

Item No:	7	Reference: B/09/00768/FUL and B/09/00769/CAC
Parish:	HADLEIGH	
Location:	2A Station Road, Hadleigh, Ipswich	
Proposal:	FUL - Erection of a pair of semi detached two storey dwellings (existing building to be demolished)	
	CAC – Demolition of existing building (to allow the erection of a pair of semi detached dwellings)	
Applicant:	Mr Simon Holland	
Case Officer:	Ben Elvin	Dates for Determination: 29 September 2009 - B/09/00768/FUL & 23 September 2009 – B/09/00769/CAC

This application is reported to committee as a representation has been received which is at variance to the recommendation of Officers and the development proposed is equal to or above the scale of two dwellings.

THE SITE

1. 2A Station Road is located close to the junction between Station Road and Benton Street on the southern side of Hadleigh. The current building on site is unused. It has a painted brick façade (white) with a slate roof. The building covers the entire plot which measures 123sqm and is a single storey structure. The plot is deeper than it is wide, therefore the current building on site follows this arrangement.
2. To the west of the building there are bungalows, to the east there is a double fronted Victorian style cottage with red brick walls and a slate roof. This property has a number of period details such as chimneys, reveals to the windows, lintel details and a simple form and appearance.
3. The site is located within the Hadleigh Built up Area Boundary, the Hadleigh Conservation Area and an Area of High Archaeological Potential.

THE PROPOSAL

4. The proposal is for the demolition of the existing building and the erection of a pair of semi detached two-storey houses. The front elevation would have a period style with a simple, symmetrical design with vertical emphasis to the windows and doors. The rear project is less formal and is a mix of forms and styles.

The dimensions are as follows:

- Height - 7.4m
- Width (of each dwelling) - 10m
- Depth – 12m
- Floor area - 92sqm

A bin store would be provided to the front. Each dwelling would have a central courtyard measuring 3m x 3.5m. each dwelling would have 2 bedrooms.

RELEVANT HISTORY

5. The building was granted a light industrial use in 1981 (B/81/00490). This was a change of use from a paint spray shop. There have been no applications for changes of use since. The applicant has advised that its last use was as an artists studio and prior to this as a printers.

NATIONAL GUIDANCE

6. **PPS1** (Delivering Sustainable Development)
7. **PPS3** (Housing)
8. **PPS23** (Planning and Pollution Control)
9. **PPG4** (Industrial Commercial and Small Firms)
10. **PPS6** (Planning for Town Centres)

PLANNING POLICIES

9. The following Development Plan 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
- **HS01** Housing in Towns/Urban Areas
- **HS27** Housing Density
- **HS28** Infilling
- **HS32** Open Space
- **TP15** Parking
- **EM24** Safeguarding Employment Land
- **CN08** Conservation Areas

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

CONSULTATIONS

10. TC – Recommend refusal – lack of parking and the site is in a double yellow lined area near a dangerous junction and close to a school (members felt it would be better if the site was developed for a single dwelling)
11. BDC Environmental Protection – Would not support a B2 use on this site. Recommends that a condition be added requiring any demolition to accord with BS 5228 – 1:2009. A scheme for the operating hours and control of dust during demolition should also be submitted prior to works commencing
12. County Archaeologist – No objection subject to a standard PPG16 Para 30 condition requiring a scheme of investigation.
13. LHA – No objection.

14. BDC Contaminated Land Officer – No comments at time of writing,

REPRESENTATIONS

15. Two letters of objection have been received which make the following points;
- Considers the scheme is an over development
 - The proposal will obscure light to their properties and gardens
 - The first floor windows would invade their privacy
 - The removal of the rear wall of the existing building will result in the loss of mature plants to the neighbouring garden
 - Makes representation of a meeting held with the applicant prior to the application where they discussed remedial works to any damage caused.

PLANNING CONSIDERATIONS

Principal of Development

16. The proposal is for the erection of two houses in the Hadleigh built up area. The proposal is the reuse of previously developed land. Therefore, in accordance with Policies HS01 and PPS3, the principle of the development is acceptable subject to compliance with relevant planning policies.

Loss of Employment Floor Space

17. Policy EM24 of the Local Plan relates to the retention of employment land. In the supporting text to this Policy (Paragraph 4.57) the rationale behind the retention of employment sites is set out. Employment sites are hard to find as development plots within towns and villages as applicants will often seek residential instead of employment uses. Therefore once an employment site is lost, it is very difficult to replace without expanding into the countryside (by the allocation of employment land).
18. National guidance in PPS1 and regional guidance in Policy E3 state that it is important to maintain a balance between employment and residential uses so that there is the ability to work close to where one lives and ensure residents do not need to travel too far to access the facilities and services offered by employment sites/uses. A mix between residential and employment uses can also provide vitality to an area.
19. As there are clear social and economic benefits to retaining employment sites Policy EM24 will only permit their loss if:
1. An agreed and sustained marketing campaign has been undertaken at a realistic asking price
 2. Where agreed in advance, the applicant can demonstrate that the site is inherently unsuitable for all forms of employment.
20. When assessing a proposal against policy EM24, it is important to distinguish between the current use of the site (in this case B1) and its status as an 'employment site'. Even if it is accepted that the current use has failed this does not mean that the site is unsuitable for all employment uses e.g. office(s), shop(s), restaurant etc.
21. The applicant has put forward an argument under both the first and second criteria of Policy EM24. They are of the opinion that the building is inherently unsuitable for employment use and have marketed the property to test this. The case presented by the applicant is as follows:
- There is a lack of any off road parking or manoeuvring space for deliveries

- The building is in a poor condition and would require significant investment to make it useable.
 - The loss of the building will not adversely impact on the local economy
 - The light industrial use would harm neighbour amenity
 - A marketing campaign has been undertaken with no success
22. The marketing campaign was undertaken for a period of 12 months from March 2008. The property was marketed in the agent's window, on their website and on the 'Right Move' website. A 'For Sale' board was erected at the site, and an advert placed in the community news. The campaign was not agreed by Officers before hand (a requirement of Policy EM24) and lacks some of the detail Officers would expect – for example it is unclear what the terms were or whether the marketing price was correct. It does however adhere to many of the requirements set out in the Council's Adopted Supplementary Planning Document on Safeguarding Employment Land such as the displaying of a board on the site.
23. Forty viewings were undertaken. Interest was expressed from a photographer and classic car enthusiast. A number of other 2nd and 3rd viewings took place. Most of the interest was from parties looking to develop the site for residential use (a schedule of enquiries has not been submitted).
24. The price was reduced on three occasions. The current owners have brought it with a view to develop it for residential purposes following the lack of interest.
25. Officers are of the opinion that the marketing campaign as presented in itself is not sufficient to justify the loss of the employment site. The campaign does not adhere to the guidance in the Supplementary Planning Document. Officers do not consider that the B1 use would be harmful to neighbour amenity (by definition a B1 use is acceptable in a residential area) nor do Officers give significant weight to the fact the applicant is of the opinion the buildings loss would not damage the local economy (the purpose of Policy EM24 is to safeguard employment land for the future).
26. This however needs to be balanced against other material considerations raised by the applicant. The property has no parking and would cause any new B1 use to occur without parking, in a town centre location. The building is also in a very poor condition which makes conversion uneconomic given the conversion costs per sqm and the resultant rental yield (the applicant has provided figures). This leads Officers to conclude that the current employment use is both inherently unsuitable and unviable.
27. Although the information supplied by the applicant could have been more comprehensive, the findings of the marketing campaign (all be it not agreed) along with the other issues (listed above) leads Officers to conclude that, on balance, the employment use of the building can be lost to a residential use.

Design and Impact on Character

28. Policies HS28 and CN01 of the Local Plan require all new development to be of an appropriate scale, form, design and finish. Policy ENV7 of the EEP states that all new development should be of high quality and based on a robust site appraisal. PPS3 in Paragraph 10 states that planning authorities should deliver well designed high quality housing; this is echoed in PPS1 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.
29. Policy HS28 of the Local Plan specifically relates to residential infill development such as that proposed. It states that planning permission will be refused if the:
- The site should remain undeveloped

- The proposal represents over development
 - The layout provides unreasonable standards of privacy, garden size and amenity
 - The proposal would be of a scale, density or form which would be out of keeping with the surrounding area.
30. The site at present wholly comprises of the current building. The building is not listed but is located within a conservation area. The presumption is in favour of safeguarding the building if it adds to the character of the Conservation Area. For the reasons discussed below the building is not considered to add to the character of the Conservation Area, therefore its loss can be supported in principle. The site is not designated as an Area of Visual or Recreational Amenity. The building is not of any particular merit or rarity which would warrant its protection. For these reason the site should not remain undeveloped as it is not a particularly important feature in visual or environmental terms or in terms of its contribution to the conservation area.
31. As the principle of the development is acceptable, and the site does not need to stay undeveloped in visual or environmental terms, the assessment under Policy HS28 moves on to the questions of over development and the form, scale and design of what is proposed.
32. The site area is approximately 0.0123ha. This gives a density of 162 dwelling per hectare (dph). This is very high, even for a town centre location. However the surrounding area, particularly Benton Street has a high density. The density of a scheme is only an indicator of whether or not the scheme is over development; the buildings relationship with the plot and surroundings also needs to be assessed. A scheme can have a high density but still sit comfortably in its plot and street scene. Other indicators of over development are whether there is a cramped appearance, contrived design or an under provision of amenity space and parking. The design also needs to be viewed in its context.
33. The front elevation of the property has regard to the historic character of the town centre. The design is based on a Victorian cottage style with the narrow frontage, symmetrical proportions and detailing. The scale of the building when viewed from the front is not excessive and adheres to the pattern of development. The two houses will not appear cramped when viewed from the public realm. The applicant has provided evidence of where a similar design approach has been followed in the locality within Angel Street. The proportions and visual scale of the development are acceptable when viewed from the public realm.
34. The design is somewhat compromised in that a bin store is proposed in the front garden and the rear projection of the building is designed around a courtyard space with an awkward form. However, the contrived rear projection would not be visible from the public realm, the courtyard provides sufficient amenity space for a two bedroom property and, although the bin store to the front is not ideal, it is not sufficient in itself to be a reason for refusal. The building is set forward of the property to the east, but this is the same arrangement as which already exists. On balance, Officers are of the opinion that the proposal is not a harmful over development of the site.
35. The proposal has to be viewed against the building which currently occupies the site. This building is of no merit and can even be considered to be harmful to the street scene. The simple period approach with good detailing and proportions proposed by the application will be an enhancement to the street scene integrating well with 4 Station Road (a red brick Victorian cottage to the side of the site).
36. The materials proposed are red brick to the walls, slate or pantiles to the roof and UPVC doors and windows. The brick walls and slate roof (not pantiles) are acceptable in principle. Officers are concerned by the use of UPVC to the windows and doors given

the period concept and the sites location in a conservation area. A condition has been added requiring materials to be agreed, Officers will seek the use of timber windows and doors.

37. Subject to conditions, the overall scale of the dwellings, and the aesthetic appearance, would result in a positive addition to the street scene. The development as proposed would be of a scale and form that is in keeping with adjacent buildings (Policy HS28), does not represent a harmful over development of the site (Policy HS28) and pays particular attention to the nature of adjacent development (Policy CN01).

Impact on the Conservation Area Conservation Area Consent

38. The current building is of little historic or architectural merit. It is a 20th century addition to the street scene which has awkward proportions and is quite prominent. Its replacement with a suitably designed alternative would be supported. For the reasons set out above (acceptable scale, proportions and design) the proposed scheme will be a positive enhancement of the street scene when viewed against the current building – the proposal will enhance the conservation area, as per the tests set out in PPG15 and Policy CN08. Officers would not want to see the building demolished prematurely as this could leave an unsightly gap in the street scene. A condition has therefore been recommended stating that demolition cannot take place until a contract for the replacement building has been agreed.

Highways and Parking

39. The proposal does not including any parking provision. This is of concern given that the scheme is for two 2 bedroom houses. However, the site is within a comfortable walking distance of the town centre (less than 400m is a comfortable walking distance). On street parking would not be possible due to the double yellow lines. The applicant has also advised that any occupants of these dwellings would be able to make an agreement with the owner of the hotel that lies opposite the site for use of parking space within the hotel grounds. This arrangement is used by other residences in the vicinity. However, this detail cannot be considered as part of the application as the parking does not form part of the application site.

Open Space

40. At the time of writing a Section 106 Agreement relating to open space is being prepared. This is required under Policy HS32. The recommendation takes this into account.

Impact on neighbour amenity

41. Concerns have been expressed that the proposed development will harm neighbour amenity by way of loss of light or over looking. The main impacts to be considered are that on No. 2b to the west, No.4 to the east and No.6 to the rear.
42. 2b has a courtyard garden arrangement that lies to the rear of the existing property. The existing property lies to the north of this garden and in this respect the proposal would not result in any overshadowing of this element. There are two windows within the rear face of the front wing of the new properties, but these are both serving bathrooms and are proposed to be obscure glazed. No direct overlooking should therefore occur.
43. In respect of No.4 (and also 2b) the high-level windows located in the side elevations would provide light to the landing areas. These would be above the sightlines of someone standing on the landing and would not therefore result in any overlooking.

Contamination

44. At the time of writing clarification is being sought that the Phase 1 assessment submitted is sufficient in demonstrating that there is no adverse impact by way of an unacceptable risk from contaminants to future occupants.

REASON FOR APPROVAL

45. Subject to the conditions (listed below), the proposed development will have no adverse impact on the conservation area, archaeology, the street scene, the character of the area, neighbour amenity or highway safety and will not result in a harmful loss of employment floor space. The development therefore adheres to saved Policies EM24, HS28, HS27, CN08 and CN01 of the Babergh District Local Plan Alt 2 (2006) and national guidance in PPS1, PPG16 and PPS3.

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:
- A planning obligation towards recreation provision under Policy HS32
- (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
 - Details of materials (including timber windows and doors instead of UPVC)
 - As recommended by BDC Environmental Protection
 - Control over demolition
 - As recommended by the LHA
 - Removal of PD rights to alter the front elevation
- (3) That in the event of the Planning Obligation referred to in Resolution (1) above not being secured, the Chief Planning Control Officer be authorised to refuse planning permission for the following reason:
- The absence of a S106 Agreement relating towards recreation (Policy HS32).