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| <b>Item No:</b>      | <b>3</b>   | <b>Reference: B/10/00160/FUL</b>          |
| <b>Parish:</b>       | <b>HOLBROOK</b>  |   |
| <b>Location:</b>     | <b>Vine Cottage, The Street</b>  |   |
| <b>Proposal:</b>     | <b>Erection of 2 no. detached two-storey dwellings with detached double garages. Construction of a new vehicular access.</b> |   |
| <b>Applicant:</b>    | <b>Edward Clarke Ltd</b>   |   |
| <b>Case Officer:</b> | <b>Lynda Bacon</b>   | <b>Date for Determination: 02/06/2010</b> |

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### **RECOMMENDATION: Grant Planning Permission**

#### **THE SITE**

1. The application site comprises approximately 0.18 hectares of land and was formerly occupied by a detached two-storey dwelling with associated outbuildings. Access to which is from the south of the site. The site is situated on the eastern side of The Street and the previously existing curtilage of Vine Cottage is within the Built Up Area Boundary for Holbrook, although other associated garden and paddock land to the north and east are outside the village envelope. The application site extends beyond the existing curtilage of Vine Cottage to the north by some 7.2m to include an existing field access and part of the adjoining paddock area, approximately the front third of this paddock area is classified as Grade 3 Agricultural Land whilst the remainder is Grade 2. The frontage of the site excluding the visibility splay is approximately 34 metres with a maximum depth of 54.4 metres.
2. To the south of the application site is a pair of red-brick semi detached two-storey cottages known as 1 & 2 School Cottages and to the north and east is paddock land.

#### **THE PROPOSAL**

3. Full planning permission is sought for the erection of two detached dwellings with associated detached double garaging located behind each dwelling. Access to the development will involve the closure of the existing point of access to the south of the site and the creation of a new single shared vehicular access situated to the north. The access driveway has been amended since initial submission to accommodate the Local Highway Authority specification regarding an increase in width of the shared driveway at the point of access from the highway and the provision of a drainage channel to prevent the run-off of surface water onto the highway.
4. The dwellings are proposed in a staggered alignment whereby the house at Plot 1 is positioned towards the north-east extent of the site and straddles the built up area boundary, whilst the dwelling at Plot 2 is situated towards the front of the site in the south-west corner. Approximately one third of the footprint of the dwelling at Plot 1 and its garage is outside the built up area boundary. The position of the house and garage at Plot 1 has been amended since initial submission to respect the position of the built up area boundary, which had been incorrectly identified on the submitted plan.
5. Both dwellings are of a traditional design and detailing and present twin gable wings to the front and rear.

6. Plot 1 provides for a two-storey dwelling with loft space amounting to 267.5sq.m. (2879 sq.ft.) of accommodation that includes 5 bedrooms. The elevations comprise painted smooth render over a black brick plinth and the roof is of grey/blue slate. The dwelling measures 12m wide, 11.8m (max) deep and is 9.1m high to the higher gable, 8.1m to the lower gable and 5.4m – 5.6m high to the eaves in between.
7. Plot 2 provides for a two-storey, 4 bedroom dwelling with a floor area of 206.6 sq.m. (2224 sq.ft.) and will be constructed in red brick under a slate roof. The dwelling measures 10.4m wide, a maximum depth of 13m deep and is 8.1m high to the higher gable, 7.6m to the lower gable (closest to no.1 School Cottages to the south) and 5.4m high to the eaves.
8. Detached double garages are proposed at both plots, located to the rear of the dwelling will serve. The garages comprise a weatherboarded and pantiled construction, measuring 6m wide by 5.5m deep and 4.9m high to the ridge and 2.1m to eaves level.
9. An Arboricultural report accompanies the application and the proposal is supported by a Design and Access statement, which describes the proposal as having typical Suffolk architectural characteristics with materials such as clay bricks, clay and slate tiles being sourced locally to aid sustainable construction and to maintain and enhance the theme of vernacular design and build. Furthermore, it is stated that the two buildings are arranged in a staggered formation to help lessen their impact along The Street and to increase the privacy and access to natural light for both dwellings; access to serve both developments is proposed via a landscaped driveway with capacity to accommodate both private vehicles and larger vehicles.
10. The application documents can be viewed on line via the planning pages on the District Council's website.

## **RELEVANT HISTORY**

11. 2005 – Outline planning application withdrawn prior to determination for the erection of 17 dwellings (12 affordable), B/05/00616/OUT.
12. 2006 - Outline planning application withdrawn prior to determination for the erection of 5 dwellings (2 affordable), B/06/00418/OUT.
13. 2006 - Outline planning application withdrawn prior to determination for the erection of 4 dwellings (2 affordable), B/06/00618/OUT.
14. 2006 – Outline planning application withdrawn prior to determination for the erection of 3 dwellings remains, B/06/01373/OUT.
15. 2007 – Outline planning permission granted for the erection of 2 detached dwellings and construction of new vehicular access, B/07/01236/OUT.

## **NATIONAL GUIDANCE**

16. **PPS1** – Delivering Sustainable Development
17. **PPS3** - Housing

## PLANNING POLICIES

18. The Development Plan comprises saved policies in the Suffolk Structure Plan, adopted 2001, and saved policies in the Babergh Local Plan (Alteration No. 2) adopted 2006. The following policies are relevant to this proposal:

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

- **LP01** (Planning Obligations)
- **HS02** (Villages)
- **HS03** (Non/Sustainable villages)
- **HS27** (Density and House Type)
- **HS28** (Criteria for Infilling and Groups)
- **HS32** (Public Open Space)
- **CN01** (Design Standards)
- **TP15** (Parking and New Developments)
- **CR01** (Landscape Quality)

**The relevant policies can be viewed on line. Please see Page 3 for details.**

## CONSULTATIONS

19. PC – No comments.
20. LHA - Recommend the imposition of 6 standard planning conditions in respect of the access layout, visibility, surface water drainage and the provision and retention of the parking areas.
21. EA - The preferred method of foul drainage disposal is always via the mains drainage system. However, in cases where connection is not viable, an acceptable method of foul sewage treatment may be the provision of a private sewage treatment plant. The plant should be installed, operated and maintained in accordance with the manufacturers instructions as updated from time to time. The applicant should be aware that they will require an exemption or permit from ourselves and that the granting of planning approval must not be taken to imply that consent will be given
22. AWS – There are no foul sewers in the immediate vicinity, there are foul sewers approximately 150 metres away. 150 metres is considered too far away to connect. There is mention on the planning application form that surface water will discharge to the main sewer. There are no surface water sewers in the vicinity and under no circumstances will surface water be allowed to discharge to a foul sewer.
23. ACC Archaeological Service – this application lies in an area of high archaeological potential recorded in the County Historic Environment Record, to the east of an undated crop-mark complex recorded by aerial reconnaissance. There is high potential for early occupation deposits to be disturbed by this development. Any ground works associated with the proposed development has the potential to cause significant damage or destruction to any underlying heritage assets of archaeological interest. There are no grounds to consider refusal of permission in order to achieve preservation *in situ* of any important heritage assets. Any permission should, however, be the subject of a condition to record and advance understanding of the significance of the heritage asset before it is damaged or destroyed.
24. Environmental Health (Contaminated Land) – No objection.

## REPRESENTATIONS

25. To date, four letters of objection have been received from the occupier of a neighbouring property; the issues raised in each letter are repeated below;

- It is not clear how drainage issues will be addressed. Localised flooding on the road and entrance to the proposed development is already problematic and the run-off from this site comes through the garden of Orchard Cottage and Threefields. We have had significant drainage work carried out to our garden to alleviate the problem, although not entirely successfully. We are concerned that additional water coming on to this site as a result of the proposed development will, as well as exacerbating flooding in the street at the proposed site entrance, ultimately find its way to our garden, turning it once again into a bog. We would be prepared to withdraw this objection if we could be convinced that satisfactory drainage measures would be taken - especially if the solution were to be to connect to the mains drainage a short distance away from the proposed site (as indeed was the requirement when our own house was built in 1995 - a requirement that we felt at the time to be entirely reasonable!)
- The recent amendment to the application addresses the storm drainage issue but does nothing to address the issue of foul drainage. We see no reason why permission should be given to build houses with their own sewage treatment plant when mains drainage is accessible. Our own house (which is very close to the proposed development) is located below the mains drainage and it was a requirement when the house was built in 1995 that mains drainage was used and thus a pumping station was installed. It seems a retrograde step to be building large family houses with sewage treatment plants that will ultimately discharge that additional, albeit clean water by then, into the ground. We fail to understand how this will not add to the water that drains through the gardens of Orchard Cottage and Threefields
- Our concern is the volume of water that is likely to be added to the drainage that will eventually discharge through the Gardens of Orchard Cottage and Threefields wherever the run off is led to. There is likely to be considerably more water used by two large 4 bedroom houses than was used by the small 2 bedroom cottage that was on site (Vine Cottage). Connection to the mains drainage would avoid this problem.
- The amount of water coming onto the plot will be significantly greater than for the former cottage. Our concern is where the water will drain to. An ACO drain over the entrance may help alleviate the regular flooding to the road that happens with some frequency, but only for as long as the ACO drain is properly maintained (otherwise they can block and quickly become ineffective).

## PLANNING CONSIDERATIONS

26. The principle of erecting two detached dwellings following the demolition of the property previously occupying the site has been established by the grant of outline planning permission in 2007 (B/07/01236/OUT), there is therefore no objection in principle to the development proposed.

27. The lead planning policies in the determination of this case are saved Policies HS02, HS27 and HS28 relating to infill development within the built up area of villages, together with saved Policies CR01 and CN01 of the Local Plan aimed at protecting the countryside and safeguarding it from inappropriate development and securing a good quality of design for new residential development, which respects the character of the area. The main considerations are therefore:-

- Built up Area Boundary
- Design and layout
- Impact on neighbouring amenity
- Highway safety
- Drainage
- Planning Obligations (s106).

#### **Built up Area Boundary**

28. In respect of the inclusion of land beyond the built up area boundary and the encroachment of development into open countryside, it is considered that in this instance the proposal is acceptable. The proposed dwelling and garage at Plot 2 is wholly within the village envelope, however the dwelling at Plot 1 straddles the built up area boundary whereby approximately one third of the dwelling lies outside the confines of the village. The dwelling at Plot 2 is positioned behind that at Plot 1 and is more than 22 metres back from the highway which enables a more spacious layout to be achieved that respects this edge of village location where the transition between development and open countryside should be gradual.

29. In respect of the application site, the position of the built up area boundary is an arbitrary line on the Local Plan Map and does not represent or follow any physical features of the site and therefore the site should be developed according to principles of good design rather than strict adherence to the position of the built up area boundary and as such there can be no objection in principle to the redevelopment of Vine Cottage. The proposed access and driveway will be located outside the defined village envelope and will be achieved via an improved field access, thereby facilitating the closure of the existing sub-standard access to Vine Cottage. The paddock to the north of the access and driveway is within the control of the applicant and appropriate native hedgerow planting to screen the driveway may be secured by way of a condition.

#### **Design and layout**

30. Local Plan Policies HS28 and CN01 require all new development to be of an appropriate scale, form, design and finish. PPS3 in Paragraph 10 states that planning authorities should deliver well designed high quality housing; this is echoed in PPS1 which places emphasis on design, stating that development which fails to improve the quality and character of the area should not be supported.

31. The immediate locality is characterised by a variety of individually styled red-brick dwellings and includes a semi detached pair situated close to the highway along with detached two-storey development that is sited some distance back from the Street. The layout of the proposed dwellings within the application site is considered acceptable in relation to one another and to the prevailing pattern and spacing of development in the vicinity. Furthermore, the proposed dwellings are of an appropriate scale and character and would not be over dominant upon their surroundings and in particular upon the more modestly scaled and adjoining semi-detached pair to the south.
32. The external appearance of the proposed dwellings incorporates traditional features and it is considered that the design and detailing of the development sits comfortably within the street scene at this edge of village location and the design would not result in harm to the character or visual amenities of the area.
33. In summary, the design and layout will safeguard local distinctiveness (Policy CN01) and landscape quality (Policy CR01).

#### **Impact on neighbouring amenity**

34. The proposed dwellings are situated in a staggered alignment and sit comfortably alongside the existing semi-detached properties at 1 & 2 School Cottages whereby the adjacent proposed dwelling at Plot 2 is situated to the north of no.2 School Cottages and maintains a 1.8 metre (approx) separation to the common side boundary, whilst the dwelling at Plot 1 will be sufficiently distance from School Cottages to mitigate its impact and as such the layout of the proposal will not impact on the amenities of adjoining residents in terms of loss of light or dominance. Furthermore, the southern side elevations of both Plots do not include windows or doors (other than to a first floor bathroom/en-suite and loft space) thereby respecting the privacy of neighbouring occupiers.

#### **Highway Safety and Access**

35. The Local Highway Authority has not raised objections to the development but recommends a number of conditions be imposed on any planning permission to secure and retain highway safety.

#### **Drainage**

36. In terms of the foul and surface water drainage issues raised by the near neighbour, the Environment Agency has commented that whilst the preferred method of foul drainage disposal is always via mains drainage, an acceptable method of foul sewage treatment may be the provision of a private sewage treatment plant in cases where a connection to the mains drainage system is not viable. In this respect, Anglian Water has confirmed that there are no foul sewers in the immediate vicinity that are near enough for the development to be connected to. The use of a private sewage treatment plant is therefore acceptable in this instance and is consistent with the outline planning permission granted in 2007.
37. The surface water from the site is proposed to be discharged to soakaways. As such a percolation test should be undertaken by the applicants to demonstrate the suitability of surface water drainage to soakaways and in the event that soakaway drainage is proven inadequate, alternative proposals can be submitted and agreed, secured by a condition of the planning permission.

## **Planning Obligations**

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 (minimum of 10% of the application site area) or off-site provision in the form of a commuted payment. In this case, given the size, nature and location of the development on site public open space provision is not considered appropriate. A payment towards off-site public open space provision/improvement could be secured via a S106 Agreement and the applicant has submitted a draft S106 agreement with the application that remains to be completed.
40. In accordance with the Community Infrastructure Levy Regulations, 2010, the obligations recommended to be secured by way of a planning obligation deed are (a) necessary to make the Development acceptable in planning terms (b) directly related to the Development and (c) fairly and reasonably relate in scale and kind to the Development.

## **REASON FOR APPROVAL**

41. The proposed development involves the erection of 2 detached dwellings, associated garaging and new vehicular access, following the demolition of the existing dwelling. It is considered that the development generally accords with the aims and provisions of PPG3 and Policies LP01, HS02, HS03, HS27, HS28, HS32, CR01, CN01 and TP15 of the Babergh Local Plan Alteration No.2 (2006) and will not result in any material impact upon any interest of acknowledged importance. In particular, the proposed development is not considered to result in any significant adverse impact upon the character of the area or reduce the amenities enjoyed by occupants of neighbouring property to an unacceptable degree. Furthermore, the development is considered acceptable in terms of highway safety and convenience.

## **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 towards public open space provision.
- (2) That, subject to the completion of the planning obligation in Resolution (1) above being secured, the Chief Planning Control Officer be authorised to grant planning permission subject to conditions, including:
- As recommended by LHA
  - Materials
  - Landscaping & boundary enclosures
  - Levels
  - Archaeological watching brief
  - Surface water drainage detail
- (3) That, in the event of the Planning Obligation referred to in Resolution (1) above not being secured, the Chief Planning Control Officer be authorised to refuse planning permission for the following reason:
- (4) Inadequate provision of public open space and play equipment contrary to Local Plan Policy HS32.