

Parish: SHIMPLING

Location: Playing field at Halifax Place

Proposal: Erection of 4 No. dwellings. Construction of new vehicular access.

Applicant: Icen Homes Limited

Case Officer: Graham Chamberlain

Date for Determination: 18/05/10

This application is reported to committee as the development involves the construction of dwellings on a rural exceptions site.

THE SITE

1. The site is located within the countryside on the south western boundary of Shimpling. Shimpling is a village located to the north west of the district. The parish of Shimpling includes a number of settlements. The application site abuts Shimpling Street, the largest settlement, and is the only one with a Built up Area Boundary (BUAB). The site abuts the BUAB of the village.
2. Shimpling Street is a linear village arranged around the street which runs through the village. The southern side of the village (as defined by the road) is located within the wider Stour Valley Special Landscape Area.
3. The linear character is interrupted by Halifax Place, a mid 20th century estate. The estate is low in density with a clear pattern and rhythm to the development which is synonymous with residential estates of this period. The houses abutting the site are bungalows. The estate does not integrate well with the grain of development in the village but in isolation the spacious feel and rhythm, to the built form gives it a distinctive character. The road is relatively wide and the houses all have off road parking. At the end of the cul de sac is an open space. This open space is owned and managed by the District Council (DC). There is a pumping station in the south eastern corner of the site with an unmade access track. The land to the south of Halifax Place is open countryside and under arable alteration.

THE PROPOSAL

4. The proposal is for a Rural Exceptions Site under Policy HS06. The development would be for four dwellings arranged in two semi-detached pairs (1 x 3bed and 3 x 2bed). It would also include an access and parking area. The development would be 100% affordable - for rent. The houses are proposed to be orientated to front the open space. The buildings would be a contemporary interpretation of the houses within Halifax Place.
5. The application is supported by an
 - Ecological Assessment
 - Code for Sustainable Homes Assessment
 - Design and Access Statement
 - Housing Needs Survey Report (by Suffolk Acre)
 - Affordable Housing Statement
 - Contaminated Land Assessment

RELEVANT HISTORY

6. No relevant history.

NATIONAL GUIDANCE

7. **PPS1** (Delivering Sustainable Development)
8. **PPS3** (Housing)
9. **PPS7** (Sustainable Development in Rural Areas)
10. **PPG17** (Planning for Open Space, Sport and Recreation)

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

- **ENV7** (Quality in the Built Environment)
- **SS1** (Achieving Sustainable Development)

Babergh Local Plan (Alteration No.2) 2006

- **HS06** (Rural Exceptions)
- **HS07** (Rural Exceptions)
- **CN01** (Maintaining Local Distinctiveness)
- **TP15** (Parking)
- **CR01** (Development in the Countryside)
- **CR07** (Landscaping)
- **HS28** (Infilling)

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

CONSULTATIONS

12. Shimpling Parish Council – Recommends approval. Request that the visibility of the access be considered and any lighting schemes are controlled to minimise light pollution.
13. Local Highway Authority – No objection subject to some minor changes to the access which have been made.
14. BDC Housing Enabling Team – recommends approval and makes the following comments:-

'Shimpling Parish Council has been working in partnership to provide affordable housing to meet the identified needs of their communities. This has resulted in a proposal for the construction of 4 dwellings at Halifax Place Shimpling.

A previous local needs affordable housing development in the village had provided 8 affordable units for rent. The Parish Council believed that there was still a need for affordable housing for local needs and sought the assistance of Babergh District Council's Housing Enabling Team and Suffolk ACRE's Rural Housing Enabler to progress a further affordable housing scheme for the village.

A Local Needs Housing Survey carried out by Suffolk Acre in 2009 showed that there was a need for up to 9 affordable units. At present there are a total of 98 applicants on the Housing Register of whom 7 have a local connection through current residence in the village

The Council owns land at Halifax Place Shimpling which is currently used as public open space. A scoping exercise showed that a part of this land on the south side, adjacent to the existing properties in Halifax Place, was the best site for a Rural Exception Scheme, as no land was available inside the BUAB.

A scheme has been designed consisting of 3 two bedroom houses and 1 three bedroom house for rent. A public information event was held in the Village Hall on 7 January 2010 and the response from the majority of local residents who attended was in favour of the scheme.'

15. BDC Planning Policy Team - Have provided data from the PPG17 Audit, discussed in more detail below.
16. BDC Open Space Team - No objection subject to an open space contribution
17. Suffolk Fire and Rescue Services – Standard advice given. The development will need to comply with building regulations. No additional water supply is required.

REPRESENTATIONS

18. Occupant of 14 Halifax Place - concerned by loss of sunlight and daylight, the applicant has installed an access onto the open space which would be blocked by the development, concerned by noise and disturbance from increased population of the close, questions who will be living in the houses (the need), considered the use of orange/red bricks and brick pavements believing they will stand out.

PLANNING CONSIDERATIONS

19. The application is for the construction of four dwellings, all of which would be for rent as affordable housing and which would be managed by a Registered Social Landlord solely to meet an identified local need. Given that the site abuts the Built Up Area Boundary (BUAB) of the village and is located in the countryside, in planning policy terms, the lead planning policies in this case are saved Policies HS06 and HS07 relating to Local Needs Housing and Saved Policies CR01 and HS04 which are aimed at protecting the countryside and safeguarding it from inappropriate development. Policy CN01 is also relevant and aims to secure a good quality of design for new residential development which respects the character of the area, residential amenity and road safety. The main considerations are therefore:-

- The principle of housing development in the countryside as a rural exception.
- Background to the scheme and local housing need (the appropriateness of a rural exception scheme in Shimpling and the appropriateness of the site identified).
- The design and layout.
- Highway safety.
- Other issues.

The Principle of Development

20. National guidance in PPS1 and PPS7 restricts development in the countryside for reasons of sustainability and its intrinsic value. This is reinforced by policy HS04 of the Local Plan which restricts residential development in the countryside in the interests of agriculture, rural amenity, road safety and the economy of services.
21. There is however a mechanism for delivering housing in the countryside as an exception to the normal policies of restraint if the proposal is for 100% affordable housing and the development is of small scale. It is also essential for the development to meet a local housing need which has been identified from a clear evidence base (usually the Housing Needs Survey). This type of development is called a 'rural exception', as it allows affordable housing as an exception in locations where residential development would not normally be permitted.
22. The proposal is for a rural exceptions site under Local Plan Policy HS06. This policy states that should a registered social housing landlord be able to offer assurances and provisions as set out in Local Plan Policy HS07 to the satisfaction of the LPA, then exceptionally, planning permission will be granted for housing in the following circumstances:
 - In those villages listed in Policy HS03 development that abuts the BUAB of the village.
 - In clusters of dwellings in the countryside where the level of provision will be restricted to one unit.
23. In all the circumstances the following criteria will need to be met:
 - The local housing need cannot be adequately met by other planning policies including social housing provision associated with Local Plan housing allocations;
 - The proposed development, by virtue of its size, scale and type, will not exceed the identified local need;
 - The type of dwellings to be provided are consistent with the needs identified by the housing needs survey and agreed in advance by the District Council.
24. The site proposed abuts the Built Up Area Boundary (BUAB) of Shimpling and therefore adheres to the first criterion above. The second criterion is not relevant in this case. The principle of the development is therefore acceptable subject to adherence with other planning considerations.
25. The remaining criterion are considered in the following section of this report. In summary the local housing need cannot be met by other policies and the scheme does not exceed local requirements. The type of dwellings proposed will also address the accommodation requirements of local people.

Background to the Scheme and Local Housing Need

26. The project is one that the Councils Housing Enabling Team, the Parish Council and Icen Homes have had full involvement in.
27. Following the completion of the Housing Needs Survey the Parish Council agreed to work in partnership Icen Homes and Babergh District Council's (BDC) Housing Enabling Team to try and progress a scheme that would provide affordable housing.

28. The first stage in the process was to establish whether there is a local housing need in the parish. Shimpling Parish Council completed a Local Housing Need Survey with Suffolk ACRE in 2009. The need identified is as follows:
- A need from 16 households in the parish. The report recommends three 1-2 bed properties and one 3 bed property (in total 2-4 properties).
29. Once the need had been established, the next stage was to identify a number of potential sites which abut the BUAB of Shimpling which could deliver the identified need. A number of possible sites were investigated in 2009. The Hallifax Road site was identified as a possible site as it abuts the BUAB and could have a safe access. The site is located on the edge of an area of open space but nevertheless scored high compared to the others identified which were not available, deliverable or harmful in terms of landscape/design impact.

Open Space

30. As the site forms part of a larger area of public open space, in line with PPG17 the applicants have to provide mitigation if open space is lost. This is normally in the form of an open space which is of at least equal in terms of quantity, quality and accessibility. The applicants have not provided any additional land but studies conducted by the District Council suggest there is a current surplus in the village. The site is on the periphery of the open space and is separated by scrub. The land in question is of little recreational value. The Open Space team have not objected to its loss.
31. Normally, rural exception sites do not have to provide a contribution to open space. However, given that there is some loss it is appropriate that some mitigation is provided. This contribution can be put towards play equipment within Hallifax Place or it can be used to provide extra open space elsewhere (the Parish Council are exploring purchasing some land to create a village green).
32. On balance, the loss of the open space is acceptable, given the surplus, the mitigation and the public benefit in providing affordable housing for local (rather than general) need. The development would also frame the existing open space and introduce greater natural surveillance.

Design, Layout and Impact on the Countryside

33. Policy CN01 of the Local Plan requires all new development to be of an appropriate scale, form, design and finish. PPS3 in Para 10 states that planning authorities should deliver well designed high quality housing, this is echoed in PPS1 which places design at the centre of the planning system (Para 35) stating that development which fails to improve the quality and character of the area should not be supported.
34. It is important to recognise that an acceptable design does not normally make development in the countryside acceptable. However, as the proposal is for an 'exception site' the principle of development in the countryside is acceptable as discussed above. The design and layout needs to be of a high quality given the sensitivity of developing in the countryside.
35. The design evolved during the pre application discussions which took place, taking into account a number of key principles. These were as follows:
- The development should respond positively to the form, layout and rhythm of development in Hallifax Place.

- The proposal could copy what is there or be a contemporary interpretation of the existing houses in Hallifax Place would be appropriate subject to appropriate scale, form and adherence to the layout and symmetry of the houses. The new houses should not jar with the character of Hallifax Place.
 - The design should have significant regard to the landscape/countryside to the south
 - Parking should be obscured from view.
 - The design needs to be specific to the site.
 - The layout should relate positively to the open space
36. The scheme as proposed addresses the design principles identified above. The reasons for this are as follows:
- The design has regard to its context on the edge of a small estate. Given this backdrop Officers advised that the design should reflect what is there rather than take a wholly different approach. Views from the south would see the estate as a whole rather than just the development now proposed, and the development would blend in with views within the estate and will not appear incongruous.
 - The layout and design respects the building line, plot size, building orientation, form (shape), scale and the symmetry of the buildings.
 - The architects opted for a contemporary interpretation of the houses within the estate. They have used detailing to give the development its own character using an unconventional approach to the brickwork and fenestration. However the use of chimneys, symmetry to the windows and the overall form enables the development to integrate with the established character of the estate. This allows a subtle contrast which will add visual interest to the estate.
 - The landscaping and boundary treatment enables the site to have a 'soft' impact on the countryside braking up the massing of the built form (over time). A number of feature trees will be planted (as shown on the drawings) and the boundary treatment will be post and wire fencing.
 - The proposal incorporates solar panels on the western roof slope. This is important as it will help the scheme in meeting Level 3 of the Code for Sustainable Homes. The solar panels do not adversely impact on the countryside given the backdrop of the estate.
 - The design incorporates off road parking and large gardens. It is not an over development.
37. In summary, the design and layout will safeguard local distinctiveness (adhering to Policy CN01), the landscape quality and cultural heritage of the area (Policy CR02, the rural character of the site (Policies CR01 and CR07) and the street scene and appearance of the area (Policy HS28).

Highway Safety and Access

38. The Local Highway Authority has raised no objections to the development. The access track would not be adopted as part of the highway (it is a private track serving the four houses, consequently there is no need to adopt it and the applicants have not requested this). Conditions have been added regarding parking provision.

Sustainability

39. The applicants will have to achieve Code for Sustainable Homes Level 3 (CFSH) to receive funding from the Homes and Communities Agency. This will also be a requirement of the S106 agreement. The dwellings will also have outdoor space and space for bicycles to be stored. The proposal also includes a communal waste collection point and individual recycling facilities.

40. The development is located close to local facilities in Shimpling such as the Public House reducing the need to travel. The affordable nature of the units will also assist in social sustainability by helping to provide a mixed community.
41. The applicants have been able to achieve a design of integrity and high quality which is in context whilst also achieving Level 3 of the CFSH, this is to be commended; and is an approach which can be followed in other schemes.

Impact on Residential Amenity

42. Policies HS02 and HS28 of the Local Plan seek to safeguard residential amenity.
43. Concern has been raised that the building would adversely impact on residential amenity by way of daylight, sunlight and dominance to 14 Halifax Place.
44. The proposed properties adhere to the building, have a narrow depth and are set in 4m from the shared boundary. Although a view would be lost the relationship would not be harmful and would typical of the street. Although No. 14 is a bungalow, there would not be dominance or and unreasonable loss of daylight or sunlight. The BRE 45 degree angle test is past with regards to daylight and the whole southern aspect of the property would be unblocked (the properties being due east).

Other Issues

45. Contamination - the submitted report demonstrates that contamination is not expected to be an issue
46. Servicing - Details of bin stores and secure cycle parking will be required via condition. The site is larger enough to accommodate these to the rear of the properties so a condition is appropriate in this instance to secure they will not result in clutter to the front.
47. Ecology - The submitted report makes a number of recommendations. These have been conditioned as mitigation for loss of the site to housing.

Planning Obligations

48. As stated above, a legal agreement is required to ensure that the dwellings are retained as affordable units and provide an open space contribution under Policy HS32.

REASONS FOR APPROVAL

49. Subject to conditions and a legal agreement, the proposed development would provide acceptable local needs housing compliant with Saved Policies HS06 and HS07 Babergh District Local Plan Alteration No. 2 (2006). The development would be a quality scheme which will integrate with the landscape character of the area compliant with saved Policy CR02 Babergh District Local Plan Alteration No. 2 (2006). The development would also safeguard the appearance and rural character of the countryside being compliant with Policies CR01 and CR07 of the Babergh District Local Plan Alteration No. 2 (2006) and maintain local distinctiveness being compliant with saved Policy CN01 of the Babergh District 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:
 - Affordable Housing
 - Open space contribution
 - Code for Sustainable Homes Level 3.

- (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:
 - Details of materials to be submitted and agreed
 - Secure parking and manoeuvring space
 - The landscaping to be implemented as shown on the submitted drawings (species to be agreed)
 - The landscaping to be safeguarded for 5 years
 - Details of hard surfaces
 - Details of levels to be submitted and agreed
 - Details of bin and cycle storage
 - Ecological recommendations to be implemented.

- (3) That in the event of the Planning Obligation referred to in Resolution (1) above not being secured within a reasonable time, the Chief Planning Control Officer be authorised to refuse planning permission for the following reason:
 - In the absence of a legal agreement securing the units as affordable housing, or mitigation for the loss of the open space, the proposal would be contrary to Policies HS06, HS07 and HS32 of the Babergh District Local Plan Alteration No. 2 (2006).