

Parish: ACTON**Location: Babergh Lodge, Waldingfield Road, Acton, Sudbury, CO10 0AG****Proposal: Erection of 2 No. dwellings and construction of new vehicle accesses. Change of use from agricultural land to domestic garden.****Applicant: Mr and Mrs Challacombe****Case Officer: Graham Chamberlain Date for Determination: 21 September 2009**

This application is reported to Committee as representations have been received which are at variance to the recommendation of Officers and the scheme is of a scale that is equal to or greater than two dwellings.

THE SITE

1. The site is located in Acton, a 'sustainable' village located to the north east of Sudbury. The site currently comprises of Babergh Lodge a detached two storey house located to the centre of the plot. The site is a corner plot located between Clayhall Lane and Waldingfield Road. The plot is spacious with a back drop of trees along its northern and western boundary. The development is surrounded in all directions by residential development. The dwellings to the west are bungalows. The properties are predominantly set back from the road giving a spacious character to the street scene.

THE PROPOSAL

2. The proposal is for the erection of two dwellings.
3. Plot 1 would be located to the east of Babergh Lodge in the side garden. A new vehicular access would be provided. The dwelling would be of a period style (Georgian). There would be a single storey garage to the side in a lean-to and rear garden. The plot would be subdivided from Babergh Lodge by a brick wall and willow hurdle fencing. The dimensions of the dwelling are as follows:
 - Width – 13m
 - Height – 6.8m
 - Depth – 11m (at longest point)
4. The finish to the front elevation has been amended from part render part brick to a wholly brick finish.
5. Plot 2 would be a single storey dwelling to the north of Babergh Lodge. This dwelling would use the existing access which would be improved. Plot 2 would be divided from Babergh Lodge by a close board fence and planting. The dimensions are as follows:
 - Height – 5.7m
 - Depth – 15m
 - Width – 11m
6. The development incorporates a number of period details such as chimneys and brick lintels.

RELEVANT HISTORY

7. Planning permission has been granted for extensions to Babergh Lodge (B/09/00802)

NATIONAL GUIDANCE

8. **PPS1** (Delivering Sustainable Development)
9. **PPS3** (Housing)

PLANNING POLICIES

10. 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)

Babergh Local Plan (Alteration No.2) 2006

- **HS02** (Housing in Villages)
- **HS03** (Non Sustainable/Sustainable Villages)
- **HS27** (Housing Density and Type)
- **HS28** (Residential Infilling)
- **CN01** (Local Distinctiveness)
- **HS32** (Public Open Space)

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

CONSULTATIONS

11. PC – Raised no specific recommendation - No objection to Plot 1 subject to the access improvements and a condition removing PD rights to insert additional windows in the roof plane, concerned about the access from Plot 1 and whether this would be a traffic hazard (requested that this was checked), were of the opinion that the houses were too large for the plots – this needs careful consideration by BDC.
12. LHA – No objection subject to conditions.
13. BDC Contaminated Land Officer – No objection
14. BDC Arboricultural Officer – Is able to confirm that the trees on site are of insufficient public amenity value to warrant being a constraint on development. Clarification is however needed as to whether or not the Sycamore adjacent to Plot 2 is staying, as this could have long terms implications for the bungalow. (the applicant has confirmed that the sycamore will be removed, at the time of writing an amended drawing is expected).

REPRESENTATIONS

15. Occupants of 8 Clay Hall Place – Regrets that another property and garden is being broken up. The bungalow comes quite close to the rear boundary of the site. Raised questions about the site plan (these were resolved with the submission of an amended site plan).

16. Occupants of 11 Clayhall Place – Object to the application for the following reasons:

- The siting of Plot 1 and its access will be detrimental to highway safety
- The mature trees in the garden have already been removed
- Concerned that the sewage infrastructure is insufficient for the two additional houses.

PLANNING CONSIDERATIONS

Principal and Sustainability

17. The site is located in a sustainable village; therefore minor infill of up to 3 dwellings is acceptable (Policies HS02 and HS03 of the Local Plan). The proposal is therefore acceptable in principle being within the Built up Area Boundary of a 'Sustainable Village'.

Design and Impact on Character

18. Policy CN01 requires all new development to be of an appropriate scale, form, design and finish, maintaining local distinctiveness. Policy ENV7 of the East of England Plan requires new development to be of high quality which complements the distinctive character and best qualities of the local area. PPS3 in Para 10 states that planning authorities should deliver well designed high quality housing, this is echoed in PPS1 which places design at the centre of the planning system (Para 34) stating that development which fails to improve the quality and character of the area should not be supported.

19. 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.

20. The site is not identified as an Area of Recreational or Visual Amenity in the Local Plan. Although the garden is pleasing and adds to the street scene it can accommodate further development and retain its contribution to the street scene and character of the area. The site adds a visual brake to the street scene giving a sense of spaciousness which is enhanced by the back drop of the trees and planting on the northern and eastern boundaries of the site. It will be important that any development of the site has regard to the positive features of the site.

21. The site currently has a density of 4dph (dwellings per hectare). With the additional two units the density would rise to 12dph. This is below the national indicative minimum. However, the surrounding area is spacious in character with buildings set back from the road. This has resulted in the street scene being characterised by greenery. The low density proposed is appropriate for the location, being in character with the rhythm of the development facing Waldingfield Road. The development can satisfactorily accommodate off road parking (and garages), gardens and boundary landscaping. The dwellings will not appear unduly cramped either. Plot 1 is of a similar size to Tijuca and the bungalows to the west. The designs are not contrived. Plot 1 follows the building line. Although Plot 2 is back land development it would sit comfortably within its plot. There would also be no harm to neighbouring amenity (discussed in more detail below). The proposal is not therefore, considered to be an over development.

22. The proposed gardens are not large but they will cater for the immediate needs of the householders (somewhere to sit out, dry washing etc.). The garden sizes are similar to the properties to the north and west. The plot and garden sizes are not therefore, unreasonable or out of character. The space in the street scene between Babergh Lodge and Plot 1 will still enable an acceptable balance to be struck between landscaping and buildings and views will be maintained through to the landscaping on the northern boundary.
23. The scale of the houses is not excessive when compared to the surrounding dwellings, which are mixed in scale and appearance (the layout of the development along Waldingfield Road is however quite rigid with detached buildings fronting the road with a similar plot width, the development accords with this element of the local character) As mentioned above the layout and orientation of Plot 1 complements the buildings either side. Plot 2 will have little or no impact on views from the public realm. Plot 1 will provide a transition between the bungalows to the west and two storey housing to the east. There is also the landscaping along the western boundary of Plot 1 which enables it to be 'read' separately to the bungalows. The slight curve in the road also assists in this.
24. Plot 1 is well designed. The rectangular plan has resulted in a simple form which is appropriate in a rural village. The design has integrity with pleasing proportions, good quality materials and the windows and doors being soft wood painted white. The design also includes period features such as chimney's to break the ridge, a decorative front door surround, sash windows and symmetry. The dwelling would also have vertical emphasis. The hipped roof complements the overall design concept. The dwelling will be visible in the street scene, and in the opinion of Officers will be a pleasing addition which will add legibility and reinforce the frontage of Waldingfield Road.
25. Landscaping has been retained to the front and sides of Plot 1. The brick wall will be a high quality finished with an appropriate brick and bond (English Garden wall bond).
26. As stated Plot 2 will have no impact on public views. Its single storey form would result in it being screened by Babergh Lodge and the soft landscaping. Notwithstanding this the design of the bungalows is acceptable. The materials proposed link well with Plot 1 and Babergh Lodge. The form is simple and the elevations well detailed.
27. The design, layout and impact on the character of the area is therefore acceptable. Plot 1 has the potential to be a pleasing addition to the street scene. Plot 2 will have little or no impact. The proposal therefore accords with the design criteria in PPS1 and saved Local Plan Policies CN01, HS28 and HS27.

Highways

28. The site already has a single vehicular access. The Local Highways Authority have assessed the scheme and have recommended conditions relating to the two access

Neighbouring amenity

29. Policy HS02 states that housing development in villages will be granted as long as it does not have a material adverse impact on neighbouring residential amenity. Amenity in this instance normally refers to loss of light, over bearing or over looking. The space between buildings, within and outside the site, the landscaping on the northern and eastern boundaries (and proposed boundary treatment within the development), the orientation and layout of built form (Plot 1 facing the road and Plot 2 facing landscaping) and the single storey scale of Plot 2 ensures there would be no unreasonable loss of amenity by way of over looking, loss of light or overbearing. The side windows facing west in the first floor of Plot 1 would serve bathrooms and a stairway and will have little impact.

Open Space

30. Policy HS32 requires that developments which will provide 1 residential unit or more should either provide a financial contribution towards the provision or upgrade of open space nearby (via a S106 Legal Agreement) or provide a public open space equal to 10% of the gross site area. The applicant is not proposing public open space as part of the scheme therefore a contribution is required. The applicant has submitted a draft legal agreement which has been sealed. The development therefore accords with Policy HS32.

REASONS FOR APPROVAL

31. The development proposed would have no harm on the character of the area or the street scene and would have no adverse impact on neighbouring amenity or highway safety. The two dwellings proposed therefore comply with the development plan, notably Saved Policies HS02, HS03, HS27, CN01 and HS32 and national guidance in PPS1 and PPS3.

RECOMMENDATION

- (1) That the Chief Planning Control Officer be authorised to grant planning permission subject to the following conditions:
- Standard time limit
 - Details of materials
 - Landscaping scheme including details of all boundary treatment
 - Removal of Schedule 1 Parts 1 (Class A – E) and 2 Permitted Development rights (extensions, outbuildings, fences and walls) (including removal of PD rights for roof alterations in Plot 2)
 - Details of hard landscaping
 - As recommended by the LHA