

**Parish:** GLEMSFORD

**Location:** Land West of 71 Brook Street, GLEMSFORD

**Proposal:** Erection of 1 no.1½ storey dwelling.

**Applicant:** Mrs V Ost

**Case Officer:** Stuart McAdam

**Date for Determination:** 15/06/10

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**This application is presented to the Development Committee as the applicant is related to an officer of the Council. The Deputy Monitoring Officer has reviewed the application file and is satisfied that the application has been processed properly and correctly**

### **THE SITE**

1. The application site is located within the settlement boundary of Glemsford and is in Glemsford Conservation Area. The site comprises garden land to the rear of 71 Brook Street, a detached dwelling house with 2 outbuildings. The application site is laid to lawn and plants. The site is well screened on all sides by mature trees, hedges and existing outbuildings. The host property is constructed in red brick as is the terrace to the east/south east.

### **THE PROPOSAL**

2. Permission is sought to replace an extant permission for a 1½ storey, 4-bedroom house which expires in August 2010 in order to extend the time limit for implementation.
3. The proposed dwelling has been designed as a traditional cottage to reflect older properties in the locale. The dwelling will be constructed in lime render over a brick plinth and the roof will be finished in plain clay tiles. Access is taken from the existing driveway serving 71 Brook Street.

### **RELEVANT HISTORY**

4. B/07/01052/FUL - Erection of 1 no. 1½ detached dwelling. Approved

### **NATIONAL GUIDANCE**

5. **PPS1** Delivering Sustainable Development
6. **PPS3** Housing
7. **PPS5** Planning for the Historic Environment

### **PLANNING POLICIES**

8. 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 – (Maintaining Local Distinctiveness)
- HS02 – (Villages)
- HS32 – (Open Space)
- CN08 – (Conservation Areas)
- TP15 – (Parking)

**This report only includes policy references. For further details please see Page 3.**

## **CONSULTATIONS**

9. PC - Parish Council – recommends refusal due to concerns regarding access
10. BDC Contaminated Land Officer – No contamination report has been submitted with the application. Any comments will be reported to the development Committee.
11. SCC Fire and Rescue Service – Standard reference to Building Regulation requirements

## **REPRESENTATIONS**

12. None

## **PLANNING CONSIDERATIONS**

### **Principal of Development**

13. The site is within the built up area boundary of Glemsford and in accordance with PPS3 and policy HS02 of the adopted local plan, the principle of the development is acceptable subject to compliance with relevant criteria (see below).
14. The key issues in this proposal are:
  - the effect of the development on this part of Glemsford Conservation Area;
  - the impact on adjacent properties
  - highway safety issues
15. The fact that planning permission has been granted in 2007 for the same proposal is a material planning consideration.

### **Design and Impact on Conservation Area**

16. Policies HS02 and CN01 of the local plan require all new development to be of an appropriate scale, form, design and materials for the location. Paragraph 10 of PPS3 states that planning authorities should deliver well designed high quality housing; this is reflected in PPS1 which places design towards the centre of the planning system (Paragraph 35) stating that development which fails to improve the quality and character of the area should not be supported.

17. Policy HS02 is relevant and the test under Policy HS02 is whether the proposed development is acceptable in terms of form, scale, design and in particular, the scale and character of the village and impact on the landscape characteristics.
18. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to pay special attention to the desirability of “preserving or enhancing” the character or appearance of conservation areas.
19. Policy CN08 is directly relevant to the proposal as it seeks inter alia, to preserve or enhance the character of the conservation area “*or it’s setting*”.
20. The proposal is for the erection of a detached dwelling on land currently forming part of the curtilage of 71 Brook Street, Glemsford. The site forms a distinct parcel in its own right, connected to an existing access track which begins immediately to the south of No.71 and runs close to the northern boundary of 69 Brook Street, this connects to two outbuildings: one immediately due west of No. 71; the other within and on the western edge of the application site.
21. There is no objection to the principle of development in this location as the site falls within the Built-up Area Boundary. Part of the site does however fall within the Glemsford Conservation Area which comprises residential properties of mixed quality and character, with Victorian properties situated to the east and more modern estate type housing to the north, south and west of the application site. It is not considered that development of this site would give rise to harm to the character of the Conservation Area by virtue of its situation ‘enclosed’ by the aforementioned residential properties.
22. With the exception of the proposed first floor windows to the north west elevation it is considered that the distances from all other first floor windows to the boundaries of surrounding residential properties and their respective houses are acceptable and would not give rise to a loss of residential amenity through overlooking. The cottage style property would not appear as over-dominant in the rear garden scene. With respect to the proposed first floor windows to the north west elevation, serving a WC and dressing room they could be glazed in obscure glass in order to prevent overlooking towards 3-5 Spring Meadow in particular.

### **Highway Issues**

23. It is noted that the Parish Council has objected to concerns regarding the access. The proposal remains the same as the existing permission i.e. it is proposed to utilise the existing driveway which would serve both No. 71 and the new property. There is sufficient space to improve the access and the Local Highway Authority had no objection to the previous application, subject to conditions being attached to any consent. It is therefore not considered that a refusal could be substantiated on this basis. The highway conditions are recommended for imposition again, should Members approve the application.

### **Other Issues**

A s106 legal agreement is required under policy HS32 of the Local Plan to secure a financial contribution towards open space and recreation facilities. Whilst the applicant has not provided a legal agreement with the application, she has agreed to provide a contribution. Permission will be withheld until such time as a legal agreement has been signed.

### **Reason for approval**

24. The proposal, for the erection of a detached dwelling, is considered to be in accordance with the provisions of policies CN01, CN08 and HS02 of the Babergh Local Plan Alteration No.2 (2006). In particular, the proposal is appropriate in terms of its siting, scale, form and design and respects the setting of the Conservation Area. Furthermore, owing to its siting, scale and fenestration layout, the proposal would not reduce the amenities enjoyed by occupants of neighbouring properties, would not result in the loss of any significant trees, and is 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:-
- 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.
  - Materials
  - Scheme of Boundary treatment to be submitted
  - Hard and soft Landscaping Scheme As per SCC Highways
  - Removal of permitted development rights for future extensions
  - Glazing in obscure glass only on windows on north west elevation
  - Programme of archaeological work
  - Improvements to existing vehicular access, visibility and parking
  - Any conditions as required by the Contaminated Land Officer