

Parish: GLEMSFORD

Location: Land north of 29 Fair Green

Proposal: Erection of 2no. dwellings, garaging and associated access works

Applicant: Peal Estates

Case Officer: Chris Tivey

Date for Determination: 22.08.08

This application was deferred at the Development Committee meeting of 12th November 2008 to seek a response from Anglian Water on the adequacy of the foul and surface water drainage in the area. Previously the application was deferred at the meeting of 17th September 2008 to enable the applicant to provide further information on the provision of sufficient space for parking and turning of vehicles within the former EW Downs site opposite the application site. Furthermore the applicants were requested to identify the scope for the retention of soft landscaping along the southern boundary of that site.

THE SITE

1. The application site comprises approximately 0.044 hectares of land situated to the west side of Brook Street, a short distance to the north of Fair Green.
2. The site is shown to be without a specific designation in the Local Plan and is vacant, previously used for car parking in association with the EW Downs industrial site opposite.
3. The site is open to Brook Street with a dropped kerb in the centre of its frontage. It is bordered by vegetation to the other three boundaries and is situated within the village Conservation Area.
4. The property at 29 Fair Green is a two storey end of terrace property that abuts the southern site boundary with Briar House a modern detached dwelling to the north.

THE PROPOSAL

5. Outline planning permission is sought for the erection of 2no. detached dwellings on the application site. The application is outline with all matters being reserved, although the application forms indicate that each of these properties would have three bedrooms.
6. Indicative drawings show a double garage situated to the south of the site with parking to the front. The southern most garage is shown to serve Plot 2 and the northern most one Plot 1.
7. The Design and Access Statement states that the scale of the proposed houses would be in the range of 6 – 7 metres wide by 8 – 9 metres deep. An illustrative street scene has been provided and identifies how two detached dwellings would be viewed in the street scene.

8. The proposal follows a previous planning application B/08/00376 (see below), also for the erection of 2no. detached two storey dwellings which was refused under delegated powers for the following reasons:

"Policy EM24 of the Babergh Local Plan Alteration no. 2 (2006) states that planning applications to redevelop or use existing or vacant employment land, sites and premises for non-employment purposes, will only be permitted if the applicant can demonstrate that their retention for an appropriate employment use has been fully explored. Furthermore Policy EM15 recognises that the existing employment-related site located off Brook Street ('E W Downs') of which the application site forms part is to be retained solely in employment related use(s). Residential development will not be permitted.

The proposal would lead to the residential redevelopment of an existing car park which serves this identified employment site and would therefore be contrary to the aforementioned policies as a matter of principle. Whilst presently vacant, the 'E W Downs' site to the east of Brook Street, comprises a dense built form of commercial buildings, with limited parking and circulation space within it. The loss of the application site as a parking area to serve this is therefore considered premature whilst the future of the employment site remains unknown, and would likely prejudice as reuse as it currently exists."

9. An appeal was lodged against the refusal of B/08/00376 and was the subject of an informal hearing on the 20th November 2008, no decision had been made at the time of writing this report. The applicants submitted the current application in order to try to address the previous concerns, in particular, they have provided a plan which was not submitted with the earlier application that shows the provision of 64 car parking spaces on the main EW Downs site.
10. Officers are of the view that a maximum of 60 car parking spaces would be required for the established B2 (General Industry) and B8 (Storage and Distribution) uses on the site.

RELEVANT HISTORY

11. B/78/00314 – Pair of semi-detached cottages – Granted 30.05.1978
B/84/00463 – Car park and vehicular access – Granted 13.07.84
B/08/00376 - Outline – Erection of 2no. detached two storey dwellings – Refused 17.04.08 and subject to an undetermined appeal that was heard at a hearing on 20 November 2008.

NATIONAL GUIDANCE

12. **PPS1:** (Delivering Sustainable Development)
PPS3 : (Housing)
PPG15: (Planning and the Historic Environment)

PLANNING POLICIES

13. The Development Plan comprises the Emerging East of England Plan, 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)
- **ENV6** (The Historic Environment)
- **ENV7** (Quality in the Built Environment)

Babergh Local Plan (Alteration No.2) 2006

- **HS02** (Villages)
- **HS03** (Non-Sustainable and Sustainable Villages)
- **HS28** (Infilling)
- **HS30** (Layout and Design)
- **HS32** (Public Open Space)
- **LP01** (Planning Obligations)
- **EN15** (EW Downs Site)
- **EN24** (Retention of Existing Employment Sites)
- **CN01** (Design Standards)
- **CN08** (Conservation Areas)
- **TP15** (Parking and New Development)

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

OBSERVATIONS

14. PC – Recommends refusal. The site is in a Conservation Area, is a fire muster point and the application would be an overdevelopment of the site. As the main EW Downs site is allocated for employment purposes under Policy EM15 of the Local Plan, they would not want the land to be built on as it has and should always be to provide car parking facilities for the employment site. There is already a problem with infrastructure in the Brook Street area and they fear that if the application goes ahead then the already overloaded sewerage and surface water systems would not be able to cope with there already being a cross-contamination of sewerage and surface water in the Linden House area of Brook Street which causes problems with raw sewage coming into resident's gardens, and they would not want any further development in the area until this is addressed.
15. LHA – no objection, subject to the imposition of conditions.
16. Environmental Health – no objection to the proposed development, although they state that historically individuals may have connected foul drainage to the surface water sewers which could be leading to the problems reported by the Parish Council and residents. They consider that the foul drainage system is adequate to cope with two additional dwellings and that if surface water were to be directed to soakaways that there would be no further pressure upon the surface water sewers. Building Control have confirmed that soakaways could be provided on this site.
17. Anglian Water – do not anticipate problems with foul flows from an additional 2 dwellings on this site. The flows generated from 2 properties would have a negligible effect on the foul sewage system in this area (typically less than .09l/s). We ask the developer to ensure that no surface water discharges to the public foul sewer and that if it is the intention of the developer to discharge to the public surface water sewer that ideally we would only wish to see discharge made on a like for like basis proven through an on site survey.

18. Economic Development – no observations to make on the application.

REPRESENTATIONS

19. Five letters of representation had been received with concerns cover the following:

- Conservation Area impacts
- Additional pressure on parking provision in the area
- Highway safety
- Overlooking
- Loss of light

PLANNING CONSIDERATIONS

20. The application site lies within the Built-up Area Boundary of Glemsford. The principle of residential development on the site is therefore acceptable subject to normal planning considerations being satisfied.
21. The previous planning application was refused on the grounds that the proposal would lead to the loss of parking spaces which served the EW Downs site for many years and which, if the development of the application site were allowed, could prejudice the marketability of the main employment site due to a resultant lack of parking.
22. Following the refusal of the previous application, and based upon calculations carried out by Officer's it was determined that around 60 car parking spaces would adequately meet the needs of the site based upon its current lawful B2 (General Industrial) and B8 (Storage) Uses.
23. The additional information submitted by the applicant provides details of how the E W Down site could accommodate car parking and included a tracking diagram that identifies that an HGV could enter and turn within the rear of the EW Downs site.
24. In respect of this car parking/HGV manoeuvring plan, the area of parking shown along the southern boundary (spaces 25-56) would not be implementable without the regrading of a landscaping strip as it is currently at a higher level than the adjoining concrete hardstanding. Furthermore spaces 46-56 would be inaccessible if the HGV loading bay immediately to the south of the ramp into the rear portion of the site were in use and the Local Highway Authority have stated that the spaces to the north eastern corner (No.s 20 to 24) would conflict with the tracked HGV turning within the site.
25. However even as a worst case scenario the site would be capable of parking 48 cars. Given that car parking standards are no longer minimum thresholds that must be met but maximums with discretion afforded to the Council about levels of provision. As the E W Down site is located within the village of Glemsford which is classed as a sustainable village where it is reasonable to expect that any local people employed on the site (in the future) would be able to walk or cycle to work, it is considered that the earlier grounds of refusal have been satisfactorily addressed and overcome.
26. Notwithstanding that the land in question (E W Downs) is outside the scope of the current planning application, the applicants show that there is still scope to implement soft landscaping in this location to screen the site from the adjacent Public Footpath in addition to the 48 car parking spaces.
27. In view of this additional information, and the fact that the site the subject of the current planning application is not allocated for employment uses, the principle of residential development on the application site can now be considered to be acceptable.

28. Other matters arising from the determination of this application include density, impact on residential amenities, Conservation Area considerations and Drainage.

Density

29. The Parish Council object to the application on the grounds of overdevelopment of the site. Notwithstanding the fact that the site layout as submitted with the application is illustrative, two dwellings on a site of 0.44 hectares would equate to approximately 45 dwellings to the hectare.
30. Whilst it is acknowledged that the densities of residential developments of Glemsford vary, such a density would not appear out of character, particularly when terraced dwellings largely predominate along Brook Street and Fair Green.

Impact on Residential Amenities

31. If the development were to be laid out as per the illustrative layout, then by virtue of siting the parking to the southern end of the site would mean that the gap between 29 Fair Green and the Plot 2 dwelling would be in excess of 10 metres.
32. Briar House to the north is some 15 metres from the northern boundary of the application site and therefore, it is considered that the amenities of the occupiers of both of these closest residential properties would not be unduly compromised and no overshadowing would occur.
33. Letters of representation have also been received from residents in Silk Factory Row, concerning loss of outlook and overlooking. Views afforded from the first floor of the proposed dwellings would however be oblique and no material loss of amenity would occur to these properties

Conservation Area

34. The site falls within the Glemsford Conservation Area and whilst the application is purely outline in form, Officers are of the opinion that a development could comfortably be implemented on the site and be of a standard that enhances the character of the Conservation Area. The site as it exists does little to contribute to its character. The detailed design of any new dwellings would have to be the subject of a reserved matters application and the precise siting and appearance of the development would be determined at that stage.
35. Pursuant to Policy CN08 of the Babergh Local Plan the proposed development would, at the very least, preserve the character of the Conservation Area making good use of what is currently a vacant site.

Drainage Issues

36. Following on from the concerns raised by Members at the previous Development Committee meeting, Officers have sought a response from Anglian Water on the capacity of the drainage systems within the Brook Street area of Glemsford.
37. Previous consultations had indicated that the existing systems would be able to accommodate the small scale development proposed by the application and this view has been reconfirmed (following the Development Committee meeting in November).
38. The foul drainage system is able to cope with two additional dwellings and surface water can be discharged to soakaways thereby placing no further pressure upon the surface water sewers. Building Control have confirmed that soakaways could be

provided on this site and therefore in the light of this information Officers are of the view that it would be unreasonable to refuse planning permission on this basis.

Other Issues

39. 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 or off-site provision in the form of a commuted payment. In this case given the small size of the site, and the layout of the development, an on-site Public Open Space provision is not considered appropriate. The applicants have entered into and completed a Section 106 Agreement with the Council to provide a financial contribution.

REASONS FOR APPROVAL

40. The proposed development is considered to be in accordance with Adopted Development Plan Policies SS1, SS2, EN6 and ENV7 of the East of England Plan 2008 and Policies HS02, HS03, HS28, HS30, HS32, LP01, EN15, EN24, CN01, CN08 and TP15 of the Babergh Local Plan (Alteration no. 2) by reason of the scheme constituting a development that is acceptable in terms of layout, design, scale and relationship to adjoining development. The proposal does not give rise to highway safety issues nor would it have an adverse impact upon residential amenity, the character and appearance of the Conservation Area or surface and foul water drainage. Furthermore previous concerns of the Council have been overcome through the submission of additional information from the applicant.

RECOMMENDATION

That Planning permission be granted subject to the conditions covering the following:

- Standard Time Limit
- Submission of Reserved Matters
- Submission of material samples
- Removal of Permitted Development Rights for further extensions
- Landscaping Scheme
- Surface and foul water drainage details to be submitted
- No surface water shall be discharged to the foul sewer.