
Parish:	POLSTEAD	
Location:	D'arcy Cottage, Rockalls Road	
Proposal:	Change of use, alterations and extensions to existing dwelling to form 2 no. dwellings.	
Applicant:	S F Properties	
Case Officer:	Chris Tivey	Date for Determination: 17 July 2009

This application has been referred to the Development Committee at the request of the local Member. A panel of members visited the site on 5 August 2009.

THE SITE

1. The application site comprises a detached house situated at the end of Rockalls Road.
2. The application property is two storeys in height and historically constituted a pair of semi-detached dwellings. This is apparent by the symmetry of the main front elevation with ground floor windows evenly placed, a brick built chimney to each gable and the internal layout.
3. The southernmost half of the building (hereafter referred to as Plot 1) has a two storey rear extension that projects beyond the western elevation by 2.7 metres. This extension currently accommodates a carport, kitchen and bathroom/utility at ground floor level and a bedroom with sizable en-suite bathroom (internal floor area of 3.7m by 3m) at first floor level. The ground floor of the northern half of the site (hereafter referred to as Plot 2) is unextended with a lounge at ground floor level and a bedroom, bathroom and landing area provided at first floor.
4. To the north of the application site is a semi-detached property (Green Cottage) which is listed. A garage to Green Cottage is accessed via a private drive that runs across the frontage (eastern side) of the site along which a Public Footpath runs, connecting Rockalls Road with Polstead Hill. A parking space, albeit limited in size, is situated between the northern flank of the Plot 2 and a low brick wall which borders, in part, the forecourt to Green Cottage's garage.
5. The site is within the Built-up Area Boundary of Polstead and is also within the the Conservation Area and an Area of Outstanding Natural Beauty.

THE PROPOSAL

6. Planning permission is sought to erect a single storey rear extension off the western elevation of Plot 2, to accommodate a kitchen, bathroom and lobby area accessed via the existing lounge at ground floor level. The extension would have a footprint 5.5 metres wide by 3.15 metres deep. It would have a single pitched roof 3.4 metres where it meets the existing rear elevation and 2.35 metres at eaves level.
7. The current open plan form of D'arcy Cottage would once again be subdivided through the erection of an infill party wall and two dwellings would be created as a result (as was the case historically). Two bedrooms would be provided at first floor level of the new dwelling (Plot 2); and the existing dwelling (Plot 1), whilst maintaining its existing ground floor layout, would undergo internal alterations at first floor level, but would continue to provide two bedrooms and a bathroom.

8. On the eastern elevation these alterations would result in the substitution of the existing windows at ground floor level with entrance doors, the formation of a further landing window and two new bedroom windows at first floor level. Further ground floor windows are proposed to the northern and southern elevations to serve the proposed living/dining rooms.
9. Following the refusal under delegated powers of a similar proposal (B/07/01893/FUL/MB refers) primarily on the grounds that the proposal would lack satisfactory manoeuvring and parking facilities on the site for two dwellings, the applicants have provided an amended drawing to this application that identifies a swept car path analysis for the Plot 2 parking space.
10. The swept car path analysis identifies that with the removal of the low boundary wall situated between the application site and Green Cottage; and the extension of the depth of the parking space that sufficient parking and turning facilities would be provided for one vehicle.
11. The applicants have also provided a copy of a Deed of Mutual Grant between the occupiers of Green Cottage and the owners of the application site which grants to the occupiers of the application site and their successors in title a right of way at all times and for all purposes, to pass and re-pass the forecourt area to Green Cottages' garage at all times, thereby ensuring that turning facilities are provided.

RELEVANT HISTORY

12. B/07/01362/FUL - Withdrawn - Alterations and extensions to existing dwelling to form 2 no. dwellings.
13. B/07/01893/FUL – Refused - Alterations and extension to existing dwelling to form 2 no. dwellings.
14. B/08/01888/LBC – Granted - Application for Listed Building Consent - Demolition of a brick wall.
15. B/89/00332/FUL – Granted - Two storey side extension.
16. B/78/00092/ - Granted - Extension to form new bedroom and lobby.

NATIONAL GUIDANCE

17. **PPS1** (Delivering Sustainable Development)
18. **PPS3** (Housing)
19. **PPG15** (Planning and the Historic Environment)

PLANNING POLICIES

20. 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)
- **ENV6** (The Historic Environment)
- **ENV7** (Quality in the Built Environment)

Babergh Local Plan (Alteration No. 2) 2006

- **HS02** (Villages)
- **HS27** (Density and House Type)
- **HS32** (Public Open Space)
- **HS33** (Extensions to Existing Dwellings)
- **CR02** (AONB Landscape)
- **CN01** (Design Standards)
- **CN06** (Listed Buildings)
- **CN08** (Conservation Areas)
- **TP15** (Parking and New Developments)
- **LP01** (Planning Obligations)

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

CONSULTATIONS

21. PC – Object to the application as it represents overdevelopment to the detriment of the environment and resulting in additional traffic generation. They consider that the proposed development is not of an appropriate scale or form and does not ensure that the design and layout of the building, highways and spaces around them provide for public safety.
22. LHA – Following the proposed removal of the wall, they now consider that satisfactory on-site parking and turning can be provided and therefore retract their recommendation of refusal and make the following comments:

“The County Council as Highways Authority recommends that any permission which the local planning authority may grant should include a condition that prevents the use from commencing until the area within the site shown on drawing number 1810-02G for the purposes of manoeuvring and parking of vehicles have been provided and thereafter that area shall be retained and used for no other purposes”.

23. SCC (Rights of Way) – Raise no objections to the proposal stating that Public Footpath Number 15 gives access to the development site but does not appear to be directly affected by it.

REPRESENTATIONS

24. Three letters of objection have been received covering the following issues:
 - Insufficient car parking space available to serve two dwellings.
 - On-street parking pressures would increase in Rockalls Road.
 - The area to be used for parking to the new dwelling is sub-standard.
 - The drive/footpath is only wide enough for a car, not a car and pedestrian at the same time.
 - Further development of the site will leave very little garden.
 - One of the proposed bedroom windows would give rise to overlooking.
 - The term ‘affordable housing’ is questioned.

PLANNING CONSIDERATIONS

25. The application site is situated within the Built-up Area Boundary of Polstead where the principle of residential development on the site is acceptable subject to an assessment of all material planning considerations. The key issues in the determination of this application are:

- Impact upon the character of the area (including upon the Conservation Area, the setting of listed buildings and the AONB).
- Impact upon residential amenities.
- Parking provision and highway implications.

Impact upon the Character of the Area

26. In terms of operational development, the proposed extension to the western elevation of the northern half of the application property (Plot 2) is modest in scale and being single storey in nature can be described as a subordinate addition that complies with Policy HS33 of the Local Plan.
27. At 0.03 hectares in area the conversion of D'Arcy Cottage back into two independent units of accommodation equates to 66 dwellings to the hectare. Whilst this is a higher density than the majority of housing within the immediate vicinity of the application site, it is not considered uncharacteristic of modest cottages such as those proposed.
28. While it is acknowledged that times have moved on and private car ownership has increased, it is considered that the creation of two modest sized dwellings is not objectionable and would have very little impact upon the character or appearance of the area. The same comments apply to the setting of the adjoining listed building, Green Cottage, and Hillside Cottage in addition to the wider Conservation Area. As the site is situated within a settlement there would be no detrimental impact upon the open character of the Area of Outstanding Natural Beauty. As a result no obvious conflict has been identified with the provisions of Local Plan Policies CR02, CN06 and CN08.

Impact upon Residential Amenity

29. The previous planning application (B/07/01893/FUL) was refused solely on parking and highway safety grounds. The issues raised with respect to the insertion of windows at first floor level, and the resultant impact in terms of overlooking and loss of privacy, would not be reasons for refusal that could be substantiated on appeal. The insertion of additional windows would be permitted development and therefore, no application for planning permission is actually required in this respect.
30. Other issues raised by objectors are centred upon parking provision and highway implications.

Parking Provision and Highway Implications

31. The earlier planning application attracted a recommendation of refusal from the Local Highway Authority as indeed did the original submission for this planning application.
32. On submission of additional information, however, and in particular a copy of the Deed of Mutual Grant held between the owners of both the application site and Green Cottage to the north (allowing turning facilities to be provided) and the swept car path analysis, the Local Highway Authority have now removed their objection to the proposed development.
33. The Local Highway Authority do, however, recommend that a condition be imposed to ensure that the boundary wall on the northern boundary between the application site and the garage forecourt area to Green Cottage be removed prior to the commencement of the use of the proposed dwelling (Plot 2) to be commenced.
34. Neighbour comments regarding the adequacy of the parking area provided to Plot 2 are noted and in view of the adverse camber which is apparent on site which slopes roughly in a north to south direction towards D'Arcy Cottage a scheme of works would need to be submitted and approved in writing by the LPA to ensure that the parking space provided is usable thereby minimising additional on-street parking pressures.

35. It must be noted however that Rockalls Road does not have any parking restrictions and in view of the fact that the Local Highway Authority have now removed their reason to object, it is considered that it would be unreasonable to refuse planning permission on this basis.

Other Issues

36. Queries have been raised by objectors over the status of the dwellings which is in response to the applicant's stating that affordable housing would be created. It must be stressed that although two modest units of accommodation would be provided as a result of this proposal it would not be affordable housing in accordance with the normal definition. It would however be open market housing which would likely attract a modest price/rent and therefore, would provide smaller units of accommodation for individuals who do not qualify for affordable housing units through the Council's housing waiting list.

Public Open Space

37. Policy HS32 of the Adopted Local Plan requires all applications proposing new dwellings to make provisions for public open space. This is either in the form of on-site provision or off-site provision in the form of commuted payment.
38. In this case given the small size of the site and layout of the development, on-site public open space provision would not be appropriate. The applicant has provided the requisite documentation to enter into a planning obligation with the local planning authority to provide a commuted sum toward off-site public open space provision.

CONCLUSION

39. The proposed development would make efficient use of an existing residential site and would provide two units of residential accommodation at the lower end of the market. The development would not be out of character with its surroundings and would protect the amenities of surrounding residents.
40. The level of parking provision for the proposed dwelling meets the Council's adopted standards and no objection is raised by the LHA on the grounds of highway safety.

REASONS FOR APPROVAL

41. The proposed development would make good use of land situated within the Built-up Area Boundary whilst ensuring that the character of the street scene and the amenities of neighbours are protected. Furthermore, the proposed development would not give rise to harm to the setting of adjacent listed buildings, the character of the Conservation Area or the Area of Outstanding Natural Beauty within which the village finds itself situated. The proposal is therefore compliant with Policies SS1, ENV6 and ENV7 of the East of England Plan and Policies HS02, HS27, HS32, HS33, CR02, CN01, CN06, CN08, TP15 and LP01 of the Babergh Local Plan Alteration No. 2 2006.

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:
- Financial contribution towards Public Open Space
- (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 outline planning permission subject to the following conditions:
- Standard Time limit
 - As per LHA requirements

- (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:
- Failure to provide financial contribution towards Public Open Space