

HADLEIGH – BEESTON’S COACH DEPOT, LONG BESSELS

Erection of 20 no. dwellings, access road and ancillary works.

Applicant: Landlink PLC

Case Officer: Martyn Fulcher

BACKGROUND

The application was presented to Development Committee on 3rd November 2004 wherein it was resolved to Grant Planning Permission, subject to the completion of a legal obligation in respect of securing affordable housing, public open space contributions and education contributions. The resolution was as follows: -

The Head of Planning (Control) be authorised to instruct the Solicitor to the Council to secure an obligation under Section 106 of the Town and Country Planning Act 1990 in respect of the provision of five units of affordable housing to be provided by the developer, and transferred to or managed by a registered social housing landlord in perpetuity and for one unit to be of shared ownership, the payment of education contributions and the payment of contributions towards public open space.

Upon completion of the legal obligation, the Head of Planning (Control) be authorised to Grant Planning Permission, subject to such conditions as he considers appropriate, but including:

- Materials
- As recommended by CHA
- Levels
- Landscaping (including boundary treatments)
- Security lighting
- Archaeological watching brief;
- Removal of GPDO rights – extensions and outbuildings

Since this time officers have been in negotiation with the applicant to complete the legal obligation to secure these contributions. In respect of affordable housing, the negotiations have been based on four rented units and two shared equity units. It was considered that this was in accordance with Development Committee’s instructions as it provided a total of six affordable units in accordance with the Circular 06/98 definition. The applicant contended that this level of contribution would render the scheme unviable. The scheme has now been the subject of a viability report, commissioned by the Council at the applicant’s expense and Members are requested to consider the following updated report. The report below represents that previously reported to Members on 3rd November 2004 and is updated in bold italics.

SITE

1. The application site, Long Bessels Yard, is the existing depot for the Beeston's coach company and is centrally located within the town of Hadleigh. The application site has an area of approximately 0.44 hectares, is irregular in shape and has a road frontage of approximately 64 metres and a varying depth between 60 and 64 metres. Small sections of the site to the south and west are within the Conservation Area, although the majority of the site is outside. The site is also a recognised archaeological site.
2. *The site is now cleared of its former buildings and is currently vacant.*

PROPOSAL

3. See report heading. The application proposes a total of dwellings on the site, including 4 no. two bedroom flats (Plots 17-20 incl.) and the remainder constituting a mix of two, three and four bedroom houses in detached, semi-detached and terraced form.
4. The approximate individual roof heights of the proposed dwellings are as follows: -
 - Plot 1 - 4.4 metres to eaves – 8.1 metres to ridge.
 - Plots 2 and 3 – 4.8 metres to eaves – 7.0 metres to ridge.
 - Plots 4,5 and 6 – 4.7 metres to eaves – 8.2 metres to ridge.
 - Plot 7 – 4.8 metres to eaves – 8.3 metres to ridge.
 - Plots 8,9 and 10 – 5.3 metres to eaves – 9.3 metres to ridge.
 - Plots 11 and 12 – 5.1 metres to eaves – 7.9 metres to ridge.
 - Plot 13 – 4.4 metres to eaves – 8.1 metres to ridge.
 - Plots 14 and 15 – 3.3 metres to eaves – 8.0 metres to ridge.
 - Plot 16 – 4.8 metres to eaves – 8.1 metres to ridge.
 - Plots 17-20 – 4.8 metres to eaves – 8.9 metres to ridge.
5. The application also proposes a new access road with footpaths.
6. A Supporting Statement has been submitted in support of the application. Members wishing to see the complete text should make arrangements with the Case Officer direct. The following comprises a summary of the main points as detailed in the Supporting Statement:
 - The site currently has no architectural presence or style;
 - Closest properties to the site are 19th and 20th century small scale housing with no overriding dominant style;
 - Design philosophy for the proposed development is to reflect the style of housing area that has evolved over several centuries;
 - Proposed use of varying traditional Victorian and Edwardian style red brick and white brick buildings, combined with rendered housing, will relate well to the existing varied nature of the surrounding neighbourhood;
 - It is the intention to minimise the impact of the car and to provide the majority of parking in courtyards, clear of any frontage thus allowing dwellings to be brought forward to provide a typical traditional small town centre development; and

- Proposal makes best use of previously developed land;
7. A further supporting statement, amended scheme layout plan and site section plans have been received from the applicant's agent. These documents have been subject to the statutory consultation exercise. The supporting statement raises the following salient points: -
- Suffolk Constabulary's comments with regard to the need to eliminate the front garden areas of Plots 16-20 seem to be irreconcilable with the requirement to provide some form of soft landscaping and setting to this façade;
 - Existing fence to north-eastern boundary will be replaced;
 - I believe that the matters raised by Suffolk Constabulary have now been addressed;
 - Development will result in a significant improvement of the existing amenity of all those properties bordering the site;
 - There is a significant difference between a coach depot compared to gardens of residential properties;
 - Existing buildings dominate outlook and amenity;
 - New dwellings are much lower than surrounding development;
 - Proposed dwellings are acceptable in design and in many instances are already separated by substantial existing hedges and other boundary treatments; and
 - Degree of overlooking is very small at worst;

RELEVANT HISTORY

8. 2001 – Outline planning permission granted for the erection of 13 dwellings and garages. Erection of 1 no. block of 4 no. Self-contained flats (existing buildings to be demolished) (B/01/00228/OUT).

POLICY

PPG 3 (Housing)

9. PPG 3 states that Local Planning Authorities should seek to achieve an efficient use of land seeking greater densities of developments at places with good public transport and service provision. In addition, in urban areas, the Government is committed to maximising the re-use of previously developed land and empty properties and the conversion of non-residential buildings for housing, in order to both promote regeneration and maximise the amount of green field land being taken for development.

Please note that details or extracts of Development Plan policies are no longer included in reports - see page 4 of these papers.

10. The following adopted and emerging development plan policies provide the framework against which this application should be judged:

Suffolk Structure Plan 2001

- Policy ENV1 (Conservation of the built environment)
- Policy ENV3 (Design standards)
- *Policy CS3 (Distribution of new development)*
- *Policy T9 (Parking)*

Babergh Local Plan Alteration No.2 (2006)

The policy references below relate to the adopted version of the Local Plan - the policy numbers in some cases differ from those in the second deposit draft. Where this is the case, the previous reference number is given in brackets.

- *Policy HS01 (Towns)*
- *Policy HS04 (Protecting the Countryside)*
- *Policy HS08 (Affordable Housing)*
- *Policy HS27 (Density and house type) (Policy HS11)*
- *Policy HS30 (Design of new houses) (Policy HS14)*
- *Policy HS32 (Public Open Space) (Policy HS16)*
- *Policy HS34 (Smaller dwellings) (Policy HS18)*
- *Policy CN01 (Design Standards)*
- *Policy CN08 (Development in or near Conservation Areas) (Policy CN02a)*
- *Policy CN18 (Archaeology) (Policy CN28)*
- *Policy CN02 (Facilities for the Disabled) (Policy CN30)*
- *Policy CN04 (Development Design and Crime Prevention) (Policy CN31)*
- *Policy EN19 (Contaminated Land) (Policy EN17)*
- *Policy EM24 (Employment Retention) (Policy EM15)*
- *Policy TP15 (Parking) (Policy TP18)*

OBSERVATIONS

Original Plans

11. TC – Refusal recommended on the grounds of over-development of the site, due to increased number of houses and size of dwellings and the lack of open amenity area.
12. HoES – No objection to proposed development but recommend an appropriate planning condition relating to investigation of contamination.
13. CHA – Recommends the imposition of seven planning conditions.
14. EA – Agency generally accept the conclusions and recommendations contained in the report (Environmental Site Assessment Report), and make advisory comments.
15. SCC (Archaeology) – No grounds to consider refusal of permission. Any permission granted should be subject to a condition that to ensure that an adequate record is made of any archaeological features or finds.

16. SCC (Education) – Have requested financial contributions from the developer towards educational facilities in the town.
17. Suffolk Constabulary –
- The front gardens of the properties should be defined as an area of more private space and identified as being under the supervision of the occupiers.
 - The rear alleyways must be identified as areas that are under the control of those properties they serve.
 - Every effort must be sought to provide on curtilage parking in order that owners of vehicles can exercise control over their property.
 - If the parking court is to remain then any adjacent fencing must again be constructed of 1.4 metres of close boarding and finished with 400mm of good quality trellis. This particular parking area must be lit in order to reduce the fear of crime, which is disproportionately prevalent in a county such as Suffolk.
 - My main area of concern is the sustainability of the quality of life and general amenity of the residents of the flats. I would therefore ask for this footpath to be not adopted, but designated for use by residents of the flats.
18. SPS – In general we support the approach to this development, but there is too much hard landscaping, and over-provision of parking spaces. Increase number of affordable units. Green open space would be preferable to a paved court, as would 21st Century design.
19. Letters - Nine letters of objection have been received, summarised as follows: -
- Concern over party wall;
 - Dispute over boundary walls;
 - No wish to object to sympathetic development;
 - Overlooking;
 - Affordable elements cause concern;
 - Car dominated development;
 - Concern over footpath between flats and plots 13 and 14;
 - Poor layout;
 - Concern over defensible space;
 - Landscaping;
 - Building density too high;
 - Roof angles and height out of keeping;
 - Security threat to existing properties;
 - Parking areas pose potential anti-social focus areas;
 - 2 ½ storey dwellings will lead to loss of privacy;
 - Little or no open amenity areas;
 - Loss of sunlight;
 - Built in rat runs and alleys;
 - Insufficient car parking;
 - Market requires bungalows;
 - Contamination concerns;
 - Smaller development would benefit residents;

- Would like to see 2.0m high fencing to boundaries;
- Waste/rubbish area unacceptable; and
- Highway safety concerns.

Amended Plans

20. TC – Approval recommended. Although this Council previously recommended refusal of the original application, it is now aware that at least some affordable units are available within the development.
21. CHA – No objection subject to the imposition of previously recommended planning conditions.
22. Letters – Two letters received, the salient points are as follows: -
 - Nothing has changed regarding impact on my property;
 - Party wall will be exposed;
 - I have a legal drainage easement for my foul sewage;
 - Overlooking from Plot 3;
 - Concern over siting of Plots 2 and 3;
 - Concerns over maintenance of fencing;
 - Security concerns; and
 - Note that there is no reduction in homes.

ASSESSMENT

23. The main issues to be considered in assessing this proposal are: -
 - Policy Considerations
 - Affordable Housing
 - Public Open Space Contributions
 - Education Contributions
 - Highway Considerations
 - Impact on the Conservation Area
 - Residential Amenity

Policy Considerations

24. The application site has been subject to the grant of an outline planning permission for 17 no. dwellings and is situated within the defined built up area boundary of the town and has not been identified as an area of visual or recreational amenity, so there can be no fundamental objection to the principle of the residential development of this site. Additionally, the site has been previously allocated for residential development within the Babergh Local Plan Second Alteration Deposit Draft.
25. The proposal must therefore, be assessed against the provisions of the Local Plan and the issues considered central to the outcome of this application are firstly whether the town can sustain the increase in number of units from 17 to 20 and secondly, whether the site can accommodate in depth development without detrimentally impacting on the amenities of adjoining properties.

26. PPG 3 states that Local Planning Authorities should seek to achieve an efficient use of land seeking greater densities of developments at places with good public transport and service provision. In addition, PPG3 advocates higher densities of development, where appropriate. In this instance, the proposal amounts to development of approximately 45 dwellings per hectare. This figure meets the density standards as defined by PPG3, and as such, the density level is considered appropriate.
27. In this instance, the proposal for the development of the site to accommodate 20 no. dwellings is considered to be in accordance with the general aims national planning guidance notes and of adopted and emerging planning policies.

Affordable Housing

28. Emerging policy HS08 requires that on sites which come forward for residential development and are capable of accommodating 15 or more dwellings, the District Council will require 20-35% of dwellings to be provided in the form of affordable housing to meet identified local needs. Such properties will be required to be owned or managed by a registered social housing landlord. The applicant has confirmed that of the twenty dwellings proposed within the application, six dwellings will be affordable – comprising properties for five properties for rent and one for shared ownership. Confirmation of the exact type of tenure will be confirmed verbally at the meeting. The proposed affordable housing provisions are considered acceptable in meeting identified local needs.
29. *Policy HS08 in the adopted Local Plan requires sites of this nature to provide up to 35% of dwellings in the form of affordable housing.*

Public Open Space Contributions

30. Emerging policy HS16 requires the developer to either provide 10% of the application site as public open space with play equipment or to make a financial contribution towards securing public open space with play equipment on a nearby alternative site, or enhance and improve the nearest existing provision provided by the District Council. The applicants have confirmed that they will contribute financially in accordance with the requirements of the Council's adopted (September 2002) Supplementary Planning Guidance for the provision of outdoor recreation facilities and open space and has confirmed willingness to enter into a legal agreement with the District Council.
31. *Policy HS32 in the adopted Local Plan requires similar public open space provisions.*

Education Contributions

32. The Education Department of Suffolk County Council has requested a total sum of £57,847 to contribute towards additional school places likely to be generated by the development. The applicant has accepted this figure and has confirmed willingness to enter into a legal agreement with the District Council.

Highway Considerations

33. The proposed development proposes the implementation of an adopted 'T' shaped road with footpaths and paved courtyard parking areas. The Highway Authority raises no objection to the scheme in relation to highway safety.

Impact on Conservation Area

34. A small part of the proposal area falls within the Hadleigh Conservation Area, whilst the remainder of the site is encompassed by the Conservation Area. With regards to the current commercial use of the site and existing buildings, it is not considered that the proposal to re-develop the site for residential purposes in the manner proposed, would lead to any adverse impact upon the character of the Conservation Area.
35. The proposed designs consist of a mixture of Victorian and Edwardian styled properties, together with a selection of rendered finished properties, which collectively give an impression of evolution within the site. On balance, it is considered the proposed property types are acceptable in their general form, scale, mass and design and that they relate satisfactorily to the site and its setting.

Residential Amenity

36. The concerns of objectors relating to the loss of residential amenity have been noted. The original proposal included dormer windows within the roofspace of Plots 8 and 9, which were considered to lead to a degree of overlooking. These dormer windows have been replaced with roof lights in order to minimise the possibility of overlooking. Additionally, concern has been raised regarding overlooking from Plot 3. However, windows at first floor level are to serve bedroom, a bathroom and hallway only.
37. Concern has also been expressed about the proximity of the proposed dwellings to existing properties. It is not argued that elements of the new development are to be built in close proximity to existing properties, particularly, Plot 2, which would be, situated 1.0m away from No.21 Long Bessels. However, in this particular case, No.21 Long Bessels is currently adjoined to an existing commercial building.
38. Plots 4, 5 and 6 are those plots situated in closest proximity to Nos. 101 to 105 George Street. At their nearest point, the proposed dwellings are sited some 18.0 metres in distance from the rear elevation of those properties. Plot 11 is sited some 4.5 metres away from the property known as Clinton, which is not dissimilar in distance to that property's' existing neighbour. On balance, it is considered that the proposed proximities of buildings are acceptable in this urban context.
39. Furthermore, consideration should be given to the siting of the existing buildings on the site, which are often used for rather anti-social activities such as mechanical activities, which generate noises and smells etc.

Viability Report

40. ***The viability of the scheme has been assessed in respect of three options: -***
 - I. The scheme for which outline planning permission was granted in July 2003 comprising 13 private houses of approximately 1,573 sq.ft each and 4 affordable flats of 645 sq.ft each.***
 - II. The scheme for which a resolution to grant full planning permission was given in November 2004 comprising 14 private houses of 1,260 sq.ft each, 2 shared equity houses of 900 sq.ft each and 4 rented affordable flats of 645 sq.ft each.***

III. Landlink PLC are now proposing that the scheme for which a resolution to grant consent was given in November 2004 should be amended to increase the number of private houses from 14 to 16, of which 2 would remain at 900 sq.ft each, and the 4 rented affordable flats be retained.

41. *The profit on costs provided by the applicant for each of the options are:*

- i) 9.65%*
- ii) 7.3%*
- iii) 11.83%*

42. *A residential developer would typically expect to see a return of between 10 and 15%.*

43. *The report concludes that the return on cost shown in appraisal (i) and (ii) would not be regarded as acceptable and only just within the parameters of the generally accepted return of 10 – 15% when option (iii) is considered.*

44. *Having taken all this into account, Members are requested to consider the following resolution for the reasons listed below: -*

- The independent report concludes that options (i) and (ii) are not viable;*
- The social housing grant available on this site will expire in March 2007 unless the rented units are constructed in this timescale;*
- The scheme will provide 4 rented units of accommodation which is identified as a strong need within the town;*
- The scheme will also provide smaller units of accommodation albeit that they will be for sale on the open market.*

Conclusion

45. In view of the above and having regard to the relevant Development Plan and its policies, the following recommendation is made -

REASON FOR APPROVAL

46. The proposed development is considered to be in accordance with the provisions of adopted Development Plan policies CS3, ENV1, ENV3, T9, HS08, HS27, HS30, HS32, HS34, CN01, CN08, CN18, CN04, EN19, EM24 and TP15 by reason of the scheme constituting acceptable development in terms of its, layout, design, form, mix, scale, materials, relationship to adjoining development, public open space provision, education contribution and affordable housing provision. 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, or the character and appearance of the locality or the Conservation Area and although a marketing campaign has not been pursued to investigate non-residential alternative uses of the site, it is considered that the proposal offers the most appropriate re-use of the land.

RECOMMENDATION

The Head of Planning (Control) be authorised to instruct the Solicitor to the Council to secure an obligation under Section 106 of the Town and Country Planning Act 1990 in respect of the provision of four rented units of affordable housing to be provided by the developer, and transferred to or managed by a registered social housing landlord in perpetuity, the payment of education contributions and the payment of contributions towards public open space.

Upon completion of the legal obligation, the Head of Planning (Control) be authorised to Grant Planning Permission, subject to such conditions as he considers appropriate, but including:

- Materials
- As recommended by CHA
- Levels
- Landscaping (including boundary treatments)
- Security lighting
- Archaeological watching brief;
- Removal of GPDO rights – extensions and outbuildings

DECISION
