Item No. **2** **Ref. B/09/01177/FUL**

Parish: **HADLEIGH**

Location: **Land south of Fullers Close, Hadleigh**

Proposal: **Erection of 8 No. detached houses and associated garaging. Construction of vehicular access and landscaping**

Applicant: **Linsworth Ltd/Heatherfields Ltd**

Case Officer: **Stuart McAdam** **Date for Determination:**

Members may recall the history relating to this site and the smaller site to the east and the fact that due to a dispute between the owners of the site it has not been possible to develop the sites in a comprehensive manner. Planning permissions have been granted on both sites and the adjacent site has been developed out. Outline permission has been approved on the current site as recently as February 2007.

THE SITE

1. The site lies within the built up area of Hadleigh and is surrounded by residential development. The land falls from south to north. The existing estate dwellings to the south (Barnes Close and Edwin Panks Road) are set at a higher level than the application site, which in turn is at a higher level than the existing dwellings to the north at Drapers Close and Fullers Close. The site benefits from a hedge/tree belt which runs along the south, west and eastern boundaries. The site has been cleared.

THE PROPOSAL

2. Detailed planning permission is sought for the erection of eight dwellings, comprising six 2-storey houses and two bungalows. Access is taken from Fullers Close in a similar position to that indicated on the outline permission. The access road runs from west to east along the centre of the site and will be privately maintained.

3. Five, two-storey dwellings back onto the dwellings along Edwin Panks Road (which are also two-storey in height) and a further two storey dwelling terminates the vista at the end of the access road. Two bungalows are located along the northern boundary in order to respect the amenity of the existing bungalows to the north of the site.

4. The hedging is to be retained on site and enhanced as necessary with additional planting. The front gardens will be open plan with small tree and shrub planting to soften the hard landscaped areas.

5. Three house types are proposed with the two-storey houses having 4 bedrooms and the bungalows 3 bedrooms. Pitched roofs are incorporated into the design and the materials will be in keeping with the local area and comprise brickwork and render, timber cladding and a mix of clay plain tiles, pantiles and slate all of which offer variety and visual richness to the street scene. The fenestration is simple but also incorporates a contemporary glazed element within the front elevations of the villas.

6. A badger run with gates will be provided along the southern boundary of the site.

7. The open space site which was indicated on the approved outline permission has been dropped in favour of a financial contribution towards off site facilities as the area previously indicated was too small for effective play, was in the wrong position in the site and compromised the garden sizes.

RELEVANT HISTORY

8. 1987 – Outline permission granted for the erection of 8 dwellings and garages – B/87/00616/OUT. This related to the whole of the land the subject of this report.

9. 2003 – Outline planning permission sought for residential development on the application site and the site to the east. The applications were considered by Committee on 14 January 2004 – B/03/01399/OUT and B/03/01638/OUT. The Committee resolved that Section 106 Planning Obligations be secured for the provision of public open space and play equipment contributions, and to ensure that a comprehensive development of both sites takes place. The maximum number of dwellings on the combined parts of the site was limited to twelve. The Section 106 Planning Obligations were not progressed and the planning permissions were not therefore issued.

10. 2004 - Detailed planning permission granted for five detached dwellings (adjacent site to the east) Ref. B/04/00551

11. 2004 – Outline planning permission granted for seven dwellings and provided an area of open space - Ref B/04/00904/OUT

12. 2007 - Outline Planning permission granted for the erection of 8 dwellings with provision of open space/play area Ref. B/06/01702/OUT

NATIONAL GUIDANCE

13. **PPS1** (Delivering Sustainable Development)

14. **PPS3** (Housing)

15. **PPG13** (Transport)

16. **PPG16** (Archaeology and Planning)

17. **PPS23** (Planning and pollution control)

PLANNING POLICIES

18. 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

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

Babergh Local Plan (Alteration No.2) 2006

- **HS01** Housing Development in Towns
- **HS27** Density and House type
- **CN01** Maintaining Local Distinctiveness
- **CN17** Archaeology

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

CONSULTATIONS

19. **TC** - Recommends approval.

20. **LHA** – No objection to the proposal subject to the imposition of conditions to address access and footway construction, prevention of discharge of surface water onto the highway, gradients, and parking.

21. **NE** – No objection.

22. **SWT** - It is unlikely that there will be any badgers present on the site as it has been stripped of vegetation. In order to ensure that the badger corridor is taken into account a condition should be added (as with previous permission B/06/1702) should permission be granted, requiring details as to the timing of the provision of the badger corridor and its future maintenance before any works start on site.

23. **SCC (Archaeology)** – This application lies within the area of archaeological importance for Hadleigh, as defined in the Babergh Local Plan, and will involve significant ground disturbance. There are no grounds to consider refusal of planning permission in order to achieve preservation *in situ* of any important archaeological deposits, but any permission granted should be the subject of a PPG 16, paragraph 30 condition, to ensure that an adequate record is made of any archaeological features or finds which would otherwise be destroyed by development.

24. **SCC (Fire and Rescue Service)** – no response at time of writing report

25. **Contaminated Land Officer** – No comments to make. The nearby land uses provide no reason to think that the development site is impacted.

26. **BDC Tree Officer** – The tree officer has confirmed that there are no trees present of sufficient amenity value to warrant being considered a constraint upon development. However, it would be prudent to arrange for fencing protection of any that might be immediately adjacent the site but under other ownership.

27. **BDC** - Waste and Recycling Officer has not responded at the time of writing the report.

REPRESENTATIONS

28. Four letters of objection have been received in respect of the application, the comments are summarised as follows:-

    - The previous plan was a better layout but we believe that 8 houses are far too many as there is a lack of space. A maximum of 5 should be allowed

- We would like to see new trees along the border to screen the houses and the existing blackberry's removed
- The junction at Fullers Close and George Street is inadequate and must be revised
- Two accesses side by side is not good planning and a better solution should have been achieved. This will create a traffic hazard. There is no sign at the existing access to the adjacent site and it is only a matter of time before there is an accident
- The original proposal included a play area. What has happened to that?
- The house on Plot 5 will look directly into our property resulting in loss of privacy and will face directly into a house in Drapers Close. If the property is reversed or a bungalow built here instead this could be prevented. This house looks ugly and unsuitable at this site. It would be better to have a lower vista at this point in keeping with plots 7 and 8 and other properties in the area
- Smaller properties are required in Hadleigh not 4 bedroom dwellings
- Fumes from the chimneys may enter our loft space when there is a westerly breeze
- There may be glare from street lights
- Increase in noise due to traffic from the houses
- Concerns raised about the badger run and how it will be used

29. A further two letters have been received and while not objecting per se, have raised issues of concern:-

- How will the boundary between the two development sites be marked and maintained. The need for the boundary to be physically defined is important given the need for sightlines. The two sites need to be fully integrated
- There is potential for damage to the water meter box which serves Phase 1 as a result of the new access. Vehicles currently cut across the water meter chamber and the grass will be damaged
- Clarification of boundary treatment adjacent to Plot 1 sought
- The new road should be constructed prior to commencement of works
- How does the Council intend to spend the money it will receive from the developers for public play space

PLANNING CONSIDERATIONS

30. There is a long-standing commitment to the residential development of this land. It was first allocated for residential development, together with other adjoining land, in the Hadleigh District Plan 1982, and subsequently granted planning permission in its own right as detailed earlier in this report. There can be no objections in principle, therefore to its residential development.

31. It is acknowledged that this is a low density development but this is reflective of the character of the area and the pattern of development. The proposal reflects previous permissions issued on this site where numbers were limited due to the substandard nature of the visibility where Fullers Close joins George Street.

32. There is no doubt that one access serving both phases of development would have been preferable. However it has not been possible for reasons outlined elsewhere in this report. While alternative access arrangements have been explored, the arrangement as proposed is the only available solution.

33. Concern has been expressed about sightsplays and boundary treatment/landscaping around the access and the area between the two sites. Members will note that the proposals are acceptable to the Local Highway Authority and no objection has been received subject to conditions being attached to any consent. The applicant's agent has confirmed that the boundary fences between the sites is intended to be low and unobtrusive to maintain visibility, but also to allow the soft landscaping between the sites to blend seamlessly so that the overall development of the sites is enhanced. A condition will be attached to address boundary treatment and ensure that visibility splays are not compromised.

34. The design of the dwellings and their relationship to site boundaries is considered acceptable. Amended drawings have been submitted to address concerns expressed about Plot 5. The house has been moved a further 1m into the site to increase the separation between the property to the rear, giving a window to window distance of 21m.

35. The outline permission provides an allocation of open space within the site but this is not considered to be in the best location and the size and shape was not ideal. The open space manager has confirmed verbally that an off site financial contribution would be acceptable. The applicant has agreed to contribute an off site open space contribution figure of £20,948.00 in line with the Council's adopted SPG.

36. Concerns about the badger run will be addressed by the imposition of a condition should members approve the application.

37. In summary, while the concerns of the objectors are noted, the proposal is acceptable in design terms and any potential impact on residential amenity can be addressed by the imposition of conditions. The recommendation to members therefore is one of approval.

REASONS FOR APPROVAL

38. The development comprising the erection of 8 dwellings, accords with Local Plan policies HS01 and CN01 of the Babergh Local Plan Alteration No 2 (2006) in so far as the scheme is located in a sustainable location, is of an appropriate density, makes provision for public open space and is acceptable in highway terms.

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 towards the provision or improvement of off site public open space facilities

(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, including:

- Samples of materials
- Landscaping - including retention and protection of boundary trees and hedgerows
- As recommended by LHA
- Boundary Treatment

- Removal of permitted development rights (extensions, outbuildings)
- Archaeology
- Protection of badgers

(3) That in the event of the Planning Obligation referred to in Resolution (1) above not being secured and/or the outstanding matters listed in Resolution (1) above not being satisfactorily resolved, the Chief Planning Control Officer be authorised to refuse planning permission for the following reasons:-

The development would not make sufficient provision for public open space in accordance with Policy HS32 of the Babergh Local Plan Alteration No. 2 (2006)