



St Edmundsbury
BOROUGH COUNCIL

DEV/SE/16/042

Development Control Committee

2 June 2016

Planning Application DC/16/0456/FUL

Proposed Dwelling, The Chestnuts, Whepstead

Date 2 March 2016 **Expiry Date:** 27 April 2016 Extension
Registered: of time agreed

Case Charlotte Waugh **Recommendation:** Grant
Officer:

Parish: Whepstead **Ward:** Chedburgh

Proposal: Planning Application - Earth sheltered dwelling – Re-submission of
DC/15/0760/FUL

Site: The Chestnuts, Brockley Road, Whepstead, Suffolk

Applicant: Mrs Sally Tolhurst

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

Recommendation:

It is recommended that the Committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

Email: charlotte.waugh@westsuffolk.gov.uk

Telephone: 01284 757349

Background:

This application is presented to the Committee as the scheme proposed does not comply with the adopted development plan but Officers are recommending approval. The Parish Council is in support of the application.

A site visit is scheduled for Thursday 26 May 2016.

Proposal:

1. Planning permission is sought for the erection of a two bedroom dwelling to the rear of both The Chestnuts and Meadow View, Brockley Road. The proposed dwelling is built into the slope of the site with the lower level built as a basement below ground accommodating studio, bedrooms, storage and garaging and the first floor partially sheltered by the surrounding land and containing kitchen and living areas. It would be served by an existing access to 'The Chestnuts' and provide parking for 2 vehicles within a sunken courtyard. The dwelling itself has a floor area of 235m² which excludes the car port and covered terrace which surrounds the first floor.

2. Application Supporting Material:

3. Information submitted with the application as follows:

- Application form
- Existing and proposed plans
- Design and Access Statement
- Enviroscreen report and Land Contamination Questionnaire
- Visualisations

Site Details:

4. The application site forms the rear garden of 'The Chestnuts' and is accessed from Brockley Road with a gravelled parking area to the side of the dwelling containing a cart lodge. This access leads to the application site which is behind a close boarded fence behind the host dwelling. The site itself slopes away from Brockley Road and comprises boundary treatments of fencing to the east and hedging on other boundaries. It contains a swimming pool, log cabin and poly tunnel and is used by the applicants as an extension to their garden, although it is separated from such. Surrounding development comprises a linear pattern of residential dwellings to both the east and west of the highway.

Planning History:

5. DC/15/0760/FUL – Earth sheltered dwelling – Withdrawn

Consultations:

6. Highway Authority: No objections subject to condition.
7. Public Health and Housing Officer: No objections, subject to condition concerning working hours.
8. Land Contamination Officer: No objections, recommends informative.

Representations:

9. Parish Council: Support the application.
10. Neighbours: Representations have been received from two neighbours, one in support of the proposal and one raising the following summarised concerns:
 - Traffic generation
 - Noise and disturbance
 - Potential impact on ability to extend own dwelling
 - Impact on disabled son

Policy:

The following policies of the St Edmundsbury Core Strategy December 2010 and the Joint Development Management Policies Document have been taken into account in the consideration of this application:

11. Joint Development Management Policies Document 2015
 - Policy DM1 Presumption in favour of Sustainable Development
 - Policy DM2 Creating Places
 - Policy DM5 Development in the Countryside
 - Policy DM7 Sustainable Design and Construction
 - Policy DM22 Residential Design
 - Policy DM27 Housing in the Countryside
12. St Edmundsbury Core Strategy December 2010
 - Policy CS2 Sustainable Development
 - Policy CS3 Design and Local Distinctiveness
 - Policy CS13 Rural Areas
13. Rural Vision 2031
 - RV1 Presumption in favour of sustainable development

Other Planning Policy:

13. National Planning Policy Framework (NPPF) (2012) core principles and paragraphs 47 – 68

Officer Comment:

14. The main issues for consideration are:

- Principle of Development
- Impact on Visual Amenity
- Impact on Residential Amenity
- Impact on Highway Safety

Principle of Development:

15. Policies CS4 and CS13 of the Core Strategy dictate the settlement hierarchy for the Borough and classify Whepstead as an infill village due to its limited range of facilities and lack of good public transport links. The village of Whepstead is spread out into various clusters of dwellings with a single housing settlement boundary surrounding one of these clusters. The application site, whilst adjacent to one of these clusters, is outside of any designated boundary and as such, is defined as Countryside for policy purposes.
16. The Rural Vision 2031 explains that some infill development may be acceptable in countryside locations and this would comply with the first part of paragraph 55 of the NPPF which states that *“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.....”*. However, RV1 states that this approach is limited to development fulfilling the criteria outlined in policy DM27 of the Development Management Policies Document adopted in February 2015.
17. DM27 allows new dwellings in the countryside subject to satisfying the below criteria:
- A. The development is within a closely knit ‘cluster’ of 10 or more existing dwellings adjacent to or fronting an existing highway,*
- B. The scale of development consists of infilling a small undeveloped plot by one dwelling or a pair of semi-detached dwellings commensurate with the scale and character of existing dwellings within an otherwise continuous built up frontage.*
18. In addition, DM27 states that permission will not be granted where a proposal harms or undermines a visually important gap that contributes to the character and distinctiveness of the rural scene, or where development would have an adverse impact on the environment or highway safety.
19. In this case, the position of the proposed dwelling is behind that of ‘The Chestnuts’ and ‘Meadow View’. Therefore, it does not comply with the above criteria in that it does not front a highway, nor does it infill a small undeveloped plot. This conflict with policy must be taken as being a factor which weighs against the scheme. However, this part of Whepstead, accommodates more than ten dwellings and is clearly a ‘cluster’, which further limits any harm in principle given that, for example, a dwelling of appropriate scale and appearance could readily be permitted on land

immediately to the south of The Chestnuts, or to the south of Meadow View between it and 2A, within close proximity to the site.

20. The site does not provide a visually important gap, as public views into it are obscured by boundary treatment, particularly from Brockley Road. Moreover, the proposal does not cause any highway safety issues or have an adverse impact on the environment.
21. In common with all such applications for residential development received at this time, it is advisable to consider the potential benefits, such as economic, environmental and societal terms of the proposal against the adverse impacts or dis-benefits. After-all, the *presumption in favour of sustainable development* is the 'golden thread' running through plan-making and decision-taking as described in the NPPF para 14.
22. Furthermore, one of the core planning principles of the NPPF, (para. 17), is to objectively identify and then meet the housing, business and other development needs of an area and respond positively to wider opportunities for growth, (irrespective of whether or not the LPA has a 5 year supply of deliverable housing sites). The Authority is currently able to demonstrate a 7.2 year supply (March 2016).
23. The proposal does offer societal 'benefit' in terms of contributing to St. Edmundsbury's housing stock and granting permission would have a positive, (albeit very slight), bearing on the Authority's housing land supply status. In addition, it is feasible that the current proposal, to some extent, could help support 'local' services and amenities within Whepstead and elsewhere, were it to be permitted. Further, the proposal would give rise to economic benefits in the construction phase and would make more efficient use of the site in housing density terms. However, the benefits brought by a single private dwelling are modest and therefore, carry less weight in the overall balance.

Design and Impact on visual amenity:

24. The design of the dwelling itself is contemporary in nature and attractive in appearance. The NPPF encourages the use of good design under section 7 and as such, the application gains notable weight in support therefore through the use of high quality architecture, and a design which responds positively to its surroundings. The proposal, due to its earth sheltered design, sunken position and modest scale, limits its impact on the landscape and wider views whilst providing for contemporary and intrinsically acceptable architecture. Noting the golden thread of sustainability that must run through all decisions these conclusions must be regarded as offering considerable weight in support of the proposal. This is further apparent noting that an infill dwelling of otherwise reduced quality design might readily be otherwise acceptable in very close proximity to this site.
25. Visibility of the site would be limited to glances through the northern boundary hedging, through the access which is currently fenced, and in limited distant views from the special landscape area to the rear of the

site. Materials proposed comprise concrete walls with Larch cladding and a sedum roof. Given the rural location of the site, these are considered wholly appropriate and will further contribute to the blending of the dwelling into the landscape.

26. Paragraph 55 of the NPPF offers potential support, and an exemption given to an otherwise isolated location, to dwellings as a result of their exceptional quality or innovative nature. Officers consider that the design is interesting and plainly of a high quality, responding as it does to its context. Although, it is not considered exceptional on a national level, the design and sustainability credentials of the proposal weigh heavily in its favour.

Impact upon Residential Amenity:

27. The access is proposed between the existing dwellings at The Chestnuts, within the applicants' control, and Meadow View to the south. These are both separated from the access a sufficient distance, such that any additional vehicular movements into and out of the site, noting that it only proposes a two bedroom dwelling, are not likely to have a significant effect upon the character and appearance of the area.
28. Whilst it is appreciated that the neighbouring occupants have raised concerns, the dwelling, by reason of its sunken nature and the generous stand off distances to nearby property, is not considered likely to have any material adverse impacts upon amenity. Furthermore, the development of this site does not necessarily affect the ability of the neighbouring dwelling to be extended.

Impact on Highway Safety:

29. The Highway Authority is satisfied with the visibility splays achievable from the existing access and as such, has raised no objections to the proposal.

Conclusion:

30. This remains a balanced matter therefore, noting the conclusions drawn above. It is clear that the fact that the immediate area can be considered to be a 'cluster' is this limits any harm in principle given that, for example, a new market dwelling of appropriate scale and detailing might readily be permitted on the land south of The Chestnuts, or, as a further example, on the land between Meadow View and No. 2a.
31. Regardless, it is not considered that Policy DM27 can be considered to be satisfied in relation to this scheme. However, by reason of the design, positioning and scale of the dwelling which is largely sunken into the landscape, Officers consider it would be difficult to refuse the application on the grounds that it was intrusive or detrimental to surrounding landscape character. On this basis, whilst the development is proposed to the rear of established linear development, the harm arising is not considered significant enough to warrant refusal of the application.

32. Therefore, whilst the scheme is not policy compliant, and whilst this must consequentially be taken as a factor which weighs against this proposal, the weight attached to such is limited by the fact that the site is adjacent to an area where an infill dwelling would otherwise be acceptable. It is also the case that the design quality must also be taken as being a factor which weighs notably in favour of the proposal and that this context, plus the wider material benefits, justify a setting aside of the policy in this instance.

33. Consequently, it is considered that on balance, the proposal is considered acceptable accordingly, the application is recommended for approval.

Recommendation:

It is **RECOMMENDED** that **planning permission be granted** with the following conditions:

1. Time limit
2. Hours of construction
3. To be built in accordance with approved plans
4. Visibility splays
5. Removal of Permitted development for outbuildings

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online.

Case Officer: Charlotte Waugh

Date: 25 April 2016