

**PLANNING COMMITTEE – 16 AUGUST 2016**

**APPLICATION NO DC/16/2082/FUL**

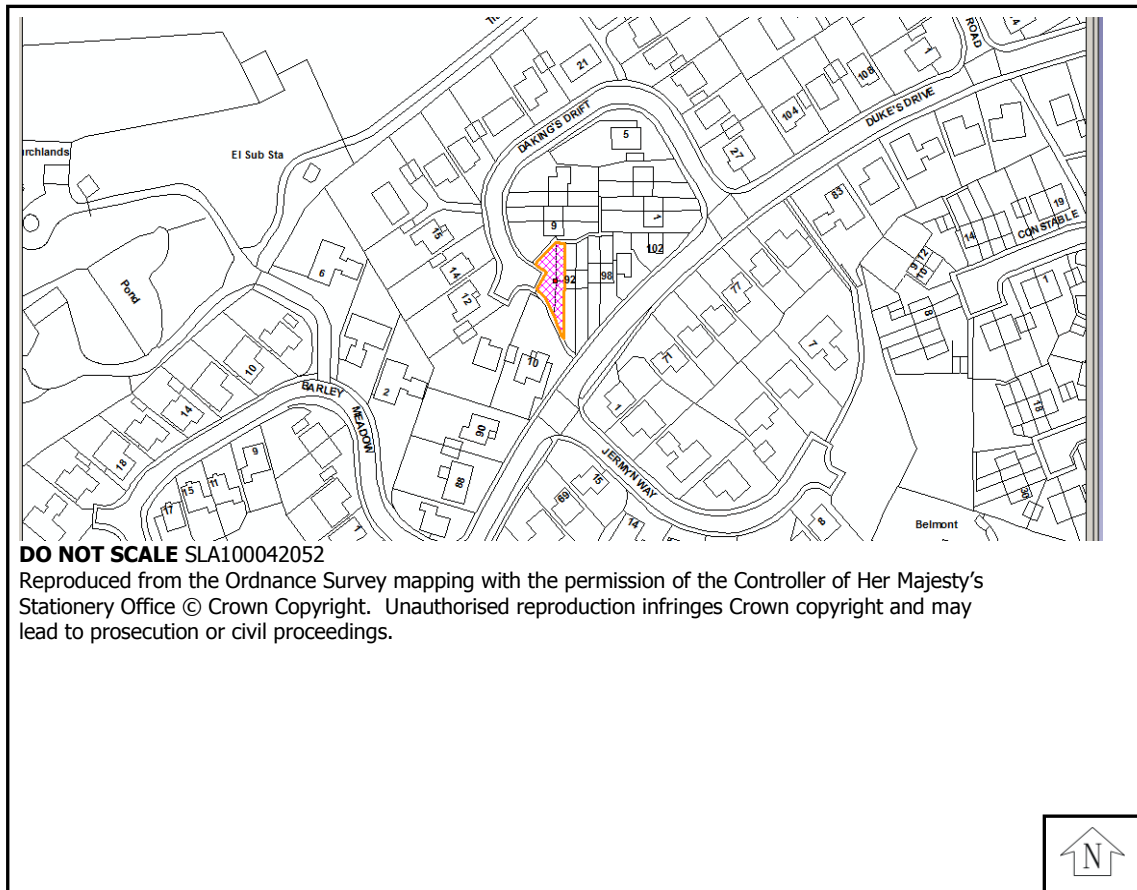
**10**

**LOCATION**

92 Dukes Drive  
Halesworth  
Suffolk  
IP19 8DR

**EXPIRY DATE** 17 July 2016  
**APPLICATION TYPE** Full Application  
**APPLICANT** Mrs Rose Hart

**PARISH** Halesworth  
**PROPOSAL** Construction of 1 No. House



**SUMMARY**

- 1.1 This application proposes a new house on the end of an existing house. A two storey side extension to the existing house has previously been approved in a similar location.
- 1.2 The application has drawn objections from the Town Council and local residents, but the recommendation is for approval..

## SITE DESCRIPTION

- 2.1 Dukes Drive is the main spine road through a housing estate in the south west part of Halesworth. Whilst the majority of dwellings on the estate are detached, no. 92 is part of a small group of semi-detached and terraced houses.
- 2.2 Dakings Drift is a cul-de-sac which curves around the group, and has a turning head adjacent to the application site.

## PROPOSAL

- 3.1 Planning permission was granted last year for a two storey extension on the side of no.92. The current application proposes a similar building size, albeit slightly wider and with the addition of a forward projecting element, but as a separate three bedroom dwelling. Two parking spaces are proposed, in a "tandem" configuration, facing onto the turning head of Dakings Drift. The development will require the removal of five trees between the existing house and the turning head; these trees are not subject to a Tree Preservation Order.

## CONSULTATIONS/COMMENTS

- 4.1 **Neighbour consultation/representations:** five representations have been received:
- 4.2 Mr & Mrs Nichols, 10 Dakings Drift: This new application is considerably different to the original permission sought last year and we have major concerns about the impact of this new structure on the overlook and view from our property which will need to be addressed as follows.
- 4.3 1st floor front elevation window – Despite your confirmation back in 2015 that the residents of 92 Dukes Drive would not be able to view into our lounge as this window was to be a bathroom window and of frosted glazing – the new plans clearly show this to be a bedroom window at the front. In fact the bathroom is now at the rear of the property. This will severely impact on our privacy.
- 4.4 Size of front elevation windows – Last year we had it confirmed that the extension being given permission has restrictions meaning the size of the front windows had to be the same as in the existing adjoined properties – and so would be small in nature. Please can you confirm to us the actual measurements of the new front windows – ground and 1st floor – and the measurements given on the original planning granted last year as my plans seem to show that the new windows are considerably larger.
- 4.5 In your letter dated 20th April 2015 you indicated that the distance between the frontage of our property and the extension being requested last year was over 20 metres and so would not overlook us to any degree. As the new plans show that the new extension is coming out at the front far more than the original plans which are running in line with the existing adjoined properties we now need a clear measurement from the front of our property to the final frontage of the new lounge on 92 Dukes Drive as we feel sure is now far shorter and as a result would impact again on our privacy.
- 4.6 Car parking - It also appears from the new plans that there is a proposal to drop the kerbing in the existing turn point in Dakings Drift to allow two vehicles to access the property at 92 Dukes Drive. This in itself could lead to problems in Dakings Drift with cars not only blocking our driveway which is adjacent to the turning point but will mean that delivery vans/refuse lorries and of course three properties in this corner of Dakings Drift having problems reversing out of their own properties.
- 4.7 Further representations: Today is rubbish day at home so here are some pictures. The first one will eventually be a dropped kerb for the new property. Can the council tell me where

the bins from all these houses will then go? Of course they can't go behind this scene otherwise how will we at no. 10 or no 11 and 12 leave their driveways?

- 4.8 I appreciate these may be minor moans and groans from us residents but of course if the highways do allow this it will be a very real issue.
- 4.9 Owner of 7 Dakings Drift: not enough space on the site for a dwelling; potential surface water drainage issues.
- 4.10 Mr & Mrs Rous, 17 Dakings Drift: concerned about congestion as they currently have difficulties getting out of their drive at present. Access should be from Dukes Drive. Also loss of view and trees. Concerned about surface water drainage.
- 4.11 Mr Harrold, 9 Dakings Drift: The map is incorrect as it doesn't show the existing off-street parking; the driveways to the terraced houses do not reach the highway. A part of the rear garden and side accessway to 90 Dukes Drive has been included in the application area, and when I made enquiries about the condition of the triangular area of land (with pine trees) adjacent to the end of Dakings Drift I was informed by WDC that it was unregistered land and therefore is not owned by the applicant.
- 4.12 Mr & Mrs Wood, 12 Dakings Drift: we have great concerns for these plans on the following grounds:
- 4.13 1. In our opinion, the house is far too large. This little block of Dukes Drive/Dakings Drift currently consists entirely of small 'starter' type homes and bungalows. A three bedroomed family house with bathroom, downstairs cloaks and a double access driveway is totally out of keeping, both visually and atmospherically. Upstairs at the rear the bedroom and bathroom will look straight into our lounge. Presumably the bathroom window will be glazed, but the bedroom window location will impact on our privacy.
- 4.14 2. A family home? But very little garden, so will children play in this quiet little close full of elderly people? Or will there be teenagers with cars of their own? Four cars parked in the 'turning head'. Either way, Dakings Drift will not be as safe or peaceful as it is at the moment.
- 4.15 3. This application is misleading in two ways and very carefully worded. Firstly, the 'existing adjacent turning head', which is mentioned several times, but glossed over, is not adjacent. It isn't on Dukes Drive, but Dakings Drift and it is already quite busy. To get off our drive and neighbouring properties already proves difficult enough at times when cars/vans/lorries park here. And this road has more parked cars since the recent building of two other properties on this block, i.e. 100 and 102 Dukes Drive. This road can be quite cluttered enough with parked cars as it is. Secondly, the application states 'the proposed property will....replicate the existing properties in scale and height'. It is perfectly obvious that the new one would dwarf its neighbour. Indeed, it is almost as big as the two semi-detached starter type houses put together.
- 4.16 4. We realise that the trees have been judged not important enough for a preservation order, but they are important to us. All five of our beautiful trees will go. Trees contribute much to our environment and BS5837:2012 states 'providing a visual amenity' 'displaying seasonal change and opportunities for wildlife in built-up areas'. In Waveney's own comments on trees 'The enhancement of the green environment is essential to the well-being of its inhabitants' and the Council promotes trees 'on open space where opportunities arise'. We have only five trees. It is proposed that all will go. This is an opportunity to keep five pretty, mature specimens, which are full of birds and enhance our lives in every season.
- 4.17 In total, we feel this development proposed on Dukes Drive will seriously impinge on the lives of everyone in Dakings Drift in privacy, safety, visually, to say nothing of the disruption

whilst building takes place, when undoubtedly builders will consider the 'existing turning head' to be the perfect place to drop their sand, gravel, ballast, bricks and an infinite number of vehicles.

- 4.18 We would respectfully ask the planning committee to consider the mostly elderly residents of 27 houses of Dakings Drift when discussing this proposed development on Dukes Drive. Perhaps residents would be more sympathetic if it were to be very much smaller, perhaps just an extension, and if each and every aspect could be confined to Dukes Drive.
- 4.19 **Halesworth Town Council Comments:** The Committee rejected the application on the grounds of density; the plot is too small for the site, overshadowing neighbouring properties and unsuitable access.

### Consultees

- 4.20 **Essex and Suffolk Water PLC** were consulted on the 24 May 2016.
- 4.21 **Suffolk County - Highways Department:** Notice is hereby given that the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the condition shown below:
- 4.22 Condition: The new vehicular access shall be laid out and completed in all respects in accordance with Drawing No. DM02 and with an entrance width of 3 metres and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.
- 4.23 Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.
- 4.24 **Waveney Norse - Property and Facilities** were consulted on the 24 May 2016.
- 4.25 **WDC Environmental Health - Contaminated Land:** The applicant has signed and submitted and a Land Contamination Questionnaire together with an internet environmental search, neither of which provide any reasons to suspect that contamination is present or needs to be considered any further. As such, on the basis of the information submitted, it would appear that the site is suitable for the proposed use. However, I would advise the LPA to apply a planning condition requiring the reporting of any potential contamination encountered during construction.

### PUBLICITY

- 4.26 None

### SITE NOTICES

- 4.27 The following site notices have been displayed:

General Site Notice	Reason for site notice: New Dwelling, Date posted 09.06.2016 Expiry date 29.06.2016
---------------------	--

### RELATED APPLICATIONS

Reference No	Proposal	Decision	Date
DC/15/0598/FUL	Construction of a two storey side extension and erection of boundary fencing	Approved	01.05.2015

## **PLANNING POLICY**

- 5.1 The Waveney Core Strategy was adopted in 2009. Relevant policies include CS01 Spatial Strategy, CS02 High Quality and Sustainable Design and CS11 Housing.
- 5.2 The Development Management policies were approved in 2011. Policy DM01 sets Physical Limits for settlements and policy DM02 sets Design Principles.

## **PLANNING CONSIDERATIONS**

- 6.1 The starting point in the consideration of this application is planning policy. Policy CS01 sets the spatial strategy for the District. It proposes that 70-80% of new housing growth should take place in Lowestoft, with 15-25% in the four market towns, of which Halesworth is one.
- 6.2 Development Management policy DM01 sets physical limits for settlements; this site is within the physical limits for Halesworth. The development is therefore acceptable in principle.
- 6.3 However this does not mean that every site within the physical limits is acceptable for new development – other factors also need to be considered.
- 6.4 The size of the site is one factor. The proposed site includes part of the rear garden of no.92, which will however be left with a similar sized garden to adjacent properties. Although part of the rear garden will be taken up by the proposed parking spaces the overall space around the dwelling is considered acceptable.
- 6.5 The loss of trees is a further factor. At present there is no Tree Preservation Order, so no consent would be required to remove the trees. They have been inspected by the Council's tree officer and she comments that there are currently 5 trees on a relatively small plot - 3 Pines and 2 Cherries, along with 2 small groups of Cherry which are regrowth from the root stock.
- 6.6 However, none of these trees are suitable for a TPO. The Council could not consider the trees for a TPO as they are already causing structural damage to the footpath, kerbs and road. In her opinion they have been planted too close together and there are too many in such a small piece of ground to enable them to reach maturity. She imagines that they were planted when the site was originally developed most likely with a view to thin them out.
- 6.7 The access arrangements have been mentioned by all the objectors and the town council. However as Dakings Drift is not a classified road planning permission would not be required to create an access onto the turning head. Suffolk County Council highways have no objections to the application.
- 6.8 A further issue is the size of the dwelling and potential overlooking. The existing house has a width of approximately 4 metres whereas the proposed house would have a width of 6 metres. The depth and height of the proposed house would be the same as the existing apart from the front projecting wing. An amended plan has been submitted reducing the depth of the front projection from 3 metres as submitted to 2 metres. The existing houses are on a staggered building line and it is not considered that the projection will be out of character with the area.
- 6.9 With regard to overlooking, there are rooflights only at first floor level at the rear. In the side elevation overlooking the turning head there are landing and bathroom windows only.
- 6.10 At the front of the proposed house there are two first floor bedroom windows, one in the main roof in the form of a dormer window and a window in the gable of the projecting wing.

This faces towards the front of the bungalow at 10 Dakings Drift, whose occupants have objected to the application on the grounds of overlooking.

- 6.11 The separation distance between the front of 10 Dakings Drift and the front of the proposed house would be approximately 19 metres at the closest point. The objector has referred to the previous application for an extension having a bathroom window only, but this is incorrect; the window was to be split between a bedroom and a bathroom. The windows were of course 2 metres further away as there was no projecting front wing.
- 6.12 On balance this separation distance is considered to be acceptable.
- 6.13 Two residents mention surface water drainage issues. The plans show surface water to be connected to an existing surface water drainage system.

## **CONCLUSION**

- 7.1 This application has attracted objections from both local residents and the town council, however the site is large enough for a dwelling and although the objections have been carefully considered the application is recommended for approval.

## **RECOMMENDATION**

That permission be granted subject to the following conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.  
  
Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.
2. The development hereby permitted shall be carried out in accordance with approved drawing reference: 6908-PL01 rev. A received 21 June 2016 for which permission is hereby granted.  
  
Reason: To secure a properly planned development
3. The external materials to be used shall match as closely as possible in type, colour and texture those on the existing house, 92 Dakings Drive.  
  
Reason: To ensure the satisfactory external appearance of the development.
4. The new vehicular access shall be laid out and completed in all respects in accordance with Drawing No. DM02 and with an entrance width of 3 metres and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.  
  
Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.
5. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order) (with or without modification), no building or structure permitted by Classes A (extensions or alterations), B (changes to the roof) or E (buildings or enclosures within the curtilage of the house) of Schedule 2 Part 1 of the Order shall be erected without the submission of a formal planning application and the granting of planning permission by the Local Planning Authority.

Reason: To secure a properly planned development.

7. Before the development is commenced, details of the siting, height and type of screen walls and fences shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of neighbour amenity and in order to enhance the appearance of the locality.

**BACKGROUND INFORMATION:**

See application ref: DC/16/2082/FUL at

[www.waveney.gov.uk/publicaccess](http://www.waveney.gov.uk/publicaccess)

**CONTACT**

Richard Amor, Team Leader (North Area), (01502) 523018,

[richard.amor@eastsoffolk.gov.uk](mailto:richard.amor@eastsoffolk.gov.uk)