

<b>ITEM:</b>		<b>RECOMMENDATION:</b> APPROVAL
<b>REF NO:</b>	3PL/2018/1413/F	<b>CASE OFFICER</b> Lisa ODonovan
<b>LOCATION:</b>	WEETING 1 Cromwell Road Weeting	<b>APPNTYPE:</b> Full <b>POLICY:</b> Out Settlement Bndry <b>ALLOCATION:</b> N <b>CONS AREA:</b> N <b>LB GRADE:</b> Adjacent Grade 2 <b>TPO:</b> N
<b>APPLICANT:</b>	Mrs Jayne Martin 1, Cromwell Road Weeting	
<b>AGENT:</b>	SKI Property Management 9 Park View Weeting	
<b>PROPOSAL:</b>	Proposed 4 bedroom, one and half storey dwelling at the rear of 1 Cromwell Road, Weeting	

#### REASON FOR COMMITTEE CONSIDERATION

The application is brought to Planning Committee as the recommendation is contrary to Policy.

#### KEY ISSUES

Principle  
Impact on the character and appearance of the area  
Impact on the Listed Building known as Lynn Lodge  
Amenity impact  
Highway safety  
Ecological impact  
Tree Implications

#### DESCRIPTION OF DEVELOPMENT

The application seeks approval for the erection of a one and half storey, 4 bed dwelling on garden land to the rear of No.1 Cromwell Road. It is proposed to construct the dwelling using light brown/buff bricks and clay pantiles with the majority of the living space being accommodated at ground floor with a guest bedroom and en-suite within the roof space.

Access was amended during the course of the application process and it is now proposed to use the existing access rather than creating a new one.

#### SITE AND LOCATION

The site lies to the rear of No.1 Cromwell Road Weeting, the dwelling and part of the garden lies inside the Weeting Settlement Boundary. Other residential uses lie to the east, south and south-west of the site with more sporadic development to the north-west. The site lies inside the stone curlew buffer zone but is surrounded by other development and forms part of a residential garden area.

**EIA REQUIRED**

No

**RELEVANT SITE HISTORY**

3PL/2018/0745/F - Proposed 4 bedroom one & half storey dwelling - Withdrawn

Adjacent sites

3PL/2017/1285/O and 0341/D - Rear of No. 6 Cromwell Road - Erection of one dwelling - Permission

3PL/2018/0650/O - Land east of New Lodge - Construction of 2 new dwellings on land east of New Lodge, Lynn Road, Weeting - Permission

**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.10	Natural Environment
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**

**NORFOLK COUNTY COUNCIL HIGHWAYS**

No objection subject to conditions.

**TREE AND COUNTRYSIDE CONSULTANT**

No objection to the removal of T11 as shown. Please condition: 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) prepared by Haydens dated 31/10/2018.

**ECOLOGICAL AND BIODIVERSITY CONSULTANT**

No objection subject to conditions.

**NATURAL ENGLAND**

No objection, standard advice provided.

**RAMBLERS ASSOCIATION: NORFOLK AREA**

The Ramblers has no objection to this, providing that there is no impact on Weeting-With-Broomhill FP18, or its use by walkers. This includes ensuring it is kept open throughout any works and any damage to it is repaired without delay.

**HISTORIC BUILDINGS CONSULTANT**

No objection. It is considered that the proposed development will not be harmful to the setting of the adjacent designated heritage asset.

**CONTAMINATED LAND OFFICER**

No Comments Received

**PUBLIC RIGHTS OF WAY OFFICER**

No Comments Received

**WEETING P C**

No Comments Received

**REPRESENTATIONS**

Site notice erected: 07-12-2018

Consultations issued: 10, 11 and 17 December 2018 and 10 January 2019

Two letters of representations received raising the following issues:

- Previous withdrawal and officer's views
- Cramped development
- Poor access arrangement
- Impact on the adjacent Listed Building
- Ecological implications

**ASSESSMENT NOTES**

1.0 Principle of development

1.1 The application site is located outside of the Weeting Settlement Boundary as designated by the adopted Core Strategy and Development Control Policies Development Plan Document (2009). For this reason the proposal conflicts in principle with Policies DC2 and CP14 of the Core Strategy and Development Control Policies Development Plan Document which seeks to focus new housing within defined Settlement Boundaries.

1.2 Paragraph 10 of the NPPF states that at the heart of the Framework is a presumption in favour of sustainable development. Paragraph 11 further states that proposed development that accords with an up-to-date Local Plan should be approved without delay, and where there are no relevant development plan

policies, or the policies which are most important for determining applications are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

1.3 The Council cannot demonstrate a current 5 year housing land supply and therefore the Core Strategy and Development Control Policies Document, relating to housing land supply, are not considered up-to-date and therefore the material considerations are assessed in line with the sustainable development roles within paragraph 8 of the NPPF:

- economic, to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types 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;
- social, to support 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
- environmental, to contribute 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.

1.4 In terms of the economic and social criteria, the proposal would provide one new dwelling and would therefore make a very small contribution to the housing supply shortfall. The proposal would also provide some limited short-term economic benefits through labour and supply chain demand required during construction, and longer-term economic benefits through the additional household spend within the surrounding area that would be generated by the provision of a single dwelling.

1.5 No. 1 Cromwell Road and part of the garden lies inside the settlement boundary for Weeting, however the application site lies outside. Weeting is defined in Policy SS1 as a Service Centre Village which are defined as villages that contain adequate services and facilities to meet the day-to-day requirement of their existing residents. Given its close, adjoining relationship to the existing settlement boundary, the site is considered close enough to allow any future occupants to walk or cycle to these facilities which are a short distance away, approximately 600 metres to the south (0.4 mile). In addition, an improved footpath link is proposed via the above referenced application (3PL/2015/0551/F - Revised access and pedestrian cycleway to residential development of land to the north of Cromwell Road) which will enable easier walking links to the main Village. However, in terms of the existing situation without any other permissions being implemented the residents of the new dwelling could access the facilities in the village either via Lynn Road or by using the public footpath in the other direction which joins up with Angerstein Close. The proposal is therefore considered to meet the social objective.

1.6 Environmentally, although outside the Settlement Boundary, the site is immediately adjacent to it and is adjoined by other residential uses and the B1106 to the west. The Council's Landscape Character Assessment indicates that the site falls within the C1: The Brecks of Thetford Forest. Development considerations here include: conserve wooded skylines to views and ensure that new development to the edges of defined settlements does not breach this; conserve historic vernacular and ensure that any potential future development reflects these styles/use of materials; conserve the predominantly 'remote' and unsettled/undeveloped character of Thetford Forest; monitor existing pattern of urban edge to development and growth to settlements; maintain existing rural character of the road network, resisting traffic pressures and traffic calming measures which could have an urbanising influence and explore opportunities for enhancing recreational access, particularly to the historic drove road to the west of Weeting. The proposal

would consolidate the existing pattern of development. Whilst this will result in some loss of character given the current garden use, the harm would be limited given the following factors:

- site proportions and location will maintain a spacious character and will not affect the appearance of the existing pattern of development along Cromwell Road;
- the proposal will not appear isolated given the close proximity and relationship to existing residential development;
- the proposal would not cause material harm to the character and appearance of the area.

1.8 It is concluded that the proposal would not result in an isolated development in the countryside. The scheme would provide one additional dwelling, generate some economic activity and be developed without causing significant harm to the character and appearance of the area.

## 2.0 Impact on 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 The application proposes a relatively modest, four bed dwelling which will face the access road leading off Lynn Road. The scale at one and half storeys is considered appropriate in this location given the similar dwelling types surrounding the site. The materials are considered appropriate for the area and the layout provides a spacious form of development. In light of the above factors the proposal is considered to accord with Policy DC16.

2.3 Comments were made initially in respect of the application site representing a cramped form of development. The site area measures 1306m<sup>2</sup>. A site approximately 60 metres to the north-east measures 900m<sup>2</sup> and has been granted outline permission for two dwellings and a site approximately 75m to the east measures approximately 400m<sup>2</sup> and has been granted permission for one dwelling. When making comparisons between these nearby approvals, the current application site is not considered to represent a cramped form of development.

## 3.0 Impact on the Listed Building known as Lynn Lodge

3.1 Any decisions relating to listed buildings and their settings must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990, in particular section 66, as well as satisfying the relevant policies within the National Planning Policy Framework and the development plan. National policy states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Core Strategy Policy DC17 seeks to ensure that new development preserves and enhances the character, appearance and setting of conservation areas and listed buildings.

3.2 The significance of the listed building derives principally from its historic fabric and prominent location/setting.

3.3 The site is located on the opposite side of the access track to that of the listed building, set behind it to the south-east. As a result, the proposed dwelling will not impede views of the listed building and will be set far enough away from it so as not to compromise its setting. Accordingly, it is considered that the scheme would preserve the special interest/setting of the listed building and that the proposal is acceptable in these

terms having regard to the requirements of Section 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990.

3.4 The Historic Buildings Officer raised no objection to the scheme.

#### 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 In terms of the amenity impact, the proposed dwelling is of a modest scale which is a considerable distance from neighbouring properties so as not to cause undue impact in terms of overlooking. The scale and position of the dwelling within the plot will also ensure that loss of light will not be a significant issue and noise and disturbance is also unlikely to be significant as a result of one dwelling. The scale and positioning will also ensure that the dwelling does not appear over-dominant and the proposal provides the future occupiers with a good degree of private amenity space. In light of these factors, the proposal is considered to have due regard to Policy DC1 and paragraph 127(f) of the NPPF.

#### 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.

5.2 The proposal was amended during the course of the application process in order to utilise the existing access and entrance into the site rather than create a new access. This is considered to be a vast improvement to the scheme and Norfolk County Council was consulted and advised that they have no objection on this basis subject to conditions. The application provides sufficient parking and turning, in light of these factors, the proposal is considered acceptable having due regard to the above policies and paragraph 108(b) of the NPPF.

#### 6.0 Ecological impact

6.1 Policy CP10 seeks the enhancement of biodiversity and geodiversity in the district. There is an expectation that development will incorporate biodiversity or geological features where opportunities exist.

6.2 The site is close to Breckland Farmland; Breckland Forest and Weeting Heath which are classified as Sites of Special Scientific Interest (SSSI) and is within the 1.5km constraint zone of the Breckland Special Protection Area for the protection of Stone Curlews. However, it is considered that due to the size of the application coupled with its location of other development within this zone that the development will not have a significant impact on the Breckland SPA. The proposal is a significant enough distance from the designated SSSIs so as not to damage or destroy these features. On this basis, a Habitat Regulations Assessment is not required.

6.3 Natural England was consulted and raised no objection.

6.4 The Ecology Team was consulted and advised that there is no objection subject to conditions: a timing constraint to protect nesting birds and a check to be carried to any trees for bat roots prior to any work on them taking place.

6.5 In light of the above factors, the proposal is considered to have due regard to Policy CP10 and paragraph 170 of the NPPF.

#### 7.0 Tree implications

7.1 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.

7.2 Some trees near to and adjacent the site are the subject of a Tree Preservation Order (TPO) however the dwelling has been positioned within the site so as to avoid the root protection areas of these trees.

7.3 The application was accompanied by a tree survey which was updated to accord with the revised access arrangements. The Tree and Countryside Officer was consulted and advised that there are no objections in this regard subject to condition.

#### 8.0 Conclusion

8.1 The proposed site is considered, on balance, to represent a sustainable form of development and will help toward the lack of five year housing land supply as well as aiding the economy of the local area whilst not raising significant amenity impact issues, character impact, including impact on the setting of the nearby listed building or highway safety. As such, the application is recommended for approval.

### RECOMMENDATION

Approval

### 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 wall and roof materials to be agreed**

No development beyond slab level shall take place until precise details, (including samples where required), of the materials used in the construction of the external walls and roof(s) of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply notwithstanding any indication as to these matters that have been given in the current application. The materials to be used in the development shall be in accordance with the approved details.  
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 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 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 Provision of visibility splays - condition/approved plan**

Prior to the first occupation/use of the development hereby permitted visibility splays measuring 2.4 metres x 25 metres shall be provided to each side of the access where it meets the private track. The splays 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 in accordance with the principles of the NPPF.

**This condition will require to be discharged**

**6 Ecology - timing constraint condition**

No removal, in full or in part, of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to and approved by the local planning authority.

Reason for condition:-

To ensure the development is not detrimental to Protected Species and in order to protect the wildlife value of the site in accordance with Policy CP10 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009 and the National Planning Policy Framework.

**7 Ecology - no works to trees (bat roosts)**

No works to trees including removal, pruning or crown reduction shall take place unless a competent ecologist has undertaken a careful, detailed check of the potential for bat roosts and provided written confirmation that no bat roosts will be harmed and/or that there are appropriate measures in place to protect bat interest on site. Any such written confirmation should be submitted to and approved by the local planning authority.

Reason for condition:-

To ensure the development is not detrimental to Protected Species and in order to protect the wildlife value of the site in accordance with Policy CP10 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009 and the National Planning Policy Framework.

**8 Tree condition**

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) Rev A prepared by Haydens dated 3rd April 2019. 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 tree protection 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:-

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.

**9**

### **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.