

Parish: HITCHAM

Location: Land South of Blox Hall, Bury Road

Proposal: Erection of a two-storey detached dwelling. Alterations to existing vehicular access.

Applicant: Mr & Mrs Hek

Case Officer: Gareth Durrant

Date for determination: 17/04/07

This application is being reported to Development Committee at the request of the Local Member. The following comments are provided:-

“As time moves on and opinions change, I feel that this is a brownfield site and ideal for the development of one house suitable for a young couple to get on the housing ladder. We definitely require more houses in our villages to prevent them from leaving”.

SITE

1. The site measures approximately 0.3 hectares and is situated between Browns Farm and Blox Hall in Bury Road. It is situated outside (and a distance away from) the built up area boundary of the village. The application site was last used for purposes in connection with horticulture and is, therefore undeveloped, greenfield land. Old Bloxhall to the north (beyond Blox Hall) and Browns Farm to the south are both Grade II listed buildings. There is an archaeological site abutting the west (rear) boundary of the site.

PROPOSAL

2. The application is for the construction of a two-storey dwelling. The dwelling would provide the following accommodation at ground and first floor levels respectively:
 - Sitting room, dining/family room, hall, W.C., kitchen and utility
 - 3 bedrooms and 2 bathrooms
3. The dwelling would have an overall floor area of approximately 124 square metres. It would be approximately 9.5 metres wide, have a maximum depth of 8.8 metres and a maximum ridge height of approximately 6.9 metres.
4. It is proposed to construct the dwelling in red brick with brown clay plain tiles to the roof.
5. The existing vehicular access would be widened to 15 metres.
6. A design and access statement has been submitted in support of the application. The document, which can be viewed in full in advance of the meeting by prior arrangement with the case officer, is summarised as follows;
 - *This parcel of land is a small portion of the original farm that had been owned and farmed by the family of the applicant's mother (Mrs Seeley) for over 75 years. The particular land on which the proposed dwelling would be built has formerly been used by the applicants for horticultural use, but is no longer viable for that purpose.*
 - *There is no intention to use the land for any form of business activity.*

- *Site is inadequate for modern agriculture and will not adversely affect the quality of the landscape or the character of the countryside.*
- *Adjacent properties occupy similar size plots and a single dwelling on this site will match local density.*
- *Site is outside the built up area of the village of Hitcham, but is located centrally within a thriving rural satellite hamlet of that village.*
- *The development, being infill, will not set a precedent that might lead to an increase in the sporadic character of residential development outside otherwise built up areas.*
- *The land is substantially separated and screened from the adjoining properties, access and surrounding agricultural land by mature trees, including ditches on the South and West boundaries which will ensure there will be no visual impact upon the environment nor adjacent properties.*
- *Siting reflects notional building line whilst the front elevation reflects the orientation of Blox Hall*
- *Access drive avoids root spread of the two mature oak trees.*
- *Dwelling has been carefully designed to minimise ridge height whilst embodying design details and materials to reflect adjacent dwellings. The orientation and fenestration avoids overlooking other properties.*
- *Wherever possible the detailed design will incorporate “green” materials and technology.*
- *Development is intended to provide an affordable dwelling for permanent occupation by a young local couple and enable them to provide support for their retired family in the property opposite. Their respective occupations will not entail long distance commuting to remote employment locations.*
- *This proposal will help to address several important matters of local and national concern i.e. the provision of affordable housing, sustaining rural community living and providing close family care for the elderly. It will be an infill development within a hamlet that has mains services, is situated safely off a main road and is close to and associated with Hitcham. It should provide a suitable addition to a long established rural settlement without expanding its impact upon the environment or the local infrastructure.*

RELEVANT HISTORY

7. 2004 –2007 Four separate applications for the erection of a single dwelling at this site have all been refused planning permission. Most of these were referred to Development Committee for decision. The last application (ref B/06/01745/FUL) was refused at the meeting of the Development Committee on 3rd January 2007 for the following reasons;
 - The site of the proposed dwelling is in the countryside, outside any town or village where, in the interests of agriculture, rural amenity, road safety and economy of services, existing uses of land will remain (for the most part) undisturbed. Accordingly, applications for residential development in the countryside will not normally be approved and new housing will be integrated into existing settlements. The proposed development is contrary to the Structure Plan 2001 policies ENV4 and ENV6, Babergh Local Plan Alteration No.2 (2006) policies HS02, HS04 and CR01. These state (inter alia); i) new housing development in villages will normally take the form of infilling within the built up area; ii) the landscape quality and character of the countryside will be protected for its own sake and in the interests of agriculture, rural amenity, road safety and the economy of services and; iii)

development not required for the efficient operation of agriculture, forestry and recreation will only be acceptable where there is an overriding case for a location in the countryside. Structure Plan Policy ENV6 states new housing in the countryside will only be acceptable where essential for key personnel employed in agriculture, horticulture or forestry.

- The applicant has not demonstrated an overriding case for the development in this countryside location, and there is no evidence it is required to accommodate key personnel employed in agriculture, horticulture or forestry. If approved, the Local Planning Authority considers the development would lead to an increase in the sporadic scatter of residential development outside the confines of the built up area and be of detriment to the character and appearance of the countryside.
- Furthermore, the proposed development would, if approved, result in an unsustainable form of development being contrary to the aims of well-published Government planning objectives (PPS1, PPS7 and PPG13) and the Development Plan. In particular, the proposal for the erection of a dwelling in this isolated rural location is contrary to the provisions of the Suffolk Structure Plan 2001, policies CS1, CS3, CS10 and ENV6 and the Babergh Local Plan Alteration No.2 (2006) policies HS02 and HS04. These aim to reduce the growth in the length and number of motorised journeys by focusing new development, particularly residential development, within urban areas and larger rural settlements. Moreover, the proposal would set an undesirable precedent for similar development elsewhere in the District which the Local Planning Authority would find difficult to resist, to the detriment of the character of the area and to the aim of achieving sustainable development.

NATIONAL GUIDANCE

8. **PPS1** (Delivering Sustainable Development) - relates to achieving sustainable development and high quality layout and design.
9. **PPS7** - (Sustainable Development in Rural Areas) – sets out the Government’s policies for rural areas.
10. **PPS9** – (Biodiversity and Geological Conservation) relates to planning decisions affecting biodiversity and geological conservation issues.
11. **PPG13** (Transport) – includes national planning policies and guidance for transport issues.
12. **PPG15** (Planning and the Historic Environment) – includes guidance relating to new development affecting the setting of listed buildings.
13. **PPG16** (Archaeology and Planning) – sets out Government policies for archaeology.

PLANNING POLICIES

14. The following policies from the Second Alteration to the Babergh Local Plan are relevant;
 - **HS02 & HS03** - (Housing in villages),
 - **HS04** - (New Residential Development in the Countryside),
 - **HS28** - (Infilling),
 - **HS30** - (Design of New Housing)
 - **HS32** - (Public Open Space)
 - **CR01** - (Protection of the Countryside) and
 - **CN01** - (General Design & Context policy).
 - **CN06** - (Listed Buildings, including development affecting their setting)
 - **CN17** - (Archaeology)

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

OBSERVATIONS

15. Any comments received (including any received from the Parish Council, the Local Highways Authority and/or Archaeology and the Environment Agency) will be reported at the meeting.

REPRESENTATIONS

16. Any neighbour comments received will be reported to the meeting.

PLANNING CONSIDERATIONS

17. The application site lies outside of the defined built up boundary for Hitcham and is therefore in the open countryside where rural area planning policies of restraint apply. There is therefore a firm presumption against further residential development here. It should be noted that no justification has been made that the proposed additional dwelling is for key personnel to be employed in agriculture, horticulture or forestry, nor is the proposed dwelling cited as an 'exceptions' site for local needs housing.
18. The proposed development should be regarded as an additional dwelling on a greenfield site in the countryside, contrary to established Government planning guidance and adopted Development Plan policies. Approval of this application would set a serious and undesirable precedent for similar developments in the locality, to the detriment of the countryside and District in general.
19. PPS 7 (Sustainable Development in Rural Areas) states that local planning authorities should strictly control new house building (including single dwellings) in the countryside, away from established settlements or from areas allocated for housing in development plans.
20. The application site is situated within a small loose group of 6 dwellings, and is devoid of local services or social facilities and is not well served by public transport. It follows that the occupiers of the proposed dwelling would have to travel to access shopping, education, employment, recreation, and social facilities and the majority of these journeys would be by car. Furthermore, the dwelling would create demand for additional trips for visitors and service vehicles. As such, the proposal for a new dwelling at this isolated countryside position clearly represents an unsustainable form of development.
21. Local Plan policy HS32 requires applicants proposing any form of new residential development to either i) provide part of the application site in the form of public open space, or ii) agree to a contribution to be used towards provision of new or upgrade of existing public open space in the area. The applicants have submitted Heads of Terms for a S106 Agreement with the application for the financial contribution.
22. The detail of this application remains very similar to that refused planning permission by Members of the Development Committee in January 2007 (and the three other decisions before) and the grounds for refusal still stand. Apart from the setting aside of most policies in the Suffolk Structure Plan at the end of 2007, the circumstances of this application have not materially changed since that Committee decision. Indeed local plan policy HS04 is still relevant to the determination of this application. Further it is perhaps telling that the applicant has not tested the Council's previous five decisions to refuse planning permission at this site through the normal appeal route, but instead has submitted multiple applications in the hope of achieving a planning permission.
23. There are clear and fundamental planning policy objections to the proposed development and the application should be refused on the grounds that it constitutes an unsustainable form of development in the countryside.

RECOMMENDATION

24. Refuse planning permission for the following reasons:

- 1) Adverse impact upon the character of the countryside - contrary to the objectives of PPS3 and PPS7, Babergh Local Plan Alteration No.2 – policies HS02, HS04, and CR01, and
- 2) Unsustainable development – contrary to PPS1 PPS3, PPS7, PPG13, HS02 and HS04.
- 3) (unless the S106 Agreement is completed before the expiry of the application on 17th April 2008) Inadequate provision for public open space being contrary to Policy HS32 and PPG17.