

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2018/0713/VAR	CASE OFFICER	Mark Springthorpe
LOCATION:	GREAT ELLINGHAM Development Site at 601936 296991 Attleborough Road, Great Ellingham	APPNTYPE:	Variation of Cond's
APPLICANT:	Silkwin Homes c/o M B W Contractors Cades Farm	POLICY:	Out Settlemnt Bndry
AGENT:	N J Myhill Architecture 13 Damgate Street Wymondham	ALLOCATION:	N
PROPOSAL:	Variation of Condition 3 (Approved Plans) pursuant to grant of consent 3PL/2015/0487/O for the erection of 9no homes (3 affordable houses, 5 open market detached and 1 open market semi detached house). Variation to size of dwellings	CONS AREA:	N
		LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERAT

The application is referred to Planning Committee as a variation to a previous committee approval, itself a departure from Development Plan Policy.

KEY ISSUES

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Character & Appearance (Amendments)

Amenity (Amendments)

Access (Amendments)

Other Matters:

Trees (Amendments)

Boundary Treatments (Amendments)

Affordable Housing (Amendments)

DESCRIPTION OF DEVELOPMENT

The original application (3PL/2015/0487/O) sought outline approval for the erection of nine dwellings - with access, scale and layout forming part of the application. Matters of appearance and landscaping are reserved.

The applicant had submitted a layout with accompanying floor plans describing 4no semi-detached dwellings accessed from Church Street and 5no detached dwellings accessed from Attleborough Road. Three of the dwellings off Church Street would be affordable units. All of the dwellings would be two storey and comprise 3no 2-bed, 4-person units, 4no 4-bed, 8-person units and 1no 3-bed, 6-person unit.

This variation principally involves the enlargement of the 2-bed and 3-bed dwellings by 8sqm and 17sqm respectively, together with changes to the internal layout of all units. The ratio of bedroom:occupants will remain unchanged. Variations to the positioning of the dwellings within their curtilages, the siting of garage blocks and the course of the access-way from Attleborough Road are also incorporated.

SITE AND LOCATION

The application site lies between Church Street to the west and Attleborough Road to the east, at the southern edge of the village of Great Ellingham. The site is outside the settlement boundary, though adjacent to it. The site is at present laid to grass, with a tree line along the southern boundary. To the south is open agricultural land and to the north - moving east to west - a combination of residential dwellings, The Crown public house and Great Ellingham Methodist church. A public footpath between Attleborough Road and Church Street forms part of the boundary between the eastern part of the site and the residential dwellings to the north side.

EIA REQUIRED

No.

RELEVANT SITE HISTORY

3PL/2015/0487/O Permission 11-09-17

Erect 9 homes (3 affordable houses, 5 open market detached and 1 semi detached open market house).

3PL/2015/0487/0- Outline application for 9 dwellings- Approved (subject to section 106 agreement)

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.05	Affordable Housing on Exception Sites
DC.12	Trees and Landscape
DC.13	Flood Risk
DC.16	Design
DC.19	Parking Provision

NPPF

With particular regard to paras 7, 8, 47, 49 & 55

NPPG

OBLIGATIONS/CIL

Previous approved application Ref :3PL/2015/0487/O subject to s section 106 agreement regarding affordable housing

CONSULTATIONS

TREE AND COUNTRYSIDE CONSULTANT

Objection - AIA and tree protection plan subsequently amended as advised

HOUSING ENABLING OFFICER

Objection - The proposed affordable units would not achieve the GIA standard

FLOOD & WATER MANAGEMENT TEAM

No comment

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No objection

CONTAMINATED LAND OFFICER

No objection - providing the development proceeds in line with the application details and subject to unexpected contamination condition

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection following amendments

CRIME REDUCTION & ARCHITECTURAL LIAISON OFFICER

Objection - Boundary fencing should be increased to 1.8m close boarded

RAMBLERS ASSOCIATION: NORFOLK AREA

No Comments Received

ENVIRONMENT AGENCY

No Comments Received

NORFOLK RIVERS INTERNAL DRAINAGE BOARD

No Comments Received

GREAT ELLINGHAM P C

No Comments Received

ANGLIAN WATER SERVICE

No Comments Received

REPRESENTATIONS

No representations received

ASSESSMENT NOTES

1.0 Site History

1.1 This application constitutes a proposed variation to the outline scheme approved under grant of consent 3PL/2015/0487/O.

1.2 As such, the principle of the development has been established and no amendment to the scheme or policy context has transpired such as might suggest otherwise.

1.3 To that end, the siting of the proposal adjacent to the settlement boundary; the level of service provision and accessibility to Great Ellingham - as a designated 'Service Centre Village' with regard to Policy SS1 - and the potential for the development to further support those facilities; and the contribution to the supply of housing continues to render the proposal a broadly sustainable form of development.

1.4 The previous conclusions in respect of ecology and drainage also remain unaffected by the proposed amendments and no objection has been raised by the NE Team, Environment Agency or Anglia Water. Previously agreed conditions have been transposed.

2.0 Character & Appearance (Amendments)

2.1 With regard to character and appearance, the increase in scale is fairly negligible and will have little material effect on the fundamental layout. Units 5, 6, 7 & 8 will remain the same size - though the footprint of Unit 5 will be inverted. Although the details of the design remains a reserved matter, the amended proposal remains consistent with that previously approved and so is considered acceptable.

2.2 The proposed amendments also include changes to the position and scale of garages in the eastern part of the site. Units 6 & 7 would now all benefit from double garages, though in the same location - proud of the front elevation. Unit 8 would similarly benefit from a double garage, now to the front on the opposite side to that previously approved.

2.3 As a result, Units 7 & 8 would be set closer to their respective side boundaries however, a considerable gap would still exist between flank elevations. The increase in the bulk of the garage blocks is not considered to be detrimental to the character and appearance of the proposal. It would not be an incongruous form of development - as established by the previous consent - and would remain subordinate to the proposed dwellings.

2.4 As development in the area comprises a mixture of houses and bungalows of a variety of styles and ages, arranged both in linear fashion along local roads and in small cul-de-sac estates, it is considered that the layout and scale of the proposal would continue to relate well to character of existing development and would thus accord with Policies DC2 and DC16 of the adopted Breckland Core Strategy and Development Management Policies (2009) and Paragraph 127 of the NPPF.

3.0 Amenity (Amendments)

3.1 As a result of the proposed amendments, Unit 3 will sit approximately 2m closer to the boundary with the adjoining plantation. Unit 5 will also sit c2m closer to the northern boundary with the footpath and the flank elevation of the property known as Elrosa beyond. However, the two properties would maintain a significant degree of separation - still in excess of 6m - and will remain to the side and forward of the building there, avoiding any impact on the rear private amenity area.

3.2 The changes to the proposed access will also bring the carriageway closer to the northern boundary. This will remove some of the outline incidental planting however, opportunities remain and a detailed landscaping scheme can be brought forward at the reserved matters stage. In any event, the access will remain separated from the properties to the north by the footpath zone and the principle and degree of vehicle movements to be introduced has already been established by the previous approval.

3.3 As a result, the proposed amendments are not considered acceptable in respect of their likely impact on the amenities of adjoining residents.

3.4 In respect of the proposed changes to the footprint of the buildings, these will improve the standard of accommodation for the future occupants, whilst retaining an adequate degree of private amenity space. It will similarly not detrimentally affect the relationship between the proposed new dwellings. On that basis, the proposed amendments are considered acceptable in that respect and consistent with the expectations of Policy DC1.

4.0 Access (Amendments)

4.1 The proposal incorporates a minor change to the course of the proposed access way. However, the junction and the means of access into the village will remain effectively as per the previous approval - having been designed in accordance with relevant technical standards and in line with the recommendations of the Highway Authority - and subject to conditions as transposed.

4.2 Following revisions to confirm the visibility hatching, off-site highway works and notes previously approved - together with access to the public footpath - the Highway Authority have removed their objection to the proposal and it is considered that the scheme as revised remains acceptable with regard to the expectations of Policy CP13.

Other Matters:

5.0 Trees (Amendments)

5.1 The Tree Officer noted that the amendments resulted in corresponding implications for the previously approved Arboricultural Impact Assessment and Tree Protection Plan. These have subsequently been amended and form part of this decision - and their implementation is conditioned accordingly.

6.0 Boundary Treatments (Amendments)

6.1 The Norfolk Constabulary Crime Prevention Officer has raised concern that the proposed 1.1m post and rail fencing would not be adequate to secure the rear boundaries of the proposed properties and recommends that a 1.8m closed board fence be installed.

6.2 Landscaping remains a reserved matter. However - with regard to Policy DC2 and for the avoidance of doubt - a condition explicitly with regard to the final details of proposed boundary fencing has been applied.

7.0 Affordable Housing (Amendments)

7.1 The Housing Enabling Officer has objected to the proposal as the intended affordable units fail to meet the Affordable Housing Space Standard adopted by Breckland. The units - at 70sqm - fall short of the standard by 6sqm.

7.2 However, the proposed revisions as part of this application would increase the GIA of those units by 8sqm above that already approved under grant of consent 3PL/2015/0487/O and would consequently improve the standard of accommodation and amenity afforded to future residents. The previous application was subject to a section 106 agreement regarding affordable housing.

7.3 On that basis, the proposed variations are considered acceptable with regard to the principles set out under Policy DC4.

8.0 Conclusion

8.1 In the context of the extant grant of outline consent, the proposed minor increase to the GIA of some of the units, as well as to their internal layout, minor alterations to the siting of the proposed dwellings, garage blocks and means of access from Attleborough Road are considered to be consistent with the basis of that approval and would not give rise to any unacceptable detriment to character and appearance, amenity or highway safety.

8.2 This application is therefore recommended for APPROVAL.

CONDITIONS

1 Outline Time Limit (2 years)

Application for Approval of Reserved Matters must be made not later than the 11th September 2019 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 encourage the early delivery of the development to meet housing needs.

2 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 and landscaping of the development.

Reason for condition:-

The details are not included in the current submission.

3 In accordance with submitted

The development must be carried out in strict accordance with the application form, and approved documents and drawings as set out below:

Drawing numbers: Drawing 201 Rev K & Drawing 204 Rev C

Reason for condition:-

To ensure the satisfactory development of the site.

4 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 buildings are 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

5 Non-standard condition

All works on site shall be undertaken with full regard to the mitigation measures specified in Section 6 of the Ecological Appraisal Report approved under grant of consent 3PL/2015/0487/O

Reason for the condition:-

In the interests of the ecological interests of the site in accordance with Policy CP 10 of the Core Strategy and Development Control Policies.

6 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 highway specification. Arrangement 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.

7 Provision of visibility splay on approved plan

Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay 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 interests of highway safety.

8 Provision of parking and servicing - when shown on plan

Prior to the first occupation of the development hereby permitted the proposed accesses / parking and turning areas 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.

9 Highway improvements-offsite A

Notwithstanding the details indicated on the submitted drawings no works shall commence on site until a detailed scheme for the off-site highway improvement works as indicated on the approved plans have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason for condition:-

To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.

This condition will require to be discharged

10 Highway improvements off-site B

Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in condition 9 above shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.

Reason for condition:-

To ensure that the highway network is adequate to cater for the development proposed.

11 Fencing protection for existing 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) provided by A.T Coombes dated 29th November 2018. This must include site monitoring and supervision as detailed in section 10 of the report, with written confirmation from the arboriculturalist.

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. Works shall not commence until written confirmation has been obtained from the appointed arboriculturalist to confirm that fencing is in place as specified.

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

This condition will require to be discharged

12 Non-standard surface water condition

No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason for condition:-To prevent environmental and amenity problems arising from flooding

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 Variation of approved plans

NOTES:

Any material variation from the approved plans following commencement of the development 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 material 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 planning application.

18 Note Legal agreement re: afford hsg, p open space & fin cont

The permission is subject to a legal agreement dated 7th September 2017 requiring the provision of affordable housing and the permission should be read in conjunction with this agreement.