

Parish: SUDBURY

Location: Riverview, 59 Cornard Road

Proposal: Erection of first-floor extension; Erection of 2 no. two-storey dwellings; Erection of 1 no. garage and construction of new vehicular access (as amended by drawings Ref. PL102f, 105f and 106f, received 19 May 2010).

Applicant: Mr M Johnston-Wood

Case Officer: Stuart McAdam

Date for Determination: 25/05/2010

THE SITE

1. The application site is situated on the north western side of Cornard Road, to the south west of Sudbury town centre. It comprises 0.15 Hectares of land currently forming the rear garden to Riverview, 59 Cornard Road.
2. Riverview is a three storey detached gault brick townhouse (the dwelling has basement accommodation) and is situated in a short row of detached and semi-detached dwellings that are all set within generous plots.
3. To the north east and south east of the site is the former William Armes Trading Estate, currently the subject of Application B/09/00940/RES for residential redevelopment.
4. The rear of the site backs onto an embankment which runs adjacent to the north western boundary. A footpath runs along this boundary with a 2m high close boarded fence separating the footpath from the application site. The boundaries shared with the Cornard Road properties are delineated by brick walling between approximately 2m and 3m high. The property at 57 Cornard Road to the north west is a Veterinary Surgery (Ardmore Veterinary Group).

THE PROPOSAL

5. Planning permission is sought for the:
 - erection of a first-floor extension (to the front of the existing dwelling - southern corner);
 - construction of new vehicular access along the north western boundary, following the demolition of an existing modern (and relatively unsympathetic) part single part two storey extension;
 - erection of one garage to serve the existing dwelling; and
 - erection of two two-storey mews type dwellings within the north western portion of the site, backing onto the aforementioned footpath embankment.
6. The existing dwelling has a flat roofed extension built off the southern (front) corner, with significant amounts of glazing with a horizontal emphasis; it currently constitutes an unsympathetic addition to the original design that itself has been based upon traditional proportions.

7. The proposal seeks to redress the current flaws in this element's design, by utilising a pair of mock sash windows on each floor of the front elevation and concealing the new flat roof behind a parapet wall, with a total height of 5.5m. This, as set out within the submitted Design and Access Statement would keep the distinctive eaves detailing of the original house with brickwork also matching the existing. The existing windows in the south eastern side elevation would be bricked up, giving this addition a more robust appearance.
8. A new vehicular access would be created through the demolition of the existing part single part two storey extension on the north western elevation of the existing house. This element currently accommodates a garage and utility room at ground floor level; and a bedroom (to be replaced by the first floor front extension) situated towards the rear of the house.
9. In order to create a new boundary line between the new driveway and the existing house, an existing projecting bay window on the first floor of the north-west side elevation would also be removed; and the roof and eaves reinstated to match the original dwelling.
10. It is proposed that the existing dwarf brick wall and railings on the existing boundary would be extended back to a point level with the rear elevation of Riverview, with similar erected along the other side of the driveway from the eastern corner of the house to the highway boundary.
11. A 2m high brick wall would be erected from the rear elevation of Riverview, running parallel to the new driveway for a length of approximately 19m until turning 90° and connecting to the proposed garage, which together would enclose a rear garden of approximately 160m² in area.
12. The new driveway would also give access to a parking area, providing space for four cars, abutting the south eastern boundary, to the north east of the proposed garage.
13. The detached garage would be situated to the rear of and partly within the revised rear garden to Riverview. As referred to above, a 2m high brick wall would in the main enclose the rear garden, this would meet the front (north west) elevation of the garage at a point between the main vehicular garage door and a pedestrian door; the latter would open directly into the garden.
14. The garage would have a footprint of 6.3m wide by 5.6m deep, with a ground to ridge height of 3.95m, the eaves would be approximately 2.5m. Two rooflights would be inserted into the south western roofslope, facing into the garden.
15. Two 1½ storey mews type houses are also proposed to be situated within the north western portion of the site. The houses have been designed following consultation with Officers, in order to seek to overcome the objections to the previous proposal to erect four three-storey terraced dwellings on the same site (B/08/01914/FUL).
16. The proposed dwellings are semi-detached and face approximately in a south easterly direction. With the exception of Bedroom 1 of the northern most plot, fenestration for habitable accommodation at first floor level (within the roof space) on the front elevation has been limited to rooflights.
17. The dwellings would be built on relatively flat land, with a ground to ridge height of 6.5m; and an eaves height in the main of 3.2m. The northernmost plot, includes a crosswing: whilst the ridge height would match the rest of the development, the eaves would be higher at 4.5m.
18. The design incorporates a contemporary twist but the scale and form of the dwellings is intended to reflect the appearance of outbuildings, whilst taking reference from the host dwelling in terms of materials and detailing of timber windows and doors; and stone cills.

19. Both dwellings would have private rear amenity space in excess of 100m², including the aforementioned embankment.

RELEVANT HISTORY

20. B/08/01914/FUL Erection of first-floor side extension; erection of four three-storey terraced dwellings, construction of new vehicular access (demolition of existing garage).

Refused for the following reasons:

1. *Policies HS28 and HS30 provide that high standards of siting, design and landscaping should be included in all development and that designs and layouts should respect the characteristics of their sites and surroundings, while achieving densities of development consistent with the efficient use of land. Policy CN01 requires (inter alia) all new development to be of an appropriate scale, form and design for the location.*

The proposal is for four 3-storey dwellings of a contemporary design with a flat roof and incorporating roof terraces. The development would not sit comfortably within its surroundings, and would jar with the traditional buildings that lie adjacent to the site by virtue of its form and design. The Design and Access Statement submitted with the application does not consider the context of the buildings, and gives little direction in terms of where the context and surroundings have been considered in the design process.

The area surrounding the application site is characterised by large detached dwellings on substantial plots. The development as proposed would result in a cramped form of development out of keeping with the character of the area to the detriment of the pattern of development in the locality and with unreasonable garden size in the two southernmost plots. Furthermore, the orientation of the development and the roof terraces on the second floor would result in overlooking of the private gardens of adjoining properties in Cornard Road, to the detriment of residential amenity.

The proposal is therefore contrary to Policies CN01, HS28 and HS30 of the Babergh Local Plan Alteration No.2 (2006).

2. *Policy HS28 also seeks to ensure that proposals for infilling do not have an adverse impact on highway safety. The proposed access road is 30m long and 3m wide. The access and driveway do not allow two vehicles to pass and would result in vehicles reversing along the track, across the footway (and the path of pedestrians) and into the public highway. It would also result in vehicles having to wait within the public highway while the track is cleared. These manoeuvres would result in danger and hazards for all road users and an increase in congestion within the public highway, contrary to the provisions of Policy HS28.*
3. *Policy HS32 of the Babergh Local Plan Alteration No. 2 (2006) states proposals ranging from a single dwelling up to the development of a 1.5 hectare site, will be required to provide open space and play equipment in proportion to the number of dwellings to be built. Developers will be given the choice to either provide a financial contribution to secure public open space and play equipment on an alternative site or provide 10% of the application site as public open space. The Local Planning Authority has identified a need for the provision of public open space and play equipment in Sudbury but no contribution to its delivery is made within the planning application. As such, the proposal is contrary to the provisions of the Policy HS32 and would exacerbate the present shortage of public open space and play equipment in the locality.*

NATIONAL GUIDANCE

21. **PPS 1** (Planning and Sustainable Development)
22. **PPS3** (Housing)

PLANNING POLICIES

23. 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

- **HS01** (Housing in Towns/Urban Areas)
- **HS27** (Density and house type)
- **HS32** (Public open space)
- **CN01** (Design Standards)

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

CONSULTATIONS

24. **TC** – Recommend Approval
25. **LHA** – No objection subject to the imposition of standard conditions relating to access and parking arrangements.
26. **SCC Archaeological Service** – No objection and do not believe that any archaeological mitigation is required.
27. **EH** - Land Contamination Issues – State that the site has a former industrial use that may give rise to contamination, therefore an appropriately worded condition should be imposed.

REPRESENTATIONS

28. Three letters of objection have been received covering the following material planning considerations:
 - The present building will suffer loss of privacy
 - The new access will be unsafe
 - Wildlife will be affected
 - The dwellings will not be in keeping with the surrounding area
 - Inadequate access for fire appliances
 - Inadequate parking provision
 - Loss of privacy and sunlight to neighbours from the extension to the existing dwelling and from the new build units.

PLANNING CONSIDERATIONS

29. The site is situated within Sudbury and as such the principle of additional development is acceptable, subject to normal planning considerations.

First Floor Extension

30. The proposed first floor extension to the existing house would be sympathetic in its design and form, replacing a poorly detailed single storey element with an addition that would appear harmonious in the street scene; and further would cause no demonstrable harm to the occupiers of the immediately adjacent residential property, 61 Cornard Road. No loss of privacy or sunlight would result. This element of the proposal is therefore considered acceptable.

New vehicular access and associated works

31. The Local Highway Authority raise no objection to the proposed development, subject to the imposition of standard conditions.
32. From this basis it is considered that it would be unreasonable to refuse planning permission on the grounds of the impact that the proposed development would have upon highway safety. With respect to comments concerning access of Fire Tenders, the applicant's in their Design and Access Statement make specific reference to the fact that the driveway access would be of a sufficient width; furthermore it is an issue that is covered by Part B of the Building Regulations and therefore the planning process should not seek to duplicate such controls.
33. With the exception of the host dwelling, the property most affected by the presence of the new access is 57 Cornard Road, however as this is a commercial premises (Veterinary Surgery) it is not considered that the amenities of its occupants (staff) would be detrimentally harmed by the proposal. Furthermore, by virtue of the fact that Riverview will have no windows facing onto the access; and that a 2m high brick wall is proposed around its revised rear garden area, that the occupants of this dwelling would also not be detrimentally harmed from noise and general disturbance emanating from passing vehicles associated with the 2No. new dwellings in the rear of the site. The same can be said for the day to day operation of the parking area for the new dwellings, as well as the garage for the host property.
34. The District Council's adopted parking standards set a maximum of one space per dwelling for urban areas where access to public transport is good. Even where such provision is poor the maximum standard set is for two parking spaces per dwelling and therefore the proposal fully complies in this respect.

Erection of Two Dwellings

35. The proposed dwellings being situated behind the established built form of the Cornard Road frontage would not give rise to any visual harm to the general character and appearance of the surrounding area. In themselves, they are of an acceptable design; and being situated within the existing level grassed area of the site would not appear as an incongruous feature in the rear garden scene of the neighbouring properties.
36. Overlooking from the proposed dwellings would be limited to that from the front first floor windows (three of which would be rooflights); and the distance between the first floor window of the front gable to the northernmost dwelling to the revised rear garden boundary of Riverview at its closet would be 13m: Any future prospective purchaser/tenant of this property would be aware of the situation on viewing; and acknowledging the fact that a degree of overlooking is inevitable in the majority of built-up residential environments this is considered to be acceptable. The distance to the boundary shared with 61 Cornard Road (taking into account the presence of the proposed intervening garage) would be in excess of 25m which is considered to be wholly adequate to protect the amenities of its occupiers.

37. Whilst the adjacent former William Armes Trading Estate remains undeveloped, the proposed redevelopment is the subject of a reserved matters submission Ref. B/09/00940/RES, and this should be taken into account in the determination of this application. Having considered the submitted site layout plan for the redevelopment (Bovis Homes PLC Drawing No.002 Rev AA), the only residential unit likely to be affected (through overlooking) would be plot 29 which is situated immediately to the rear of 61 Cornard Drive.
38. Plot 29 would be orientated approximately at a right angle to the proposed two dwellings, with a building to building distance (at its closest) of around 22m. Taking into account that views from the front gable of the proposed northernmost property would be oblique; and that a 2m+ boundary wall exists between the two it is not considered that the proposed development, the subject of this application would adversely impact upon the redevelopment of the William Armes site by virtue of overlooking.
39. In summary, the development proposals are acceptable and would not cause undue harm. Accordingly, the application is recommended for approval.

PLANNING OBLIGATIONS

40. Saved Policy HS32 states that proposals for all new residential development will be required to provide open space and play equipment in proportion to the number of dwellings to be built. The applicant has agreed to enter into a Planning Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 to contribute financially to secure public open space with play equipment on a nearby alternative site, or enhance and improve the existing provision provided by the District Council.

REASON FOR APPROVAL

41. The proposed first floor extension to the existing house would be sympathetic in its design and form, replacing a poorly detailed single storey element with an addition that would appear harmonious in the street scene; and further would cause no demonstrable harm to the occupiers of the immediately adjacent residential property, 61 Cornard Road. With respect to the new vehicular access and associated works to the host dwelling, the visual implications of this element of the proposal are considered acceptable; and as the local Highway Authority raise no objection to the proposed development, it is considered that the proposal would be acceptable in terms of highway safety. Furthermore the level of parking provision complies with the Council's adopted standards. With respect to the proposed dwellings, being situated behind the established built form of the Cornard Road frontage they would not give rise to any visual harm to the general character and appearance of the surrounding area. In themselves, they are of an acceptable design; and being situated within the existing level grassed area of the site would not appear as an incongruous feature in the rear garden scene of the neighbouring properties (including those proposed at the adjacent William Armes site), would not be overbearing in nature and would not give rise to loss of amenity through either overlooking or general noise and disturbance created. The proposal therefore complies with Policies SS1 and ENV7 of the East of England Plan 2008; and Saved Policies HS01, HS27, HS32 and CN01 of the Babergh Local Plan Alteration No.2 2006.

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:-
 - Financial contribution towards public open space provision.

- (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 conditions covering the following:-
- Standard time limit.
 - Brickwork and roofing materials to match existing dwelling
 - Scheme of Boundary treatment to be submitted
 - Landscaping Scheme including retention of existing vegetation and hard surfacing
 - As per SCC Highways
 - Removal of permitted development rights for future extensions.
 - As per Contaminated Land Officer requirements
- (3) That in the event of the Planning Obligation referred to in Resolution (1) above not being secured within a reasonable time period (three months), the Chief Planning Control Officer be authorised to refuse planning permission for the following reason:
- Inadequate provision of public open space contrary to Policy HS32 of the Babergh Local Plan.