

Item No: 5

Reference: B/09/00850/FUL

Parish: HINTLESHAM

Location: Teretia, Duke Street, Hintlesham, Ipswich, IP8 3PP

**Proposal: Erection of 2 No. dwellings and construction of new vehicle accesses.
Change of use from agricultural land to domestic garden**

Applicant: Mr C Allen

Case Officer: Graham Chamberlain

Date for Determination: 21 May 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 which is equal to or greater than 2 dwellings.

THE SITE

1. The site is located on Duke Street a country lane accessed off a sharp bend in the A1071 in Hintlesham, a small village to the east of Hadleigh. The site is located within a narrow section of the Built up Area Boundary (BUAB) of the village. The boundary of the original site represents the BUAB. The site is located within a Special Landscape Area with open agricultural fields to the east and west. A TPO tree is located in the neighbours garden with the designation partly covering the site.
2. The site is located on the western side of the road. It used to be occupied by a bungalow but this how now been demolished. The hedge to the front has been retained. There are no buildings on site. There is a single vehicular access. The site slope up slightly from north to south and the field to the rear (west) is also slightly higher.

THE PROPOSAL

3. The proposal is to erect two detached two storey dwellings. The dwellings would be of a similar scale but with subtle differences. The buildings are based on a period 'cottage' style. The height of the dwellings would be between 7.5m and 8.5m, the width between 11.5m and 15m (Plot 2 is wider) and the depth is 11m. Each property would have its own vehicle access.

RELEVANT HISTORY

4. In 2007 permission (B/07/01595) was granted for a change of use of a small strip of farmland on the western boundary of the site to residential (166sqm). This strip of land will provide some of the garden amenity space of the development now proposed.
5. In 2008 (B/08/00531) permission was granted for the erection of two dwellings with a shared garage and access drive. This permission was granted by the Development Control Committee on the 23/06/08.
6. The differences between the approved scheme and the current proposal are as follows (members will be showing drawings of both schemes at the committee meeting, the files are also available to view by contacting the case officer):
 - The properties no long mirror each other; there is however still continuity in the materials, form and scale.

- The dwellings would still have a period appearance, but the designs have altered.
- The shared access and garage have been removed from the scheme. Each property would now have its own garage (Plot 1 would be integral) and access.
- The units are now four bed dwellings rather than 3bed dwellings
- The set back from the road has been increased to create parking and manoeuvring space to the front of the properties – this has resulted in the buildings being located partially outside of the BUAB.
- There would now be a boundary between the two plots (post and rail fence and hedge)
- There would be an area to the rear which is currently part of the agricultural field which would become domestic garden. This area of land is wedge shaped and measures 11m by 78m.

NATIONAL GUIDANCE

7. **PPS1** (Delivering Sustainable Development)
8. **PPS3** (Housing)
9. **PPS9** (Protected Species and Habitats)

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 Villages)
- **HS27** (Housing Density and Type)
- **HS30** (Design of New Houses)
- **CN01** (Local Distinctiveness)
- **HS32** (Open Space)

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

CONSULTATIONS

11. PC – Recommends refusal – The change of use from agriculture to domestic garden allows the over development of the site. The previous permission was for two three bedroom houses which could be seen as affordable for local people. The proposal is for 2 four bed houses with separate garages and will therefore be out of the reach of families seeking affordable housing.
12. BDC Landscape and Countryside Officer – No Objection - The site is located within the 'Ancient Plateau Claylands landscape Character type (as defined in the County Landscape Character Assessment)
13. The Ancient Plateau Claylands Landscape Character Type and has the following relevant criteria:

- Flat or gently rolling arable landscape of clay soils dissected by small river valleys
- Field pattern of ancient enclosure – random patterns in the south but often co-axial in the north. Small patches of straight-edged fields associated with the late enclosure of woods and greens
- Dispersed settlement pattern of loosely clustered villages, hamlets and isolated farmsteads of medieval origin
- Villages often associated with medieval greens or tyes
- Farmstead buildings are predominantly timber-framed, the houses colour-washed and the barns blackened with tar. Roofs are frequently tiled, though thatched houses can be locally significant
- Scattered ancient woodland parcels containing a mix of oak, lime, cherry, hazel, hornbeam, ash and holly
- Hedges of hawthorn and elm with oak, ash and field maple as hedgerow trees.
- Substantial open areas created for WWII airfields and by 20th-century agricultural changes
- Network of winding lanes and paths often associated with hedges create visual intimacy

14. The above criteria are all relevant and my recommendation is for a good, strong indigenous tree and hedgerow planting scheme to be provided on the rear boundary in order to retain the integrity of the locality's landscape character. Choice of materials and design are broadly acceptable from the landscape character point of view.
15. BDC Arboricultural Officer – No objection. The trees abutting the site are of little merit. Notwithstanding this the development will have little impact on them.
16. Suffolk Wildlife Trust – No objection - the bungalow on site has now been demolished. Any further development is unlikely to have an impact upon protected species, designated habitats or Suffolk Biodiversity Action Plan habitats. .
17. Natural England – No comments to make

REPRESENTATIONS

18. A letter of support was received from the Occupants of Pheasants Rise (property on the north eastern boundary) supporting the scheme and indicating that it is preferable to the previous application as there would be no side windows (even frosted one as approved) and the new rear boundary will make it easier for the farmer to farm the field (a straighter boundary).

PLANNING CONSIDERATIONS

Principal and Sustainability

19. The site is located in an unsustainable village; therefore minor infill of up to 3 dwellings is acceptable (Policies HS02 and HS03 of the Local Plan). The proposal is therefore partly acceptable in principle being within the Built up Area Boundary of an 'Unsustainable Village'.

Design and Impact on Character

20. Policies HS28 and CN01 require all new development to be of an appropriate scale, form, design and finish. 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.

21. The plot already has consent for two dwellings, therefore the principle of developing the site cannot be in dispute. The main consideration is whether the alterations to the approved scheme are unacceptable.
22. The two houses proposed are period in style. The built form of Hintlesham is characterised by a mix of styles and periods. The area immediately surrounding the site is also mixed but the predominant style is late Victorian cottages. The aesthetic appearance of the buildings is therefore in character with the area. The buildings are subtly different using a different design to the dormer windows, a porch to Plot 2, different chimney designs the garage placement and the use of render to part of Plot 1. This ensures that the buildings have rhythm and continuity but are not identical to each other. This provides interest in the street scene with overall cohesion. Two identical buildings could appear incongruous; the subtle differences allow variety in the street scene whilst enabling the buildings to relate to one another. Some minor design changes were sought and these have been incorporated.
23. The buildings include a number of features which supports the period concept. The houses would include lintels above the windows, cat slide and gable ended dormers an open porch to Plot 2, gable ends, transoms and mullions to the windows, chimneys and an overall form to the building which reads of a period style with modern dimensions. The proportions of the buildings work well as the span of the gables are not so great as to appear bulky and the bulk of the houses are reduced by having primary and secondary elements created by the two storey gable wings and the ridge broken by the chimneys. The development is well designed and would add interest to the street scene. The impact is aided by the traditional orientation of the buildings; both are arranged with the front or principle elevation fronting the road. This ensures the buildings will interact with the street, a key component of positive urban design. The impact on the street scene will be softened by the hedge to the front and a dividing hedge between the properties.
24. Officers are of the opinion that the proposed scheme is as acceptable, if not better, than the approved application. The houses would be closer together but there would be no garage and no large area of hard standing. The set back from the road will also assist in creating a reasonably spacious feel to the plot.
25. The plot sizes are in keeping with the character of the area. The width and depth of the plots would be similar to other properties in Duke Street (see table below). The overall plot sizes are now greater than the average (the approved schemes were smaller). This is due to the shape of the proposed garden. The properties would not appear out of character. The widths and depths of the proposed plots are around the average which is important in the street scene and pattern of development.

Property	Depth (m)	Width (m) (street frontage)	Area (sqm)
Lime Grove	35	28	957
Almunecar	33	19	587
Kingsway	38	15	589
Quince Cottage	40	15	507
2 Duke Street	34	9	300
Chapel Cottage	14	32	324
The Old Chapel	16	17	157
Pheasants Rise	18	35	661
Phalmier	29	11	299

Property	Depth (m)	Width (m) (street frontage)	Area (sqm)
Average	25	20	486
Application Site Plot 1	32	18	766
Application Site Plot 2	32	18	824

26. Such a survey is only part of the overall assessment into whether there is an over development of the site. The density of the development is 13 dwellings per hectare (dph), below the indicative minimum of 30dph in PPS3 and the Local Plan (Policy HS27). The previous scheme had a density of 27dph. The density is low because the plots are considerably larger due to the proposed change of use of the agricultural land to the rear.
27. An assessment of density does not take into consideration the size of the houses, for example a large house can be over development even if the density is low. Although these properties are large and will dominate the plot when viewed from the front, in this location such a relationship is not harmful to the character of the area or street scene. There would be a gap between the buildings proposed and space with neighbouring built form. The properties are also set back from the road which creates a feeling of space (and is not out of character in this location). Although a semi detached form of development may have used up less of the plot, the two detached houses proposed would not appear cramped in the street scene. From the front, the development will not appear as an over development.
28. The Parish Council have raised concerns regarding the proposed change of use of the land to the rear causing an over development of the site. The development relies on land outside of the Built Up Area Boundary of the village with the houses partially sited outside and the entire garden located in what is currently agricultural land. Without this additional space the proposal would be an over development of the site. The change of use is considered to be acceptable for the reasons discussed below. The number of units has not increased compared with the permission and the proposed houses are not overly large for the plots. Bearing in mind that there is an approval for two dwellings, the current proposal would be a more spacious design solution which does not harm the landscape by way of the change of use. Therefore, although the development could be considered an over development, it is not, on balance, considered to be a harmful over development and the change of use of the land would improve the approved scheme. .

Impact on Landscape

29. The site is located within a Special Landscape Area (SLA). Policy CR04 states that development should maintain or enhance the special landscape quality of the area and harmonise with the landscaping setting. The special landscape qualities of the area are defined in the County Countryside Character Assessment. The two houses would increase the built form and consequently be more prominent due to the increase in height and bulk. However, the design of the houses is period vernacular with a traditional form. This is the most appropriate design solution given the sites location within the Ancient Plateau Claylands Landscape Character type (where the vernacular is timber-framed houses with colour-washed finish to the walls and tiled roofs). The houses would not be unduly prominent and would sit comfortably in the landscape due to the form and pallet of materials. They would represent the type of development one would expect to see in a small village/rural location, particularly once they have weathered/matured. There would be views through the site of the countryside beyond; therefore the houses would not unreasonably block views into or within the Special Landscape Area. They would be viewed as period style houses in a countryside setting.

30. The landscaping on the boundaries is key to the success of the scheme. Hedging has been indicated on the front elevation. A condition has been recommended regarding the other boundary treatment so that hedging can be implemented to the rear boundary as well to soften the site. The only fencing permitted would be post and rail. Removal of Permitted Development Rights has also been recommended so that fencing could not be erected in place of hedging, and to control extensions which could otherwise make the plot appear cramped.

Change of use of the Agricultural Land

31. The change of use of agricultural land to facilitate a residential development is not normally supported as it erodes the countryside. However in this instance there are a number of circumstances which supports the change of use of the land:
- The site already has permission for two dwellings; the change of use of the land will facilitate a more spacious design which will be an improvement on the approved scheme.
 - The rear boundary makes use of a natural feature in the land – the rear boundary of the gardens of the properties either side. The change of use does not project in the countryside in an incongruous way.
 - The scale of the change of use is not excessive. The plot and garden sizes would be similar to others in the locality and the plot depth would equal those either side.
 - The site does not 'intrude' into open countryside.
 - It would assist the farmer by providing a straighter boundary (although curves in the fields are important to this landscape character type the abutting field has straight edges – probably due to 20th century alterations)
 - The boundary treatment and overall design of the scheme is sensitive to the rural setting retaining hedges and increasing the level of planting.
 - The land is on a boundary between Grade 2 and 3 agricultural land (the indicative map is at a very large scale so it is hard to be certain without a survey). The land is therefore of good agricultural quality. However it is only a small area and the field will be easier to manage with the revised boundary (as opposed to the current shape).

Highways

32. The site already has a single vehicular access. The scheme would have two vehicular entrance points. Formal comments have not been received at the time of writing but the LHA have indicated that there is no objection subject to conditions. In addition to any conditions recommended by the LHA a condition has been added regarding hard landscaping as a tarmac surface could result in surface run off. The preference would be for a permeable surface.

Neighbouring amenity

33. Policy HS01 states that housing development 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 side, and the orientation and layout of built form ensures there would be no unreasonable loss of amenity

Protected Species

34. PPS9 and Circular 06/2005 are clear that appropriate surveys should be undertaken prior to determination as the presence, or not, of protected species or important habitat is a material consideration. A condition requiring a survey would not therefore be appropriate. The applicant has not submitted such a survey. The Suffolk Wildlife Trust (SWT) has indicated that no such survey is required as the risk to protected species from the proposed development is low.

Open Space

35. 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 106 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

36. The development proposed would have no harm on the character of the area or the street scene and would have no adverse impact on the landscape and neighbouring amenity. The two dwellings proposed therefore comply with the development plan, notably Saved Policies HS02, HS03, HS27, CN01 and HS32 and national guidance in PPS1, PPS3 and PPS9.

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)
 - Details of hard landscaping
 - As recommended by the LHA
 - Retention of parking spaces and turning area