

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2017/1433/O	CASE OFFICER	Fiona Hunter
LOCATION:	WEETING New Beeches, From Lynn Road to Angerstein Close Weeting	APPNTYPE:	Outline
APPLICANT:	Childerhouse Lodge Farms c/o Agent	POLICY:	Out Settlement Bndry
AGENT:	Compasspoint Planning & Rural Consultants Lynn Lodge Lynn Road	ALLOCATION:	N
PROPOSAL:	Erection of Single storey dwelling and garage	CONS AREA:	N
		LB GRADE:	Adjacent Grade 2
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

The application is reported to planning committee as the site is outside the settlement boundary and therefore contrary to the Adopted Development Plan.

KEY ISSUES

Principle of Development - Sustainable Location
Principle of Development - Impact Upon the Countryside
Highways Safety
Trees
Residential Amenity
Ecology
Other issues - Contamination, Flooding, Drainage and Parking

DESCRIPTION OF DEVELOPMENT

The application seeks Outline planning permission for a single storey dwelling and garage with all matters reserved, for land to the east of Lynn Road, Weeting.

SITE AND LOCATION

The site is located to the east of Lynn Road and extends to 0.04ha. The site is undeveloped kept grass land, forming a landscape area between two bungalows to the north and south. A mature hedge forms the sites eastern boundary and beyond is another house. To the west is agricultural land.

The site is located to the north of Weeting which is a Service Centre Village.

The site is accessed via a private track with a right of way with access from Lynn Road. To the north of the site access is Grade II Listed Lynn Lodge.

EIA REQUIRED

No

RELEVANT SITE HISTORY

No relevant site planning 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.04	Affordable Housing Principles
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

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to the Reserved Matters including details of access arrangements, visibility and parking.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

First response on 08-12-17:

The site is within a Impact Risk Zone of the Breckland SSSI. Natural England should be consulted prior to the application being granted permission. A Pre-liminary Ecological Appraisal of the land should be submitted.

Second response on 07-03-2018:

From the photographs the site appears to be of limited ecological value. On this basis, no objections subject to conditions relating to time restriction for site clearance and inclusion of ecological enhancements. In addition, any fencing should be wildlife-friendly fencing, with gaps or tunnels in the bottom panels/gravel boards.

PUBLIC RIGHTS OF WAY OFFICER

The proposal would be unlikely to result in an objection on Public Rights of Way grounds. The access to the proposal is via a Public Right of Way known as Weeting-with-Broomhill footpath 18.

NATURAL ENGLAND

Following submission of additional information it is not considered the development will result in any significant adverse impacts on designated sites and no objection is raised.

WEETING P C

No Comments Received

REPRESENTATIONS

No local representations have been received for this application.

ASSESSMENT NOTES

1.0 Principle of Development Introduction

1.1 This application seeks Outline planning permission with all matters reserved, for the erection of a single dwelling and garage on land to the north of the Service Centre Village of Weeting. The site is outside the settlement boundary falling within the countryside. For this reason, the proposal conflicts, in principle, with Policies SS01, DC02 and CP14 of the adopted Core Strategy and Development Control Policies Development Plan Document, (2009), which seek to focus new housing within defined Settlement Boundaries. The application should be refused, unless material considerations indicate otherwise in accordance with Section 70(2) of the Town and County Planning Act, 1990.

1.2 The Council does not currently have a published 5 year land housing supply as required by the National Planning Policy Framework, which provides national planning guidance for local planning authorities and is a strong material consideration in the determination of planning applications. Paragraph 49 of the NPPF, states that where an authority does not have an up-to-date five year housing land supply the relevant local policies specifically for the supply of housing, should not be considered up-to-date. Furthermore, housing applications should be considered in the context of the presumption in favour of sustainable development unless any adverse impacts of doing so would demonstrably outweigh the benefits or specific policies in the Framework indicate that development should be restricted. On the aforementioned basis, other principle planning issues for the application are considered below.

2.0 Principle of Development - Sustainable Location

2.1 The site is 90m to the south of Weeting which is a service centre village which has sufficient services and facilities to meet the day to day needs of existing residents including good bus services. To get the village centre via a safe walking route, the new residents can use the public right of way to the east, with a

total distance of 850m. The primary school is further away, 1500m distant from the site. This relationship is considered acceptable, and a sustainable location for a single new dwelling.

3.0 Principle of Development - Impact Upon the Countryside

3.1 The site is located within the countryside in a plot of land currently used as residential landscaping. The site is an infill plot and if developed sensitively would not appear out of character with the area and as seen from the public right of way route.

3.2 The proposal would have negligible impact on the character of the street and wider landscape if developed. A single dwelling could therefore be accommodated without adverse impact due to the infill nature of the site and in this respect would have regard to Policy CP 11.

4.0 Highways Safety

4.1 No objections have been received by Highways, subject to the Reserved Matters providing further appropriate details for visibility splays, parking and turning. The proposal is therefore considered to comply with Policy CP 4 as well as having regard to paragraph 32 of the NPPF.

4.2 Policy DC19 requires in rural locations new housing to have a minimum of 2 car parking spaces and 1 cycle space per dwelling where there is no garage or private gardens. The site is of sufficient size to achieve this.

3.0 Trees

3.1 There are no trees on or adjacent to the site. There is a mature hedge along the eastern boundary which can be retained as part of the development, accordingly it is considered the proposal would have appropriate regard to Policy DC12.

4.0 Residential Amenity

4.1 Policy DC1 seeks to protect residential amenity of existing and future residents. No indicative plans have been submitted, however, the application seeks approval of a single storey dwelling which will reduce potential overlooking, shadowing and creating sense of enclosure to neighbours.

4.2 There are windows currently looking toward the site, one from the southern bungalow and one plus a conservatory for the northern dwelling and two roof windows for the eastern neighbour. However, a small bungalow could still be delivered using layout, window placement and boundary treatments to prevent any unacceptable loss of privacy.

4.3 Accordingly the proposal is considered to comply with Policy DC01, subject to detailed design reserved for future determination.

5.0 Ecology

5.1 The site is located within the Special Protection Area Buffer Zone for Stone Curlews. However, the site is kept grass land with little ecological and habitat potential. Natural England and the Natural Environment Team have been consulted, and following submission of additional information are not objecting to the application subject to conditions. Accordingly the proposal is considered to have appropriate regard to Policy CP10.

6.0 Other issues

6.1 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, subject to compliance with the submitted details.

6.2 The site is located in Flood Risk Zone 1, which has the lowest risk of flooding from rivers and sea. No risk is shown for surface water flooding on the government's mapping system. The proposal thus accords with Policy DC 13.

7.0 Planning Balance

7.1 The application does not accord with the adopted development plan as the site falls out any settlement boundary. However, the Council does not currently have a 5 year land supply as required by the NPPF and this development would provide a small contribution towards Breckland's Housing supply. On this basis, the other key principle considerations for this proposal must be assessed and are whether the site is a sustainable location for housing and the visual impact on the countryside.

7.2 The site is within a cluster of dwellings to the north of Weeting, and has limited views towards the site due to adjacent neighbours and distance from adopted roads. Due to the neighbours on either side, the development is considered infill development. On this basis, the development of the site would not negatively impact the character and appearance of the countryside and therefore complies with Policy CP 11.

7.3 The site is in a sustainable location for dwelling being within comfortable walking distance to Weeting which has a good access to services and facilities.

7.4 When applying the tilted balance required by paragraph 14 of the NPPF, the countryside location is considered to be outweighed by the positive contribution towards housing in the district and the infill single storey nature of the development preventing any harm to the character and appearance of the countryside.

7.5 In accordance with paragraph 14 of the NPPF, no harm has been identified which would significantly and demonstrably outweigh the benefits, and therefore, based on the infill nature of the development, grant of Outline planning permission subject to conditions, is recommended.

RECOMMENDATION

Outline Planning Permission

CONDITIONS

3104 External materials to be approved
Prior to the commencement of any works details of the external materials shall be submitted to and approved in writing by the Local Planning Authority. Only such agreed materials shall be used in connection with this approval.

Reason for condition:-

To ensure the satisfactory appearance of the development, in accordance with Policy DC 1 and DC 16 of the Adopted Core Strategy and Development Control Policies Development

Plan Document 2009.

This condition will require to be discharged

3003 Early delivery of Housing Time limit

Valid Application for Approval of Reserved Matters must be made not later than the expiration of TWO YEARS beginning with the date of this permission, and the development must be begun within ONE YEAR of the FINAL APPROVAL OF THE RESERVED MATTERS or, in the case of approval at different dates, the FINAL APPROVAL OF THE LAST SUCH MATTER to be approved.

Reason for condition:-

As required by section 92 of the Town & Country Planning Act 1990 and in order to ensure the early delivery of housing.

3058 Standard Outline Condition

No development whatsoever shall take place until the plans and descriptions giving details of the reserved matters referred to above shall have been submitted to and approved by the Local Planning Authority and these plans and descriptions shall provide details of the appearance, layout, scale, access and landscaping of the development.

Reason for condition:-

The details are not included in the current submission.

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.

LS17 Single storey height

The permitted dwelling shall be single storey only with no accommodation in the roof void.

Reason for condition:-

To ensure the satisfactory appearance of the development and to mitigate impact to neighbours, in accordance with Policies DC16 and DC1 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009 and paragraph 131 of the National Planning Policy Framework (2012).

3412 Trees/hedges to be retained

The existing hedges on the site shall be retained unless agreed in writing with the Local Planning Authority. Should any approved trees or hedges die or be removed without the written consent of the Local Planning Authority, they shall be replaced during the next planting season with a tree(s) or hedging of a species, size and in the same location to the satisfaction and written agreement of the Local Planning Authority.

Reason for condition:-

In the interests of the satisfactory appearance of the development.

3720 Provide access and parking

As part of the reserved matters application/s details of access position width and visibility splays will be submitted to and agreed in writing with the Local Planning Authority. The details will be informed by topographical survey to ensure appropriate visibility is achieved.

The approved access shall be maintained and made available permanently prior to occupation.

Reason for condition:-
In the interests of highway safety.

3920

Non-standard condition

As part of the reserved matters application/s a measured land survey including site levels for the application site and immediately surrounding land will be submitted to the local planning authority.

Reason for condition:-
In the interests of residential amenity.

3935

Non-standard condition

Any works to land outside the development site necessary to create visibility splays, details of which to be submitted as part of the Reserved Matters application/s, shall be undertaken prior to commencement of development. The visibility splays will remain free from obstruction above 0.6m in perpetuity.

Reason for condition:-
In the interests of highway safety and

CL03

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 CP 9 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009 and Planning Policy Statement No 23.

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

agreeing to accept, with the Applicant, additional information 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 as timely a manner as possible, 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>

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.

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.