

ITEM:		RECOMMENDATION:	REFUSAL
REF NO:	3PL/2018/0753/F	CASE OFFICER	Naomi Minto
LOCATION:	GARVESTONE Land at Park Lane/Hingham Road Reymerston	APPNTYPE:	Full
APPLICANT:	Mr R Walton Care of Agent	POLICY:	Out Settlemnt Bndry
AGENT:	EJW Planning Limited Lincoln Barn Norwich Road	ALLOCATION:	N
PROPOSAL:	Erection of two detached single storey dwellings with garages and associated landscaping		
		CONS AREA:	N
		LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

The application has been called into Committee at the request of the Ward Representative

KEY ISSUES

Principle of Development/ Previous appeal decision
Impact upon the Countryside
Trees and Ecology
Highways Safety
Residential Amenity
Other Issues, Third Party Representations etc.

DESCRIPTION OF DEVELOPMENT

This is a revised application following refusal of permission, which was also dismissed on Appeal, for four detached single storey dwellings at the site. Permission is now sought for the erection of 2 single storey dwellings on land to the north of the former Reymerston Golf Club. The dwellings would be detached and served by relatively generous curtilage areas and would be served by a communal internal road. Hence there would be one point of access onto the highway. Dwellings would be in a bungalow style, to a height of approximately 6.1m, with front and rear projections, including a glazed and gabled front entranced feature. The dwellings provided on plots 1 and 2 would be identical in appearance with open landscaped gardens to the front and private gardens to the rear. Each would be served by a double garage. The proposed materials would be brick, with weatherboarding, and a pantile roof.

SITE AND LOCATION

The application site comprises a roughly rectangular and level parcel of land extending to 0.77 hectare in area of land located in the open countryside to the west of Hingham Road and south of the village of Reymerston. The site borders a private garden and dwelling to the north, open fields to the east, with a

collection of new detached dwellings located to the south of the site. Open fields are located beyond a belt of mature trees that run along Silver Street immediately to the west of the site.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2016/1341/F - Refusal - 22/12/16 - Erect four detached single storey dwellings with garages - Dismissed on Appeal, 29 August 2017

3PL/2017/1504/F - Withdrawn - 18/01/2018 - Erection of two detached single storey dwellings with garages

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.09	Pollution and Waste
CP.10	Natural Environment
CP.11	Protection and Enhancement of the Landscape
CP.13	Accessibility
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

GARVESTONE P C

Objection, the site is outside the settlement boundary in an unsustainable location. Previous approvals were as redevelopments or to convert existing buildings. The proposal would be harmful to the character of the countryside.

NORFOLK COUNTY COUNCIL HIGHWAYS

Site is an unsustainable location for housing; this view was supported by appeal. The site is remote from services with poor public transport links. Please refer back if the application is to be approved so suitable conditions can be imposed.

CONTAMINATED LAND OFFICER

Original comments still apply. No objection subject to conditions.

TREE AND COUNTRYSIDE CONSULTANT

No objection subject to appropriate conditions.

ENVIRONMENTAL HEALTH OFFICERS

No Objections.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No objection subject to conditions relating to;

Nesting birds/vegetation clearance.

Bat Surveys.

Enhancement/mitigation measures as detailed in the submitted PEA.

RAMBLERS ASSOCIATION: NORFOLK AREA

No objection as long as the development does not encroach onto Garvestone FP13.

RAMBLERS ASSOCIATION: NORFOLK AREA

No Comments Received

REPRESENTATIONS

A site notice was erected on 10 July 2018 and eleven neighbours were consulted. Five representations were received.

Four in support of the application on the basis that it is a well constructed layout; sensitive to the location; close to services and facilities in Hingham; suitable for disabled persons; in keeping with existing development on Park Lane and of a high quality design

One letter of objection was received raising concern in relation to the impact on neighbour amenity; impact on wildlife and a greater need for affordable housing.

ASSESSMENT NOTES

1.0 Principle of the Development

1.1 Planning permission for four detached dwellings on site was previously dismissed on Appeal (APP/F2605/W/17/3172353). The reason for the dismissal of the appeal by the Inspector related to a) an unsustainable pattern of development that would cause significant harm in terms of the additional car journeys that would be generated and to the character and appearance of the area; b) there was also a risk

of significant harm to protected species. The key issue is whether this current proposal satisfactorily addresses these reasons for refusal.

1.2 As documented in the Appeal decision and accepted as the general position locally, the Council cannot demonstrate a 5 year supply of housing land. The NPPF, states that where a Local Planning 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 Appeal decision concluded that the site was not in a sustainable location to provide residential development in order to address the local housing shortfall. This application reduces the proposed number of dwellings to two. However the fundamental issue remains unchanged.

1.4 Since the Appeal decision the Local Planning Authority is at a more advanced stage in the new plan preparation process, which has been the subject of examination hearings. This will provide a strategy for addressing the Council's objectively assessed housing needs.

1.5 The Appeal decision noted that the site would have no direct functional relationship with the village of Reymerston. In any case Reymerston is bereft of any meaningful services or facilities - no shops, school, employment opportunities etc. Future occupants would be reliant on the private car to access services in Hingham (approximately 3.4 miles away) and Dereham (5 miles away). Owing to the limitations of the nearest bus service, the walk to access the service and length of cycle journeys to larger settlements, sustainable modes of transport are not a particularly attractive or viable alternative.

1.6 The site is not considered a sustainable location for housing, being in open countryside, and the conflict with local plan policies SS1 and CP14 must be afforded significant weight in any planning balance. Furthermore paragraph 78 of the revised NPPF (2018) encourages housing in rural areas where it will enhance or maintain the vitality of rural communities for example, development in one village may support the services of a nearby village.

2.0 Impact Upon the Countryside

2.1 The previous scheme for four dwellings was considered harmful to the rural character, resulting in a suburban style development at a rural location. The Appeal decision noted that the site currently forms an open gap separating this small cluster of houses from Reymerston village and its development as proposed would represent a significant intrusion into the rural landscape and encroachment into the open countryside. It must therefore be determined if the reduction in dwellings addresses the previous concern.

2.2 The approved schemes at the golf course and the existing consent for holiday let properties to the east (3PL/2006/1440/F) will increase the level of development in the immediate area, but were considered to be more spacious and in keeping with the larger plot setting of the area. The four dwelling, cul-de-sac style, development was deemed more urban in appearance and out of character.

2.3 The applicant aims to address this concern by reducing the number of dwellings to two, allowing for larger plot sizes, the dwellings are copies of each other and would front the access to the south. Whilst the

dwellings would be served by an internal road access, the suburban nature of the scheme would be reduced. Significant landscaping could be retained and augmented.

2.4 The Local Planning Authority had also previously raised concern that the development of the site would represent a coalescence of the development in Reymerston and the approved dwellings to the south of the site. The site at present represents a visual break in this built form. The development at the golf club represented the conversion and replacement of existing built form. There was therefore no significant erosion of rural character. However, this new development would represent an intrusion into the open countryside due to its location and current undeveloped nature. Whilst the number of dwellings is reduced and more landscaping can be accommodated, the loss in the visual gap, which plays an important role in the character of the area, would be deleterious to the overall rural character at this location.

2.5 As recorded in the Appeal decision the impact on the rural landscape would be readily apparent from the adjoining public footpath and the council are of the view that, notwithstanding the reduction in the number of units, the loss of this open space and the coalescence of development would have a harmful impact on the rural character of the area. The proposal is considered contrary to Policies CP11 and DC16 of the adopted Core Strategy and Development Control Policies DPD.

3.0 Trees and Landscaping

3.1 The site is generally open grassland in character. The Tree and Countryside Consultant has no objection, subject to appropriate conditions relating to protection of existing trees during construction. The application could be conditioned accordingly and the scheme accords with policy DC12.

3.2 The application is supported by a Preliminary Ecological Appraisal (PEA), by Eco Check (December 2016). This demonstrates that subject to appropriate conditions, detailed in the consultation response and recorded above, the proposal would overcome the third reason to refuse consent. Conditions relating to mitigation, enhancement, bat surveys and shrub clearance could be attached to any approved scheme. The proposal therefore accords with Policy CP10.

4.0 Access and Highway Impact

4.1 The Highways Authority has been consulted in relation to the proposal and raised concerns about a residential development at the site on sustainability grounds. If the council granted consent however, access and highway matters could be suitably addressed by condition. In that narrower respect, the proposal is in accordance with policy CP13.

5.0 Impact on Amenity

5.1 Policy DC1 of the adopted Core Strategy seeks to protect the amenity of existing residents and future occupants of development. The site plan details how the site would be developed, which is considered broadly acceptable from a residential amenity viewpoint.

5.2 There is nothing to suggest that there would be any adverse impacts with regard to loss of daylight/sunlight, overbearing impact or overshadowing on existing residents, or future residents of the scheme, given the distances to adjoining properties. In addition, the scheme would provide a good standard of accommodation for future residents. The proposal, therefore, is considered to comply with Policy DC1.

6.0 Other issues

6.1 It is considered that the support raised in third party representations has been addressed in the general discussion within the report.

6.2 The Contaminated Land Officer is content that this scheme could proceed as submitted subject to an unexpected contamination condition. The application could be conditioned accordingly. The scheme therefore accords with CP9 of the adopted Core Strategy.

6.3 The integrity and usability of Garvestone Footpath 13 would not be infringed with this scheme.

7.0 Conclusion

7.1 The application does not accord with the adopted development plan as the site falls outside of any defined settlement boundary. However, the Council does not currently have a 5 year housing land supply as required by the NPPF and this development would provide a contribution towards Breckland's Housing supply. On this basis, the other key principle considerations for this proposal must be assessed and these are whether the site is a sustainable location for housing and the visual impact on the countryside. The tilted balance in the NPPF (2018) is engaged and this states that planning permission should be granted unless the adverse impacts of the proposal would significantly and demonstrably outweigh its benefits when assessed against the policies in the Framework taken as a whole.

7.2 The conflict with policies CP14 and SS1 must be afforded due weight, the aims of which are to ensure the structured and planned housing growth of the District. The site is also not sustainably located relative to services and employment opportunities. Furthermore, the site makes a significant contribution to the overall character of the countryside, and the development of the site will have a detrimental impact on this character.

7.3 The proposal would make a contribution towards meeting the council's housing shortfall. However, as discussed above this is tempered by the advancing stages of the emerging Local Plan, which will provide a structured framework for addressing housing need.

7.4 There would be further benefits from the economic activity, both short and long term, which would accrue from the development, again tempered by the need to access these services, largely by private vehicle.

7.5 Turning to the planning balance, it is accepted that the applicant has attempted to address previous concerns and modified the scheme. In that respect the suburban nature of the scheme has reduced and ecological concerns can be suitably dealt with by conditions. However, the fundamental concerns noted in the Appeal decision notice remain. It is therefore considered that the unsustainable location and negative impact to the character of the countryside significantly outweigh the housing supply and economic benefits. On this basis, the application is recommended for refusal.

RECOMMENDATION

Refusal of Planning Permission

REASON(S) FOR REFUSAL

1

Non-std reason for refusal

The proposal would introduce new residential development outside a settlement boundary. The proposal is considered to be in an unsustainable location, with heavy reliance on the private car with limited public transport options. It 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. As a result the proposed development is contrary to Policies SS1, CP13, CP14 and DC2 of the adopted Breckland Core Strategy and Development Control Policies DPD 2009 and national guidance contained in the National Planning Policy Framework 2018.

2

Non-std reason for refusal

The proposed development would cause a harmful intrusion into the open landscape, resulting in the erosion of the rural character, appearance and openness of the site and surrounding rural area. The proposed development would be contrary to policies CP11, DC1, and DC16, Breckland Core Strategy and Development Control Policies DPD 2018 and the policies within the National Planning Policy Framework 2018.