 3: Housing**

#### PLANNING POLICIES

11. The following Development Plan policies are applicable to the proposal.

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

- HS02 & HS03 (Villages)
- HS27 (Housing Density and Type)
- HS28 (Infilling and Groups of Dwellings)
- HS30 (Design)
- HS32 (Public Open Space – Developer Contributions)
- CN01 (General Design)
- TP15 (Parking Standards)

#### OBSERVATIONS

12. PC – Object for the following reasons:

- Over-development of the site.
- Height of the dwellings in relation to the height of neighbouring properties.
- The turning circle is not large enough when considering the additional vehicle access.

13. LHA – No objection.

14. One letter of objection has been received. The main points can be summarised as follows:

- The properties will substantially restrict the light to our property, due to height. Our development was restricted in height and we consider that this new development should not exceed the height of the adjoining property.
- The turning circle at the end of the lane will become restricted both by access to, and parking outside, the proposed properties. Therefore a condition should be imposed to extend the size of the turning circle.

## ASSESSMENT

### Principle of development

15. The site is wholly within the defined Built up Area Boundary of the village and there is no objection to further residential development on the site. The proposal involves the development of previously developed land and makes efficient use of such land through higher density development.
16. The key policies in this case are HS02 and HS28, which advise that infill development in villages will be acceptable providing that there is no adverse impact on the scale and character of the village; residential amenity; highway safety; and the natural environment, particularly biodiversity.

### Impact on the character of the area

17. The surrounding area is characterised by a mix of residential development including two storey dwellings and bungalows, both detached and semi-detached. The proposed dwellings are both two-storeys high which is in keeping with the character of Orvis Lane.
18. The siting of the dwellings, between 5 and 7.5m from the front boundary, results in development closer to the highway than the dwellings in the vicinity. However, due to the physical separation of the application site from the nearest dwellings, due to the Public Footpath and open land opposite, it is appropriate and will not materially harm the character and appearance of the area.

### Highways/Parking

19. The Local Highway Authority have stated that it is accepted that vehicles will have to reverse onto Orvis Lane. It is further stated that it is difficult to enforce conditions owing to the nature of the road. Given the location of the property at the southern end of Orvis Lane, which is not a through road, the access provisions proposed are acceptable.

### Amenity

20. A neighbouring occupier has raised concerns about the height of the proposed dwellings and the loss of light that their property will suffer. Although the development is to the south of the adjacent property, Whitehays, the nearest two storey element of the northern-most house is approximately 6m from the neighbouring boundary, with Whitehays being a minimum of 1.8m from the boundary. This distance provides sufficient separation between the dwellings and would not result in an unacceptable loss of light.
21. No windows are proposed at first floor level in the side elevations therefore loss of privacy is not an issue with this proposal.

## Public Open Space

22. Policy HS32 requires the applicant/developer to either provide 10% of the application site as public open space (where agreed in advance with the Local Planning Authority) or financial contributions towards the upgrade/expansion of existing Local Authority maintained areas of public open space away from the site. In this case, the provision of 10% of the application site is not a suitable option given the small size of the site (which will not provide a useable area of open space). The applicant's agent has been advised of the contribution to provide a financial contribution towards the off-site provision of new, or upgrade of existing, public open space.

## REASON FOR APPROVAL

Having regard to the pattern of existing development in the area and the relevant provisions of the Development Plan (namely policies HS02, HS03, HS28, HS30, and CN01 of the Babergh Local Plan, Alteration No. 2, 2006) the proposed development would not materially harm the character or appearance of the area or the living conditions of neighbouring occupiers, would not result in the loss of any important trees and would be acceptable in terms of traffic safety and convenience.

## RECOMMENDATION A

- A The Solicitor to the Council be authorised to secure a Planning Obligation under Section 106 of the 1990 Act to ensure:
- i) The payment of contributions towards off-site public open space provision.
- B Upon securing the above obligation, the Chief Planning Control Officer be authorised to grant planning permission subject to the following conditions:
- Materials
  - As recommended by LHA
  - Landscaping
  - Boundary treatment

**Otherwise,**

## RECOMMENDATION B

Refuse planning permission.

- Inadequate provision of public open space and play equipment contrary to Policy HS32 and PPG17.

## DECISION