

Parish: EAST BERGHOLT**Location: Roselea, Whitesfield, East Bergholt, Colchester, CO7 6SP****Proposal: Erection of 2 No single-storey dwellings and associated garages.
Construction of new vehicular access following demolition of existing dwelling.****Applicant: Mrs Bunkell & Mrs Stevenson****Case Officer: Lynda Bacon****Date for Determination: 13/04/2010**

THE SITE

1. The application site is situated to the east of Whitesfield, a private road situated on the western side of East Bergholt and within the built-up area boundary. The prevailing character of the immediate built environment to the application site is of single storey detached bungalows set within generous plots. Although much shallower in depth than that of the adjoining Brandon (up to 83m deep in comparison to Roselea's plot of 29m), Roselea has a frontage of 26m which is significantly wider than the majority of properties within Whitesfield with the exception of Maythorns opposite and Breezymount and Harlestone situated at the junction of Whitesfield with Elm Road.
2. Situated within the centre of the site is a brick-built rendered bungalow (Roselea with a tiled roof, hipped on all four sides. The application site is 0.075 hectares in area.

THE PROPOSAL

3. Planning permission is sought to replace the existing bungalow with two bungalows. The proposed bungalows would be of a similar scale to the single bungalow that they replace with ridge heights being: 24.69m for the bungalow on the northern-most plot (hereafter referred to as plot 1) and the bungalow on the southern-most plot (plot 2) being 24.83m, the existing bungalow is 24.63m. The width and depth of each bungalow would also be similar with each being 15m (excluding dormer windows to both dwellings and a porch to the rear elevation of the northern-most bungalow). The width of the bungalows would be up to 7.45m and 7.8m respectively.
4. Both bungalows would have hipped roof forms, clad in slate with lead hips and ridges. The northern-most dwelling would have painted weather boarded elevations southern-most colour-washed render. Doors and windows would be painted timber.
5. A new central access into the site would be created with a driveway to each property (parallel to each other) leading to a double garage block at the rear (eastern boundary) of the site. The garage would straddle the boundary between the two properties with one garage space serving each respective property.
6. The rear gardens to both properties would be approximately 80m² with existing boundary treatment (close-boarded fencing) being retained. The existing front boundary hedge would also be retained for the extent of each respective front garden area.

RELEVANT HISTORY

7. None relevant to this site.

NATIONAL GUIDANCE

8. **PPS 1** (Planning and Sustainable Development)
9. **PPS3** (Housing)

PLANNING POLICIES

10. 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 (EEP) 2008

- **SS1** (Achieving Sustainable Development)
- **ENV7** (Quality in the built environment)

Babergh Local Plan (Alteration No.2) 2006

- **HS02** (Villages)
- **HS03** (Non sustainable and sustainable villages)
- **HS27** (Density and house type)
- **HS32** (Public open space)
- **CN01** (Design Standards)

The relevant documents can be viewed via the internet. Please see Page 4 for details.

CONSULTATIONS

11. PC – Recommend refusal on the grounds that the development would lead to overdevelopment of the site.
12. LHA – Does not wish to restrict the grant of permission.
13. Environmental Health (Contaminated Land) – to be reported.

REPRESENTATIONS

14. Six letters of representation have been received, five of which out-rightly object to the proposal, with the sixth passing comment that they consider that there would be considerable disruption in the area, with possible damage to the road and grass verges; and that as Whitesfield is a private road they seek assurance that the contractors will be notified to the effect that any damage incurred would be rectified.
15. Material planning considerations raised within the letters of objection are as follows:-
 - The provision of two dwellings is too dense and creates a precedent.
 - Space for up to six vehicles will increase traffic flow.
 - It is believed the current dwelling contains asbestos. The garage is close to the boundary of Ilkerton, Elm Road, confirmation sought how construction would be achieved without access from their property and how future maintenance would be achieved in such a confined space.

- Proposal out of character with existing dwellings in the road.
- Adverse impact on the amenities of neighbouring properties by reason of an overbearing affect.
- Concern raised over loss of privacy through overlooking.

PLANNING CONSIDERATIONS

16. The application site is situated within the built-up area boundary of East Bergholt which is defined as a sustainable village, pursuant to saved Policy HS03 of the Babergh Local Plan, therefore the development is acceptable in terms of its principle.
17. Saved Policy HS02 states that new housing development will be acceptable in sustainable villages providing that there is no adverse impact upon, inter alia, the scale and character of the village; residential amenity; and highway safety.
18. Saved Policy HS27 states that unless the environmental quality and character dictates otherwise, planning permission for residential development will not be granted where the density is below 30 dwellings per hectare and furthermore saved Policy CN01 requires all new development proposals to be of an appropriate scale, form, detailed design and construction materials for the location.

Density

19. With a site area of approximately 0.075 hectares, the erection of two dwellings on this site equates to a density of 26.7 dwellings per hectare thereby falling below the requirement of saved Policy HS27.
20. However, in view of the general character of the area which comprises detached bungalows within generous plots it is not considered that a greater density than that proposed would be appropriate.
21. Making more efficient use of previously developed land as advocated by PPS3 must be tempered against the impact that a proposal must have upon the scale and character of a development upon it's surroundings; and in this instance is not considered that a reason for refusal based upon the requirements of saved Policy HS27 could be substantiated on appeal. The proposal would therefore comply with the first criterion of saved Policy HS02.

Design and Layout

22. Pursuant to saved Policy CN01 new development proposals must pay particular attention to, inter alia, the scale, form and nature of adjacent development and the environment surrounding the site; the materials forming the external elevations and roofs of the buildings; and existing and proposed hard and soft landscaping.
23. As demonstrated on the submitted plans, the proposed development comprises two modestly scaled detached bungalows that are akin to the existing 1930's bungalow.
24. Whilst it is acknowledged that the replacement of the existing bungalow with two new bungalows will increase the built form of the site the proposed bungalows would not appear cramped or contrived with their relationship to respective external site boundaries, not being too dissimilar to other properties within Whitesfield. It is considered therefore that the proposal complies with the scale requirement of saved policies HS18 and CN01 in addition to providing a palette of external facing materials that are sympathetic to the Suffolk vernacular.

Residential Amenity

25. Being single storey in nature the potential for overlooking and therefore loss of privacy from the proposed bungalows is very limited. Existing close-boarded fencing will be retained to the side and rear boundaries of the application site, which when taking into account the degree of separation between the built form of neighbouring properties would not give rise to a material loss of amenity. It is considered prudent however to remove permitted development rights so as to ensure that no roof alterations (such as the insertion of rooflights or dormer windows) that would otherwise be permitted development can be carried out without the express permission of the Local Planning Authority.
26. The relationship between the proposed dwellings themselves is acceptable with a 1.8m high wall running from the proposed garage (approximately 8m long) which drops down to 1.2m high for a further 3.5m towards the front of the site. The mutual amenities of the future occupants of the proposed dwellings would therefore be protected with adequate private amenity space and parking also provided.

Other issues

27. Other issues raised by the letters of representation include: traffic generation; potential presence of asbestos within the existing property; concern over how the garage would be constructed and maintained so close to the eastern boundary; and how any damage made to the private road would be rectified.
28. The proposal is purely for the net gain of one dwelling and therefore notwithstanding the fact that at least three cars could be parked on each site, it would not give rise to a material increase in vehicular movements. Furthermore, in the absence of any Highway Authority objection, it is not considered that it would be reasonable to refuse planning permission on such grounds.
29. Concerning the potential presence of asbestos within the existing dwelling, the removal of asbestos from any property, whether or not it forms part of a development proposal is set within legislation that is enforced by the Health and Safety Executive (HSE). The Council's Contaminated Land Officer has stated that he would only be concerned if the asbestos (assuming that there is any) was not removed in a safe manner as there may then be ground contamination issues related to this.
30. With respect to the neighbour's concern about the construction of the garage and its resultant maintenance so close (approximately 400mm) from the eastern boundary, this is not a material planning consideration. If the developer wishes to, for example, erect scaffolding on land that is beyond their control then they will require the consent of the relevant landowner. It would be prudent for the developer to erect the garage in a manner that can be constructed and maintained without having to enter a third party's property. Furthermore, whilst taking into account that the garage would be finished in weatherboarding, whilst tight, it would still be possible to re-treat the weatherboarding within the space provided.
31. The concerns of residents are noted with respect to potential damage to the private road, whilst it would most certainly be unfortunate if any damage was caused to the road, it is a civil matter that would have to be resolved by residents within Whitesfield, if indeed such damage did occur.

Public Open Space

32. 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.

REASONS FOR APPROVAL

33. The proposal to demolish the existing dwelling, Roselea, on the application site with two detached three bedroomed bungalows make more efficient use of previously developed land as defined by PPS3 and provide development that is in harmony with the prevailing character of the surrounding built environment, whilst protecting the amenities of the occupiers of adjoining residential properties. The proposal would therefore be compliant with Policies SS1 and ENV7 of the East of England Plan 2008, and Policies HS02, HS03, 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 following conditions:-
- Standard time limit.
 - Materials to roofs and elevations as specified in the application form, unless otherwise agreed in writing.
 - Boundary treatment to be retained as identified on the submitted layout plan.
 - Removal of permitted development rights for roof alterations, insertion of roof lights and dormer windows.
 - Removal of permitted development rights for future extensions.
- (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.