

ITEM:		RECOMMENDATION: APPROVAL
REF NO:	3PL/2017/1497/F	CASE OFFICER Lisa ODonovan
LOCATION:	QUIDENHAM Land adj. Whitehouse Sandfield Lane, Eccles, Quidenham	APPNTYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: N CONS AREA: N LB GRADE: N TPO: N
APPLICANT:	Mr Peter Miles-Jones 8 Richmond Court Gardens Colne Road	
AGENT:	Mr Peter Miles-Jones 8 Richmond Court Gardens Colne Road	
PROPOSAL:	One new dwelling and garage	

REASON FOR COMMITTEE CONSIDERATION

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

KEY ISSUES

Principle of development
Impact upon character and appearance of the area
Impact upon neighbour amenity
Highway safety impact
Trees
Impact on the natural environment

DESCRIPTION OF DEVELOPMENT

The application seeks permission for the erection of one, one and a half storey chalet style dwelling and detached double garage on land adjacent to Whitehouse. The dwelling is proposed to be constructed using timber cladding, tiled roof with integrated solar panels.

SITE AND LOCATION

The site lies to the south of the village of Eccles and outside of the adopted Eccles Road (Quidenham) Settlement Boundary. The site on which the dwelling is proposed comprises a corner plot of garden land bordered by fields to the north, Station Road to the east, Sandfield Lane to the south and the applicants detached property to the west. The former village school lies adjacent to the site at the junction of Station Road and Sandfield Lane.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2016/0075/D - Erection of two dwellings and garages - Approved.

3PL/2013/1156/O - Proposed two new dwellings and garages - Approved.

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.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

QUIDENHAM PARISH COUNCIL CLERK

Eccles village contains many different house designs, for historical reasons, ranging from Victorian through to the ribbon development opposite the site, and the recently built contemporary design in Gallows Lane. Quidenham Parish Council is therefore at a loss to understand what design would be more appropriate. Indeed, a precedent for timber frame/cladding has already been set by the development in Gallows Lane. The slate roof proposed would blend in better with the surrounding area, especially as the Victorian school opposite, the church across the fields, a cottage in Sandfield Lane and the Pub all have slate roofs. The design of the house means that the roof height is considerably less than a 'conventional' two storey dwelling. The timber cladding uses Northern Pine coated with a semi-transparent coating. Surely, there is no better material in a village location. A contemporary design of this nature would certainly lift this area. QPC is keen to enhance this part of the village. This is especially important since the Primary School closed two years ago. True, this is a prominent site. All the more reason to encourage good design using traditional materials,

which will weather well and blend into this site particularly as the site contains a number of mature Pine trees, along with substantial hedging. This design is a complete departure from the 'normal' and the sometimes mundane brick built houses we often see. I cannot believe that Breckland is against good quality contemporary design. Why should we in Eccles be constrained just by what previous generations have built? Quidenham Parish Council has not received a single negative comment regarding this house design, which is unusual in itself. All we ask in this case is for the Planners to take into account the feelings of the community and trust the instincts of Quidenham Parish Council.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to conditions.

TREE AND COUNTRYSIDE CONSULTANT

No objection subject to condition.

CONTAMINATED LAND OFFICER

No objection subject to condition.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No objection subject to condition.

REPRESENTATIONS

Site notice erected: 30-01-2018

Consultations issued: 19-12-2018

No representations received.

ASSESSMENT NOTES

1.0 The proposal was amended during the course of the application process to re-position the garage to the less sensitive/visually prominent western side.

2.0 Principle

2.1 The application seeks permission for the erection of a single dwelling on land outside of any defined settlement boundary. Notwithstanding this, permission has been granted for the erection of two dwellings on this plot via outline and reserved matters approval, the reserved matters approval is dated 17 March 2016 and the principle of development here is therefore accepted.

3.0 Impact on character and appearance of the area

3.1 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.

3.2 The application proposes a 'low-key', one and half storey dwelling, using predominantly natural materials (slate tiles and a transparent wood finish). The dwelling will have a log home appearance which is

considered acceptable in this location which is surrounded by tall, mature trees. Given its design and scale (low eaves height at approximately 3m) and well screened location, the dwelling will not be overly prominent despite its corner location and the materials indicated to be used are considered acceptable given the varied mix of house types and materials in the vicinity. In light of these factors, the proposal is considered to have due regard to Policy DC16.

4.0 Impact on amenity

4.1 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.

4.2 The application proposes one dwelling positioned relatively centrally within the plot with a generous separation distance between it and the nearest neighbouring property at The White House. This distance, and the relatively modest form and character of the proposed dwelling will ensure that neighbour amenity is not adversely affected, particularly in terms of loss of light, overshadowing and over-dominance. The proposal is for one dwelling only, this scale of development and also the boundary screening which exists, i.e. a thick boundary hedge will ensure that increased noise and disturbance will also not be an issue. The scheme also provides a generous amount of private amenity space for any future occupiers. In light of these factors, the proposal is considered to have due regard to Policy DC1.

5.0 Highway safety

5.1 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. Policy DC19 requires sufficient Parking for all new development. The Highway Authority considers that the requirement to provide a footway from the site access to Station Road would be out of proportion to the reduced size of development of one dwelling only now proposed. As such, no objections are raised in highway safety terms subject to conditions requiring the access to be provided and retained as shown; visibility to be provided and access, parking and turning to be laid out, demarcated, levelled surfaced and drained in accordance with the approved plan.

6.0 Impact on trees

6.1 Policy DC12 seeks to preserve the District's trees, hedgerows and other natural features and secure appropriate landscaping schemes to mitigate the impact of, and complement, new development.

6.2 The application was accompanied by an Arboricultural Implications Assessment. No objections were raised in respect of the implication to the trees subject to condition. The revised siting of the garage is considered an improvement in terms of the impact to the surrounding trees and hedgerows. In light of the above, the application is considered to comply with Policy DC12.

7.0 Impact on the natural environment

7.1 Policy CP10 seeks the enhancement of biodiversity and geodiversity in the district. Proposals need to ensure that the ecological network and protected species are not harmed or detrimentally impacted and mitigation measures are put in place where appropriate.

7.2 The application was supported by a Preliminary Ecological Appraisal which highlighted the potential for

nesting birds and reptiles to be present on the site. As a result, no objection was raised by the ecology team subject to conditions requiring the mitigation measures outlined in section 6 of the report to be adhered to and the enhancement measures being provided as indicated in section 7. In light of these conditions and the detail highlighted in the report, the application is considered to comply with Policy CP10.

8.0 Conclusion

8.1 In terms of the overall planning balance, and having regard to the previous approval on the site for two dwellings, 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 overall design and appearance of the dwelling is considered acceptable in streetscene terms and the application therefore recommended for approval.

RECOMMENDATION

Planning Permission

CONDITIONS

HA20

Provision of visibility splays - conditioned

Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4 x 43 metres shall be provided to the western side of the access where it meets the highway and 2.4 metres to the junction of Station Road to the east such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.

Reason for condition:-

In the interest of highway safety.

This condition will require to be discharged

3946

Contaminated Land - Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with details to be agreed in writing with the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason for condition:-

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

This condition is imposed in accordance with CP9 of the Breckland Adopted Core Strategy.

This condition will require to be discharged

LS09

Boundary treatment/screening to be agreed

Prior to the occupation of the development hereby permitted a plan indicating the positions, design, materials and type of boundary treatment/screening to be erected shall be submitted

to and approved in writing by the Local Planning Authority. The boundary treatment/screening shall be completed before the building is first occupied. Development shall be carried out in its entirety in accordance with the approved details.

Reason for condition:-

In the interests of the satisfactory appearance of the development in accordance with policy DC 16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged

3006 Full Permission Time Limit (2 years)

The development must be begun not later than the expiration of TWO YEARS beginning with the date of this permission.

Reason for condition:-

As required by section 91 of the Town & Country Planning Act 1990 (as amended) and to ensure the deliverability of the scheme to contribute to the five year housing land supply.

3047A In accordance with submitted plans NEW 2017

The development must be carried out in strict accordance with the application form, and approved documents and drawings as set out in the table at the end of this notice.

Reason for condition:-

To ensure the satisfactory development of the site.

MT02 External materials as approved

The development hereby permitted shall be constructed using the materials specified on the planning application form and / or submitted drawings.

Reason for condition:-

To enable the Local Planning Authority to ensure the satisfactory appearance of the development, as required by policies DC 1 & DC 16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

HA08 New access - construction over verge

Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan in accordance with the highway specification Dwg. No. TRAD 5 attached. Arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason for condition:-

To ensure satisfactory access into the site and avoid carriage of extraneous material of surface water from or onto the highway.

HA24 Provision of parking and servicing - when shown on plan

Prior to the first occupation of the development hereby permitted the proposed access, 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.

Reason for condition:-

To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

3920 Ecology - mitigation measures to be adhered to

The mitigation measures as outlined in Section 6 of the Preliminary Ecological Appraisal by

Gray Ecology, dated February 2018 shall be carried out and adhered to throughout construction.

Reason for condition:-

In the interest of biodiversity and in accordance with Policy CP10 of the Adopted Core Strategy and Development Control Policies Document 2009 and with the duty of the council described in paragraph 118 of the National Planning Policy Framework.

3920

Ecology - enhancements

The enhancement measures as outlined in section 7.2 of the Preliminary Ecological Appraisal report (Gray Ecology; February 2018) shall be incorporated into the site's design within 6 months of the first occupation and details and evidence submitted to and agreed by the Local Planning Authority.

Reason for condition:-

To ensure the development enhances the wildlife value of the site in accordance with Policy CP10 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009 and the National Planning Policy Framework.

3920

Trees

Operations on site shall take place in complete accordance with the approved Arboricultural Impact Assessment (AIA), Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) supplied by Broadland Tree Services dated 19/01/2018 (and amended plan - revised garage location). No other operations shall commence on site in connection with the development until the tree protection works and any pre-emptive tree works required by the approved AIA or AMS have been carried out and all tree protection barriers are in place as indicated on the TPP. The protective fencing shall be retained in a good and effective condition for the duration of the construction of the development and shall not be moved or removed, temporarily or otherwise, until all site works have been completed and all equipment, machinery and surplus materials removed from site, unless the prior written approval of the Local Planning Authority has been sought and obtained.

Reason for condition:-

In order to safeguard the protection of trees from the outset of the development, in accordance with Policy DC 12 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

3994

NOTE: Highways

This development involves works within the public highway that can only be carried out by Norfolk County Council as Highway Authority unless otherwise agreed in writing.

It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. Please note that it is the Applicants' responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Advice on this matter can be obtained from the County Council's Highway Development Management Group. Please contact Kay Gordon 01362 656211.

If required, street furniture will need to be repositioned at the Applicants own expense.

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

3994 NOTE - Contamination

Where remediation of contaminated land is required, the developer is advised to put in place measures to ensure that any future alterations/extensions to the development do not undermine completed remediation works and, if appropriate, that the future alterations/extension include the same scheme of remediation as that included in the original development.

4000 Variation of approved plans

Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.

You or your agent or any person responsible for implementing this permission should inform the Development Control Section immediately of any proposed variation from the approved plans and ask to be advised to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new application.

3996 Note - Discharge of Conditions

If the formal discharge of any condition is required, it will be necessary for you to submit to the Council all relevant details, together with a completed application for the "Discharge of Conditions" and the fee as appropriate.

2001 Application Approved Following Revisions

The Local Planning Authority has acted positively and proactively in determining this application, and by assessing the application against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal within the statutory timeframe, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Copies of all documentation submitted in connection with this application can be viewed online at <http://www.breckland.gov.uk/content/planning-search-0>

2014 Criterion E - Planning Apps Where Approved

Appeals against planning decisions

If you are aggrieved by the decision of your local planning authority to attach any particular condition/s to this permission, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.co.uk

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.