

<b>ITEM:</b>		<b>RECOMMENDATION:</b>	REFUSAL
<b>REF NO:</b>	3PL/2018/1049/O	<b>CASE OFFICER</b>	Naomi Minto
<b>LOCATION:</b>	GARVESTONE Land off Dereham Road Garvestone	<b>APPNTYPE:</b>	Outline
<b>APPLICANT:</b>	Mr & Mrs Garrod C/O Parker Planning Services Ltd	<b>POLICY:</b>	Out Settlemnt Bndry
<b>AGENT:</b>	Parker Planning Services Ltd Orchard House Hall Lane	<b>ALLOCATION:</b>	N
<b>PROPOSAL:</b>	Erection of 4 no. dwellings	<b>CONS AREA:</b>	N
		<b>LB GRADE:</b>	N
		<b>TPO:</b>	N

#### REASON FOR COMMITTEE CONSIDERATION

The application is referred to Planning Committee at the request of a Councillor.

#### KEY ISSUES

- Principle of development
- Design and impact upon character and appearance of area
- Amenity impact
- Highway impact
- Other issues

#### DESCRIPTION OF DEVELOPMENT

The application seeks Outline permission with all matters, except access, reserved for the erection of four detached dwellings with private amenity space and parking provision on agricultural land to the south of Dereham Road, Garvestone. Two dwellings would have detached double garages and two would have integral single garages. The agent has indicated that the four dwellings would be single storey.

#### SITE AND LOCATION

The application site is 0.29 hectares in size and located outside of the defined Settlement Boundary of Garvestone, although adjacent to it. The site is agricultural land, accessed via Dereham Road. It is characterised by agricultural fields to the east and south, whilst to the north is the public highway (Dereham Road) with a row of residential dwellings beyond that and to the west of the site is a pond and wooded area, with further residential development beyond that.

#### EIA REQUIRED

No

**RELEVANT SITE HISTORY**

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.01	Housing
CP.04	Infrastructure
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.12	Trees and Landscape
DC.13	Flood Risk
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 - It is unsustainable, outside the settlement boundary, over development of the site, a site of archaeological interest, no mains sewer in Garvestone and a lack of services. No requirement for larger houses. Small affordable houses needed.

**NORFOLK COUNTY COUNCIL HIGHWAYS**

No objection, subject to conditions.

**ECOLOGICAL AND BIODIVERSITY CONSULTANT**

No objection, subject to conditions.

**CONTAMINATED LAND OFFICER**

No objection, subject to conditions.

**ENVIRONMENTAL HEALTH OFFICERS**

No objection, subject to conditions.

**TREE AND COUNTRYSIDE CONSULTANT**

No Comments Received

**REPRESENTATIONS**

A site notice was erected on 10 October 2018 and twelve neighbours consulted. Two representations were received raising the following main points;

- no mains sewer in village as indicated on application form
- drainage / flooding concerns
- development outside the settlement boundary
- development on agricultural land
- insufficient facilities or services to support additional dwellings.

**ASSESSMENT NOTES**

1.0 Principle of development

1.1 This application seeks Outline consent for the erection of four detached dwellings with garages, parking provision and external amenity space on agricultural land to the south of Dereham Road, Garvestone. The site sits outside of any defined settlement boundary, although it is noted that it is in close proximity to Garvestone's settlement boundary. Therefore, the proposal is contrary to Policies SS1, DC2, CP1 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 However, paragraph 11 of the NPPF (2019) states that where an authority does not have an up-to-date Development Plan or five year housing land supply, the relevant local policies for the supply of housing, as referred to above, should not be considered up-to-date and that housing applications should be considered in the context of the presumption in favour of sustainable development.

1.3 The Statement of Five Year Housing Land Supply as at 31st March 2017 was published in July 2017. This outlined that the District did not benefit from having a five year supply of housing land (it could only demonstrate a 4.6 years housing land supply). A further update on the Council's 5 year housing land supply was issued on 30 July 2018 advising that the Council could demonstrate a 4.77 year housing land supply. However, this still falls below the required 5 years. In the absence of a five year housing land supply, paragraph 11 is engaged and therefore policies which relate to housing land supply can not be considered up to date, which can include making provision for development not within defined Settlement Boundaries. This must be balanced against other policy requirements and aims including securing sustainable development, protecting the countryside, and good design. These policies are not necessarily related to housing land supply and therefore must be considered in the planning balance.

1.4 The NPPF constitutes guidance for local planning authorities and decision-takers and is a material consideration in the determination of planning applications to achieve sustainable development. The Government outlines three overarching objectives to sustainable development: economic, social and

environmental (paragraph 8). These are interdependent and need to be pursued in mutually supportive ways:

- an economic objective - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- a social objective - supporting strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- an environmental objective - contributing to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

1.5 Paragraph 9 of the NPPF (2019) states that these objectives should be delivered through the preparation and implementation of plans and the application of the policies in the NPPF. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

1.6 In terms of the economic and social criteria, the proposal would provide four new dwellings and would therefore make a positive, albeit small contribution to the housing supply. The proposal would provide limited short-term economic benefits through labour and supply chain demand required during construction. However, given the small scale nature of the development these benefits are not considered to be significant and not definitive in this instance.

1.7 The social role of sustainable development seeks to ensure, amongst other matters, the creation of a high quality built environment with accessible local services. Policy SS1 of the adopted Core Strategy describes seven types of place and their potential to accommodate new development. Garvestone is a rural settlement for the purposes of the policy, and has only nominal allocated housing growth due to its minimal local services. The site is not located within a defined settlement boundary and is therefore in the countryside.

1.8 It is however noted that the settlement boundary of Garvestone is located nearby on the opposite side of Dereham Road. Garvestone has minimal services and facilities available, including a bus stop (offering a limited service), church, village hall, play area and primary school, all of which are within walking distance along an unlit pedestrian footpath. Occupants of the development may provide a level of support to the limited services and facilities available in Garvestone, however this would be nominal given the proposal is only for four dwellings.

1.9 In order to meet day-to-day needs, future occupants of the site would be reliant on travelling further afield. The nearest market town with a good range of services and facilities is Dereham, which is located approximately 8km away. The route from the site to Dereham is along a busy main road (B1135), which has varying speed limits ranging from 30 mph to 60 mph, with much of the route being unpaved and unlit. Given these elements and the distance involved, it is unlikely that future occupants of the proposed dwellings would walk or cycle there and would therefore more likely rely on the use of the private car to meet daily needs. In this respect the proposed residential development would not be in a suitable location.

1.10 Furthermore, whilst it is acknowledged that the NPPF (2019) indicates that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, it also states that the planning system should actively manage patterns of growth in support of sustainable transport objectives. This application therefore fails to provide a suitable site for housing, having regard to the proximity of all types of services required to meet future occupant's needs. In light of the above considerations, the proposal fails to accord with Policies SS1, CP14 and DC2 of the adopted Core Strategy. It also conflicts with the sustainable objectives of the revised NPPF (2019).

## 2.0 Design and impact upon character and appearance of area

2.1 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.

2.2 Whilst it is acknowledged that the application is submitted in Outline only, with all matters, other than access, reserved for future consideration, an indicative Layout Plan has been included with the application. It shows the application site on agricultural land to the south of Dereham Road. The site is separated from the current settlement boundary of Garvestone and existing residential development by the B1135 to the north and the presence of a pond / wooded area to the west.

2.3 Having regard to the submitted plans, it is considered that the siting of the proposed dwellings would be detached from existing residential development south of Dereham Road due to the presence of a pond and wooded area and would therefore result in the unwarranted harmful intrusion of development into the open landscape, resulting in the coalescence of built development and a development of urban appearance at odds with the character, appearance and openness of the site and surrounding rural area. In light of the above considerations, the proposed development would be contrary to Policies CP11, CP14 and DC16 of the adopted Core Strategy and Development Control Policies Document (2009) and the policies within the revised National Planning Policy Framework.

## 3.0 Amenity impact

3.1 Policy DC1 of the adopted Core Strategy seeks to protect residential amenity and states that all new development must have regard to amenity considerations. Development will not be permitted where there are unacceptable effects on the amenity of neighbouring residents and future occupants.

3.2 Whilst it is noted that the application is Outline only, with access the only matter for consideration, an indicative Site Layout Plan has been submitted as part of the application showing how the proposed dwellings could fit on the site with sufficient external amenity space, parking provision, and vehicle manoeuvrability. The Site Layout Plan originally submitted indicated that the proposed dwellings would be two storey. However, following discussions with the applicant, a revised plan was submitted omitting the two storey element from the Site Layout Plan. Based on the amended plans, 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.

3.3 Further details would be necessary at a reserved matters stage. However, amenity considerations could likely be successfully controlled by condition. The proposal is therefore in accordance with Policy DC1 of the adopted Core Strategy, subject to a detailed design reserved for future consideration.

## 4.0 Highway impact

4.1 Norfolk County Council Highways advise that the applicant has demonstrated that an acceptable level of visibility can be achieved at the site access. On that basis, no objection has been raised subject to the inclusion of conditions relating to visibility splays and vehicular access. In addition, an informative note relating to off site works is also recommended. In light of the above, the application is considered to be in accordance with Policy CP4 of the adopted Core Strategy and paragraphs 108 and 109 of the revised NPPF (2019).

## 5.0 Other matters

5.1 Norfolk County Council Natural Environment Team raised no objection to the proposal, subject to the inclusion of conditions. Recommended conditions require mitigation measures to be implemented in accordance with the Preliminary Ecological Appraisal (by Parker Planning Services, dated December 2017) and the Great Crested Newt HSI and eDNA Report (by Parker Planning Services, dated May 2018). In addition, a Biodiversity Enhancement Plan is required prior to commencement of development detailing the enhancement measures for biodiversity on site, including enhancement measures as outlined in the Great Crested Newt HSI and eDNA Report and the Preliminary Ecological Appraisal submitted in support of the application. In light of the above, the application is considered to be in accordance with Policy CP10 of the adopted Core Strategy.

5.2 Policy CP9 of the adopted Core Strategy 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 raised no objection to the proposal, subject to the inclusion of a condition relating to unexpected contamination and an informative relating to extensions.

5.3 Furthermore, Environmental health raised no objection to the proposal, subject to development proceeding in line with the application details. The proposal is therefore considered to be in accordance with Policy CP9.

## 6.0 Conclusion

6.1 When considering the overall planning balance of the scheme, the proposal is considered to represent an unsustainable form of development that would result in the harmful intrusion of development into the open landscape to the detriment of the character and appearance of the area. Consequently, the proposal is considered to be contrary to Policies SS1, CP11, CP14, DC2 and DC16 of the adopted Core Strategy, as well as paragraphs 127 and 130 of the NPPF (2019).

### RECOMMENDATION

The proposal is therefore recommended for refusal, for the following reason.

### REASON(S) FOR REFUSAL

1

#### **Non-std open countryside reason for refusal**

The siting of the proposed dwellings, detached from existing residential development south of Dereham Road due to the presence of a pond and wooded area, would result in the unwarranted harmful intrusion of development into the open landscape, resulting in the coalescence of built development and a development of urban appearance at odds with the character, appearance and openness of the site and surrounding rural area. The proposed

development would be contrary to Policies CP11, CP14 and DC16 of the adopted Core Strategy and Development Control Policies Document (2009) and the policies within the revised National Planning Policy Framework.

**2**

**Non-std reason for refusal**

The proposed dwelling would be remote from the majority of local services and facilities required to meet day-to-day needs, and in the absence of convenient and safe walking and cycling routes to larger settlements, future occupants would be largely dependent on transport by car for access to work, shopping, leisure and other purposes. It would also conflict with the principle that new development should make the fullest possible use of public transport, walking and cycling. For these reasons, the Local Planning Authority is of the view that the proposal would not represent a sustainable form of development, contrary to Policies DC2 and CP14 of the adopted Breckland Core Strategy and Development Control Policies (2009) and paragraphs 8 and 11 of the National Planning Policy Framework (2019).