

Parish: ASSINGTON

Location: Chestnut Grove, Bures Road

Proposal: Erection of 1 no. two storey detached dwelling (existing dwelling to be demolished)

Applicant: Mr R Milton

Case Officer: Ben Elvin

Date for Determination: 19 August 2009

THE SITE

1. The site lies within an isolated location in the countryside, some distance outside the village of Assington. It consists of a dwelling located in a significant parcel of land measuring around 2.6 hectares.
2. The site is covered by an area Tree Preservation Order (TPO 337) as the property sits within a deciduous woodland.
3. There are other buildings scattered around the site, which include an office, annex and a static caravan.

THE PROPOSAL

4. The application proposes a replacement dwelling which is to be sited to the rear of the site, some distance from the position of the existing dwelling. The existing dwelling would be demolished, along with the office building and the static caravan.
5. The proposed dwelling is of a contemporary design encompassing a sustainable development through the use of timber which would be appropriate given the woodland setting.
6. A Design and Access Statement has been submitted with the application which makes the following points;
 - The existing dwelling is located in the north-east corner of the site and has been formed through the conversion of 2 semi-detached properties being brought into one.
 - The existing access is to be utilised for the new dwelling.
 - Trees on the site offer visual screening to the dwelling.
 - The new dwelling is to be sited within a natural clearing within the woodland.
 - The utilisation of modern methods of construction will reduce construction duration and limit impact on the surrounding ecology.
 - By siting the dwelling in the heart of the site it benefits from the natural screening of the woodland, and will not affect the privacy or views of any neighbouring properties.
 - The dwelling cannot be seen from the highway.
 - The scale and mass of the proposed dwelling respects its setting. The dwelling amounts to a gross internal floor area of 281sq metres, and can easily be accommodated within the 7 acre site.
 - Timber is the indigenous material of the site, and is a localised building material.

- The design approach seeks to address sustainable /environmental in both the macro and micro scale, including embodied energy and energy efficiency.
 - The design makes use of the sites level changes and the space that is available.
7. The application is also supported by a Contamination Assessment and Arboricultural Report.
 8. The application was made invalid during its consideration as it was not supported by an Arboricultural Assessment at that time. The Arboricultural Report was received on 23 June 2009, at which time reconsultation was carried out to request any comments that may be generated by this additional report. This reconsultation will not expire until 4 August.

RELEVANT HISTORY

9. None

NATIONAL GUIDANCE

10. **PPS1** (Delivering Sustainable Development)
11. **PPS3** (Housing)
12. **PPS7** (Sustainable Development In Rural Areas)
13. **PPG13** (Transport)

PLANNING POLICIES

14. 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

- **CN01** (Design)
- **CR04** (Special Landscape Areas)
- **HS05** (Replacement Dwellings)

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

CONSULTATIONS

15. PC – Support the proposal, and wish for the trees within the site to be protected if permission is given.
16. HoNABE (Contaminated Land Officer) – the submitted study is sufficient.
17. SWT – makes comments regarding the potential for species to be disturbed during demolition.
18. NE – No objections.

19. HoCAM (Landscape Officer) – makes the following comments –

My main concern is the design of the new house, which is not in keeping with the landscape character of the locality. I am happy with the general landscaping treatment of the site but object on grounds of unsuitable design and its adverse impact on landscape character and the SLA.

20. HoCAM (Arboricultural Officer) – makes the following comments –

Detrimental impacts to existing trees scheduled for retention should be avoided provided development is undertaken in accordance with the Arboricultural report. Removal of other specified trees will have little impact on local amenity.

REPRESENTATIONS

21. One letter of objection has been received which make the following comments;

- The supporting documents do not accurately portray the development, which will be a substantial dwelling with extensive parking for vehicles.
- The removal of trees will require replacement, and this will take a lot of time.
- There will be a detrimental impact on the birds and woodland animals.
- This proposal will set a precedent that will be taken up by a known local developer.
- The beauty of the unchanged wood has provided many hours of happiness.
- The lovely countryside requires our support.

PLANNING CONSIDERATIONS

22. Policy HS05 of the Babergh Local Plan Alteration No.2 (2006) provides the criteria by which replacement dwellings will be considered. The supporting text to this policy sets out that the policy is intended to allow the replacement of a dwelling on or very close to the existing dwelling which has either reached the end of its useful life or which has some other problem attached to it. The policy is not intended to allow small houses (especially those that may be available to first time buyers or those on low incomes) to be replaced by much larger properties. It also goes on to explain that the District Council will only consider a significant enlargement in the overall floor area of a replacement dwelling when the existing property is very small or where the extent of the site would enable a larger dwelling to be in proportion. Generally increases in the overall floor area of 30-35% (which includes the Permitted Development allowance) will be considered to be significant.
23. It is clear that the existing dwelling is in a condition that would warrant its replacement and therefore the principle of a replacement is acceptable. The issues in considering this development therefore focus on the impact of the proposed replacement dwelling on the surrounding countryside, the scale, form and design of the replacement in respect of the character of the existing dwelling and the relationship of the building to the other dwellings in the vicinity.
24. The proposal is significantly larger than the existing dwelling and is in excess of the 35% increase that is provided for in the Local Plan. However, in looking at this proposal it is necessary to consider the characteristics of the site and its surroundings. The curtilage of the property is of a significant size so as to be able to host a larger dwelling whilst ensuring that a substantial level of amenity space remains. The other properties in the vicinity sit within significantly smaller plots and it is not possible to draw comparisons with this site. The new property would only be seen in the context of longer views from the south, which would be through/over the mature hedge that currently forms a boundary screen. It is clear that there would be very little impact on the landscape despite the increase in the scale of the building and its repositioning to the south of the site.

25. Given that the new dwellings is to be sited some distance away from the existing, it is considered necessary to secure removal of the existing property through the securing of a Section 106 Agreement to ensure that there is only one dwelling on this isolated site, in accordance with the general policy of restraint in the countryside. Negotiations are ongoing with the applicant in this regard, and Members will be updated at the meeting.
26. The design of the dwelling is unique and will provide an interesting feature on the site. It makes use of the existing clearing within the trees to provide a house that will form a feature set within the canopy of well established trees. These trees are protected, and are not at risk from the development. The dwelling will take advantage of the views that exist across the countryside to the south and this will also provide a well positioned building that is able to take advantage of solar gains.
27. The proposal also provides an opportunity to remove some of the poor quality buildings that lie in the site. These buildings, whilst set within the confines of the woodland, offer little to the character of the area and there is an apparent environmental benefit from securing their removal.
28. Whilst the policy provisions of HS05 are exceeded by this proposal, it is considered that there is a case to be made here for permitting a larger dwelling. The proposed dwelling would not result in any particular landscape detriment, would be of a comparable form and scale to the surrounding properties and is in proportion with the extent of the extensive curtilage that it benefits from. The dwelling meets the functional needs of the applicant without resulting in an overdevelopment of the site and is of an interesting contemporary design that would provide a feature within the landscape and would compliment its surroundings.

REASONS FOR APPROVAL

29. The proposal is considered to be in accordance with policies CN01 and HS05 of the Babergh Local Plan Alteration No. 2 (2006) by reason of its scale, design, materials and impact on the surrounding landscape. The proposal would not result in highway safety implications and is considered to be of a scale and form relative to other development within the immediate vicinity of the site and to the plot in which it is sited.

RECOMMENDATION

That the Chief Planning Control Officer be authorised to grant planning permission subject to the following conditions, and subject to no new issues being raised in the consultation period;

- Materials
- Landscaping
- Removal of permitted development rights for extensions and alterations
- Scheme of protection to trees in the vicinity