

**Parish:** HINTLESHAM

**Location:** Silver Birches, Silver Hill

**Proposal:** Erection of 2 no. dwellings with associated garages (following demolition of existing single-storey dwelling). Construction of new vehicular access.

**Applicant:** Stour Homes Ltd

**Case Officer:** Deborah Board

**Date for Determination:** 03.06.10

---

## **SITE**

1. The site consists of an existing bungalow (now demolished) located in a substantial plot within a Special Landscape Area. The site includes the edge of the Built-Up Area Boundary to Hintlesham which follows the edge of the access driveway and returns close to the rear of the bungalow. Access is achieved directly off the A1071, via a banked driveway that falls down to the road.
2. The existing bungalow was set-back in the plot and had a detached single garage to the side. The roadside boundary is bordered by a line of Silver Birch Trees, beyond which lies an access track to the adjoining bungalow known as Richmond. The existing property forms the last property in a line of bungalows on this edge of the village.

## **PROPOSAL**

3. The application is a full planning application proposal is for the erection of 2 detached dwellings with detached garages.
4. A Design and Access Statement has been submitted which sets out that:
  - The siting of the two detached dwellings is consistent with the pattern of adjoining development;
  - The houses are of a one and a half storey scale;
  - This approach is sensitive to the adjoining rural landscape and adjoining development consistent with the design approach of the outline approval;
  - The site benefits from mature boundary planting;
  - The access complies with the LHA requirements as per the outline consent;
  - This is an appropriate infill development.

## **RELEVANT HISTORY**

5. B/08/01650/OUT - Outline - Erection of 2 no. detached 1½ storey dwellings with attached garages (following demolition of existing single-storey dwelling). Construction of new vehicular access, Granted.
6. B/09/01405/RES - Submission of details under O. P. P. B/08/01650/OUT - the approval of access, appearance, landscaping, layout and scale for the erection of 2 no. detached 1½ storey dwellings with attached garages and construction of new vehicular access, Withdrawn.

## **NATIONAL GUIDANCE**

7. **PPS1** Delivering Sustainable Development
8. **PPS3** Housing
9. **PPG17** Planning for Open Space, Sport and Recreation
10. **PPS23** Planning and Pollution Control

## **PLANNING POLICIES**

11. The Development Plan comprises the East of England Plan, adopted 2008, 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)
- **ENV7** (Quality in the Built Environment)

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

- **HS02** (Development in Villages)
- **HS04** (Protecting the Countryside)
- **HS28** (Infilling)
- **HS30** (Design of New Houses)
- **HS32** (Public Open Space)
- **CR01** (Countryside)
- **CN01** (Design)
- **TP18** (Car Parking)
- **LP01** (Planning Obligations)

**The relevant documents can be viewed via the internet. Please see page 3 for details.**

## **OBSERVATIONS**

12. PC – the proposal is a complete overdevelopment of the site and not in keeping with the surrounding area.
13. LHA – no objection, recommend conditions on the following matters:
  - Laying out of access to an appropriate standard;
  - Gradient of access;
  - Surfacing of access;
  - Visibility;
  - Details of surface water discharge;
  - Parking and turning details
14. EA – standing advice for surface water drainage management is applicable

15. HoNABE (land contamination) – no objections, the quality of the submitted report is generally satisfactory.

## **REPRESENTATIONS**

16. None received

## **PLANNING CONSIDERATIONS**

17. The Built-Up Area Boundary (BUAB) has been drawn along the outside edge of the access road that serves the bungalow known as Silver Birches and takes in a small area of garden land to the rear of the property. In preparing the Built-Up Area Boundaries, the Local Planning Authority has to consider the character of the area and look to ensure that existing development is contained to avoid spread into the countryside.
18. This issue was considered in approving the outline application B/08/01650/OUT and was considered favourably by the Development Committee when the application was reported on 10<sup>th</sup> December 2008. The existence of the outline approval is a significant material consideration when assessing the current application. Notwithstanding this issue of the BUAB, set out below, the current application, being for a full planning permission, requires assessment of the principle of development.
19. The proposed development puts forward two dwellings on this site, one set within the confines of the Built-Up Area Boundary, and one that lies across the boundary, part inside and part outside. Therefore a key issue is considering whether the provision of an additional dwelling on the edge of the village is such that would be contrary to the aims of the development plan and the protection of the countryside.
20. In making this assessment, it is necessary to consider the context of the physical layout of this site and the position of the BUAB relative to the site boundaries. The side boundary of the site runs from east to west and consists of a tree lined boundary that becomes more sporadic to the eastern edge, close to the access point. The BUAB follows the edge of the access that runs from the north-east edge of the site and cuts across the site to the existing garage. It then follows the rear of the property to exclude the garden land at the rear. The land which is excluded from the BUAB to the side of the garage is a grassed area that hosts a few immature trees. It is screened from the open countryside beyond by the tree lined boundary, and there are no open views that exist from outside the site.
21. Therefore, the provision of a dwelling within the constraints of the site, whilst straddling the BUAB, is not such that would cause any particular detriment to the character of the countryside beyond. The development proposal as shown on the plans submitted with the application would provide a form of development that respects the pattern of development in the locality and would be such that would represent an efficient use of land. In this respect, it should be considered that the provision of two dwellings within the area contained within the BUAB would be acceptable in principle, but would be likely to result in a layout that would have a poorer relationship to the pattern of development in the locality. Therefore, where no harm can be demonstrated to the countryside, and where the development proposal provides a more appropriate layout than otherwise may have been achieved on the site, it is considered that this proposal can be supported in principle.

22. This position is further supported by the consideration of an appeal decision taken in the Duke Street area of Hintlesham (B/06/01788/FUL refers), whereby an Inspector concluded that development that straddled the BUAB would not result in intrusion to the countryside by virtue of consideration of the existing pattern of development and the position of the new dwelling relative to the existing development pattern.
23. The development also needs to be considered in respect of the sustainability issues. Hintlesham is not a village that contains the relevant facilities and services to be determined as a sustainable village within the provisions of policy HS03 of the Local Plan. However, the site lies adjacent the A1071, close to the primary school and close to local bus stops. In this respect, the issues of sustainability are not considered to be such that would override the principle acceptability of the scheme as detailed above.
24. The outline planning permission in 2008 established the principle of the provision of two 1½ storey dwellings on the site with attached garages, this set a maximum height parameter of 7 metres ridge height. The design approach of the current full planning application seeks approval for larger dwellings with a height to the ridge of between 7.2 and 7.7 metres. The properties are designed with two projecting gable features, which serve to break up the form giving an appearance of a chalet style rather than a full two storey property. The application proposals present an increase in height of between 0.2 and 0.7 metres over the height parameter previously approved and balancing all the considerations of the application it is concluded that such an increase alone would not be sufficiently harmful to resist the proposals as submitted.
25. The siting of the two properties echoes the indicative siting of the outline planning permission with the key change being the provision of detached garaging to the front of Plot 2 and to the rear of Plot 1. The siting proposed respects the relationship to the property Richmond, which is adjacent to the application site (west) with the detached garaging, proposed to Plot 1, being positioned adjacent to the existing outbuilding associated with Richmond. The garage proposed for Plot 2 would be forward in the street scene but is of a good design and proportions that would not be harmful, in terms of impact, to the character of the street scene in this location.
26. The dwelling that would be provided to the south edge of the site would fall closer to the neighbouring dwelling known as Richmond. However, the neighbouring property is set in from the side boundary and has an access road to that side and the scale of the proposed dwellings is such that they should not give rise to detriment to Richmond. The formation of an improved access to the A1071 and to formalise the access to Richmond will improve the highway safety impact that currently exists and is supported.
27. The applicant has submitted a draft Section 106 agreement in respect of Open Space in respect of the requirements of policy HS32 which is currently being progressed.
28. In conclusion, whilst the proposal comprises development that falls partly outside the BUAB, the principle of the development can be supported in accordance with policies HS02 and in respect of recent decisions made in the locality that have provided direction in respect of this matter. The provision of two dwellings on this site can be accommodated without detriment to the character of the landscape, to the pattern of development or to the amenity of neighbouring properties. Landscape screening exists to the countryside boundary which will remain undisturbed by the proposal and will ensure that an appropriate boundary exists to the village with the open countryside beyond.

## **REASON FOR APPROVAL**

29. Subject to the completion of the s106 Obligation:

The proposal is considered to be in accordance with the provisions of policies SS1 and ENV7 of the East of England Plan 2008 and policies HS02, HS03, HS28 HS30, HS32, TP15 and LP01 of the Babergh Local Plan Alteration No.2 (2006). In particular, the proposal constitutes acceptable development by virtue of its siting within and adjacent to the Built-Up Area Boundary and its relationship to the existing pattern of development in the locality. There is no highways objection to the principle of this development and the proposal results in a level of development consistent with the aims of PPS3 that will enhance the character of the area. The application also makes adequate provision for public open space in accordance with Local Plan Policy HS32 and PPG17.

## **RECOMMENDATION**

1. That the Solicitor to the Council be authorised to secure a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 to provide:
  - A financial contribution to the provision or upgrade of public open space.
2. That, subject to the completion of the planning obligation referred to in Resolution (1) above to the satisfaction of the Solicitor to the Council, the Chief Planning Control Officer be authorised to grant planning permission subject to the following conditions:
  - Materials
  - Landscaping
  - Levels
  - As recommended by LHA
3. That in the event of the Planning Obligation referred to Resolution (1) above not being secured, the Chief Planning Control Officer be authorised to refuse planning permission for the following reason:
  - Inadequate provision of public open space and play equipment contrary to Policy HS32 and PPG17