

BILDESTON – PART GARDEN OF 73-75 HIGH STREET

Erection of 1 no. detached dwelling and construction of new vehicular access off Newberry Road.

Applicant: S F Properties

Case Officer: Ben Elvin

This application is referred to Development Committee at the request of a District Councillor.

SITE

1. The site is located to the rear of 73-75 High Street which is a Grade II listed building located within the Bildeston Conservation Area. There is a long garden area to the rear of the property that abuts a car park served from Newberry Road. To the south of the site are the rear gardens of properties facing Newberry Road, which are partly interrupted by an electricity sub-station that is also accessed via the car-park.
2. The prevailing pattern of development in this area is for frontage properties with long gardens facing onto High Street, with an estate characterised by pairs of properties facing Newberry Road.

PROPOSAL

3. The application proposes the erection of one dwelling in the rear garden of 73-75 High Street with access off the car park. A right of access has already been established over the land.
4. The dwelling takes the form of a one-and-a-half storey property providing 2 bedrooms with a relatively deep plan form. The height to ridge is 7 metres with an eaves height of 4 metres. Parking is provided to the front of the property with a turning area within the site.

RELEVANT HISTORY

5. There is no relevant history.

NATIONAL GUIDANCE

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

Planning Policy Statement 3: Housing

Planning Policy Guidance 15: Planning and the Historic Environment

PLANNING POLICIES

7. 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)
- CN06 (Listed Buildings)
- CN08 (Development in or near Conservation Areas)
- TP15 (Parking Standards)

OBSERVATIONS

8. PC – objects on grounds that they feel the house proposed is too large for the site.
9. LHA – will be reported verbally when received.
10. Four letters of objection have been received. The main points can be summarised as follows;
 - The site lies adjacent a well-used car-park which will cause problems at the busy school drop-off/pick up times.
 - Parking within the area is already overstretched.
 - The site lies extremely close to the riverbank.
 - Properties in Newberry Road are built on the flood plain and there are concerns over the run-off of surface water and flooding.
 - Works to the brook embankment will result in further erosion to the banks behind Newberry Road.
 - Eight fir trees have already been lopped on the site.
 - Concerns over contractors vehicles and equipment, and the possible storage of materials on the car park.
 - Concerns over why the access area was sold by the Council three years ago without notifying of the local neighbours.
 - The proximity of the access to rear pedestrian gates serving properties in Newberry Road.
 - Loss of privacy to neighbouring properties.
11. SWT – no objections.
12. EA – Make comments regarding surface water run-off and best practice advice with regards to sustainable drainage.

ASSESSMENT

13. The site lies within the defined built-up area and there can be no objection in planning policy terms to the principle of additional residential accommodation in this location. Indeed Government Guidance (PPS3) seeks to promote the development of previously developed land and to make efficient use of such land by developing at higher densities, subject to local character and identity being preserved.
14. Government planning documents PPS1 and PPS3, along with various Development Plan policies, seek to ensure that new developments are of a high quality of design and layout and respect the character of their surroundings. In this instance, additional weight is given to these requirements as the site forms part of the rear garden of a Grade II listed building. The site is also within the designated Conservation Area and the provisions of PPG15 are also applicable.
15. Policy HS28 of the Babergh Local Plan provides that applications for infilling or groups of dwellings will be refused where the proposal represents overdevelopment, is detrimental to the environment, the character of the locality, residential amenity or highway safety. The existing pattern of development in the area is predominantly for frontage properties with long gardens for the entirety of High Street, with pairs of dwellings in an estate form along Newberry Road. A number of the adjoining properties are listed buildings which fall within the designated Conservation Area. The space around dwellings and the gardens that they benefit from form an important element of the character of the Conservation Area. The proposed dwelling results in a backland form of development that is out of character with the existing pattern of development. If approved, this could result in an unfortunate precedent for other backland development in similar locations/sites leading to progressive degradation of the character of the area.
16. The site is constrained in terms of the brook to the north and the existing garden fences/sub-station to the south. The proposed dwelling constitutes a cramped form of development that would reduce the space around the existing listed building to the detriment of its setting. Whilst the applicant contests that the proposal is of a scale and form relative to its surroundings, the proposal is not relative in terms of its relationship to the host property. Furthermore, by virtue of its relationship with the mature landscaped northern boundary, the proposal could result in pressure for the further removal of landscaping to the detriment of this part of the Conservation Area.
17. The access to the site takes the form of a 90 degree turn into the site from the car park, across the access to the substation. This access is something that could be formed without the benefit of planning permission for use in conjunction with the existing dwelling. Whilst contrived, it would not be possible to substantiate an objection to the application on access grounds.
18. A number of local residents have raised concerns over loss of privacy to their properties. The windows in the dwelling have been orientated to the front and rear of the dwelling, thereby only providing a degree of overlooking to the rear garden of the existing dwelling. The proposal would not therefore result in significant detriment to the amenity of neighbours so as to provide a reason for refusing the application.

19. Policy HS32 of the Local Plan requires that 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 contribution 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. The applicants have not been formally approached about this matter because of the recommendation of refusal. The absence of a Section 106 agreement is a further reason for refusal as set out in the recommendation below. This would safeguard the policy requirement in the event that the applicant opts to appeal against the refusal of planning permission (if this is the Committee's resolution).

RECOMMENDATION

Refuse planning permission for the following reason;

Inappropriate backland development, out of character with the existing pattern of development - contrary to the provisions of policies CN01, HS28 and HS30 of the Babergh Local Plan and ENV1 and ENV3 of the Suffolk Structure Plan 2001.

DECISION
