

<b>ITEM:</b>		<b>RECOMMENDATION:</b>	APPROVAL
<b>REF NO:</b>	3PL/2018/1392/D	<b>CASE OFFICER</b>	Lisa ODonovan
<b>LOCATION:</b>	HOCKHAM Plot south of 8 Little Hockham Lane	<b>APPNTYPE:</b>	Reserved Matters
		<b>POLICY:</b>	Out Settlemnt Bndry
		<b>ALLOCATION:</b>	N
		<b>CONS AREA:</b>	N
<b>APPLICANT:</b>	Mr Barry Tredgett 13 hall Moor Road Hingham	<b>LB GRADE:</b>	N
<b>AGENT:</b>	Mr Andrew Mathews Flint Cottage Shropham Road	<b>TPO:</b>	N
<b>PROPOSAL:</b>	Erection of house & garage following outline permission 3PL/2016/0862/O		

#### DEFERRED REASON

The application was deferred from the February Planning Committee as a shadow analysis was received for consideration by the neighbouring occupiers. A deferral was deemed necessary in order to properly assess this and allow the applicant a chance to view and provide a rebuttal if necessary.

The applicant took the opportunity to a) reduce the scheme by hiping the two-storey projecting rear element (reducing the bulk) and amending the single storey element to incorporate a flat roof as opposed to a pitched roof, again to reduce the bulk; and b) to provide their own shadow analysis on the revised scheme.

It is acknowledged that the shadow analysis shows that there will be shadow across the rear of the neighbouring dwelling, however this will be at it's peak in December between 12.00 noon and almost none by 2pm and at no time will all of the rear windows/doors be completely covered. It also shows that the shadow will be reduced as a result of the amended scheme. Whilst it is acknowledged that the dwelling will result in some overshadowing, the level and length of this overshadowing is not considered to be at a level that would justify a refusal of the scheme given the allowed proposal at appeal.

During the deferred period, a speed survey was submitted in order to challenge the level of accepted visibility by NCC Highways as well as raising additional highway safety concerns, including the presence of a drainage gully at the access. Norfolk County Council was consulted on this and advised that:

"It is understood that Access has already been approved as part of the Appeal but we have now been provided with more detailed plans and, for the avoidance of doubt, I would comment as follows.

The details include that the gully cover will be in accordance with a specification to be agreed with this Authority. It may well be that given the limited use of the access, as it only serves a single dwelling, the existing cover may be acceptable but that can be addressed when the access is constructed.

The southern side of the access is close to the speed limit sign however it would be rare for vehicles to need to turn left into the access give that Little Hockham Lane is a no through road.

The Drawing indicates that visibility of 2.4m x 90m can be achieved to the south and 2.4m x 43m to the north

- more if the boundary hedge which, I have been advised is in the ownership of the applicant, is trimmed back.

The traffic data we have been supplied with appears to have recorded speed with a single counter some 30metres to the south of the access. A further counter should have been laid to the north of the access within the 30mph to assess south bound traffic. Notwithstanding this, the 90m available would comply with standards for traffic travelling at 37mph. The additional dwelling will reinforce that traffic is entering a built up area and should assist in containing traffic speed.

Given the limited use of Little Hockham Lane, and that it is a no through road serving a farm, it should be easy to identify speeding drivers and pass the information to the police/parish council for appropriate action."

The objections received as a result of the amended scheme are largely as per those already submitted and assessed.

#### **REASON FOR COMMITTEE CONSIDERATION**

The application is brought to Planning Committee at the request of the Ward Representative.

#### **KEY ISSUES**

Principle  
Impact on the character and appearance of the area  
Amenity impact  
Highway impact  
Impact on trees

#### **DESCRIPTION OF DEVELOPMENT**

The application seeks approval of the following reserved matters: appearance; landscaping; layout and scale following outline approval for the erection of a dwelling and carport which was granted following an appeal.

The dwelling proposed is a 2 and a half storey, 5 bed dwelling with attached double garage comprising of a mixture of brick, flint panels and weatherboarding with a clay pantile roof.

#### **SITE AND LOCATION**

The application site is an irregular shaped plot that lies to the south of existing residential development. The site is bounded to the front and side by established hedging, trees and vegetation. The site is laid to grass. Beyond the site site to the south, west and east (opposite side of the road) lies agricultural land.

#### **EIA REQUIRED**

No

#### **RELEVANT SITE HISTORY**

3PL/2018/0760/D - Erection of house and garage following outline approval ref 3PL/2016/0862/O - Withdrawn

3PL/2016/0862/O - Erection of new dwelling and carport - Allowed on appeal

3PL/2005/0049/O: Construction of five holiday cabins, Land to the rear of Beechwood House, Wretham Road  
- Refused March 2005.

#### **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.04	Infrastructure
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

#### **OBLIGATIONS/CIL**

Not Applicable

#### **CONSULTATIONS**

#### **PARISH COUNCIL**

The Parish Council strongly object to this application and previous comments with regards to the first application (3PL/2016/0862) still stand in relation to this application. The original application that was refused and then appealed in 2016, was an outline application for a 2 storey house with 4 bedrooms and car port. This was considerably smaller in scale than the new application. The Parish Council made comments on the application 3PL/2018/0760/D which was withdrawn. The majority of the objections have not been addressed. This new application is for a 3 storey property, with effectively 5 bedrooms and with a large double garage. This new application now takes up the full width of the plot and extends dramatically behind the neighbouring property, taking away all the natural light. The height of the roof for both the Garage and the Garden-room is at the same height as the top of the second floor level. All the mature trees should be maintained. Several large and established trees have already been cut down and removed from the site all without any prior notice to Breckland Council, or indeed any consent being given by Breckland's tree officer. The Parish Council have concerns for the remaining trees particularly given Highways requirements for off-street parking for all construction vehicles, a site compound and a site delivery area, all of which will have to be accommodated in the small area to the front of the proposed property, outside the Tree Protection Area. The Parish Council strongly object to any more trees being cut down, especially in the front of the site. It seems

very odd that the existing Hedges on both boundaries' seem to not have any protection from the development of this New Build. The hedges should be fully protected and maintained and not damaged or be removed. The plans show an air source heat pump, sited only feet from the neighbouring property's lounge and bedroom windows, this unit will be a constant disturbance if sited in this location. The style of the proposal is not in sympathy with the adjacent properties. The proposed Roof Tiles for the New Build will not be in keeping to the properties in Little Hockham Lane, all of which have Red Pantiles. They should be the same or very similar in type.

#### **NORFOLK COUNTY COUNCIL HIGHWAYS**

No objection subject to conditions.

#### **CONTAMINATED LAND OFFICER**

There are no objections or comments on the grounds of Environmental Protection, providing the development proceeds in line with the application details.

#### **TREE AND COUNTRYSIDE CONSULTANT**

No objection subject to condition.

#### **ENVIRONMENTAL PLANNING**

No Comments Received

### **REPRESENTATIONS**

Site notice erected: 30-11-2018

Consultations issued: 28-11-2018

17 representations were received raising the following concerns and objections:

- Inappropriate scale
- Impact on the character and appearance of the area
- Development out of scale for plot
- Materials inappropriate
- Result in loss of light and overshadowing to neighbouring property
- Concern regarding position of air source heat pump/ potential noise
- New property will not be in keeping with other properties
- Impact on adjoining neighbour at No8 size and proximity of dwelling overshadows their property
- House too large for plot out of keeping
- Loss of light due to size of property
- Impact on trees
- Outside settlement boundary location
- Loss of trees
- Noise during construction
- Parking and storage of materials during construction
- Loss of views

### **ASSESSMENT NOTES**

#### **1.0 Background**

1.1 The application is the re-submission of a previously withdrawn reserved matters scheme. The following amendments have been made as part of this re-submission:

- Floor area reduction of 6% at ground floor and 14% at first floor which has enabled a slight re-positioning of the dwelling.
- Arboricultural report submitted.
- Surface water from the garage and majority of the front roof to be discharged to an attenuation soakaway, not the existing road boundary ditch as previously proposed.

## 2.0 Principle

2.1 The application seeks approval of reserved matters following outline permission being granted on appeal for the erection of a dwelling and carport. This outline consent expires in March 2020, therefore the principle of a dwelling in this location has therefore been accepted.

## 3.0 Impact on the character and appearance of the area

3.1 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.

3.2 The application proposes a two and half storey dwelling with an attached garage which will be situated forward of the principal elevation of the main dwelling. The dwelling will consist of a typical, roof pitch design with two projecting two storey elements facing the road (front elevation). Materials proposed (dark pantiles and flint panelling above a brick plinth, with weatherboarding to the garage element) are considered acceptable and in keeping with those within the vicinity, which are varied. The positioning within the site is also considered acceptable and in keeping with the road fronting development adjoining. The plot is spacious and there will be adequate circulation space around the dwelling, again, in keeping with the form and character of existing development. In light of these factors, the proposal considered to accord with Policy DC16 and paragraph 127 of the NPPF.

## 4.0 Amenity impact

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

4.2 The dwelling proposed has been positioned within the plot so that it retains a good separation distance between it and the nearest neighbour at No.8, this alongside the internal layout in terms of first floor window positioning and the distances and oblique angles from views within the rear first floor windows, the proposal is not considered likely to cause any adverse impact in terms of overlooking or loss of privacy. The proposal relates to a single dwelling only therefore the impact in terms of noise and disturbance will also be minimal, plus the outline permission for one dwelling remains a material consideration. The proposal also provides the future occupiers with a good amount of private rear amenity space. Comments made in respect of loss of views is not a material planning consideration. In light of these factors, the proposal is considered to accord with Policy DC1.

4.3 It is noted that there has been concern and objection in respect of the scale of the dwelling proposed. Whilst these comments have been considered the dwelling is considered acceptable. The dwellings immediately adjoining the site are large dwellings set within spacious plots. This proposal is considered to reflect this character. Whilst the dwelling has been designed over two and half storeys, a drawing has been

provided which indicates the adjoining dwelling and its ridge line. This shows that the dwelling will have a lower ridge height than the dwelling at No.8 Little Hockham Lane, on this basis, it is considered difficult to substantiate a refusal on this point.

4.4 The positioning of the air source heat pump has also been considered. The Environmental Health Team has been consulted and raised no objection. In addition, a material consideration in this regard is that dwellings have a permitted development allowance for air source heat pumps and subject to the heat pump being MCS (Microgeneration Certification Scheme/or equivalent) compliant, the siting of the heat pump would meet these tolerances. As such, a refusal on this basis would not be considered reasonable.

4.5 In terms of the comments made in respect of noise during construction, this would be covered by Environmental Health legislation however a note can be attached to any permission given in this regard. A condition will be added requiring a scheme for the provision of on-site parking and a delivery area for construction workers to ensure that highway safety is not compromised during the construction phase.

## 5.0 Highway safety

5.1 Policy CP4 of the Core strategy seeks to ensure that all access and safety concerns are resolved in new developments. Policy DC19 requires sufficient parking for all new development. Sufficient parking and turning space has been accommodated within the site. Norfolk County Council Highways Team was consulted and advised that outline approval was granted at Appeal and access was considered at that time. However we are aware that concern has been expressed that the visibility indicated on the submitted drawing measures 2m x 33m rather than the 2.4m x 33m which was a condition of the appeal decision. In this location it would be difficult to prove the harm of a reduction to the north of the access from 2.4m to 2.0m.

5.2 It is also noted that the applicant proposes to culvert an existing ditch and they should be made aware that this will require the approval of the County Council's Flood Water Management Team.

5.3 Given that conditions relating to access were imposed when outline permission was granted, and that these conditions remain in full force and effect, the applicant will need to apply to vary this outline condition to implement this consent (they have been made aware and a note will be added to the permission to this effect). Additional highway conditions relating to means of obstruction; the access, parking and turning area and parking for construction workers should be imposed if you are minded to grant permission for the reserved matters. In light of this advice, and subject to conditions, the application is considered to have due regard to highway safety and a note will be imposed advising the applicant of the need to gain further consent in respect of the work to the ditch.

## 6.0 Impact on trees

6.1 Policy DC12 seeks to preserve the District's trees, hedgerows and other natural features and secure appropriate landscaping schemes to mitigate the impact of, and complement, new development.

6.2 Whilst none of the trees on or near to the site are the subject of protection orders, there are several category B trees within the site. As such, the application was supported by an Arboricultural Implications Assessment and Preliminary Method Statement which concludes that as long as the protection methods are adhered to as described the proposal will have no material effect upon health of those trees shown to be retained or to their contribution to amenity and landscape values. The Tree and Countryside Officer raised no objection on this basis and subject to condition. The proposal is therefore considered to have due regard to Policy DC12.

## 7.0 Conclusion

7.1 The plot has outline permission for a dwelling. The dwelling proposed is considered acceptable for the reasons outlined in the above assessment and on that basis, the application is recommended for approval subject to conditions.

### RECOMMENDATION

Recommendation: That Planning Permission be Granted subject to conditions:

### CONDITIONS

- 1 Reserved Matters - time limit**

This approval is granted following the grant of Outline Planning Permission Reference 3PL/2016/0862/O Dated 06/03/2017. The development hereby permitted shall be begun either before the expiration of FIVE YEARS from the date of the Outline Planning Permission, or before the expiration of TWO YEARS from the date of the last of the reserved matters to be approved, whichever is the later.

The development shall comply with all the conditions attached to the outline permission unless varied by this approval of reserved matters.

Reason for condition:-

For the avoidance of doubt and to ensure that the development accords with conditions attached to the outline planning permission for the proposal, including time limits specified for commencement, resulting in appropriate development of the site.
- 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 wall and roof materials to be agreed**

The materials to be used in the external elevations shall be as set out on the submitted application form and approved plans, unless otherwise first agreed in writing by the Local Planning Authority.

Reason for condition:-

To enable the Local Planning Authority to control the colour, tone, texture and appearance of the materials used to ensure the satisfactory appearance of the development, as required by 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 Provision of parking and servicing areas**

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. The access shall be designed in accordance with a scheme to be first agreed in writing by the Local Planning Authority.

Reason for condition:-

To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.

**This condition will require to be discharged**

**5 Construction traffic (parking)**

Development shall not commence until a scheme detailing provision for on-site parking, site compound and delivery area for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

Reason for condition:-

To ensure adequate off-street parking during construction in the interests of highway safety. This needs to be a pre-commencement condition as it deals with the construction period of the development.

**This condition will require to be discharged**

**6 Implementation of submitted boundary treatment**

The boundary treatment shown on the plans and particulars hereby approved shall be constructed in the manner shown and completed before the dwelling hereby approved is first occupied.

Reason for condition:-

In the interests of the satisfactory appearance of the development in accordance with Policy DC16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

**This condition will require to be discharged**

**10 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.