

BRECKLAND COUNCIL - PLANNING COMMITTEE - 20th November 2017

Item No.	Applicant	Parish	Reference No.
1	Mr Christopher Shuart	FRANSHAM	3PL/2017/0749/F
2	SH1 Consortium	SHIPDHAM	3PL/2017/0757/D
3	Gressingham Foods	LITTLE ELLINGHAM	3PL/2017/0791/F
4	Mrs Lake	FRANSHAM	3PL/2017/0902/O
5	Mr T Mason and Mrs M E Powles Mason and Powles	HOCKHAM	3PL/2017/0903/O
6	Mr T. H. Atkins	NORTH LOPHAM	3PL/2017/0943/F
7	Housing Ladder (Breckland) Ltd	YAXHAM	3PL/2017/1000/F
8	Arpels Development Ltd	GREAT ELLINGHAM	3PL/2017/1055/O
9	Mr Adrien Annison	ROCKLANDS	3PL/2017/1225/F
10	Mr & Mrs Chapman	CARBROOKE	3PL/2017/1248/F

ITEM: 1	RECOMMENDATION: APPROVAL
REF NO: 3PL/2017/0749/F	CASE OFFICER Laura Craddock
LOCATION: FRANSHAM Homestead, Main Road Fransham	APPNTYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: N CONS AREA: N LB GRADE: N TPO: N
APPLICANT: Mr Christopher Shuart Homestead, Main Road Little Fransham	
AGENT: Parker Planning Services Ltd Ketteringham Hall Church Road	
PROPOSAL: Closure of existing access to Homestead, Erection of 4 dwellings and new access. Remove hedge & erect 1.8m brick wall	

REASON FOR COMMITTEE CONSIDERATION

This application is referred to Planning Committee as it is contrary to policies DC2 and CP14 of the Breckland Core Strategy.

KEY ISSUES

Principle
Design
Ecology
Trees
Amenity
Highways
Contaminated land

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for the erection of two pairs of two bedroomed semi-detached dwellings, with associated garaging and gardens. The proposal seeks approval for a new access being created onto the A47. The existing Homestead entrance would be stopped up and a new entrance installed off the new proposed access. The proposal is also for the removal of the existing hedge across the front of the site and its replacement with a 1.8 metre brick wall.

SITE AND LOCATION

The application site measures at 0.22 hectares and is currently part of the residential amenity land to Homestead. The site is bounded to the east and west by existing residential development. Open land is to the south and to the north beyond the A47, which forms the northern boundary of the application site.

The application site is within Little Fransham, a small rural village, approximately 6 miles west of Dereham and 6 miles east of Swaffham. Within Little Fransham, approximately 300 metres from the application site, are Hatters Tea Rooms and Farm Shop and the Canary and Linnit Freehouse.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2015/1299/O Refusal 03-03-16

Erection of two dwellings

This application was approved at appeal, ref. APP/F2605/W/16/3146696 in July 2016.

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

CP.04	Infrastructure
CP.09	Pollution and Waste
CP.10	Natural Environment
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.04	Affordable Housing Principles
DC.12	Trees and Landscape
DC.16	Design
DC.19	Parking Provision
NPPF	With particular regard to paragraphs 7,8,47,49 and 55

OBLIGATIONS/CIL

n/a

CONSULTATIONS

FRANSHAM P C

The Parish Council recommends approval for one property only as it considers two properties to be over-development of the site. The built environment of the A47 through the village is one of individual properties

set back in their own grounds and it is the view of the Parish Council that this should be protected.

ENVIRONMENTAL HEALTH OFFICERS

Based on the information provided to me at this time, and reading comments from neighbouring residents , I recommend approval providing the development proceeds in line with the application details and subject to a condition relating to the provision of an acoustic fence to the western boundary.

CONTAMINATED LAND OFFICER

Based on the information provided to me at this time, I recommend approval providing the development proceeds in line with the application details and subject to a condition relating to unexpected contamination.

NORFOLK COUNTY COUNCIL HIGHWAYS

The site is served by A47 Trunk Road for which Highways England is the responsible Authority. I would therefore recommend that you consult that Authority if you have not already done so.

TREE AND COUNTRYSIDE CONSULTANT

It is not clear from the supplied information if the tree in the south west corner (6c) is within or outside the site boundary.

HIGHWAYS ENGLAND

Highways England recommend that a condition should be attached to any planning permission that may be granted. The condition relates to ensuring the new access is to comply with the standards laid out in TD41/95 Vehicular Access to All-Purpose Trunk Roads in the Design Manual for Roads and Bridges.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No ecological information was supplied with this application. We assume that the location is primarily existing garden and from the arboricultural information there appears to be a number of trees and shrubs that may need to be removed or have work done to them. We also note that applications in the immediate vicinity do seem to have been required to supply ecological information. Given the above, we would recommend a condition relating to breeding birds and a condition requiring an assessment of potential for use by roosting bats before work is undertaken to trees.

REPRESENTATIONS

The application was advertised in the local press between 24.07.17 and 14.08.17. Neighbours were notified and a site notice was posted.

Two neighbours have submitted objections, which can be summarised as follows:

- Loss of privacy due to height and proximity of proposed dwellings.
- Loss of views over open fields.
- Overshadowing of garden.
- Additional noise, disturbance and pollution, during construction and when occupied.
- New homes built next door to application site have been on the market for two years.
- A 2m+ hedge will be replaced by a 1.8m brick wall that would be unattractive, will not offer any privacy from the proposed properties, or any reduction in sound travelling from the properties.
- Concern over the damage or removal of the oak tree at the bottom of our garden.

ASSESSMENT NOTES

1.0 Principle

1.1 The principle of the development of this site for residential use has been established by a previous planning application that was granted permission on appeal (APP/F2605/W/16/3146696) in July 2016. The permission was for two detached dwellings. In recent years, planning permission has been granted for residential development in the plot to the west (3PL/2014/0497/F, four dwellings) that has similarities to this application.

1.2 The application site falls outside any defined Settlement Boundary. For this reason the proposal conflicts in principle with Policies DC02 and CP14 of the Core Strategy and Development Control Policies Development Plan Document (2009), which seek to focus new housing within defined Settlement Boundaries. However, paragraph 49 of the National Planning Policy Framework (NPPF) states that where an authority does not have an up to date five year housing land supply, the relevant local policies for the supply of housing as referred to above should not be considered up to date and that housing applications should be granted permission unless any adverse impacts would significantly outweigh the benefits. As published in the Statement of Five Year Housing Land Supply (July 2017), Breckland District Council are currently unable to demonstrate a five year housing land supply.

1.3 The NPPF identifies three dimensions of sustainable development:

- Economic, in terms of building a strong economy and in particular by ensuring that sufficient land of the right type is available in the right places;
- Social, by supporting, strong vibrant and healthy communities by providing the supply of housing required to meet future need in a high quality environment with accessible local services; and
- Environmental, through the protection and enhancement of the natural, built and historic environment.

1.4 Paragraph 8 of the NPPF also stresses that these roles should not be undertaken in isolation because they are mutually dependent; therefore a balanced assessment against these three roles is required.

1.5 In terms of the economic and social criteria, the proposal would make a positive, albeit modest, contribution to the housing supply shortfall and provide some short-term economic benefits through its construction. Environmentally, although outside a Settlement Boundary, the proposed development would adjoin existing development. The proposal would not intrude into the open countryside and would not be isolated. Little Fransham includes only limited services, but does include a public house and farm shop, which would be approximately 300 metres away from the application site. Additional community facilities, including a village hall and church, are located in relatively easy reach in Great Fransham. A wider range of facilities are available in other larger villages nearby, notably in Necton, located to the south west. A number of bus services serving nearby settlements and towns run along the A47, with bus stops approximately 400 metres from the application site.

1.6 It is considered that the proposed development performs acceptably well when considered against the social and economic aspects of sustainable development. The environmental criteria will be considered with regards to design and impact on ecology and trees.

2.0 Design

2.1 Policy DC16 requires development to reinforce local character and be respectful to surroundings in terms of density, layout scale and height.

2.2 The location of the proposed dwellings would be to the rear of the existing Homestead plot. The relatively

recent housing development to the east and west of the application site mean that development to the rear of plots is not an unusual approach, and the proposals would mirror this newly established development pattern.

2.3 The proposed materials of red brick, pantile roof covering and upvc windows, doors and rainwater goods are considered to mirror those used in surrounding properties and are considered acceptable.

2.4 The size and scale of the proposed dwellings is considered acceptable; they would be similar to surrounding properties. The proposed development would increase the development density within this particular plot but it is not considered unacceptable given it would match the density of the adjacent plot to the west, and that the size of the plot would mean it would not appear overdeveloped.

2.5 The objector's point that a brick boundary wall would not be as attractive as the existing hedge boundary is noted. However, brick walls are not an unusual boundary treatment and in this case a brick wall is only proposed to replace a hedge at the front of the existing property, with all other existing hedge and tree boundaries to remain.

2.6 Overall, the design of the proposed development is considered acceptable.

3.0 Ecology

3.1 The Natural Environment team have considered the proposal. They noted that no ecological information was supplied with this application. They have assumed that the location is primarily existing garden. They note from the arboricultural information there appears to be a number of trees and shrubs that may need to be removed or have work done to them. They also note that applications in the immediate vicinity have been required to supply ecological information. The Natural Environment team have not objected to the proposals but given the above have recommended, should the application be approved, a condition relating to breeding birds and a condition requiring an assessment of potential for use by roosting bats before work is undertaken to trees.

4.0 Trees

4.1 An Arboricultural Impact Assessment and Arboricultural Method Statement has been provided as part of the application. The Assessment illustrates that a number of trees are proposed to be removed to facilitate the development and associated access, along with the hedge at the front of the property. The majority of trees and boundary hedges are to be retained, and new planting is proposed.

4.2 The Arboricultural Method Statement sets out how existing trees will be protected through the construction period of the development. A condition will be attached to any planning approval to ensure the recommendations of the Arboricultural Method Statement are followed.

4.3 It is noted that a neighbour has objected to the loss of the oak tree that is on the boundary of their property. The Tree Consultant queried if this tree in the south west corner of the application site is within the site boundary. It is the Local Planning Authority's understanding that it is. The concerns of the neighbour are understood but given most trees are proposed to be retained, it is not considered that the loss of this particular tree would have unacceptable impacts in terms of the visual amenity of the area.

5.0 Amenity

5.1 Policy DC1 expects that there would be no unacceptable effects on the amenities of the area or the residential amenity of neighbouring occupants, or future occupants of a development site.

5.2 There have been neighbour objections regarding loss of privacy. The side elevations of the proposed dwellings, which would directly face the neighbour's properties, have no windows at first floor level. Nonetheless, the proposed dwellings are considered sufficient distance away from neighbouring properties as to not give rise to any unacceptable impacts on privacy. Equally, the distance between the proposed dwellings and neighbouring properties, and their siting, means it would be unlikely for overshadowing of and loss of outlook from habitable rooms and within gardens to be significantly affected. Additionally, due to the size of the plots of the adjoining properties, and the wider open aspect, it is not considered the proposed dwellings would have an over dominant impact.

5.3 Concerns about disturbance are noted. However, it is not considered that the normal residential noise, movement of people, etc. of four dwellings could be qualified as unacceptable disturbance. The Environmental Health Officer has recommended the provision of an acoustic fence to the western boundary with The Bungalow to alleviate neighbour concerns. This would be secured via planning condition. To alleviate concerns regarding construction disturbance, a condition would be attached to any planning approval to ensure that construction could only occur within acceptable times.

5.4 Overall, it is considered the proposed dwellings would have no significant impact in relation to disturbance, overshadowing, loss of privacy or outlook with respect to existing residential amenity with respect to neighbouring properties.

6.0 Highways

6.1 The proposed development seeks to close off the existing access onto the A47 Trunk road and create a new access in a location to the west, which would serve the proposed dwellings and Homestead.

6.2 The Trunk Road network falls under the jurisdiction of Highways England, who have considered the proposals. They have no objections to the proposals but have recommended that a condition should be attached to any planning permission that may be granted. The condition relates to ensuring the new access is to comply with the standards laid out in TD41/95 Vehicular Access to All-Purpose Trunk Roads in the Design Manual for Roads and Bridges.

6.3 The submitted plans illustrate sufficient space for car parking and turning space to serve the proposed dwellings.

7.0 Contaminated Land

7.1 The Contaminated Land Officer raises no objections to the proposal subject to a condition in relation to unexpected contamination.

8.0 Conclusion

8.1 In conclusion, it is considered that, on balance, the proposal would constitute a sustainable form of

development as defined in paragraph 7 of the NPPF, which would help to support the local rural community, would not compromise local amenity and would not adversely impact upon the character and built form of the surrounding area.

8.2 The principle of the development of this site for residential use is established by the grant of previous planning permission. The current application seeks planning permission for two pairs of two bedroomed semi-detached two storey dwellings to the rear of the site. The design of the dwellings is considered acceptable and there would be no significant impact with respect to existing levels of residential amenity enjoyed by neighbouring properties.

8.3 The application is recommended for approval subject to conditions.

RECOMMENDATION

Planning Permission

CONDITIONS

3007	Full Permission Time Limit (3 years)	
3047	In accordance with submitted	
MT03	External wall and roof materials to be agreed	
NR19	Hours of operation during construction	
9260	Non-std Environment reason for refusal	
LS17	non trees standard condition	
LS17	non trees standard condition	
3750	Non-standard highways condition	
LS17	non trees standard condition	
3923	Contaminated Land - Informative (Extensions)	
3996	Note - Discharge of Conditions	
4000	Variation of approved plans	
2000	NOTE: Application Approved Without Amendment	
2014	Criterion E - Planning Apps Where Approved	
3946	Contaminated Land - Unexpected Contamination	This condition will require to be discharged

ITEM: 2	RECOMMENDATION: APPROVAL
REF NO: 3PL/2017/0757/D	CASE OFFICER Brian Timmons
LOCATION: SHIPDHAM D D Dodd and Sons Chapel Street SHIPDHAM	APPNTYPE: Reserved Matters POLICY: In Settlemnt Bndry ALLOCATION: N CONS AREA: N LB GRADE: N TPO: N
APPLICANT: SH1 Consortium c/o agent	
AGENT: EJW Planning Limited Lincoln Barn Norwich Road	
PROPOSAL: Reserved matters for erection of 90 dwellings pursuant to outline planning permission 3PL/2013/0095/O	

REASON FOR COMMITTEE CONSIDERATION

The application is brought to committee as it relates to a major development.

KEY ISSUES

Principle of Development
Impact upon character and appearance of the area
Amenity
Highways, access and parking
Trees and landscaping
Other Matters

DESCRIPTION OF DEVELOPMENT

This application seeks Reserved Matters approval for 90 dwellings with associated roads, dwellings, gardens and public open space. The proposed residential development would occupy an area of 3.79 hectares. The application seeks approval approval for all the remaining reserved matters appearance, landscaping, layout and scale.

The scheme proposes in total -

four bed x 20 units
three bed x 30 units
two bed x 34 units
one bed x 6 units

Of these 63no. private dwellings would be provided and 27no. affordable housing units would be provided.
The scheme proposes-

PRIVATE

AFFORDABLE HOUSING

four bed x 20 units
three bed x 28 units
two bed x 12 units
one bed x 3 units

0 units
2 units
22 units
3 units

Vehicular access to the site would be via a priority T-junction with the A1075 Chapel Street. This was approved under the outline permission and is not for determination at this stage. The layout is in a cul-de-sac formation with two principal loops stemming off the central spine road. The majority of the larger units would be located adjacent to the northern boundary of the site. The layout has been the subject of amendments to improve the vista on entering the site and reduce the extent of parking courts within the development.

The majority of the dwellings would be two storey in the form of terraces, semi-detached and detached dwellings. The exception to this would be the 6no. two bedroom bungalows proposed and the block of two and three bedroom maisonettes.

A balancing pond is shown located in the south western corner of the site and a Local Area is shown in the South Eastern corner. The public open space associated with the site is located along the southern boundary in closest proximity to existing development which fronts onto Chapel Street.

SITE AND LOCATION

The site comprises a broadly rectangular parcel of land of 3.79 hectares located in the centre of Shipdham adjacent to and north of the Settlement Boundary and Conservation Area boundary. The land currently consists of a coal yard, a derelict garden nursery area, associated buildings, and arable land.

The site lies to the north of Chapel Street and comprises the coal yard to the rear of the former Waggon and Horses public house and Central Garage, together with an area of arable land to the north and east. The northern, western and eastern boundaries adjoin open countryside.

The western half of the northern boundary comprises a row of small/medium mature deciduous trees; there is no boundary treatment along the eastern half of the northern boundary. To the east the site is unbounded other than to the telephone exchange site where the boundary comprises 1 metre chain link fencing.

To the south the site is bounded by garden fencing, largely 1.8 metres, beyond which are the rear gardens and dwellings of residential properties along the A1075 Chapel Street. The site is also bounded to the south by existing employment land. The western boundary comprises a mixture of deciduous trees and mature large evergreen conifers, providing effective screening in this direction.

To the north east the site is open to further arable land. To the west beyond the boundaries land comprises fields in use for equestrian grazing. The site is generally level and flat and consists of approximately 50% brownfield and 50% arable land. Access to the site is via Chapel Street.

EIA REQUIRED

Not required.

RELEVANT SITE HISTORY

3PL/2016/0655/F - Demolition of old Public House, central garage and retail units. Erection of convenience store, retail units and flats - Approval Granted 31/03/2017

3PL/2013/0095/O - Residential accommodation public open space & assoc infrastructure (all matters reserved except access) - Approval Granted 18/06/2014

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

CP.01	Housing
CP.05	Developer Obligations
CP.09	Pollution and Waste
CP.10	Natural Environment
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.04	Affordable Housing Principles
DC.11	Open Space
DC.12	Trees and Landscape
DC.13	Flood Risk
DC.14	Energy Efficiency
DC.16	Design
DC.19	Parking Provision
NPPF	With particular regard to Paragraphs 9, 47, 52 and 55.
SH1	Residential Allocation - Shipdham

OBLIGATIONS/CIL

Dealt with under the outline planning permission 3PL/2013/0095/O.

CONSULTATIONS

NORFOLK COUNTY COUNCIL HIGHWAYS

No objections subject to conditions

FLOOD & WATER MANAGEMENT TEAM

Objections on the basis of the discharge of conditions on the outline planning permission.

SHIPDHAM P C

Whilst we accept that outline planning permission has been given to 3PL/2017/0757/D / (3PL/2013/0095/0), the Parish Council still has a great concern over the access road to this site, at the point it forms a junction with A1075 (the only ingress/access point for the whole site). We cannot emphasize enough the need to take into account planning application 3PL/2016/0655/F, adjoining and fronting this site, which has full planning permission, as the one road will pass through both sites all exiting onto the A1075. There is an existing pedestrian crossing which is not shown on the plans, situated at Central Garage on A1075 which is used twice daily by 190 school children and their parents/carers in addition to other users. There must be appropriate highways management at the exit point, particularly as the Old School Playing Field, opposite, owned by Breckland Council and on the A list for development, will eventually apply for planning permission for 30-40 units. Therefore the highways management on the A1075 at this meeting point, must be included at the very outset of any building to accommodate not only traffic from the 90 units in this application, but the residential and commercial units on 0655/F which will contribute further traffic, added to the future traffic from 30-40 units across the road all using one pinch point to join the A1075 in itself a major A route, with no other options for through traffic and unless a practical solution for this pinch point is found and implemented, this is likely to become a high accident site, with constant traffic congestion already an issue in the village.

HISTORIC ENVIRONMENT SERVICE

No objections

NATURAL ENGLAND

No comments

HISTORIC BUILDINGS CONSULTANT

NO objection

HOUSING ENABLING OFFICER

27 affordable units have been proposed within this development but unfortunately the housing types, layouts and sizes need some review in order to meet the identified housing need and industry standards. For instance One bedroomed accommodation is suitable for this location but we would not want to see many more than the six which are proposed. Clustering the accommodation in two groups in this way is accepted. This will aid future management but also help to cross integrate the residents within the wider development area encouraging a balanced socio economic environment. The 2B3P dwellings would not be acceptable in this location. Two bedroomed accommodation should be 2B4P and should either be on the ground floor or split over two floors. The only dwellings to meet the Nationally Described Space Standards are the 1B2P units. However, the size information does not correlate between imperial and metric eg the 1B2P Mais is stated as being either 51m² or 518ft². This is incorrect. 518ft² is actually only 48m² which is also below the described space standard.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No objections

CONTAMINATED LAND OFFICER

No objections

TREE AND COUNTRYSIDE CONSULTANT

No Comments Received

ENVIRONMENT AGENCY

No Comments Received

NORFOLK WILDLIFE TRUST

No Comments Received

ENVIRONMENTAL HEALTH OFFICERS

No Comments Received

NORFOLK RIVERS INTERNAL DRAINAGE BOARD No Comments Received

ECOLOGICAL AND BIODIVERSITY CONSULTANT No Comments Received

REPRESENTATIONS

Representations have been received which provide comments in respect of the following issues:

Calculation of Traffic Movements and data
Contaminated Land Officers comments
Numbers of convenience stores required
Infrastructure
Access Arrangements
Drainage
Protected species within the vicinity
Traffic congestion

Cllr Lynda Turner has raised concerns regarding the roads and highways works and is keen to ensure that residential, commercial and adjacent Old School Playing Field site are brought forward together. Design and management of the junctions are considered key for safety and good traffic flow on an already congested route.

ASSESSMENT NOTES

1.0 Principle of development

1.1 The principle of the development has been established with the approval of application 3PL/2013/0095/O. The site would contribute to the Five Year Housing Lands Supply and is allocated for residential development in the Council's Adopted Core Strategy referenced under Policy SH1.

2.0 Impact on character and appearance of the area

2.1 The scheme is designed off a central single point of access as approved under the outline planning permission. The access points dictates to a greater extent the form of the development and the layout responds by providing a layout that takes access of that central access point with two 'loops' on the eastern and western edges of the site linked by the central access road.

2.2 The development does not replicate the current linear form of development along this section of Chapel Street but seeks to respond as sensitively as possible with parallel street scene formation along its northern boundary. The development would be all two storey in height and reflective of the character of its surroundings in this respect. The wider area is characterised by an eclectic mix of house types and forms and it is considered that the proposed development would compliment and respect its wider surroundings. There are therefore no objections on the basis of the impact the development would have on the character and appearance of the area.

3.0 Amenity

3.1 The development would be sited remote from the most sensitive southern boundary where existing residential development lies. The area adjacent to those boundaries would form attenuation and open

space.

3.2 Concerns have been expressed regarding the access and impacts on the locality in amenity terms. The access was determined at outline stage and is not before Members for consideration at this point.

3.3 Overall it is considered that there would not be material adverse impacts on the amenities of the immediate or wider locality and as such no objections are raised having regard to Policy DC1.

4.0 Highways, access and parking

4.1 As stated above the vehicular access into the site was determined at outline stage. There therefore no issues before Members for consideration in terms of the main access into the site.

4.2 The estate layout has been the subject of negotiation and discussion and has now been revised to ensure that there is adequate road width, parking and turning within the site to accommodate the needs of the development. Following receipt of the most recent set of revised plans the Highways Authority now raises no objections.

5.0 Trees and Landscaping

5.1 The submitted landscaping details are considered to be acceptable and respect the green infrastructure requirements of the site. The existing landscape features on the northern and western boundaries would be protected and retained and the proposed landscaping on the eastern boundary is considered appropriate. The details of the landscaping scheme would be discharged as part of the planning conditions imposed on the outline consent.

6.0 Other Matters

6.1 Issues relating to drainage are dealt with under conditions imposed on the outline permission. The objections received from the LLFA relate to the discharge of those conditions and would be dealt with as a separate matter. The proposed balancing pond is part of the SUDS train proposed for the site and considered to be an appropriate feature on that part of the site. The balancing pond would have a dual use of providing a wildlife habitat feature and would improve the biodiversity value of the site.

7.0 Conclusion:

7.1 The proposed development is substantially in accordance with the indicative layout accompanying the outline planning permission. The main difference in the current proposal, when compared to the outline planning permission relates to changes to the location of public open space as a result of the proposed attenuation basin in the southwest corner of the site. However it is considered that the form, layout and design of the proposed development is acceptable in terms of its overall impact on both the site's immediate and wider surroundings. It is on this planning judgement basis that it is considered the benefits of the delivering this development in assisting to meet the shortfall in the five year housing land supply and the provision of affordable housing outweigh any concerns relating the impacts of developing this site. The application is therefore recommended for approval.

RECOMMENDATION

Approval of Reserved Matters

CONDITIONS

TL08	Reserved Matters - time limit	
3047A	In accordance with submitted plans NEW 2017	
3414	Fencing protection for existing trees	
3712	Access and car park laid out prior to use	
MT02	External materials as approved	
3943	Contamination found during development	
3750	Non-standard highways condition	
3760	Non-standard highways condition	
3770	Non-standard highways condition	
2001	Application Approved Following Revisions	
2014	Criterion E - Planning Apps Where Approved	
3140	Prior approval of slab level	This condition will require to be discharged

ITEM:	3	RECOMMENDATION:	APPROVAL
REF NO:	3PL/2017/0791/F	CASE OFFICER	Donna Smith
LOCATION:	LITTLE ELLINGHAM Duck Farm Wood Lane, Little Ellingham	APPNTYPE:	Full
APPLICANT:	Gressingham Foods Loomswood Farm Debach	POLICY:	Out Settlemnt Bndry
AGENT:	Hollins Architects Surveyors and Planning Consultants 4a Market Hill Framlingham	ALLOCATION:	N
PROPOSAL:	Demolition of redundant duck rearing building and erection of 2 new rearing units and associated office and workshop	CONS AREA:	N
		LB GRADE:	N
		TPO:	N

KEY ISSUES

Planning Policy and Principle
 Landscape Character and Visual Amenity
 Neighbour Amenity
 Traffic, Access, Highway Safety and Parking
 Drainage and Protection of Controlled Waters
 Light Pollution
 Noise Pollution
 Odours and Slurry Spreading
 Conclusion

DESCRIPTION OF DEVELOPMENT

The proposal is a full application for the demolition of existing livestock rearing building (approximately 2728 square metres) and the erection of two new rearing units (approximately 6413 m2) to mimic existing four units and associated office and workshop, generating an additional new floor space of 3,685sqm.

The application also included new access gates for skip collection, however these were removed following consultation with highways, new staff access, pedestrian gates, new office/wash down building, extension to existing building, new emergency water storage silo and relocated gas tanks.

SITE AND LOCATION

The application site is located off Wood Lane, in between two pairs of existing rearing units which the proposals will mimic. The site is largely concrete with grass surrounding the units. The whole site is surrounded by 2 metre metal post and mesh fencing. Opposite the application site is a pair of semi-detached

dwellings in the ownership of the applicants.

EIA REQUIRED

No - the application was screened as EIA development and it was concluded that no ES was required.

RELEVANT SITE HISTORY

EIA Screening - 3SO/2017/0002/SCR - No ES required.

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

CP.09	Pollution and Waste
CP.10	Natural Environment
CP.11	Protection and Enhancement of the Landscape
DC.01	Protection of Amenity
DC.07	Employment Development Outside of General Employment Area
DC.16	Design
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
SS1	Spatial Strategy

OBLIGATIONS/CIL

Not applicable

CONSULTATIONS

HISTORIC ENGLAND

No comment.

NATURAL ENGLAND

No objection.

ENVIRONMENT AGENCY

The site is located above a Principal Aquifer and within Source Protection Zone (SPZ) 3. However the proposals are not considered to be high risk. Informatives are advised with regards to mitigating contamination to controlled waters, and use of soakaways.

PUBLIC RIGHTS OF WAY OFFICER

No objection. A Public Right of Way, known as Little Ellingham Footpath 7 is aligned along part of the

boundary within the site. The legal minimum width of this Public Footpath is 2 metres. The full width of this footpath must remain open and accessible for the duration of the development and subsequent occupation

NORFOLK COUNTY COUNCIL HIGHWAYS

On the basis of the revised details indicated on Drawing 16259/1D there are no highway objections, subject to a condition that prior to the commencement of the use, the parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use, to ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

FLOOD & WATER MANAGEMENT TEAM

No comment.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No comments.

CONTAMINATED LAND OFFICER

No objection subject to conditions and notes with regards to contamination and asbestos.

ENVIRONMENTAL HEALTH OFFICERS

No objections or comments.

LITTLE ELLINGHAM P C

No specific objections, but express concerns about the need to manage and have proper controls over lighting, odour, noise, traffic and slurry spreading.

REPRESENTATIONS

None

ASSESSMENT NOTES

1.0 Planning Policy and Principle

1.1 The application site is located outside any designated settlement boundary where development is restricted. Policy DC07 allows for the expansion of existing business and DC21 allows for complimentary development for a continuing farm enterprise and the location, scale and form of the development is appropriate to its setting. On the basis the proposal is replacing an existing building and mimics existing structures, in between two existing buildings for the same purpose, the principle of development is established for this proposal in this location.

1.2 The other development proposed included new office/wash down building, extension to existing building, new emergency water storage silo and relocated gas tanks, this is all development in support of the existing use of the site as a farm enterprise and is therefore supported in principle on this basis.

2.0 Landscape Character and Visual Amenity

2.1 The buildings have been designed to mimic the existing buildings already on site. Whilst large and of functional appearance, the buildings are low in height and reflective of others on the site and are buildings

typical of a rural, agricultural landscape. Therefore, the proposals are considered acceptable and would not have a detrimental impact on the character and visual amenities of the area in accordance with Policy DC16 of the adopted Core Strategy.

2.2 The proposed new office/wash down building, extension to existing building, new emergency water storage silo, relocated gas tanks and access gates for vehicle and pedestrian points comprise relatively small scale and ancillary elements and would all be viewed within the context of existing large buildings and would be seen as ancillary to the existing farm enterprise. The site is surrounded by 2metre herass fencing which offers an acceptable degree of screening and softening of the development proposals.

2.3 Having regard to the existing site character and context and the detailed layout, size, scale, design and appearance of the proposals it is considered that there would be no significant adverse impact on the character of this area in accordance with Paragraph 7 of the NPPF and DC16 of the adopted Core Strategy.

3.0 Neighbour Amenity

3.1 There are a pair of residential dwellings opposite the application site. The dwellings are in the ownership of the applicants. The proposed additional buildings are set significantly away so as not to have a detrimental impact on the amenity of these dwellings. Other considerations of noise and smell were not apparent from the site visit and could be dealt with by other means if they did arise. On this basis and following discussions with the Environment Agency the proposal is considered in accordance with DC01 of the adopted Core Strategy.

4.0 Traffic, Access, Highway Safety and Parking

4.1 Since Wood Lane is not a classified road, further details of accesses off it and visibility requirements are not pursued. A traffic routing condition is not proposed as it is considered unreasonable and unenforceable as set out by the Highways Authority.

The applicant removed the proposed skip access which was proposed to be located towards the southern boundary of the site. On the basis of the revised details indicated on Drawing 16259/1D highways have removed their objection on the basis of a condition that the proposed parking and turning is laid out in accordance with the approved plans.

5.0 Drainage and Protection of Controlled Waters

5.1 No details of drainage solutions for the treatment of foul and surface waters was submitted alongside this application. To satisfy the Council that Sustainable Drainage Systems for the management of run-off and drainage are put in place, these elements have been conditioned.

6.0 Light Pollution

Following consultation with Environmental Health, it was considered this would not be an issue or have a detrimental impact on amenity or surrounding local character.

7.0 Noise Pollution

Environmental health did not pose this as an issue throughout the consultation process and the issue of noise was not apparent from the site visit. In light of review of the submitted documents, and a condition

included in this consent to comply with the submitted plans, the proposal would comply with policy DC01 of the adopted Core Strategy.

8.0 Odour and Slurry Spreading

Issues of odour were not apparent during the site visit, and Environmental Health have not raised this as a significant issue during the consultation process. In light of this response, review of the submitted documents, and a condition included in this consent to comply with the submitted documents, the proposal would comply with policy DC01 of the adopted Core Strategy.

Conclusion

The application is considered in accordance with relevant national policies as set out in the NPPF and the Development Plan. The proposals will have a limited impact on the character and appearance of the landscape and the amenity of neighbouring properties. The site is currently regulated by a permit from the Environment Agency under which the management of environmental issues, such as noise and odour, are controlled.

The application is therefore recommended approval subject to conditions.

RECOMMENDATION

Planning Permission

CONDITIONS

3006	Full Permission Time Limit (2 years)	
3047A	In accordance with submitted plans NEW 2017	
3403	Screen fencing &/or walling to be built	
3750	Non-standard highways condition	
2014	Criterion E - Planning Apps Where Approved	
3923	Contaminated Land - Informative (Extensions)	
2001	Application Approved Following Revisions	
3921	Public Right of Way Informative	
3921	Contaminated Land Informative 1	
3106	External materials and samples to be approved	This condition will require to be discharged
3802	Precise details of surface water disposal	This condition will require to be discharged
3804	Precise details of foul water disposal	This condition will require to be discharged
3949	Contaminated Land - Site Investigation/Remediation	This condition will require to be discharged
3946	Contaminated Land - Unexpected Contamination	This condition will require to be discharged

ITEM: 4	RECOMMENDATION: APPROVAL
REF NO: 3PL/2017/0902/O	CASE OFFICER: Donna Smith
LOCATION: FRANSHAM Land off station road Fransham	APPNTYPE: Outline POLICY: Out Settlemt Bndry ALLOCATION: N CONS AREA: N LB GRADE: N TPO: N
APPLICANT: Mrs Lake c/o Parker Planning Services	
AGENT: Parker Planning Services Ltd Ketteringham Hall Church Road	
PROPOSAL: The erection of 4 no. dwellings with associated garages with all matters reserved bar access	

REASON FOR COMMITTEE CONSIDERATION

The application is referred to Planning Committee as it is contrary to Policy DC02 and CP14 of the Breckland Core Strategy 2009.

KEY ISSUES

Development outside the settlement boundary.
Amenity Impact.
Access.

DESCRIPTION OF DEVELOPMENT

The proposal is for the erection of 4 no. dwellings with associated garages with all matters reserved bar access, on land off Station Road. The site extends to 0.90 ha.

SITE AND LOCATION

The site is located in a predominantly residential location in the village of Little Fransham. The surrounding area is particularly dense with residential development, and the proposal would generate a more uniform settlement pattern by developing the vacant area of grassland, previously utilised for agricultural uses to which the proposal would be sited. There are a variety of trees and hedges surrounding the proposed site which would provide an element of screening and privacy in relation to surrounding occupiers.

EIA REQUIRED

Not required.

RELEVANT SITE HISTORY

No relevant site history

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

Policy CP1
Policy CP10
Policy CP11
Policy CP13
Policy CP14
Policy DC 1
Policy DC2

OBLIGATIONS/CIL

Not Applicable

CONSULTATIONS

FRANSHAM P C

Three Parish Councillors voted in favour, 1 abstained and 1 gave no reply. The Parish Council recommends this application be approved and fully supports the case made in the Design Statement.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection following amendments.

CONTAMINATED LAND OFFICER

Based on the information provided, the consultee recommend approval providing the development proceeded in line with the application details and subject to conditions to alleviate environmental concerns.

ENVIRONMENTAL HEALTH OFFICERS

No objections or comments on the grounds of Environmental Protection, providing the development proceeds in line with the application details.

FLOOD & WATER MANAGEMENT TEAM

No comments.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No objection - recommended conditions.

HISTORIC ENVIRONMENT SERVICE

Evidence of settlement activity of Late Saxon to medieval date within the vicinity of the above mentioned application area. There is potential for heritage assets, buried archaeological remains, to be present within the proposed development area and that the significance would be adversely affected by the proposed development. Consultee recommended conditions which have been included.

ANGLIAN WATER SERVICE

No Comments Received

REPRESENTATIONS

None

ASSESSMENT NOTES

2.0 The proposal

2.1 Fransham does not have a defined settlement boundary. For this reason the proposal conflicts in principle with Policies DC02 and CP14 of the Core Strategy and Development Control Policies Development Plan Document (2009), which seek to focus new housing within defined Settlement Boundaries and control development within the sustainable rural countryside. However, paragraph 49 of the NPPF states that where an authority does not have an up to date five year housing land supply, housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. Consequently unless any adverse impacts would significantly outweigh the benefits housing applications should be looked upon favourably.

2.2 The NPPF identifies three dimensions of sustainable development:

- Economic, in terms of building a strong economy and in particular by ensuring that sufficient land of the right type is available in the right places;
- Social, by supporting, strong vibrant and healthy communities by providing the supply of housing required to meet future need in a high quality environment with accessible local services; and
- Environmental, through the protection and enhancement of the natural, built and historic environment.

2.3 Paragraph 8 of the NPPF also stresses that these roles should not be undertaken in isolation because they are mutually dependent; therefore a balanced assessment against these three roles is required.

2.4 In terms of the economic and social criteria, the proposal would make a positive, albeit modest, contribution to the housing supply shortfall and provide some short-term economic benefits through its construction. Environmentally, although outside a Settlement Boundary, the proposed development would adjoin existing development and provide for the redevelopment of the site. The proposal would not intrude into the open countryside and would not be isolated. Little Fransham includes only limited services, but does include a public house and farm shop. Additional community facilities, including a village hall and church, are located in relatively easy reach in Great Fransham. A wider range of facilities are available in other larger villages nearby, notably in Necton, located to the south west.

2.5 Whilst the limited availability of local services and facilities within easy walking/cycling distance weighs against the proposal, the scheme would provide additional housing, generate some economic activity and offer a degree of support to existing village amenities. Moreover, the site could be developed without causing harm to the character and appearance of the area. It is considered therefore that the adverse effects of the proposal would not significantly and demonstrably outweigh its benefits, and the proposal would, on balance, constitute a sustainable form of development as defined in paragraph 7 of the NPPF.

3.0 Impact on the Character of the Area

3.1 Part of the site previously contained a substantial building and extensive areas of hard standing as borne out by aerial photograph records in 2006. That building has since been removed and the hard standing has become substantially overgrown but the site still maintains some references to its agricultural/commercial past with access into the site remaining.

3.2 The development of the site would be contained visually by existing development to both the east and west. Furthermore, there are defined field boundaries to the north and a landscaped area to the south that acts as visual buffer when viewed from the A47. It is considered that 4no. dwellings can be accommodated on this site and it would be reflective of development in the immediate vicinity. No this basis, no objections are raised.

4.0 Amenity

4.1 Potential impacts relating to design and layout would be dealt with at reserved matters stage and are not for consideration at this stage. However, it is considered that the site could be satisfactorily developed without adversely affecting the amenity of adjacent occupiers through an adequate design and layout.

5.0 Access

5.1 The development would be accessed via an existing access road from Station Road. This would be elongated to the east of the site providing suitable access to the four residential dwellings. Highways were reconsulted on the amended red line plan which was resubmitted and extended to the adopted highway for clarity.

6.0 Ecology

6.1 The results of the desk study and Phase 1 Habitat Survey led to a conclusion that no designated sites and few ecological receptors had any potential for risk associated with the proposal. Potentially significant pre-mitigation impacts were not identified as a likely concern for any protected species. Best practice avoidance measures were recommended to minimise the potential for any minor impacts to ecological receptors. A condition has been included should the application be approved by committee to adhere to this statement.

7.0 Contaminated Land

7.1 The Contaminated Land Officer raises no objections to the proposal subject to conditions in relation to the implementation of the application details and associated remediation.

8.0 Other material considerations

Given part of the site has not previously been developed and the erection of dwellings would reduce the permeability of the site, a surface water drainage scheme and foul water scheme have been conditioned for transparency purposes.

9.0 Conclusion

9.1 In conclusion, it is considered that, on balance, the proposal would constitute a sustainable form of

development in the rural countryside as defined in paragraph 7 of the NPPF, which would help to support the local rural community, would not compromise local amenity and would not adversely impact upon the character and built form of the surrounding area.

9.2 The principle of the redevelopment of this site is acceptable and is in accordance with paragraphs 6, 17 and 19 of the NPPF . The current application seeks planning permission for four dwellings with associated garages to the rear of the site. The layout of the dwellings in principle as shown on indicative layout drawing 10510-1000B is considered acceptable at this stage. The Contaminated Land Officer and the Highways Agency have raised no objections subject to conditions and should the proposal be approved, development will be built in accordance with the submitted reports.

9.3 The application is recommended for approval subject to conditions.

RECOMMENDATION

Outline Planning Permission

CONDITIONS

3005	Outline Time Limit (3 years)	
3058	Reserved matters condition	
3050	Reserved Matters to closely follow Outline	
3940	Development carried out in accordance with approved plans	
LS17	Compliance with submitted Ecology Assessment	
3058	Standard Outline Condition	
3935	Compliance with submitted SI and Remediation scheme	
LS14	In accordance with Arboricultural report	
3994	If further remediation works are required	
LB17	Ground works and vegetation clearance	
3704	Roads & footways to dwellings - construction	This condition will require to be discharged
3946	Contaminated Land - Unexpected Contamination	This condition will require to be discharged
3802	Precise details of surface water disposal	This condition will require to be discharged
3804	Precise details of foul water disposal	This condition will require to be discharged

ITEM: 5	RECOMMENDATION: REFUSAL
REF NO: 3PL/2017/0903/O	CASE OFFICER: Laura Craddock
LOCATION: HOCKHAM Land North of Great Hockham Primary School Hockham	APPNTYPE: Outline POLICY: Out Settlemnt Bndry ALLOCATION: N CONS AREA: N LB GRADE: N TPO: N
APPLICANT: Mr T Mason and Mrs M E Powles Mason and Powles Manor Farm Vicarage Road	
AGENT: Cowen Consulting Chiara Mere Road Stow Bedon	
PROPOSAL: Erection of 4No detached dwellings with associated garaging	

REASON FOR COMMITTEE CONSIDERATION

The application is referred to Planning Committee at the request of a Ward representative.

KEY ISSUES

Principle of development
Impact upon character and appearance of area
Neighbour amenity impact
Impact upon highway safety
Other matters

DESCRIPTION OF DEVELOPMENT

This application seeks outline consent for 4no. detached dwellings with associated garaging on land to the north of Great Hockham Primary School, all accessed via a shared driveway from Watton Road. Approval is sought for the principle of the development and access, with appearance, landscaping, layout and scale being reserved matters. A plan has been provided to show an indicative layout of 4no. dwellings and garages. 2no. of the properties would have five bedrooms and 2no. of the properties would have three bedrooms.

SITE AND LOCATION

The application site is located outside of any defined Settlement Boundary and is an undeveloped site with vegetation to the boundaries. The site is bounded to the north and east by open land, to the west Watton Road with open land beyond, and to the south by an area of hardstanding understood to be used at times for car parking for the adjacent primary school to the south.

EIA REQUIRED

No

RELEVANT SITE HISTORY

No relevant site history.

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

CP.10	Natural Environment
CP.11	Protection and Enhancement of the Landscape
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.12	Trees and Landscape
DC.16	Design
DC.19	Parking Provision
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

OBLIGATIONS/CIL

Not applicable

CONSULTATIONS

GREAT HOCKHAM P C

Hockham Parish Council support development at this plot. We do want a younger population to help retain the services we still have, such as the school and pub. We would like to see some housing that has 2 and 3 bedrooms which helps accommodate some of the younger members of the community, which this outline submission does not fully cater for. We would therefore like to see some consideration of revisions of design, if and when at full planning stage if possible.

NORFOLK COUNTY COUNCIL HIGHWAYS

It would be difficult to substantiate a highway objection should the following be demonstrated at reserved matters stage :

-visibility splays of 2.4m x 59m unless speed data is supplied to demonstrate traffic speed is contained to within 30mph.

- Minimum access width 4.5m for first 5m into the site.
- Minimum of a size 5 communal turning area.
- Parking in accordance with adopted standards
- Footway link between the site and the existing provision adjacent to the school.

TREE AND COUNTRYSIDE CONSULTANT

It is likely that some hedgerow will be lost. if a scheme is approved replacement planting (native mixed) should be conditioned.

CONTAMINATED LAND OFFICER

Recommended approval subject to conditions.

REPRESENTATIONS

A site notice was out in place on 25.07.17. Neighbours were notified on 19.08.17. No representations were received.

ASSESSMENT NOTES

- 1.0 The application is referred to Planning Committee at the request of a Ward representative.
- 2.0 This application seeks outline consent for the erection of 4no. dwellings with garages on land to the north of Great Hockham Primary School, Hockham. An plan has been provided to show the indicative layout of and access to the proposed dwellings.
- 3.0 Principle of development
 - 3.1 The application site lies outside of any defined Settlement Boundary and for this reason the proposal conflicts in principle with Policies DC02 and CP14 of the Core Strategy and Development Control Policies Development Plan Document, (2009), which seek to focus new housing within defined Settlement Boundaries. However, paragraph 49 of the National Planning Policy Framework (NPPF), states that where an authority does not have an up-to-date five year housing land supply (the authority cannot currently demonstrate this, as set out in a July 2017 Statement), the relevant local policies for the supply of housing as referred to above should not be considered up-to-date and that housing applications should be considered in the context of the presumption in favour of sustainable development.
 - 3.2 The NPPF identifies three dimensions of sustainable development:
 - Economic, in terms of building a strong economy and in particular by ensuring that sufficient land of the right type is available in the right places
 - Social, by supporting, strong vibrant and healthy communities by providing the supply of housing required to meet future need in a high quality environment with accessible local services and
 - Environmental, through the protection and enhancement of the natural, built and historic environment.
 - 3.3 Paragraph 8 of the NPPF also stresses that these roles should not be undertaken in isolation because they are mutually dependent; therefore, a balanced assessment against these three roles is required.
 - 3.4 The NPPF indicates that rural housing should be located where it will enhance or maintain the vitality of

rural communities and that isolated houses in the countryside should be avoided. Additionally, the Government's Planning Practice Guidance (NPPG), notes that all settlements can play a role in delivering sustainable development and that blanket policies restricting housing in some rural settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.

3.5 In terms of economic and social criteria, the proposal would provide four residential dwellings for market sale, which would make a positive, albeit modest contribution to the housing supply shortfall and would provide some short term benefits to the local economy through its construction. With regards to availability and deliverability, the applicant has indicated that they would not develop the site themselves, rather they intend to sell the site for any prospective owner to pursue a reserved matters application. In this respect, the deliverability of the site is unconfirmed.

3.6 The social role of sustainable development seeks to ensure, amongst other matters, the creation of a high quality built environment with accessible local services. Hockham is identified as a rural settlement through Policy SS1 (Spatial Strategy), of the adopted Core Strategy and Development Control Policies Development Plan Document. Such settlements are not capable of sustaining consequential growth as many are completely reliant on higher order settlements for services and facilities. Great Hockham contains a Primary School (adjacent to the site), a Public House (550 metres away), and a Village Hall and playing field (900 metres away). The nearest town that offers services that has the potential to meet all everyday needs, including shopping and employment, is Watton, which is located approximately 6 miles away from the site. In terms of public transport, the site is located approximately 300 metres from bus stops located along Watton Road, which provides an infrequent service between Watton and Thetford. In this respect the proposed scheme would not represent an accessible form of development and would result in a high reliance upon the private vehicle.

3.7 As highlighted above, Great Hockham contains very limited services and therefore there would be a high reliance on higher order settlements for everyday needs, which would likely result in higher car dependency. Therefore the proposal is inconsistent with the social and environmental dimensions of sustainable development. This consideration weighs against the proposal.

3.8 Great Hockham Parish Council support the application as they consider it would serve to support the facilities within the settlement. Whilst this acknowledged, the number of facilities are simply insufficient to fully allow residents to meet their day-to-day needs, resulting in a reliance on the private car to reach services and facilities elsewhere. The Parish Council have expressed that they would like the development to be of two and three bedroomed properties that would appeal more to younger people. Whilst this level of detail would come forward at reserved matters stage, it would represent a departure from this outline proposal.

4.0 Impact upon character and appearance of area

4.1 The environmental role of sustainable development seeks to, in part, contribute to protecting and enhancing the natural, built and historic environment. Consideration of a development's impact on the character and appearance of the area within which it is situated is therefore integral to the environmental dimension of sustainable development, as is design. The application site lies outside of any defined Settlement Boundary. Whilst adjoining the settlement of Great Hockham to the south, it is surrounded on the remaining three sides by open land. The character is rural in appearance. It is considered that the proposed development would result in the loss of an undeveloped site and further encroachment of residential development in the countryside. Along the roads through Great Hockham, residential development fronts the roads in a linear layout. Although the plans provided illustrate an indicative layout only, the insular cul-de-sac layout illustrated would not be reflective of the linear development pattern and therefore character of Great

Hockham. It is unclear if the site could accommodate the same number of dwellings as proposed in a layout that better reflected the character and appearance of Great Hockham. Overall, however, the development would not be acceptable in terms of the impacts on the character and appearance of this part of Great Hockham. It is not considered to be in accordance with policy DC16 on design and would not fulfil the environmental role of sustainable development.

5.0 Neighbour amenity impact

5.1 In terms of neighbour amenity the detailed implications would be considered at the detailed planning stage should permission be granted. However, it is considered that there would be no impacts on existing residents, as the development would not be in proximity to any existing dwellings. Whilst the indicative layout is not considered appropriate with regards to the character and appearance of the area, the relative spaciousness of the site and the degree of separation between the proposed dwellings means that an unacceptable impact in terms of overlooking, loss of light, privacy, overshadowing or over dominance would be unlikely. Considering these factors the proposal is in accordance with Policy DC01 of the Core Strategy.

6.0 Impact upon highway safety

6.1 The Highways Authority have noted the site is located within the 30mph zone (although close to the termination point which could affect traffic speed) and immediately adjacent to the Primary School. They would not object to the proposal on the basis the following matters would be addressed at reserved matters stage:

- Visibility splays of 2.4m x 59m unless speed data is supplied to demonstrate traffic speed is contained to within 30mph.
- Minimum access width 4.5m for first 5m into the site.
- Minimum of a size 5 communal turning area.
- Parking in accordance with adopted standards.
- Footway link between the site and the existing provision adjacent to the school.

7.0 Other matters

7.1 The Contaminated Land Officer raised no objections or comments on the grounds of Environmental Protection, providing the development proceeds in line with the application details and subject to a condition relating to unexpected contamination.

7.2 The Tree Consultant raised no objections but noted that it is likely that some hedgerow would be lost and advised that if a scheme is approved, replacement planting (native mixed) should be conditioned.

8.0 Conclusion

8.1 In circumstances where, as here, policies for the supply of housing are to be considered out of date for the purposes of the Framework, paragraph 14 states that permission should normally be granted unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or specific Framework policies indicate that development should be restricted.

8.2 In conclusion, whilst it is noted that the proposed development would provide some benefits in terms of providing a limited contribution towards the five year housing land supply shortage and the local economy through its construction, it is considered these benefits would be outweighed by the demonstrable harm this proposal would cause in regards to sustainability and impact upon character and appearance of the area. As

such refusal of the application is recommended.

RECOMMENDATION

Refusal of Outline Planning Permission

REASON(S) FOR REFUSAL

- | | |
|-------------|---|
| 9900 | Unsustainable development |
| 9900 | Impact upon character and appearance of area |
| 2002 | Application Refused Following Discussion - No Way Forward |
| 2009 | Criterion E - Planning Apps Where Refused |

ITEM: 6	RECOMMENDATION: APPROVAL
REF NO: 3PL/2017/0943/F	CASE OFFICER Lisa ODonovan
LOCATION: NORTH LOPHAM Development Site Rear of 29 And 31 Kings Head Lane, North Lopham	APPNTYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: N CONS AREA: N LB GRADE: N TPO: N
APPLICANT: Mr T. H. Atkins c/o Agents	
AGENT: Anglia Design LLP 11 Charing Cross Norwich	
PROPOSAL: Erection of 2No. one and a half storey dwellings with associated parking and amenity areas	

REASON FOR COMMITTEE CONSIDERATION

The application is brought to committee as the recommendation is contrary to Policy.

KEY ISSUES

Principle of development
Impact upon the character and appearance of the area
Impact upon amenity
Impact upon highway safety
Impact upon trees

DESCRIPTION OF DEVELOPMENT

The application seeks permission for the erection of two one and half storey dwellings and single garages on land to the rear of 29 and 31 Kings Head Lane. The dwellings will accommodate three bedrooms. Two at first floor and one at ground floor. Brickwork and tiles are proposed, precise details to be agreed. Access is proposed to the west of number 31.

SITE AND LOCATION

The land is currently garden land for both numbers 29 and 31 and is bounded by a relatively open boundary to the west with other residential uses exist to the north and north-east. Agricultural land lies to the south and west.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2014/1212/F - Proposed erection of a single one & a half storey dwelling with associated parking and amenity areas - Refused - Allowed on appeal.

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

CP.04	Infrastructure
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.12	Trees and Landscape
DC.16	Design
DC.19	Parking Provision
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
SS1	Spatial Strategy

OBLIGATIONS/CIL

Not applicable

CONSULTATIONS

NORTH LOPHAM P C

North Lopham Parish Council has no objections to this application

NORFOLK COUNTY COUNCIL HIGHWAYS

There are no highway objections to the proposal subject to conditions being imposed.

CONTAMINATED LAND OFFICER

There are no objections or comments on the grounds of Environmental Protection, providing the development proceeds in line with the application details.

ENVIRONMENTAL HEALTH OFFICERS

No objection subject to condition.

REPRESENTATIONS

Site notice erected: 15-09-2017

Consultations issued: 12-09-2017

One letter received raising issues relating to backland development; increased noise; impact on the lane; sewerage treatment and drainage.

ASSESSMENT NOTES

1.0 Principle

1.1 The land lies outside of the North Lopham Settlement boundary although the current boundary ends along the rear of the existing dwellings fronting Kings Head Lane, so the site is closely related to the existing, defined settlement.

1.2 A previous application for one, one and a half storey dwelling was allowed on this site on appeal in 2014 so the principle of development has previously been accepted. The main issue therefore is whether the site can satisfactorily accommodate two dwellings.

1.3 The application seeks Full permission for the erection of 2 one and a half storey dwellings and garages on land outside of the North Lopham settlement boundary. For this reason the proposal conflicts in principle with Policies DC02 and CP14 of the Core Strategy and Development Control Policies Development Plan Document, (2009), which seek to focus new housing within defined Settlement Boundaries. However, as the Council cannot currently demonstrate a 5 year supply of housing land, these policies cannot be considered to be up-to-date insofar as it relates to the supply of housing land and can be given little weight. The application is therefore assessed against the benefits provided in relation to the sustainable development tests as set out in the NPPF.

1.4 The NPPF identifies three dimensions of sustainable development:

- Economic, in terms of building a strong economy and in particular by ensuring that sufficient land is of the right type and is available in the right places.
- Social, by supporting, strong and healthy communities by providing the supply of housing required to meet future need in a high quality environment with accessible local services and
- Environmental, through the protection and enhancement of the natural, built and historic environment.

1.5 Paragraph 8 of the NPPF also stresses that these roles should not be undertaken in isolation because they are mutually dependent; therefore a balanced assessment against these three roles is required.

1.6 In terms of the economic and social criteria, the proposal would provide two new dwellings and would provide some short-term economic benefits through construction, and longer-term economic benefits through additional household spend within the surrounding area that would be generated by the provision of the dwellings.

1.7 With regard to whether this is a suitable location, the site is outside the Settlement Boundary of North Lopham however the house and part of the gardens of No's 29 and 31 falls inside the settlement boundary. The development site is therefore considered closely related to it and the services within it. Whilst not a service centre village, North Lopham does benefit from community facilities such as a Post Office and shop and public house and a village hall most of which are within walking distance from the site, any new dwelling would therefore further support these village services.

1.8 North Lopham benefits from limited and infrequent bus services. However as previously stated above it does benefit from a shop, post office and public house and therefore the reliance on the private car to access day-to-day requirements including shopping and community facilities is lesser in this location. Whilst it is appreciated that there would be a reliance on the use of a car to access wider day-to-day services i.e Doctors provision and bigger provision needs which does weigh against the proposal, given the small scale of the proposal, it is considered that the harm caused to sustainability would be small. It is also acknowledged that a wider range of facilities are available a short trip away in the nearby villages of East Harling and Diss, the nearest Market Town which would be likely to derive some support from the development. The NPPF recognises that opportunities to maximise sustainable transport solutions will vary from urban to rural areas. The proposed dwelling would therefore help support the services in nearby East Harling and Diss, in line with paragraph 55 of the NPPF.

1.9 Environmentally, although outside the Settlement Boundary, the site is in a semi-rural location within an area of existing development. There are other residential uses immediately to the north and north-east of the site. The proposal would not have a significant impact on the form and character of the existing development given its positioning to the rear of the dwellings facing Kings Head Lane and their single storey nature.

2.0 Impact upon the character and appearance of the area

2.1 The previous appeal decision considered that whilst backland development is not characteristic of the area, the site is largely screened from public views by the host dwellings, this coupled with the modest scale of the dwellings proposed will also help to ensure that any views are minimal. The design of the dwellings is acceptable given the form and character of the existing, varied development along Kings Head Lane, which again coupled with the minimal public views limits the impact on the wider area. In light of the above, the proposal is considered acceptable, having due regard to Policy DC16 and paragraph 17 of the NPPF.

3.0 Impact on amenity

3.1 The small scale, internal layout and orientation of the site is such that the impact on the level of amenity currently received to the occupiers of 29 and 31 Kings Head Lane will be minimal, particularly in terms of overlooking, loss of light and over dominance. A condition has been attached in relation to further details relating to the air source heat pumps being provided in order to ensure the resultant noise as a result is not likely to cause noise and disturbance. The application also provides sufficient, private amenity space for any future occupiers. The application is therefore considered to have due regard to Policy DC1 and paragraph 17 of the NPPF.

4.0 Impact on highway safety

4.1 The application shows access to the western side of No.31 and provides a single garage for each plot as well as a parking and turning area. Norfolk County Council Highways was consulted on the proposal and subsequently raised no objection subject to conditions relating to: the access being widened to 4.5m for the first 5 metres and the access, parking and turning area being provided and retained. These will be attached to any forthcoming approval, the application is therefore considered to have due regard to Policy CP4 and paragraph 32 of the NPPF.

5.0 Impact on trees

5.1 The application was accompanied by an Arboricultural Impact Assessment which was sent to the Tree and Countryside Officer for comment. Notwithstanding this, it was noted that the Assessment is almost 3

years old. As such, a revised implication assessment and tree protection plan is required. It has been agreed that it would be acceptable to condition this in order to ensure the application has sufficient regard to Policy DC12.

6.0 Other issues

6.1 The Environmental Health Team have raised no objection subject to a condition relating to air source heat pump siting and a note relating to foul drainage. These will be attached to any forthcoming approval.

6.2 The Contaminated Land Team has raised no objection.

7.0 Conclusion

7.1 On balance, it is considered that the proposal would constitute a sustainable form of development as defined in Paragraph 7 of the NPPF, which would help to support the local rural community, would not compromise local amenity and would not adversely impact the character and appearance of the surrounding area. The application is therefore recommended for approval.

RECOMMENDATION

Planning Permission

CONDITIONS

3006	Full Permission Time Limit (2 years)	
3047A	In accordance with submitted plans NEW 2017	
HA10	Existing access - widened or improved	
HA24	Provision of parking and servicing - when shown on plan	
3920	Air source heat pumps	
3302	No P.D. for extensions, roof alterations, porches	
3920	Updated AIA and TPP required	
3994	Fould drainage - NOTE	
4000	Variation of approved plans	
3996	Note - Discharge of Conditions	
2000	NOTE: Application Approved Without Amendment	
2014	Criterion E - Planning Apps Where Approved	
MT03	External wall and roof materials to be agreed	This condition will require to be discharged
DE08	Slab level to be arranged	This condition will require to be discharged

ITEM: 7	RECOMMENDATION: APPROVAL
REF NO: 3PL/2017/1000/F	CASE OFFICER Sandra Bunning
LOCATION: YAXHAM The Old Post Office Norwich Road Yaxham	APPNTYPE: Full POLICY: In Settlemnt Bndry ALLOCATION: N CONS AREA: N LB GRADE: N TPO: N
APPLICANT: Housing Ladder (Breckland) Ltd 20-22 Wenlock Road London N1 7GU London N1 7GU	
AGENT: Landmark Associates 2 Muir Drive Hingham	
PROPOSAL: Residential access from Norwich Road, Clint Green, Yaxham with associated turning area	

DEFERRED REASON

REASON FOR COMMITTEE CONSIDERATION

The application is referred to Planning Committee as the applicant is a District Councillor

KEY ISSUES

Amenity
Highway safety

DESCRIPTION OF DEVELOPMENT

This application seeks planning permission for the creation of a new access into the site, known as The Old Post Office, in Norwich Road, Clint Green, Yaxham.
Access exists to the site currently by way of a shared access from the highway with Yaxham Primary School directly to the south west, with a gated entrance to the rear of The Old Post Office. The existing access is directly opposite the junction of Norwich Road with Well Hill.
The proposed new access would be situated 3.2m to the north east of The Old Post Office, and would measure 4.5m in width. The grassed area to the north east of The Old Post Office measures 14.1m in width. The new access would provide a turning area within the site, so that vehicles can re-enter the highway in forward gear. Four parking spaces are outlined to the rear of The Old Post Office.

SITE AND LOCATION

The Old Post Office, currently unoccupied, is a part commercial/part residential building, situated in Norwich Road, Clint Green, Yaxham. Immediately adjacent to the south west is Yaxham Primary School, with residential dwellings to the north east and opposite, as well as the junction of Well Hill with Norwich Road. The building is currently in the process of being renovated.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2000/1192/F Permission 20-10-00

Installation of a white wall mounted satellite dish antenna

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

CP.04 Infrastructure
DC.01 Protection of Amenity
NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance
Yaxham Neighbourhood Plan

OBLIGATIONS/CIL

Not Applicable

CONSULTATIONS

YAXHAM PARISH COUNCIL

Yaxham Parish Council raised initial objections to the application on the grounds of:-

- * Information provided - the proposed access would add to a proliferation of accesses onto the public highway of Norwich Road almost opposite its junction with Well Hill and this will lead to additional interference with free and safe flow of traffic at this congested junction, to the detriment of highway safety.
- * Inadequate visibility splays are provided at the junction of the access with the highway and this would cause danger and inconvenience to users of the adjoining public highway, including those going to and from the adjacent Yaxham Primary School.
- * The proposed development would involve the construction of a new vehicular access where visibility is severely restricted by the adjacent shop and post box directly to the west of the proposed new access and would therefore be likely to give rise to conditions detrimental to highway safety.
- * The proposed access would result in a significant visual intrusion and have an urbanising effect, harmful to the character and appearance of the area, contrary to the village consultation responses as set out in the Yaxham Neighbourhood Plan.

Following the submission of a revised site plan, the Parish Council has concluded that the amended application does not address the concerns raised previously by the Parish Council about this additional access onto this already dangerous busy junction by Yaxham Primary School. The Parish Council wishes to draw the Local Planning Authority's and Highway Authority's attention to the major omission from the revised site plan, namely the post box outside the Old Post Office. This is directly at driver's eye-level and to achieve the indicated 35m sight-line indicated drivers would need to see through the post box towards the oncoming traffic from the blind bend to the west of the school. The Parish Council estimates that if the Post Box was taken account of visibility splay is reduced from 35m to nearer 20m, which is not believed to be sufficient for such a new access in such a location. We therefore call on the applicant to submit a revised site plan incorporating the post box and its effects on visibility at this site. We note that the applicant has verbally said he will move the post box and also take back from the road the front of the old Post Office building. If the application was amended accordingly, then the Parish Council would seriously take this into account, but until it does so the objection stands. The Parish Council also notes that the applicant's agent has confirmed that the use of the shared access with the school will remain as it is, that commercial vehicles will continue to use this and its amendment is not part of this application.

NORFOLK COUNTY COUNCIL HIGHWAYS

It is understood that the existing property has both retail and residential use but note that the shop is currently closed.

Access to the property is currently via an access shared with the neighbouring primary school which is used by both vehicles and school children.

Visibility from this access onto Norwich Road measures some 30m to the south west and only 15m to the north east from a 2.4m set-back. This is far below Government safety guidance which recommends visibility of 2.4m x 43m to either side of an access located within a 30mph.

The applicant proposes creating a new access to serve the site which would achieve visibility of 2.4m x 35m to the south west and 2.4m x 43m to the north east. This would be a great improvement on the current situation and would enhance highway safety.

The applicant has advised that the existing shared access is frequently blocked by parked vehicles and that vehicular access to the property is often unavailable as a result. It would therefore be appropriate, as a condition of the creation of the new access, that the vehicular access into the site from the shared school access be closed. This will remove the applicant's (and subsequent residents) vehicles from the school access and will reduce the incident of pedestrian/vehicular conflict in this location.

Should your Authority be minded to grant approval, please impose conditions:

- * Vehicular access shall be provided and retained thereafter
- * Visibility splays shall be provided
- * No gates, bollard, chain or other means of obstruction shall be erected
- * Proposed access, parking and turning area to be laid out etc
- * Vehicular access to and egress from the adjoining highway shall be limited to the new access shown on the drawing 2017-463 02 Rev A only and the existing access shall be permanently closed.

ENVIRONMENTAL HEALTH OFFICERS

Based on the information provided to me at this time, there are no objections or comments on the grounds of Environmental Protection, providing the development proceeds in line with the application details, as amended.

PUBLIC RIGHTS OF WAY OFFICER

The Public Right of Way, known as Yaxham Footpath 2, is aligned within the development site. The full width of this footpath must remain open and accessible for the duration of the development and subsequent occupation.

REPRESENTATIONS

Thirteen letters of representation received, summarised below:

Twelve letters of objection:

- Assurance that the new access will not impinge on the movement of HGV vehicles both entering and leaving Well Hill and that it does not diminish commercial activities to and from a local nursery business
- What are the intentions and ultimate plans for this site? Is this a prerequisite to another application for a larger application?
- Evidence to be provided proving there are 4 existing car parking spaces, agreement date and for evidence that this car park has been in use up to present day.
- Well Hill is already a dangerous junction to exit from and has become more so since the introduction of 20mph. Turning right is far more of a risk, therefore adding an entrance at the point of turning right will make this even more of a hazard
- What is the proposed development plan for this site that warrants 4 vehicles?
- Plans show footpaths, where there are none in reality
- Vehicles visiting school has increased and often double park on the junction outside the school and beyond
- Clarity required on the purpose of access. Concern over the use of the access for parking and vehicles for the shop
- Responses from applicant contradictory. The access is detailed as residential, yet it is later stated that the shared access is simply for the occupiers and visitors to the accommodation, the occupiers of the shop and relevant service vehicles
- Is the applicant proposing any formal measures to police the use of any proposed access to the land by customers? Could this be conditioned?
- Proposed visibility splay for traffic approaching from the Dereham direction has been reduced.
- Any commercial/service vehicles and shop associated vehicles stood, parked, loading or unloading in the shared entrance will potentially compromise the safety of the school and shop users alike, plus potentially impacting on any visibility splay of the new proposed access.
- Inaccuracy of plans, identifying verges instead of footpaths. The verge to the right of Well Hill is actually a bank.
- Concerns over customer parking for shop.

One letter of Support:

- Support any initiative that seeks to divert traffic and pedestrians away from the existing school access, particularly during school hours. This would be in line with health and safety considerations that the schools always need to consider
- One letter stating they have no objection to the application

Other Comments:

- Currently the applicant has rights over the school access and clarification of the applicant's intention for any future use over the school's access would be helpful. We would ask that any future construction traffic does not use the existing school access.
- Request that the existing school shared access is not used for future work vehicles accessing the site, in particular within school hours in term time, to protect the children as pedestrian access is across the current shared access.
- The school would also like to see the pavement footpath on the southern roadside re-established to its

current width, as currently the pavement is artificially narrowed by vegetation, creating an issue with many children filtering past the property

- Has any proposed traffic management plan been submitted in support of the application? Perhaps detailing the theory behind the usage of the two accesses if permitted.

ASSESSMENT NOTES

1.0 Principle

1.1 The application is referred to Planning Committee as the applicant is a District Councillor.

2.0 Policy

2.1 The application involves the creation of a new vehicular access at The Old Post Office, Norwich Road, Clint Green, Yaxham. Core Strategy Policy CP4 (Infrastructure) is of relevance to the proposal, ensuring the safe access to all developments. The site is within the Yaxham Settlement Boundary, in a residential built-up area. Core Strategy Policy DC01 requires all new developments to consider the impact on amenity. Paragraph 32 of the NPPF requires the safe and suitable access to the site can be achieved for all people.

3.0 Highway Safety

3.1 The existing property has both retail and residential use but note that the shop is currently closed.

Access to the property is currently via an access shared with the neighbouring primary school which is used by both vehicles and school children.

Visibility from this access onto Norwich Road measures some 30m to the southwest and only 15m to the north east from a 2.4m set-back. This is far below Government safety guidance which recommends visibility of 2.4m x 43m to either side of an access located within a 30 mph.

The applicant proposes creating a new access to serve the site which would achieve visibility of 2.4m x 35m to the south west and 2.4m x 43m to the north east. The Highways Authority was consulted and determined that this would be a considerable improvement on the current situation and would enhance highway safety.

The applicant has advised that the existing shared access is frequently blocked by parked vehicles and that vehicular access to the property is often unavailable as a result. It would therefore be appropriate, as a condition of the creation of the new access, that the vehicular access into the site from the shared school access be closed. This will remove the applicants (and subsequent residents) vehicles from the school access and will reduce the incident of pedestrian/vehicular conflict in this location.

The Highways Authority raises no objections to the proposal, subject to conditions.

The relevant test within paragraph 32 of the NPPF states that permission should only be refused on transport grounds where the residual adverse impacts are severe. Strong objections have been received from local residents as well as the Parish Council on highway grounds, the main points of which are set out in the representations and consultation sections of this report. However as a result of the new access, visibility would improve in both directions, enhancing highway safety.

As a matter of planning judgement, and taking account of the Highway Authority's comments dated 25th

October 2017, it is not considered on balance that the additional impact of the new access would be severe.

4.0 Amenity

4.1 Whilst there are neighbouring properties within the vicinity, considering the positioning of the new access to the north east, it will not result in a loss of privacy, or an increase in pollution and the impact on the landscape would be minimal, given the existing use of the site being commercial and residential.

5.0 Other Issues

5.1 Letters of objection were received, as summarised above, relating to the increase in traffic movements, lack of visibility, danger to highway users, and the intention of the use of the site by the applicant. The application as submitted relates only to the creation of a new access. The Old Post Office has a valid permission as commercial and domestic use and it is understood the premises are being marketed for the same use as existing. Therefore, the intended use of the site remains unchanged. The proposed access can only be considered as part of this application. With regards to the comments received regarding the further lack of visibility due to the siting of the existing Post Box, a condition can be imposed on to the planning permission to ensure the Post Box is removed and relocated to a more convenient location, subject to the approval of the Local Planning Authority. A condition can also be imposed, at the request of the Highways Authority, to close the existing vehicular access to the rear of The Old Post Office, ensuring access is only obtained to the site via the new access.

6.0 Conclusion

6.1 Whilst the new access does not achieve the full visibility splay in accordance with highway safety guidance, it is an improvement on the existing access shared with the Yaxham Primary School. In addition to this, the Highways Authority has raised no objection to the proposed access and it would enhance highway safety, in the interests of both visitors and children at Yaxham Primary School and Yaxham residents, in accordance with Policy CP4, DC1 and the NPPF paragraph 32.

The application is therefore recommended for approval.

RECOMMENDATION

Planning Permission

CONDITIONS

3007	Full Permission Time Limit (3 years)
3047A	In accordance with submitted plans NEW 2017
MT02	External materials as approved
HA08	New access - construction over verge
HA19	Provision of visibility splay on approved plan
HA24	Provision of parking and servicing - when shown on plan
HA09	Existing access - closure
3920	Post box to be re-sited
AN61	NOTE NCC Inf 2 When Vehicular access works required

BRECKLAND COUNCIL - PLANNING COMMITTEE - 20th November 2017

3994	Applicant meets costs of relocation of post box	
4000	Variation of approved plans	
3996	Note - Discharge of Conditions	
2001	Application Approved Following Revisions	
2014	Criterion E - Planning Apps Where Approved	
HA14	Access gates - restriction	This condition will require to be discharged

ITEM: 8	RECOMMENDATION: REFUSAL
REF NO: 3PL/2017/1055/O	CASE OFFICER Lisa ODonovan
LOCATION: GREAT ELLINGHAM Alder Carr House Attleborough Road, Great Ellingham	APPNTYPE: Outline POLICY: Out Settlemnt Bndry ALLOCATION: N CONS AREA: N LB GRADE: N TPO: N
APPLICANT: Arpels Development Ltd Alder Developments Ltd Alder Carr House	
AGENT: Nigel Hurrell N H Building Design 18 Plassett Drive	
PROPOSAL: 3 new dwellings and re roof outbuilding	

REASON FOR COMMITTEE CONSIDERATION

The application is brought to committee at the request of the Ward Representative.

KEY ISSUES

- Principle of development an contribution towards housing supply
- Impact on character and appearance of surrounding area
- Impact on amenity
- Highway safety
- Ecological implications
- Impact on trees

DESCRIPTION OF DEVELOPMENT

The application seeks outline planning permission for the erection of three dwellings on land to the west of Alder Carr Hall, Attleborough Road, Great Ellingham. The application is submitted entirely in outline with all matters (access, layout, scale, appearance and landscaping) other than the principle of development reserved for consideration at a later date. An indicative site plan has been submitted showing the site to utilise an existing access from Attleborough Road to the west of Alder Carr Hall, with three no. dwellings along its length. The indicative proposal indicates the provision of three no. one and half storey detached four bedroom dwellings, each with detached or attached single/double garage.

It is also proposed to re-roof an existing outbuilding to the north-east of the access, forward of the proposed dwellings.

The application is a revised submission of a previously refused (upheld at appeal) application for outline for the erection of seven dwellings.

SITE AND LOCATION

The application site comprises of a piece of land approximately 0.032 Ha in area located to the north side of Attleborough Road, Great Ellingham. The application site sits within the open countryside to the southeast of the village of Great Ellingham alongside the Attleborough Road that runs from Great Ellingham southeast to Attleborough. The site comprises of principally two parts; the southern part includes the existing site access and access drive, with two buildings last used for home office, storage, and conference and training purposes and their associated parking areas. The northern part comprises open grassland and a collection of mature trees. The site borders the grounds and buildings of Alder Carr Hall to the south and east, and wooded are borders the site to the north and west. Beyond this the site is surrounded by open arable fields on all sides. The settlement boundary of Great Ellingham is located approximately 200 metres to the north west of the site and a small collection of three dwellings are located to the southeast along Attleborough Road.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2015/1472/O - Demolition of buildings and erection of 7 dwellings - Refused, dismissed on appeal

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

CP.10	Natural Environment
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.12	Trees and Landscape
DC.16	Design
DC.19	Parking Provision
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
SS1	Spatial Strategy

OBLIGATIONS/CIL

Not Applicable

CONSULTATIONS

TREE AND COUNTRYSIDE CONSULTANT

No objection in principal, it would be necessary to condition an updated arboricultural implication assessment and tree protection plan based on the new layout, and potentially visibility splays following comments from Highways.

CONTAMINATED LAND OFFICER

No objection subject to conditions.

NORFOLK COUNTY COUNCIL HIGHWAYS

Recommends refusal on the grounds of:

- Inadequate visibility

- The proposed development does not adequately provide off-site facilities for pedestrians, cyclists people with disabilities (those confined to a wheelchair or others with mobility difficulties) to link with existing provision and / or local services.

- The proposal is remote from local service centre provision conflicting with the aims of sustainable development, the need to minimise travel, and the ability to encourage walking, cycling, use of public transport and reduce the reliance on the private car as represented in national and local policy. Contrary to the National Planning Policy Framework and Policy 5 of Norfolk's 3rd Local Transport Plan, entitled Connecting Norfolk.

ENVIRONMENTAL HEALTH OFFICERS

There are no objections or comments on the grounds of Environmental Protection, providing the development proceeds in line with the application details.

GREAT ELLINGHAM PARISH COUNCIL

This application was discussed at the meeting of Great Ellingham Parish Council on 18 October 2017. Councillors did not object to the application. In view of Great Ellingham's "dark sky" status, Councillors request that a lighting clause is included in any permission granted. National Planning Policy Framework Clause 125 and Norfolk County Council's Environmental Lighting Zones Policy both recognise the importance of preserving dark landscapes and dark skies. In order to minimise light pollution, we recommend that any outdoor lights associated with this application should be: 1) fully shielded (enclosed in full cut-off flat glass fitments) 2) directed downwards (mounted horizontally to the ground and not tilted upwards) 3) switched on only when needed (no dusk to dawn lamps) 4) white light low-energy lamps (LED, metal halide or fluorescent) and not orange or pink sodium sources

ENVIRONMENTAL SERVICES OFFICER	No Comments Received
ECOLOGICAL AND BIODIVERSITY CONSULTANT	No Comments Received
CHIEF FIRE OFFICER	No Comments Received
HOUSING ENABLING OFFICER	No Comments Received
GREAT ELLINGHAM P C	No Comments Received

REPRESENTATIONS

Site notice erected: 29-09-2017

Consultations issued: 20-09-2017

No representations received.

ASSESSMENT NOTES

The application is a resubmission of a larger, refused scheme for 7 dwellings. This refusal was subsequently upheld at appeal. Whilst this submission is significantly reduced in terms of number of dwellings, the principal issues remain.

The application site is located outside of any Settlement Boundary as designated by the adopted Core Strategy and Development Control Policies Development Plan Document (2009). For this reason the proposal conflicts in principle with Policies DC2 and CP14 of the Core Strategy and Development Control Policies Development Plan Document which seeks to focus new housing within defined Settlement Boundaries. However, paragraph 49 of the National Planning Policy Framework (NPPF) states that where an authority does not have an up to date five year housing land supply, the relevant local policies for the supply of housing as referred to above should not be considered up-to-date and that housing applications should be considered in the context of the presumption in favour of sustainable development.

The Government defines sustainable development as having three broad roles:

- economic, in terms of building a strong economy and in particular by ensuring that sufficient land of the right type is available in the right places
- social, by supporting, strong vibrant and healthy communities by providing the supply of housing required to meet future need in a high quality environment with accessible local services and
- environmental, through the protection and enhancement of the natural, built and historic environment

Paragraph 8 of the NPPF also stresses that these roles should not be undertaken in isolation because they are mutually dependent; therefore a balanced assessment against these three roles is required. In terms of the economic and social criteria, the proposal would provide 7 new dwellings and would therefore make a small contribution to the housing supply shortfall. The proposal would also provide some limited short-term economic benefits through labour and supply chain demand required during construction, and longer-term economic benefits through the additional household spend within the surrounding area that would be generated by the provision of seven family sized dwellings. However, given the small scale nature of the development these benefits are not considered to be significant and not definitive in this instance.

The nearest settlement of Great Ellingham is defined as a Service Centre Village through policy SS1 of the adopted Core Strategy and Development Control Policies DPD. The intention being to protect and enhance existing facilities and provide for local needs. It is noted that there are some small scale facilities within Great Ellingham including primary school, post office, shop, church, public house and village hall. Whilst offering a range of facilities, the level of service provision in Great Ellingham are such that future residents of the family sized dwellings would still be dependant on higher order settlements for the majority of shopping,

employment, education and leisure purposes.

With regard to the sites access to Great Ellingham, the site is a distinct from and separated from the settlement boundary of Great Ellingham to the northwest by open fields. As noted above there is no footpath linking the site to the edge of the village, the nearest footpath is approximately 300 metres to the north west. As a result pedestrians would be forced along a significant stretch of the unlit Attleborough Road. It is also noted that this stretch of Attleborough Road is beyond the 30 mph speed restriction and is therefore subject to traffic moving at national speed limits of 60 mph. There is therefore no safe access to the facilities which are available within Great Ellingham. This would further encourage the use of the motor vehicle and less sustainable modes of travel. Therefore, the site is not considered to be in a sustainable location.

Whilst it is noted that the NPPF recognises that opportunities to maximise sustainable transport solutions will vary from urban to rural areas. In this instance, it is noted that the sites location within a wider area of open countryside approximately 2 miles from the nearest major / higher order settlement (Attleborough) that would provide for a full range of employment, education, retail and leisure services would inevitably require the regular use of the motor vehicle. There are no railway connections in close proximity, and whilst a bus route runs along Attleborough Road to the south, the nearest bus stop is a significant distance away from the site, and pedestrians would have to first navigate an unlit road subject to regular traffic of high speeds before reaching a footpath. This would further encourage the use of the private motor-vehicle for all major trips.

Footnote 11 of the NPPF does also confirm that the site should be available now, and have a realistic prospect of being developed within five years. Given the scale and nature of the proposal it is not considered unreasonable that this scheme of seven family sized dwellings could be developed within the next 5 years.

However, taking all these matters into account, it is concluded that the proposal would conflict with the golden thread and the sustainable development principles within the NPPF as given the sites location the proposals would not provide for sustainable development. With respect to environmental aspect of sustainable development further discussion of the environmental implications and the effects of the proposed dwellings on the character and appearance of the area are considered in detail below.

Impact on the character and appearance of the area

The application is in outline with all matters reserved however an indicative layout plan and design has been provided for consideration. The previous appeal decision determined that the erection of two or three dwellings along the driveway would have a limited impact on the character and appearance of the area given the replacement of existing buildings and their proximity to the main hotel and spa complex. On this basis it would be difficult to substantiate an objection in this regard. Full details would also be considered at the reserved matters stage should outline permission be forthcoming. On this basis there is no objection having regard to Policy DC16 and paragraph 17 of the NPPF.

Impact on amenity

Policy DC1 of the Core Strategy requires that all new development have regard to amenity considerations and states that development will not be permitted where there are unacceptable effects on the amenity of neighbouring residents and future occupants.

Whilst in outline only, the proposal as indicated positions three dwellings in such a way so as to provide sufficient separation distances between the proposed dwellings and Aldercarr House on an orientation which will not cause significant issues in terms of overlooking, loss of light or over-dominance. The proposals also provide sufficient amenity space for any future occupiers. The proposal is therefore considered to have due

regard to Policy DC1 and paragraph 17 of the NPPF.

Highway safety

Policy CP4 of the Core strategy seeks to ensure that all access and safety concerns are resolved in new developments. Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The proposed development as indicated would utilise an existing access on to Attleborough Road to the west of Alder Carr Hall to serve the proposed dwellings. Whilst it is noted that the application does not seek permission for access, and this would not be the only feasible option given that it appears the applicants own the adjacent Alder Carr Hall, this is the only point of the application site that adjoins the public highway and therefore this would appear a reasonable assumption. From the comments of the Highways Authority it is noted that this access is currently sub-standard providing only 81% of the recommended safety standard for visibility to the north-west.

The proposed development of three dwellings would generate regular vehicular traffic predominantly at the start and end of the day and throughout the week and weekend. This would equate to approximately 18 habitual movements a day (based on a dwelling generating in the order of 6 vehicular movements a day) onto Attleborough Road, which is defined as a Main Distributor Road whose primary function is to carry high volumes of traffic between centres of population. The lack of other connections and linkages would reinforce the need for private motor-vehicle journeys to be made. Whilst it is noted that the access currently exists and would provide access to part of the Alder Carr Hall site, it is noted that this is not the only access to the site, and the main access is currently that located to the southeast further along Attleborough Road. No evidence has been submitted of the existing or lawful levels of traffic movements to and from the site. The proposed development does also not provide for safe pedestrian access to and from the site and linking the proposed dwellings to the facilities and amenities in Great Ellingham or to bus stops. As a result, it is considered that the regular and frequent use of the only access to the three dwellings with inadequate visibility would be sufficient to cause significant detriment to the safety and operation of the surrounding highway network.

Whilst it is appreciated that the proposal significantly reduces the number of dwellings proposed by the previously refused application by four, the increased vehicular movements generated by three dwellings is still considered significant and the Inspectors assessment contained within the previous appeal decision remains relevant.

Having regard to the above, it is considered that the proposed development would not in principle provide for adequate safe access and egress by vehicles and pedestrians and as a result would cause significant adverse impact on the safety and function of the surrounding highway network, and the safety of members of the public. As a result the proposals would accord with policy CP4 of the Core Strategy and the policies within the NPPF.

Ecological Implications

Issue with original consultations not being sent - sent late will add later

Impact on trees

The Council's Tree and Countryside Officer was consulted on the scheme and the accompanying Arboricultural Implications Assessment (AIA). It was apparent however that this was based on the previous layout and scheme and not the current submission. Notwithstanding this, it was considered that should

approval be forthcoming, a condition could be imposed to request that an updated AIA and Tree Protection Plan be submitted based on the new layout and any visibility splays as required by highways. As a result, it is considered that the implications on the trees on the site could be monitored, having due regard to Policy DC12.

Conclusion

In summary, the proposed development would be unacceptable because the site is not considered to be within a sustainable location and will have a significant adverse impact on the safety and operation of the highway network. The adverse impacts of the proposal would significantly and demonstrably outweigh its benefits. Therefore, the proposed development would not constitute sustainable development. In accordance with paragraph 14 of the NPPF the application is recommended for refusal.

RECOMMENDATION

Refusal of Outline Planning Permission

REASON(S) FOR REFUSAL

- | | |
|------|---|
| 9900 | Sustainable location |
| 9900 | Highway and pedestrian safety |
| 2002 | Application Refused Following Discussion - No Way Forward |
| 2009 | Criterion E - Planning Apps Where Refused |

ITEM: 9	RECOMMENDATION: REFUSAL
REF NO: 3PL/2017/1225/F	CASE OFFICER Lisa ODonovan
LOCATION: ROCKLANDS Land at Mill Lane Rockland All Saints	APPNTYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: N CONS AREA: N LB GRADE: N TPO: N
APPLICANT: Mr Adrien Annison C/o NKF Planning Consultancy Ltd	
AGENT: NKF Planning Consultancy Limited 34 Queen Elizabeth Avenue Gaywood	
PROPOSAL: Single storey dwelling	

REASON FOR COMMITTEE CONSIDERATION

The application is brought to committee at the request of the Ward Representative.

KEY ISSUES

Principle of development/previous appeal decision
Impact on character and appearance
Amenity impact
Highway safety
Impact on the public footpath

DESCRIPTION OF DEVELOPMENT

The application proposes the erection of one three bedroom single storey dwelling on land to the north of Iem View, Mill Lane. The dwelling is proposed using rendered walls on top of a brick plinth with natural red pantiles. It is proposed to utilise an existing access.

SITE AND LOCATION

The site lies to the north of a small group of 5 dwellings, all of which sit road facing Mill Lane. Agricultural land lies to the east and north with the main body of Rockland All Saints situated an approximate 510 metres walk away. The site lies outside of the settlement boundary, however the western section of the settlement boundary lies approximately 165m to the north-east of the site.

A public footpath/bridleway lies immediately to the south-west side of the development site.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2016/1194/F - Single Storey Dwelling, Garage & Cartshed and Workshop - Refused (Dismissed at appeal)

3PL/2015/0518/F: Four new bungalows with parking - Refused (and dismissed at appeal)

3PL/2012/0378/O: Residential development (3 houses) - Refused

3PL/2001/1030/O - Erection of a one and a half storey cottage style dwelling and detached garage - Refused.

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

CP.04	Infrastructure
CP.09	Pollution and Waste
CP.11	Protection and Enhancement of the Landscape
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.16	Design
DC.19	Parking Provision
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

OBLIGATIONS/CIL

Not applicable

CONSULTATIONS

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to conditions.

CONTAMINATED LAND OFFICER

There are no objections or comments on the grounds of Environmental Protection, providing the development proceeds in line with the application details.

ENVIRONMENTAL HEALTH OFFICERS

There are no objections or comments on the grounds of Environmental Protection, providing the development proceeds in line with the application details.

RAMBLERS ASSOCIATION: NORFOLK AREA

We note that the Design and Access Statement indicates that the site lies outside the Settlement Boundary. There are existing houses adjacent to the site, also outside the boundary, but we do not consider that these provide justification for adding another. The site is currently part of open land, accessible and visible from Rocklands Bridleway 3, which lies not only to the south of the site, but also follows Mill Lane to the east. We note also the intention stated in the D&AS (p14) to widen the bridleway (by which we presume is meant the section running to the south of the site). It is not clear why an increased width is seen as a positive, since access to the site is intended to be from Mill Lane, but we assume that increased vehicular traffic is expected and it is for this reason that an increase in width is seen as needed. In our view, the combination of the loss of open land, the visual intrusion of the development, and the additional traffic on Mill Lane, and, it seems, on the bridleway to the south, all constitute a reduction in amenity for users of the bridleway (and, to a lesser extent, Rocklands Footpath 2 which continues south west in the line of Mill Lane). On these grounds, we object to the application.

REPRESENTATIONS

Site notice erected: 06-10-2017

Consultations issued:03-10-2017

9 letters of representation have been received and a petition in support of the development.

The objections received relate to: land being outside the settlement boundary, therefore not in line with Policies, the site not being sustainable, traffic implications due to the nature of Mill Lane, impact on the character and appearance of the area; flooding/drainage issues and loss of view, previous application dismissed on appeal on grounds it did not constitute sustainable development.

ASSESSMENT NOTES

The application is the resubmission of a previously refused scheme, also upheld at appeal, for a similar proposal. The main changes within this application relate to:

- a reduction in the plot size to 0.17 hectare
- the removal of the garage to the front.

The dwelling remains of the same design and scale.

Principle of development

This application seeks full planning permission for the erection of one dwelling on land outside of any Settlement Boundary. For this reason, the proposal conflicts in principle with Policies DC2 and CP14 of the Core Strategy and Development Control Policies Development Plan Document (2009), which seek to focus new housing within defined Settlement Boundaries.

However, paragraph 49 of the NPPF states that where an authority does not have an up-to-date five year housing land supply (the current published figure is 4.73 years), the relevant local policies for the supply of

housing, as referred to above, should not be considered up-to-date and that housing applications should be considered in the context of the presumption in favour of sustainable development.

In such cases, Paragraph 14 of the NPPF advises that planning permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole or in part that indicate development should be restricted.

The NPPF constitutes guidance for local planning authorities and decision-takers and is a material consideration in the determination of planning applications to achieve sustainable development. The Government outlines three dimensions to sustainable development: economic, social and environmental (paragraph 7). These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

- a social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

- an environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

Paragraph 8 states that these roles should not be undertaken in isolation, because they are mutually dependent and that the planning system should play an active role in guiding development to sustainable solutions. A balanced assessment against these roles is, therefore, required.

In terms of the economic and social criteria, the proposal would provide one new dwelling and would, therefore, make a positive, albeit very small, contribution to the housing supply. The proposal would have limited short-term economic benefits through labour and supply chain demand required during construction, and longer-term economic benefits through the additional household spend within the wider area that would be generated by the provision of one dwelling. However, given the small scale nature of the development, these benefits are not considered to be a significant and definitive overriding matter in this instance.

The social role of sustainable development seeks to ensure, amongst other matters, the creation of a high quality built environment with accessible local services. Rocklands is split into two settlement boundaries; the site is near one of the Settlement Boundaries but the site is clearly outside.

Rocklands is defined by Policy SS1 as a rural settlement and thus is completely reliant on higher level settlements for services and facilities. Attleborough, a higher order settlement, is located approximately 5.1 miles (southwest) from the site. The route is not considered to be walking distance and the route is not safe for pedestrians. Notwithstanding this, a previous appeal decision concluded that the village includes a community shop and post office, a public house and a primary school and that these services are situated along The Street which is accessible via a short walk along the bridleway adjacent the site. Whilst accessing wider services and facilities would necessitate the need for travel by car, it was considered that the village provides a range of day-to-day needs which would reduce the need to travel by car, as such, the site would not be functionally isolated. As such, the proposal is considered to meet the social role of sustainable

development and would not conflict with paragraph 55 of the NPPF.

Environmentally, it is accepted that the site is bounded to the south-west by a small cluster of dwellings however this cluster of dwellings and application site is separated from the rest of the settlement by a large tract of undeveloped land and is surrounded by open countryside. With the exception of The Elms, the rest of the dwellings are not visible and the cluster of dwellings are largely hidden along The Bridleway from The street by established boundary planting. This proposal introduces a new dwelling, which whilst in keeping with its rural character and form of development around it, it would result in the further visual intrusion of development within an area primarily characterised by its rural/open nature and offers no improvements or benefits in terms of biodiversity, minimising waste and pollution or introduce any features to reduce emissions. There are no material benefits therefore that would outweigh the harm in this regard.

The Inspector in dismissing the previous appeal refers to the undeveloped state of the site which forms part of the countryside and makes a positive contribution to the rural setting of the village and that development would result in the loss of an undeveloped site and would result in encroachment of residential development in the countryside. This argument still applies with the current scheme.

On balance and in light of the above factors, the proposal is not considered sustainable nor does it offer significant benefits in order to outweigh the harm caused by development contrary to the above mentioned policies and taking account of paragraphs 7, 8, 14 and 34 of the NPPF.

Impact on the character and appearance of the area

As stated above, The environmental role of sustainable development seeks to, in part, contribute to protecting and enhancing the natural, built and historic environment. Consideration of a development's impact on the character and appearance of the area within which it is situated is, therefore, integral to the environmental dimension of sustainable design, as is its design.

Policy CP11 of the Core Strategy seeks to ensure that the landscape of the District will be protected for the sake of its own intrinsic beauty and its benefit to the rural character. Development within the District is also expected to be of the highest design quality in terms of both architecture and landscape.

Policy DC16 requires all new development to achieve the highest standard of design. As part of this, all design proposals must preserve or enhance the existing character of an area. Consideration will also be given to the density of buildings in a particular area and the landscape/townscape effect of any increased density.

The site is located off the narrow unmade, road, Mill Lane to the rear of the Public House and touring caravan site where development is sporadic and the character open and rural. The site has an open frontage bounded by a chicken wire fence to the east and south, no boundary to the touring caravan site and hedging/a few trees on the northern boundary. Open fields also border the site to the south and east.

The proposal is for a single storey, large bungalow set facing the eastern boundary. Whilst the site is ample for this development, the character of the site would clearly change from open agricultural field to domestic residential use in an open site and with an open setting to the south and east. As a result there would be harm caused to the character and appearance of the site and surrounding rural landscape. The proposal therefore fails to accord with Policies CP11 and DC16.

Impact on amenity

Policy DC1 seeks to protect residential amenity and that all new development must have regard to amenity considerations and states that development will not be permitted where there are unacceptable effects on the amenity of neighbouring residents and future occupants.

Given the location and single storey scale the proposal is unlikely to cause any adverse impact in terms of loss of amenity to neighbouring occupiers, particularly in terms of loss of light, overlooking and over dominance. The proposal also provides a sufficient amount of private rear amenity space for use by any future occupants, the proposal is therefore considered to have due regard to Policy DC1.

Highways Impact

The NPPF requires new developments to provide safe and suitable access to the site for all people. Policy CP4 seeks to ensure that all access and safety concerns are resolved in new developments.

The Highway Authority has advised that the site is served by an unmade private track which forms part of the route of a Public Right of Way, Bridleway Rocklands BR3, and lies adjacent to a public right of way which leads to the village centre, the school, the shop and the pub. Mill Lane, in the main, is around 3m in width which does not allow a two way flow of vehicular traffic. However it does widen to at least 5m at its junction with the county highway and the Highways Authority is satisfied that two cars could pass in this location. As such, they consider it would be difficult to substantiate a highway objection. The Highway Authority recommends conditions if approved.

Impact on the public footpath/bridleway

The Ramblers Association was consulted given the proximity of a public bridleway. They subsequently advised that the Design and Access Statement indicates that the site lies outside the Settlement Boundary. There are existing houses adjacent to the site, also outside the boundary, but it is not considered that these provide justification for adding another. The site is currently part of open land, accessible and visible from Rocklands Bridleway 3, which lies not only to the south of the site, but also follows Mill Lane to the east. It was noted that the intention stated in the D&AS (p14) to widen the bridleway (by which it was presumed to mean the section running to the south of the site). It is not clear why an increased width is seen as a positive, since access to the site is intended to be from Mill Lane, but assumed that increased vehicular traffic is expected and it is for this reason that an increase in width is seen as needed. In our view, the combination of the loss of open land, the visual intrusion of the development, and the additional traffic on Mill Lane, and, it seems, on the bridleway to the south, all constitute a reduction in amenity for users of the bridleway (and, to a lesser extent, Rocklands Footpath 2 which continues south west in the line of Mill Lane). On these grounds, we object to the application.

Other issues

Policy CP9 seeks to ensure that development minimises any unavoidable polluting effects and the development's design should actively seek to minimise or mitigate against all forms of pollution. The Contaminated Land Officer was consulted on this application and raised no objections.

In addition, another appeal was also dismissed in July 2016 for the construction of four houses on the land that forms part of this application and the land that is used for the touring caravan site. The Inspector concluded that it was not infill development but the development "whose outward extension in a backland setting would harm the character of this part of the village". In addition, the Inspector stated that the examples of other backland developments had limited relevance to the appeal but "the row of houses at the end of Mill Lane is isolated and at a significant distance from the edge of the village. These houses do not

form a compelling reason to allow the proposal on the appeal site". Whilst the proposal was for four dwellings and this proposal is for one dwelling, the appeal statement by the Inspector is still considered relevant and appropriate. This reinforces the importance of local character and the rural setting of the village and that the proposal is contrary to Policy DC16, which aims to preserve or enhance the existing character and appearance of the area and locally distinctive patterns of development.

The submission has heavily emphasised that this proposal is to be a "DIY Self-Build Project" stating that the applicant has registered on the Council's Register. The LPA has a duty to have regard to the register when carrying out their planning function, although it does not mean that this outweighs other matters and that planning permission should be granted.

With regard to the objections raised by local neighbours, some of the matters have been addressed in the assessment above and others are not a planning consideration (e.g. loss of view).

With regard to the remaining representations, some matters are planning considerations whilst others are not and cannot be taken into account in the determination of the application.

Conclusion

In circumstances where, as in this case, policies for the supply of housing are to be considered out of date, the NPPF, at paragraph 14, states that permission should normally be granted unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or specific NPPF policies indicate that development should be restricted.

Whilst it is noted that the proposed development would provide some benefits in terms of providing a limited contribution towards the five year housing land supply shortage and the local economy through its construction, it is considered these benefits would be outweighed by the harmful impact of the proposed development due to its detrimental effect on the character and appearance of the site and surrounding rural area and impact on the public benefits from the public bridleways to the south and east . A previous scheme for a similar proposal has also been dismissed on appeal where the Inspector considered that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits. The same arguments remain with this scheme. The proposal would, therefore, be contrary to Policies CP14, DC2 and DC16 of the Breckland Core Strategy and Development Control Policies Development Plan Document and the NPPF.

Based upon the above, the proposed development is recommended for refusal.

RECOMMENDATION

Refusal of Planning Permission

REASON(S) FOR REFUSAL

9900	Unsustainable development - economic and environmental
9900	Impact on bridleway
2002	Application Refused Following Discussion - No Way Forward
2014	Criterion E - Planning Apps Where Approved

ITEM: 10	RECOMMENDATION: APPROVAL
REF NO: 3PL/2017/1248/F	CASE OFFICER Lisa ODonovan
LOCATION: CARBROOKE Land at Meadow Lane Carbrooke	APPNTYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: N CONS AREA: N LB GRADE: N TPO: N
APPLICANT: Mr & Mrs Chapman Old Manor Cottage Willow Corner	
AGENT: Clayland Architects The Glass House Lynford Gardens	
PROPOSAL: Two new residential dwellings	

REASON FOR COMMITTEE CONSIDERATION

The application is brought to committee as the recommendation is contrary to Policy.

KEY ISSUES

Principle of development
Local character impact
Amenity impact
Highway safety
Ecological implications
Impact on trees

DESCRIPTION OF DEVELOPMENT

The application proposes the erection of two dwellings on land to the west of Crown House. Plot one will provide 5 bedrooms with a home office and annexe attached and plot two will provide 4 bedrooms and will have a detached garage with open cartlodge to the north-east side of the proposed dwelling.

Materials have been shown as red pantiles and red multi-facing brick work.

SITE AND LOCATION

Meadow Lane is an un-adopted road leading off Shipham Road/Church Street and ceases at Crown House. The land is currently used as a paddock area for horses and is well screened to the eastern boundary by established trees and hedging. There is an existing access point. The land to the front of this access is overgrown and a ditch runs to the south. Other than Crown House to the east, the land is surrounded by agricultural fields/paddocks.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2016/1464/F - Two new residential dwellings - Withdrawn

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

CP.04	Infrastructure
CP.10	Natural Environment
CP.11	Protection and Enhancement of the Landscape
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.12	Trees and Landscape
DC.16	Design
DC.19	Parking Provision
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
SS1	Spatial Strategy

OBLIGATIONS/CIL

Not Applicable

CONSULTATIONS

CARBROOKE P C

The Parish Council objects to the proposed property as it is outside the Settlement Boundary and because the proposed property would mean development of rural land to a residence. The Council also objects as it believes there has been sufficient development in Carbrooke.

CONTAMINATED LAND OFFICER

There are no objections or comments on the grounds of Environmental Protection, providing the development proceeds in line with the application details.

ENVIRONMENTAL HEALTH OFFICERS

There are no objections or comments on the grounds of Environmental Protection, providing the

development proceeds in line with the application details.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No objection subject to conditions.

HISTORIC ENVIRONMENT OFFICER

On further review of the available evidence, and based on currently available information, we feel the proposed development will not have a significant impact on the historic environment and we do not wish to make any recommendations for archaeological work.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to condition.

NORFOLK COUNTY COUNCIL HIGHWAYS

No Comments Received

REPRESENTATIONS

Site notice erected: 06-10-2017

Consultations issued: 03-10-2017

5 letters of objection received raising concerns in respect of: the site being outside of the settlement boundary; limited services; the narrow width of the lane; the overall condition of Meadow Lane and highway safety.

ASSESSMENT NOTES

1.0 Principle

1.1 The application seeks permission for the erection of 2 dwellings and garages on land outside of the Carbrooke settlement boundary. For this reason the proposal conflicts in principle with Policies DC02 and CP14 of the Core Strategy and Development Control Policies Development Plan Document, (2009), which seek to focus new housing within defined Settlement Boundaries. However, as the Council cannot currently demonstrate a 5 year supply of housing land, these policies cannot be considered to be up-to-date insofar as it relates to the supply of housing land and can be given little weight. The application is therefore assessed against the benefits provided in relation to the sustainable development tests as set out in the NPPF.

1.2 The NPPF identifies three dimensions of sustainable development:

- Economic, in terms of building a strong economy and in particular by ensuring that sufficient land is of the right type and is available in the right places.
- Social, by supporting, strong and healthy communities by providing the supply of housing required to meet future need in a high quality environment with accessible local services and
- Environmental, through the protection and enhancement of the natural, built and historic environment.

1.3 Paragraph 8 of the NPPF also stresses that these roles should not be undertaken in isolation because they are mutually dependent; therefore a balanced assessment against these three roles is required.

1.4 In terms of the economic and social criteria, the proposal would provide two new dwellings and would provide some short-term economic benefits through construction, and longer-term economic benefits through

additional household spend within the surrounding area that would be generated by the provision of the dwelling.

1.5 Social - It is noted that there is a good range of local facilities and amenities in Carbrooke and that Watton, a Market Town, is nearby (approximately 2.5 miles to the south-west) and that cycling this distance would be possible. Overall, there are some services in the village and connection to public transport but it is likely that to undertake day to day activities and meet day to day needs, such as shopping and employment, the occupants of the new dwelling would rely on the private car for some trips. However, there would be the option to use other modes such as walking, cycling or public transport. The site is as accessible to services as other dwellings in the settlement boundary. In the context of the district as a whole the site is in a relatively sustainable location. The scheme would not be wholly isolated, and as such the site location does not count against it.

1.6 Environmentally, although outside the Settlement Boundary, the site is in a semi-rural location within a loose knit group of existing development. There are other residential uses immediately to the east and south-east of the site. As such the site is considered to be appropriate infill. The Council's Landscape Character Assessment indicates that the site falls within the B5 River Wissey Tributary Farmland character area. Development considerations here include: conserving existing small scale rural road pattern; ensuring that new development reflects the use of local materials, preserving the identities of settlements, monitoring the boundary treatments, discouraging materials or species which could have a suburbanising influence of the landscape; ensuring that important views to landmark features are conserved and seeking to enhance settlement edges and integration within the landscape setting. The proposal would consolidate the existing pattern of development. Whilst this will result in some loss of character given the existing paddock use, the harm would be limited given the following factors:

- generous proportions of the site will maintain a spacious character;
- the proposal will not appear isolated given the close proximity and relationship to existing residential development to the east/north-east/south-east.
- the proposal would not cause material harm to the character and appearance of the area.
- the proposal will create some biodiversity enhancements.

1.7 The combination of all of these environmental factors together and not in isolation result in the proposal satisfying the environmental role of sustainable development.

1.8 Footnote 11 of the NPPF confirms that the site should be in a sustainable location, available now and have a realistic prospect of being developed within five years.

1.9 With regard to availability and delivery, this is a full application and the site is within the applicant's ownership and available now, making the development deliverable within a reduced period of two years to meet the housing shortfall. It is recommended that the time limit is reduced to two years for commencement in accordance with other applications in Breckland, approved under the five year supply.

1.10 It is concluded that the proposal would not result in an isolated development in the countryside. The scheme would provide an additional dwelling, generate some economic activity and be developed without causing significant harm to the character and appearance of the area.

2.0 Character impact

2.1 In terms of character the land is currently used as paddock and is well screened with limited views from any public vantage points apart from those living along Meadow Lane. The dwelling types proposed are

considered appropriate and in keeping with the existing form of development within the Carbrooke village and given the presence of dwellings to the east and south-east and the containment of the land by virtue of hedging and planting, the development would not appear isolated. In light of these points the proposal is considered acceptable having due regard to Policies DC1 and DC16.

3.0 Amenity impact

3.1 The generous layout along with the orientation of the site and the established screening indicates that two dwellings could be located in such a way so as not to significantly impact on neighbour amenity in respect of overlooking, loss of light and overbearing appearance and the proposal provides sufficient private amenity space for any future occupiers, having due regard to Policy DC1.

4.0 Highway safety

4.1 Norfolk County Council were consulted on the proposal. It is noted that Meadow Lane is a private track. The application provides sufficient parking for the dwellings and also proposes an 8 x 8 turning area which will prevent vehicles reversing onto the highway. As a result, no objections were raised subject to a condition requiring the access, parking and turning area being provided in accordance with the approved plan. As a result, the proposal is considered to accord with Policy CP4 and paragraph 32 of the NPPF.

5.0 Natural environment/ecology

5.1 A Preliminary Ecological Appraisal was submitted alongside the application. Our ecology team were subsequently consulted and raised no objection subject to a breeding birds condition and enhancements condition which will be applied to any forthcoming approval. The application is therefore considered to have had due regard to Policy CP10.

6.0 Trees

6.1 The Council's Tree and Countryside Officer was consulted on the proposal. Clarification regarding any potential hedgerow removal was requested. The Agent confirmed that no hedgerow removal was proposed to achieve visibility and confirmed that the proposal seeks to improve the arboricultural value of the site by planting additional trees. In light of this, the application is considered to have due regard to Policy DC12.

7.0 Conclusion

7.1 On balance, it is considered that the proposal would constitute a sustainable form of development as defined in Paragraph 7 of the NPPF, which would help to support the local rural community, would not compromise local amenity and would not adversely impact the character and appearance of the surrounding area. The application is therefore recommended for approval.

RECOMMENDATION

Planning Permission

CONDITIONS

3006 Full Permission Time Limit (2 years)

3047A In accordance with submitted plans NEW 2017

BRECKLAND COUNCIL - PLANNING COMMITTEE - 20th November 2017

HA24	Provision of parking and servicing - when shown on plan	
3920	Birds - nesting	
3920	Biodiversity enhancements	
4000	Variation of approved plans	
3996	Note - Discharge of Conditions	
2000	NOTE: Application Approved Without Amendment	
2014	Criterion E - Planning Apps Where Approved	
MT03	External wall and roof materials to be agreed	This condition will require to be discharged