

**Parish: GLEMSFORD****Location: Land East of Silverlea, Flax Lane, Glemsford****Proposal: Submission of details under O.P.P B/09/00576/OUT – the approval of appearance, layout and scale of the buildings and the landscaping of the site for the erection of 2 no. two storey dwellings (with Garage to Plot 1 and Plot 2) and alteration of existing vehicular access.****Applicant: Mr William Bird****Case Officer: Deborah Board****Date for Determination: 05.01.10**

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The application is reported to the Development Committee which is as a representation has been received at variance to the recommendation and the scheme proposes two dwellings.

### THE SITE

1. The application site is situated within the built up area of the village of Glemsford. Flax Lane runs east from Hunts Hill, part of the main road through Glemsford. The application site is located approximately 60 metres from the junction of Flax Lane with Hunts Hill on the south side of the road. The site has a frontage of 20 metres, where it abuts the road, but increases to 24 metres in width where it adjoins the adjacent dwelling Silverlea. The overall depth of the site is 43 metres. There are no significant planning constraints on the site itself with the south (rear) site boundary abutting the Conservation Area.
2. The site is currently residential garden land with grass, trees and hedging being the main features. It is of note that the levels change from west to east along Flax Lane with the land dropping away to the east and that existing properties in Flax Lane sit above the road level.
3. To the north of the site, on the opposite side of Flax Lane, is a row of bungalows, which also sit above the road. To the west is Silverlea, a two storey house and to the east is Birch Lodge, also a two storey house. Beyond this the street scene on the south of Flax Lane continues to be houses. To the rear are the dwellings of Lees Court of which number 13 shares a boundary with the application site.
4. The architectural style of the locality is varied with no dominant style. The properties are in the main detached, the notable exception being the corner terraces of Lees Court, with reasonably sized garden areas and off street parking provided on plot.

### THE PROPOSAL

5. The application seeks reserved matters approval for appearance, layout, scale, landscaping and access for the development of the site to provide 2 no. two storey dwellings, both properties would have four bedrooms. Plot 1 is proposed to the east of the site, adjacent Birch Lodge and Plot 2 to the west of the site adjacent to Silverlea.
6. The front of Plot 1 would be sited in line with that of Birch Lodge with the dwelling extending south into the site 11.2 metres. The width of the dwelling to Plot 1 would be 8 metres with a height to the ridge of 7.7 metres and 4.8 metres to the eaves.

7. Plot 2 would be set back from Plot 1 by 3.2 metres and also sit behind Silverlea. The dwelling to Plot 2 would extend to a depth of 11.4 metres into the site; have a width of 8 metres and heights of 7.7 metres to the ridge and 4.9 metres to the eaves.
8. Both properties would have integral garaging for one vehicle and utilise a parking and turning area to the front of the dwellings that has provision for a further three car parking spaces. Access is taken from Flax Lane with the existing access to the property Silverlea being altered to meet the requirements for visibility.
9. Both properties are proposed to utilise materials as follows:
  - Brick – Hanson Atherstone (red)
  - Tile – Flanders clay tile
  - Render – cream
  - Windows and doors – white upvc
10. The applicant's agent has submitted a sample of the brick and tile as part of the application.

### **RELEVANT HISTORY**

11. B/09/00576/OUT – Outline - Erection of 2 no. two storey dwellings (with garage to Plot 2) and alteration of existing vehicular access, Planning Permission Granted, 28.10.2009
12. B/07/00521/OUT - Outline - Erection of 2 no. dwellings (with garage to Plot 2). Alteration to existing vehicular access. As amended by drawing no. 13-06-01 R2 received on 1st June 2007, Planning Permission Granted, 05.11.2007
13. B/74/00788/OUT - Outline planning permission granted for the erection of house and garage
14. S/71/00879/M – Planning permission granted for the erection of garage and store
15. S/70/00266/M - Outline planning permission refused for 2 no. dwellings and access

### **NATIONAL GUIDANCE**

16. **PPS1** Delivering Sustainable Development
17. **PPS3** Housing
18. **PPG13** Transport

### **PLANNING POLICIES**

19. 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**

- **CN01** New Development
- **EN09** Conservation of Energy/Sustainable Construction
- **HS02** Housing in villages
- **HS03** Non-sustainable and Sustainable villages
- **HS27** Density
- **HS28** Infilling
- **HS32** Open Space
- **TP15** Parking

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

### **CONSULTATIONS**

20. PC – recommend approval
21. LHA – recommend that any permission granted has conditions attached regarding:
  - Completion of the access;
  - Laying out of the access;
  - Submission of surface water discharge details;
  - Details of frontage enclosure;
  - Provision of parking and turning areas.

### **REPRESENTATIONS**

22. One letter of objection has been received from 13 Lees Court with the main issues raised being:
  - Concerns about the boundary shared with the site;
  - This boundary is a Leylandi hedge along its length;
  - Wants assurance that the new owners will take full responsibility for this and if there is a problem take it down or replace it with a more neighbour friendly hedge;
  - Second concern is the large cedar tree close to 13 Lees Court and the impact that it may have on foundations.

### **PLANNING CONSIDERATIONS**

#### **Principle of Development**

23. The principle of residential development on the site was established through the grant of outline planning permission B/09/00576/OUT. As such the principle is not for consideration under the current application. Members are therefore considering the detail of the scheme under reserved matters and specifically, layout, appearance, scale, landscaping and access.
24. Members are also referred to Condition 05 of the outline planning permission, which required the submission of specific details regarding the trees on the site, in the form of plans and the detail of tree protection during development. This information has been provided by the applicant and is discussed in the Landscape section of this report.

## Layout

25. Policies HS28 and CN01 of the Local Plan require all new development to be of an appropriate scale, form, design and finish (including architectural detailing) which respects and reflects the surrounding context, maintaining local distinctiveness. Policy ENV7 of the East of England Plan states that all new development should be of high quality and based on a robust site appraisal. Planning Policy Statement 3 in Paragraph 10 states that planning authorities should deliver well designed high quality housing; this is echoed in Planning Policy Statement 1 which places design towards the centre of the planning system (Paragraph 34) stating that development which fails to improve the quality and character of the area should not be supported.
26. The application proposal seeks to site two dwellings within the site, which is 0.08 hectares in size. The layout proposed responds to the pattern of the street scene placing plot 1 in line with Birch Lodge and then setting plot 2 back three metres placing it behind plot 1 and Silverlea when read in the street scene. This approach to the layout provides articulation and interest whilst respecting the layout of the existing properties.
27. Further the positions of the dwellings allow for substantial amenity areas, both in excess of 100 square metres, and the provision of adequate parking and landscaping to the front of the dwellings. This approach is typical of the character of the area with properties enjoying generous sized gardens and on plot parking with landscaped frontages.
28. Policies HS02 and HS28 require new housing developments to maintain a reasonable standard of residential amenity. Amenity in this instance normally refers to loss of light, over bearing and over looking. It can also refer to the amenity of future occupants of any dwelling as well, therefore other issues such as noise, the provision of private amenity space and the general conditions afforded future occupants need to be considered.
29. In this regard the new dwellings would be sited in such a manner that the relationships to adjacent dwellings are acceptable. Both plots are set off the site boundaries by one metre. Plot 1 projects four metres beyond the rear elevation of Birch Lodge, a two storey property which is itself set off the site boundary by 4.5 metres. This provides a significant separation between the properties with the new dwelling sitting to the west. It is considered that the proposals would not result in overshadowing or overbearing impacts to Birch Lodge.
30. Plot 2 sits to the East of Silverlea, which is also a two storey property. Silverlea sits a further two metres from the common boundary creating an overall separation of three metres. Whilst the rear projection of Plot 2 beyond the rear elevation of Silverlea is significant at seven metres it is considered that when assessing the orientation of the new development to existing and the degree of separation it can be concluded that that the proposals would not result in overshadowing or overbearing impacts to Silverlea.
31. The layout of the first floors of the properties is such that only bathroom windows are placed on side elevations at first floor. These can be obscure glazed to prevent overlooking of existing dwellings and between the proposed dwellings.
32. Therefore it is concluded that the layout aspects of the scheme are acceptable in accordance with local and national planning policy.

## **Appearance**

33. Policies HS28 and CN01 of the Local Plan require all new development to be of an appropriate scale, form, design and finish (including architectural detailing) which respects and reflects the surrounding context, maintaining local distinctiveness. Policy ENV7 of the East of England Plan states that all new development should be of high quality and based on a robust site appraisal. Planning Policy Statement 3 in Paragraph 10 states that planning authorities should deliver well designed high quality housing; this is echoed in Planning Policy Statement 1 which places design towards the centre of the planning system (Paragraph 34) stating that development which fails to improve the quality and character of the area should not be supported.
34. The dwellings proposed are of a simple and traditional appearance utilizing pitch roof forms and gable details to break up the elevations. The design approach is an appropriate response to the established street scene, where the features used are all evident, and the properties are well detailed with the use of simple fenestration patterns and chimneys.
35. The materials proposed for the new development are listed above and are considered to be acceptable and of a good quality for the development proposed.
36. The resultant appearance of the properties is simple and pleasing with the use of render breaking up the facades in the street scene. The proposals as presented would sit comfortably in the street scene, which is varied, and the materials proposed are similar in palette to those already evident in the locality.

## **Scale**

37. Policy HS28 requires infill developments to be of a scale and form that is in keeping with adjacent or nearby dwellings and policy CN01 requires development proposals to be of an appropriate scale, form and design and pay particular attention to the scale and form of surrounding development.
38. The application proposal seeks approval for 2 no. two storey dwellings. The site sits within a street scene in Flax Lane where the dwellings are a mix of bungalows and two storey properties. Within this there is a clear distinction between the north and south sides of the road. The north side of the road, opposite the subject site, is a street scene of bungalows whilst the application site sits within a run of two storey properties on the south side of the road.
39. In addition Flax Lane experiences a change in levels such that when travelling east from Hunts Hill the levels drop essentially placing Silverlea at the 'top' of the hill and Birch Lodge toward the bottom with the site between the two. As part of the reserved matters submission the applicant has demonstrated that the level change allows the new dwellings to be placed between the existing comfortably, dropping the heights by between 0.335m (Plot 2) and 0.755m (Plot 1). This submission accords with the requirements of Condition 04 of the outline planning permission and demonstrates that this scale and form of two storey development would not be prominent or incongruous in the street scene in this location.

## **Landscaping**

40. Policy CN01 requires proposals for new development to pay particular attention to existing and proposed hard and soft landscaping. The application of the policy requirement should be commensurate with the scale of the proposal being considered. The application proposal is a minor development for two units on an area of existing garden land. The existing character of the site is simple being grassed with hedgerows to the north, south and east boundaries.

41. The application proposals retain the hedgerow to both the south and east boundaries, these being the boundaries that are shared with the adjacent properties 13 Lees Close and Birch Lodge respectively. The hedge to the north (front) site boundary is to be cut back to make provision for visibility splays, as conditioned on the outline planning permission, with new planting proposed further back into the site of Vinca Minor, Lamium Maculatum and Epimedium Perralderainum, which are a selection of groundcover shrubs.
42. There are six trees in the application site at present, none of which are protected in any way (no TPO or Conservation Area). In accordance with condition 05 of the outline planning permission the applicant's agent has provided the detail of their positions on the site plan and the detail of any of the larger species. Of the six trees only two are proposed for removal, where the development necessitates this. The four trees close to the south site boundary are all to be retained. The appropriate tree protection has been detailed on the plans and will be secured by condition.
43. It is noted that the objection received to the proposals relates to landscaping matters. The property 13 Lees Close shares boundary with the application site, this is the south boundary of the application site. The landscaping proposals submitted maintain the current position on this boundary. As such there would be no adverse changes or impacts in terms of the relationship to 13 Lees Close. Other matters raised regarding maintenance and civil issues cannot be considered as part of the planning process.
44. In conclusion it is considered that the landscaping proposals are entirely appropriate and commensurate with the small scale development proposed and in accordance with CN01.

#### **Access and Parking**

45. Policy TP15 of the Babergh Local Plan requires appropriate parking provision for new developments and seeks development that will not have an adverse impact on highway safety.
46. Whilst access was reserved as part of the outline application modifications of the existing access were detailed in the description of development giving an acceptance in principle to the use of the modified access to serve this development and Silverlea. The LHA raised no objection to the outline application and have raised no objection to this application. Indeed the accesses are proposed in the same place on both submissions and provide visibility acceptable to the LHA. The LHA recommended conditions on both applications, which have already been imposed on the outline planning permission. Due to changes in parking layout it may be necessary to re-impose conditions relating to parking and turning but not all of the conditions recommended by the LHA. The recommendation to members allows for this.
47. The Suffolk Advisory Parking Standards set out that a maximum of three spaces per dwelling is required for a four bedroom property in rural or suburban locations. Within policy HS03 Glemsford is identified as one of the District's sustainable villages. The application proposal provides an integral garage for each plot with plot 2 having a further space in front of the garage. In addition three spaces are proposed to the front of the site. As such six spaces are provided in total, in accordance with policy requirements.
48. It is considered that the access and parking arrangements in the proposal are acceptable.

## **Other Issues**

49. Land Contamination – As the proposal is for residential development, the scheme will result in a sensitive end user. A contaminated land assessment was submitted and agreed as part of the outline planning application.
50. Open Space - Policy HS32 requires that developments which will provide 1 unit or more should either provide a financial contribution towards the provision or upgrade of open space nearby (via a 106 Legal Agreement) or provide a public open space equal to 10% of the gross site area. This was secured upon grant of the outline planning permission for this development.

## **REASONS FOR APPROVAL**

51. Subject to the attached conditions, the development will have no adverse impact on the character of the area, the street scene, neighbour amenity or highway safety. The development therefore adheres to Policies CN01, EN09, HS02, HS03, HS27, HS28, HS32 and TP15 of the Babergh District Local Plan Alt 2 (2006).

## **RECOMMENDATION**

Grant Planning Permission subject to the following conditions:

- As recommended by LHA (as appropriate);
- Tree protection
- Remove PD - Restrict use of garage to parking
- Obscure glazing to first floor windows in side elevations – Plot 1 and Plot 2
- Remove PD – Extensions