

**TO: Members and Substitutes of the
Development Control Committee**

**(Copy to recipients of Development
Control Committee Papers)**

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1 September 2017

Dear Councillor

**ST EDMUNDSBURY DEVELOPMENT CONTROL COMMITTEE - THURSDAY 7
SEPTEMBER 2017**

I am now able to enclose, for consideration on the Thursday 7 September 2017 meeting of the St Edmundsbury Development Control Committee, reports relating to the following items that were unavailable when the agenda was printed.

**Agenda
No** **Item**

4. **Planning Application DC/17/0595/RM - Development Zones I, K
and L, Marham Park, Bury St Edmunds (Pages 1 - 2)**

Report No: **DEV/SE/17/036**

Reserved Matters Application - Submission of details under DC/13/0932/HYB for details of access, scale, layout, appearance, landscaping and parking for Development Zones I, K and L for 180 dwellings Including Details Reserved by Conditions C19, C20, C21, C22, C23, C30, C31, C35, C36 and C37 of application DC/13/0932/HYB

5. **Planning Application DC/17/0232/FUL - 65 Horsecroft Road, Bury
St Edmunds (Pages 3 - 12)**

Report No: **DEV/SE/17/037**

Planning Application - (i) 1no new dwelling with extension to existing access drive and (ii) Single storey side extension to No.65 Horsecroft Road and remaining works to new drive entrance

Helen Hardinge
Democratic Services Officer

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Development Control Committee

7th September 2017

Late Papers

Item 4 – DC/17/0595/RM – Development Zones I, K and L, Marham Park

Further representations made following reconsultation

1. Page 28 Paragraph 18: Suffolk County Council Flood and Water Engineer has confirmed that their holding objection can be removed following discussions with the applicant and their drainage engineers. Amended plans to reflect these discussions are due to be submitted in advance of Development Control Committee.
2. Page 29 Paragraph 22: Comments from Strategy and Enabling Officer following reconsultation – No further comments to make.
3. Page 29 Paragraph 24: Comments from Police Architectural Liaison Officer following reconsultation – Still have some serious concerns around security for dwellings around rear parking to dwellings as well as garages being sited to the rear and away from the property and some dwellings are still providing dark, long rear access alleyways. The layout still shows that most houses are backing on to each other rather than facing each other.

Officer Comment – Officers do not consider that parking to the side and garages to the rear of dwellings would result in a significant risk of crime or antisocial behaviour and consider that the parking areas and garages proposed have a reasonable degree of visibility from properties and the public realm. In respect of houses backing on to each other, this is a result of the shape of the development zone posing a constraint on the layout and officers consider it preferable to have houses backing on to each other and facing out than being inward facing with rear gardens to the edge of the development zone as this would result in an unsatisfactory visual appearance. It is accepted that there are a number of properties served by rear passageways but bin storage points are provided in curtilage to reduce the likelihood of bins being kept in alleyways to avoid the risk of bins being climbed on. Furthermore the applicant has confirmed that gates would be lockable. Overall officers consider that the proposed development has adequately considered crime and anti social behaviour.

4. Page 29/30 Paragraph 25: Ecology, Tree and Landscape Officer has confirmed to officers that they do not intend to comment further following the submission of amended plans.
5. Page 38 Paragraph 64: The applicant has confirmed verbally their intention to increase the number of bat and bird boxes across the development and amended plans are to be submitted in advance of Development Control Committee.



Development Control Committee

7th September 2017

Late Papers

Item 5 – DC/17/0232/FUL – 65 Horsecroft Road, Bury St Edmunds

Clarification and amendments to committee report

1. Paragraph 2 (page 46) – For clarification purposes the dimensions that are referred to are that of the amended dwelling as shown on plans 160910/003 REV C, & 160910/004 REV C. The amended dwelling will measure 12.05m wide, 9.55m deep, 2.8m to the eaves and 4m to the ridge, and will have a floor area of approximately 115sqm. The correct amended site layout plan (160910/001 rev C) is attached at appendix A.
2. Paragraph 3 (page 46) – The amended proposal has not reduced the overall ridge height of the dwelling proposed under this application; it remains at 4m to the ridge as originally submitted.
3. Representations (page 47) – Additional representations have been received from 136 Hardwick Lane. The objection raised is in line with the previous objections already made, as noted on page 47.
4. Paragraph 29 (page 50) – For clarification, the dwelling that was considered under the previous application DC/14/2281/FUL and by the inspector, measured 5.9m to the ridge (copy of appeal decision attached at Appendix B). The ridge line height for this amended scheme which have been submitted as part of this application measures 4m in height.
5. Page 50 – for reference, the following are the site areas (as measured by the Case Officer) of the proposed and neighbouring dwellings.

Address	Site Area (sqm)	Dwelling (sqm)	Curtilage (sqm) (site area – dwelling footprint)
61 Horsecroft Road	2240	131	2109
63 Horsecroft Road	995	183	812
65 Horsecroft Road (Existing)	1472	153	1319

65 Horsecroft Road (Proposed) (Not including shared access track)	870	173	697
65a Horsecroft Road (Proposed dwelling) (Not including shared access track)	796	115	681
67 Horsecroft Road	1523	227	1296
69 Horsecroft Road	1797	207	1590
Stonebridge Cottage, Horsecroft Road	795	62	733
136 Hardwick Lane	1027	190	837

As noted in the above table, the subdivision of the site results in the site area and curtilage of the proposed dwellings being significantly less than those of adjacent plots. This further reinforces Officer's concerns regarding the proposed impact of the development on the character and appearance of the area, as noted in paragraph 30 of the committee report.

6. Pages 51 and 52 – The applicant has suggested that 10m of the existing fence (fronting Horsecroft Road) could be repositioned a further 900mm back into the site. This would then provide sufficient space for planting an evergreen Laurel hedge 1500-2000mm high. The applicant has stated that the Laurels would be spaced at x2 per metre, for 10mts. (= 20 Plants). Officers consider that this would resolve both the urbanising impact from the fencing, and the lack of private amenity space for no.65. Whilst the recommendation remains for refusal, if members were minded to grant permission, then officers could request a planting plan showing the layout, spacing, and detail of the proposed hedge and fencing. Given this detail paragraphs 35 to 37 are no longer relevant in the determination of this application.
7. Page 53 – Refusal Reason 1 amended to read:

The proposal will result in a contrived and cramped development which does not recognise the existing spacious urban form and pattern of development in this locality, which consists of dwellings set within generous plots. The subdivision of the site will cause the existing dwelling No. 65 to be out of proportion with surrounding plot sizes with minimal private amenity space. Consequently, the scheme will result in a harmful disruption to the spacious character of the area. The proposal is therefore considered contrary to the principles of good design set out within Policy CS3 of the St Edmundsbury Core Strategy (2010), Policies DM2 and DM22 of the Joint Development Management Policies Document (Feb 2015) and the National Planning Policy Framework.

8. Page 52 – Following the suggestion to plant hedging as detailed in paragraph 6 of this Late Paper, it is no longer necessary for refusal reason 2 to form part of the recommendation.

Documents:

- Appendix A – Amended site layout plan
- Appendix B – Appeal decision relating to DC/14/2281/FUL

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CDM - RESIDUAL RISKS

The following are considered to be significant risks relevant to this drawing, which could not be fully mitigated or removed through design. Further possible control measures have been identified within the Design Risk Assessments which may help to mitigate these and other identified risks further during the construction / maintenance process;



New approved vehicle entrance for 65 Horsecroft Rd.

Horsecroft Road

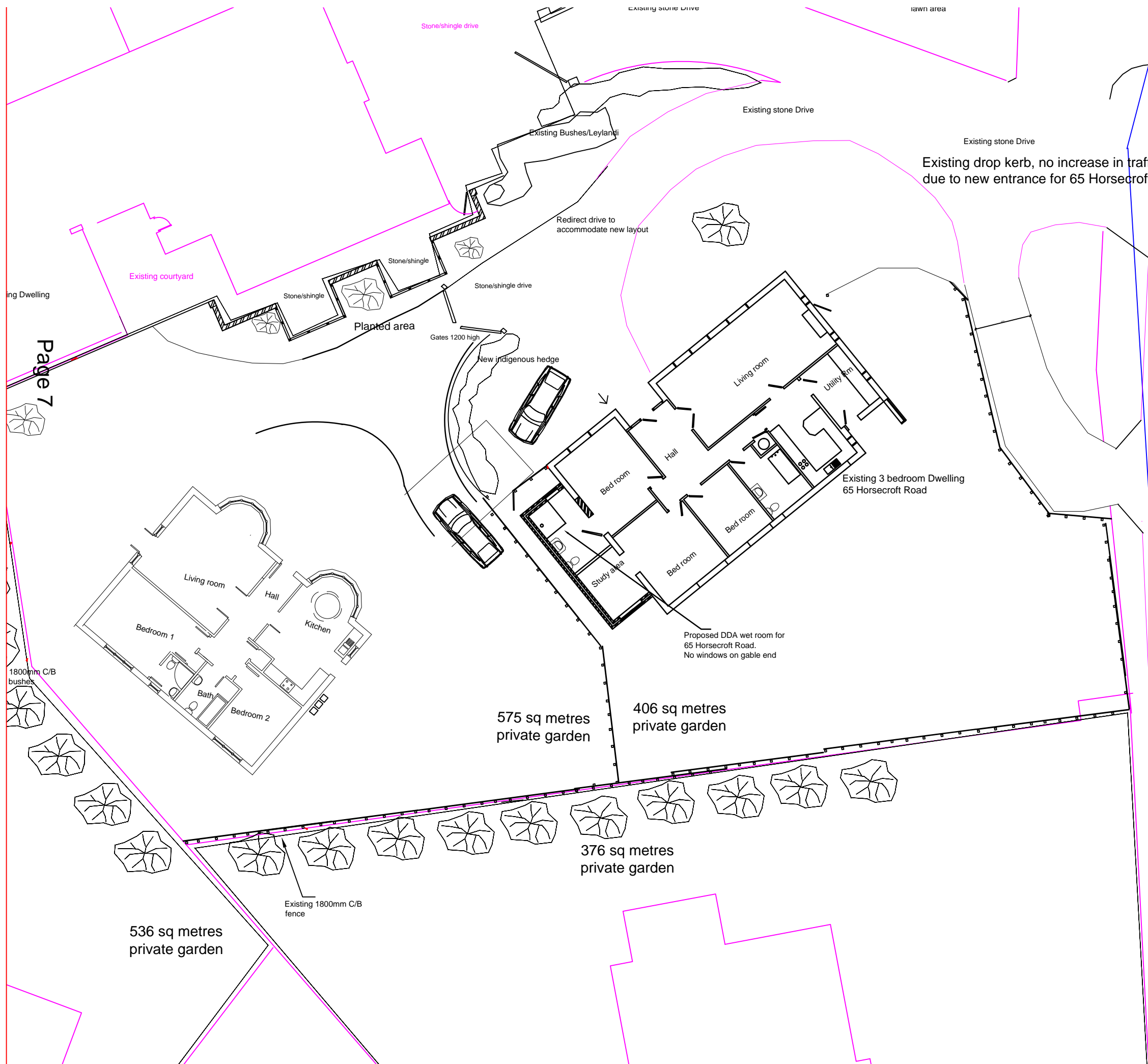
NO DIMENSIONS TO BE SCALED FROM THIS DRAWING

Revision note			
New Layout to Proposed Bungalow	10/6/17		
New Layout to bungalow with x2 bow windows	18/7-17		
Revisions	Date	Drawn	Chk'd

Client
MR. & MRS. T. GRANGE
 69 Horsecroft Road
 Bury St Edmunds
 Suffolk
 IP33 1HE

Project
 65 Horsecroft Road. IP33 2DT
 New build two bedroom bungalow

DOCUMENT_SOURCE		Status
Drawing Title		
SITE_LAYOUT		Scale - 1/200
65.HORSECROFT.ROAD		Scale at A3
BURY.ST.EDMUNDS		Drawing Number
IP332DT		1609107..001
		Rev
		C



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Appeal Decision

Site visit made on 6 October 2015

by Caroline Mulloy BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 November 2015

Appeal Ref: APP/E3525/W/15/3031345

65 Horsecroft Road, Bury St Edmunds, Suffolk IP33 2DT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Trevor Grange against the decision of St Edmundsbury Borough Council.
 - The application Ref DC/14/2281/FUL, dated 2 December 2014, was refused by notice dated 5 March 2015.
 - The development proposed is demolition of single garage, erect new two bedroom bungalow. Extend existing drive.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - The effect of the proposal on the character and appearance of the area and;
 - The effect of the proposal on the living conditions of the occupiers of 65 Horsecroft Road with specific reference to garden space.

Reasons

Character and Appearance

3. The proposal is situated to the east of 65 Horsecroft Road (No 65) forming part of the side garden of that property. A private gravel access road leading off Horsecroft Road serves a small cul-de-sac containing 65, 67 and 69 Horsecroft Road. The area is defined by mainly one to one and a half storey detached properties set in large plots with substantial tree and shrub planting giving the area a spacious and leafy character.
4. No 65 is a modest bungalow set in a large plot. The garden area to the east of the property has an uneven surface and is grassed over. Whilst it has an unkempt appearance it, nevertheless, contributes to the spacious character of the area.
5. The proposed dwelling is situated within the settlement boundary of the town in a sustainable location. The overall scale and materials of the proposal would generally reflect the existing properties in the cul-de-sac.

6. However, as a result of the proposal, I consider that both the proposed new bungalow and no 65 would sit in small plots which would be at odds with the prevailing character of the area. The loss of the garden area and its replacement with built development would have a detrimental effect on the spacious and locally distinctive character of the area.
7. Whilst the roof of the proposed dwelling would be relatively steep compared to no 65, I note that 69 Horsecroft Road (No 69) and also 136 Hardwick Lane also have a steep pitched roof. However, as the roof of the proposal would be higher than that of no 65, it would be visible over the roof of no 65 from Horsecroft Road and the access track resulting in a more built-up appearance.
8. The appellant contends that the area has a mixed character and that some dwellings are situated in smaller plots. It is accepted that there is a mix of both traditional and modern properties with a diverse palette of materials ranging from flint to brick. However, whilst there are some notable exceptions on the western side of Horsecroft Road, the prevailing character on the eastern side of Horsecroft Road and also on Hardwick Lane is that of detached properties set in spacious plots. This lower density development provides an appropriate transition between the higher density development of the town and the open countryside which is reached a short stretch along Horsecroft Road from the appeal site. Consequently, the proposal would be at odds with the existing pattern of development and I, therefore, conclude that it would have a detrimental effect on the spacious character and appearance of the area.
9. Furthermore, whilst each application must be considered on its merits, I consider that approval of this proposal could be used in support of a similar scheme given that the principal of development in gardens would have been accepted. Allowing this appeal would make it more difficult to resist further applications for similar development and I consider that the cumulative effect would exacerbate the harm which I have identified.
10. The appellant also refers to the fact that an outbuilding could be constructed on the site as permitted development, covering up to 50% of the site and with a height of 4m. However, a building which could be erected under permitted development rights would be significantly lower than the appeal proposal and would, therefore, be less harmful.
11. Paragraph 7 of the National Planning Policy Framework sets out the economic, social and environmental dimensions of sustainable development. Whilst the proposal would make a small contribution to the economic dimension through the construction phase this would be very modest and short term. The contribution which a single dwelling can make to housing supply is, by its nature, very limited. In terms of the environmental aspect, the proposal would be situated in a sustainable location in close proximity to services. However, the proposal would have a harmful effect on the character and appearance of the area which would be contrary to paragraphs 17 and 56 of the Framework which seek to secure high quality design. Good design is a key aspect of sustainable development, indivisible from good planning. Planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Paragraph 53 of the Framework also states that Local Planning Authorities should consider the case for setting out policies to resist inappropriate development of residential gardens where development would

cause harm to the local area. For the reasons set out above I consider the proposal would conflict with paragraphs 17, 53 and 56 of the Framework.

12. The proposal is also contrary to Policy CS3 of the St Edmundsbury Core Strategy 2010 which seeks to ensure that proposals for new development create and contribute to a high quality, safe and sustainable environment, and in particular bullet point three which requires proposals to have an understanding of the local context and an indication of how the proposal will enhance the area.
13. Furthermore, the proposal is in conflict with Policy DM22 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document 2015 which seeks to ensure that all residential development proposals maintain or create a sense of place and/or character. The proposal is also contrary to the Supplementary Planning Document Development Design and Impact 2011 which states that proposals for development will be considered favourably where they recognise and address the key features, characteristics, landscape/townscape character and local distinctiveness of the area and maintain a sense of place and character.

Living Conditions of 65 Horsecroft Road

14. The proposal would occupy the side garden of no 65. A new vehicular access is proposed for no 65, which has highways consent, in order to enable the existing access to be extended to serve the new property. The Highways Department have not objected to the appeal proposal on the basis that the substitution of one dwelling with another would not lead to an overall increase in use, providing the access can be created safely.
15. As a result of the new access, the rear of no 65 will effectively become the front. Whilst it is recognised that No 65 would still have 400 square metres of garden remaining, this would be visible from Horsecroft Road and would not, therefore, be private. There would be minimal amount of garden to the rear, facing onto the access road. Furthermore, the proposed access would take up part of the new front garden reducing the amount of useable garden space and it would also open up views to the garden from the road. Whilst the proposed new access is not part of the application, as it has highways consent, it is a consideration in the determination of this application. Consequently, the cumulative effect of the new proposed access and the appeal proposal would result in No 65 having a minimal amount of private garden space.
16. The plans show the location of a garage, however, no details have been provided and it does not, therefore, form part of the application. It is noted, however, that this would be erected close to the bedroom windows of no 65, which would result in a loss of light and outlook to those windows. Whilst this is undesirable, it cannot be taken into account in the consideration of this appeal as it does not form part of the application.
17. I, therefore, conclude that the proposal would have a detrimental effect on the living conditions of the occupiers of No 65 by virtue of reducing the amount of private garden space and would, thereby, be contrary to Policy DM22, criteria K which requires that new dwellings are fit for purpose and function well, providing adequate space, light and privacy and; paragraph 17 of the Framework which seeks to secure a high standard of amenity for existing and

future occupiers. It would also conflict with SPD criteria e vii) which seeks to ensure that proposals do not affect residential amenity.

Other Matters

18. I am satisfied that the appeal proposal is situated in such a way that it would not have an adverse effect on the living conditions of adjoining properties (other than No 65) in terms of privacy, outlook or over-shadowing.

Conclusion

19. I have carefully considered the benefits of the proposal in terms of contributing to housing supply in a sustainable location with the harm which the proposal would cause to the character and appearance of the area. I have also considered the harm which would be caused to the living conditions of the occupiers of no 65. On balance, I conclude that the totality of the harm I have identified would outweigh the benefits of the proposal. For the reasons set out above I, therefore, dismiss the appeal.

Caroline Mulloy

INSPECTOR