

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2018/0383/F	CASE OFFICER	Fiona Hunter
LOCATION:	HOCKERING Land to the North of Heath Cottage 24 Heath Road Hockering	APPNTYPE:	Full
APPLICANT:	Mr & Mrs Paul Claussen c/o Agent	POLICY:	Out Settlement Bndry
AGENT:	Icon Consulting Hethel Engineering Centre Chapman Way	ALLOCATION:	N
PROPOSAL:	Erection of a detached dwelling with attached garage together with 15m wind turbine.		
		CONS AREA:	N
		LB GRADE:	N
		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. In addition, the applicant is a Breckland District Council Councillor.

KEY ISSUES

Principle of Development
Impact Upon the Countryside and Design
Wind Turbine and Energy
Highways Safety
Trees
Residential Amenity
Other issues - Contamination, Ecology, and Flooding and Drainage.

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for a two storey dwelling, garage and wind turbine at land to the east of Heath Road, Hockering.

The dwelling proposed is two storeys, with pitched natural slate roof, a connecting entrance hall and pitched roof garage. The walls are proposed to be a mix of white render and small areas of vertical timber cladding. The ridge height of the dwelling is 9.5m and eave height is 2.7m. The ridge height of the connecting entrance hall is 4.6m, and the ridge of the garage is 6.1m.

The application proposes the new dwelling will be accessed from a new access to Heath Road, at the north-west part of the site.

The proposed vertical-axis wind turbine is at the northern part of the site, and extends 15m in height.

SITE AND LOCATION

The site is located to the north of 24 Heath Road, a white render 2 storey dwelling with thatch roof. The site comprises part of 24 Heath Road's garden and extends to 0.28ha.

Existing access to the site is via 24 Heath Roads existing access from Heath Road. The site is occupied by a number of matures trees and hedges.

The site is within the countryside, 0.5 miles to the north of Hockering, and within a satellite of residential development.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2008/1485/F	Permission	24-11-08
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Single storey extension to cottage

3PL/2009/0779/F	Permission	14-10-09
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Extensions to dwelling (Single & two storey)

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.04	Affordable Housing Principles
DC.12	Trees and Landscape
DC.16	Design
DC.19	Parking Provision
NPPF	National Planning Policy Framework
SS1	Spatial Strategy

OBLIGATIONS/CIL

Not Applicable

CONSULTATIONS

HOCKERING P C

No objection.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection, proposed conditions to be issued.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No objection subject to the conditions for: site clearance in accordance with great crested newt method statement; mitigation measures as per submitted ecology report; and compensation and enhancement measures must be incorporated into the site design including a new hedge along the southern side boundary of the development as outlined in section 7.3 of the Ecology Report.

TREE AND COUNTRYSIDE CONSULTANT

No objection subject to condition requiring submitted tree reports to be complied with.

CONTAMINATED LAND OFFICER

No objection and no conditions recommended.

REPRESENTATIONS

A site notice was displayed at the entrance of the site on 18-04-2018 for 21 days. In addition, 4 neighbours were consulted directly by post.

Seven local representations were received in support of this application, raising the following points:

- It looks like a good scheme which will be executed well and will enhance the area
- The design is innovative and reflects high architectural standards.
- The use of a garden site is preferable to agricultural land
- The development will not have a detrimental impact to neighbours
- There is already a 40mph sign

ASSESSMENT NOTES

1.0 Principle of Development

1.1 This application seeks Full planning permission for the erection of a two storey dwelling and garage on land to the east of Heath Road, and to the north of the rural village of Hockering. 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.

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 11 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.

Principle of Development - Sustainable Location

1.3 The site is 0.5 miles (11 minutes walking distance) to the north of Hockering which is a rural village. Despite the village's current place in the settlement hierarchy, the settlement has a number of facilities and services including a primary school, public house, post office and shop and a regular bus service to Norwich. This has resulted in the village being proposed to be changed to a Local Service Centre in the emerging local plan. The route to the village is 2/3 without pavement, however, this is not unusual for Breckland and any car trips to the village would be very short.

1.4 The proposal is not sustainably located immediately adjacent to a sustainable village, but is very close, at only 0.5 miles distant to Hockering. The new residents would therefore be partly reliant on the use of private car, however, would have access to a good bus service once they had reached the village which would provide sustainable transport to the city of Norwich which has a wide range of services and facilities including higher education and employment.

1.5 On the aforementioned basis, the proposals location is considered a minor negative of development.

2.0 Impact Upon the Countryside and Design

2.1 The application proposes a two storey dwelling, with pitched roof, a connecting entrance hall and pitched roof garage. The design, whilst contemporary, proposes to use natural/ traditional materials including natural slate roof tile, white render and small areas of vertical cladding which assists in successfully incorporating the dwelling into the existing satellite of houses. In addition, the form of the dwelling as 3 separate but attached roof forms, assists breaking down massing and creating interest at a higher level.

2.2 The site is located within the countryside in a plot of land currently used as residential garden and appears as such. The proposal shows the dwelling set back from the road, with the majority of boundary trees and hedges to be retained, which provide significant screening. For these reasons together with the design discussed above, the presence of the building will not negatively impact the character of the countryside in this particular locale.

2.3 The site is visually screened from longer views by the residential development to the south and by woodlands to the east and west. When viewed from the north (looking south), the dwelling will be seen in context of a small existing satellite of development and will therefore not significantly impact upon character of the area.

2.4 A single dwelling could therefore be accommodated without adverse visual impact due to it's location at the edge of a residential cluster of dwellings, low density of development, existing site screening to be

retained, good design, setting back from the road, and use of existing access. In this respect would have regard to Policy CP 11 and DC 16.

2.5 The supporting documentation suggest that the proposal is exceptional quality and of a innovative nature, thus comprises NPPF paragraph 79 development. However, this is not concurred with. Whilst the design is good and the improved energy standards are welcome, they are not exceptional quality or innovative in nature. For example the proposed technology has been widely used for at least the last 10 years.

3.0 Wind Turbine and Energy

3.1 The proposed vertical-axis wind turbine is at the northern part of the site and extends 15m in height. For context, this is the same height as the tallest tree on the site (T1, Leylandii, Category 'B'). The appearance of the wind turbine is slender and stylish, and as a single sculptural feature is not considered to have a harmful negative visual impact due to it's location within a cluster of dwellings. The turbine has been sited at the part of the site with the most separation distance to neighbours. The inclusion of the wind turbine therefore complies with Policies DC 16 and CP 11.

3.2 The application proposes additional features to considerably increase the sustainability of the dwelling including: a photovoltaic array on the houses eastern roof slope, air source heath pump/s, insulation in line with Code for Sustainable Homes (CfSH) level 4/5 and exceeding Building Regulations energy Standards by 64%. The proposal therefore exceeds typical new build residential proposal in terms of energy generation and efficiency which is a environmental benefit of the proposal.

4.0 Highways Safety

4.1 The formal Highways response is awaited following receipt of additional tree information however they have advised the additional information addresses their questions and concerns. Their formal response and conditions will be detailed in the supplementary report.

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 which the development complies with.

5.0 Trees

5.1 The site is boarded by trees and hedges which can be retained in majority as part of the development. Seven trees will be removed to facilitate the development comprising 1 x category B tree and 6 x category C trees. Given that the majority of trees to be lost are of "low quality", together with the number which are retained, the loss of trees are considered acceptable. Accordingly it is considered the proposal would have appropriate regard to Policy DC12.

5.2 The site consists of kept grass forming residential garden bounded by trees and hedges. The development is not considered to have an ecological impact as confirmed by Natural England and the Natural Environment Team and thus the proposal is considered to have appropriate regard to Policy CP10, subject to the listed conditions.

6.0 Residential Amenity

6.1 The proposal includes a significant buffer between the proposed dwelling and nearest existing neighbour of over 74m. The proposal will therefore not cause any unacceptable overlooking or

overshadowing.

6.2 The development plot is generous in size, and will benefit from two large 'front' and 'rear' gardens. The internal layout also exceeds the national internal space standards. 24 Heath Cottage will be left with a reasonable sized garden. In this respect, the proposal accords with Policy DC 1 and DC16.

7.0 Other issues

7.1 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.

7.2 The site is located in Flood Risk Zone 1, which has the lowest risk of flooding from rivers and sea. Two small part of the sites are shown as at low risk of flooding from surface water (between 0.1 -1% of flooding each year). However, this can be mitigated by the detailed building regulation design including finished floor levels. The proposal thus accords with Policy DC 13.

7.3 Disposal of foul water is recommended to be conditioned to ensure a satisfactory solution is agreed.

8.0 Conclusion / Planning Balance

8.1 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 land 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.

8.2 The site is within a cluster of dwellings to the north of Hockering, and benefits from mature tree and hedge screening along the site boundaries. From longer views the site is screened by residential development to the south and woodland to the east and west. The site's location and natural features, together with the good design and dwelling siting have resulted in no negative impact to the character and appearance of the countryside and therefore complies with Policy CP 11.

8.3 The site is not immediately adjacent to the settlement boundary of Hockering which has a number of local services and facilities, being 0.5 miles distant, resulting in a minor social and environmental negative.

8.4 The proposal includes renewable and low energy technologies and insulation improvements over and above Building Regulation requirements. These features are considered to provide a moderate environmental benefit.

8.5 When considering the planning balance, the small negative harm created by the site's location away from immediate settlement boundary of Hockering, but in close proximity, for one dwelling is considered to be outweighed by the positive contribution towards housing in the District, due to the lack of 5 year land supply, and enhanced energy sustainably measures above Policy and Building Regulation requirements.

8.6 In accordance with paragraph 11 of the NPPF, no harm has been identified which would significantly and demonstrably outweigh the benefits of the provision of a low energy dwelling within a satellite housing cluster, and therefore, grant of full planning permission subject to conditions is recommended.

RECOMMENDATION

Planning Permission

CONDITIONS

- 1 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.
- 2 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.
- 3 External materials to be approved**

Prior to the commencement of any works above slab level precise details of the external materials of the dwelling houses 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
- 4 Any highway conditions**

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 drawing number 01/01 revised July 2018 in accordance with the highway specification Dwg. No. TRAD 4 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: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 5 Any highway conditions**

Vehicular and pedestrian (and cyclist) access to and egress from the adjoining highway shall be limited to the access shown on drawing No 01/01 revised July 2018 only. Any other access or egress shall be permanently closed, and the highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access.

Reason: In the interests of highway safety.

6 Any highway conditions

Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on drawing No 01/01 revised July 2018. The splays shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety.

7 Any highway conditions

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

8 Trees/hedges to be retained

The development shall be carried out in accordance with the details hereby approved in the submitted Arboriculture Impact Assessment, Arboricultural Method Statement and Tree Protection Plan prepared by Ligna Consultancy unless otherwise agreed in writing with the Local Planning Authority.

Reason for condition:-

In the interests of the satisfactory appearance of the development.

9 Fencing protection for existing trees

Prior to the commencement of any work on the site, all existing trees shall be protected by the erection of Tree Protection Fencing, as per approved plan reference P1190 - TPP01 V5, titled Tree Protection Plan, unless otherwise agreed in writing with the Local Planning Authority. This fencing shall be retained throughout the period of the development and at all times when works (as defined below) are being carried out on the site. For the purposes of this condition "work" shall include the storage of plant, materials, site huts or the use of any machinery either for preparatory site work or construction itself. "Trees" shall refer to all trees both on and adjacent to the site.

Protective fencing shall be constructed and maintained in accordance with BS5837:2012 and the Council's document Practice Note: Construction and Maintenance of Tree Protection Fencing, which is available to download from the Council's website. 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:-

The works are required to be undertaken prior to the commencement of the development 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

10 Indicated landscaping to be implemented

The landscaping shown on the approved drawing reference 01/02 revised July 2018, titled 'Site Layout' shall be carried out during the first planting season October/March immediately following the commencement of works on site unless otherwise agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 (five) years from the completion of the landscaping die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason for condition:-

In the interests of the satisfactory appearance of the development.

11 crested newt method statement

Site clearance and ground works must be carried out in accordance with the method statement for great crested newts outlined in section 7.6 of the Ecology Report (Wild Frontier Ecology; February 2018).

Reason for condition:- In order to conserve and enhance biodiversity.

12 Ecology Mitigation Measures

Mitigation measures must be followed as outlined in section 7.3 and 7.7 of the Ecology Report (Wild Frontier Ecology; February 2018) to avoid impacts on nesting birds, hedgehogs and common toads. Compensation and enhancement measures must be incorporated into the site's design including a new hedge along the southern side boundary of the development as outlined in section 7.3 of the Ecology Report (Wild Frontier Ecology; February 2018), native species planting, a minimum of one bird box and at least one bat box mounted in suitable locations as outlined in section 8 of the Ecology Report (Wild Frontier Ecology; February 2018).

Reason for condition:- In order to conserve and enhance biodiversity.

13 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

14 Renewable Energy

The sustainable energy measures detailed in the approved Design and Access Statement,

reference 2409 revision A, and specifically detailed within the document at paragraphs 2.0.29 and 4.3, will be made available prior to the first occupation of the development.

Reason for condition:-

In order to ensure an appropriate standard of sustainable construction.

This condition will require to be discharged

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Precise details of foul water disposal

Prior to the commencement of any works above slab level precise details of the means of foul water disposal shall be submitted to and approved in writing by the Local Planning Authority.

Reason for condition:-

This condition is imposed in accordance with Policies DC 1 and DC 13 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009

This condition will require to be discharged