

ITEM:		RECOMMENDATION:	APPROVAL	
REF NO:	3PL/2018/1260/F	CASE OFFICER	Mark Simmonds	
LOCATION:	ROUDHAM/LARLING Land Opposite Barkers Farm Watton Road Larling	APPNTYPE:	Full	
APPLICANT:	Mr S Lewin c/o Agent	POLICY:	Out Settlemnt Bndry	
AGENT:	Roberts Molloy Architects & Co 3 Church Lane Bressingham	ALLOCATION:	N	
PROPOSAL:	Erection of 3 new dwellings with parking and turning and construction of new highways access		CONS AREA:	N
		LB GRADE:	N	
		TPO:	N	

REASON FOR COMMITTEE CONSIDERATION

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

KEY ISSUES

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

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for the erection of three dwellings with parking and turning and construction of a new access from Watton Road.

SITE AND LOCATION

The land is currently agricultural meadowland adjacent to Barkers Farm. There are open views of the land from the front elevation and boundary screening is provided to the northern boundary by established hedging and vegetation. A row of trees lines the south-eastern boundary. The land is surrounded by farm buildings, agricultural land with residential uses opposite.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2018/0359/O

Outline application for the erection of 2no. dwellings, shared cartlodge and new highways entrance. Planning permission approved 05-06-2018.

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

OBLIGATIONS/CIL

Not Applicable

CONSULTATIONS

NORFOLK COUNTY COUNCIL HIGHWAYS

The Highway Authority considers that the site is located in a village with limited services and amenities and consequently any residents will have a high dependency on travelling by car.

CONTAMINATED LAND OFFICER

No objections or further comments on the grounds of Environmental Protection, providing the development proceeds in line with the application details. Subject to conditions.

ENVIRONMENTAL HEALTH OFFICERS

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

TREE AND COUNTRYSIDE CONSULTANT

It appears that the changes will result in fewer arboricultural implications, removing the requirement for root pruning and no-dig surfacing. For clarity and to fully assess the implications the impact assessment and tree protection plan should be updated. Also subject to conditions.

ROUDHAM & LARLING P C

We advised you on 15 March that the plans for the revised Plot 3 do not appear on your website, but this has not been acknowledged nor corrected. As a result you are asking my Council (and other members of the public) to comment sight unseen. However, it has been possible to discover some details of the proposed property from facts provided in the revised Planning Statement, and subject to the proposed plans (when and if they are eventually made available) not revealing anything untoward, my Council is much happier with the revised layout, and has no objections to what is now proposed.

REPRESENTATIONS

Site notice erected: 24-10-2018 to 14-11-2018

10 neighbours have been directly notified, no representations have been received.

An amended highways plan has been submitted, Officers are happy that the neighbours and Parish Council and any other parties have had the relevant time to consider the amended plans, only Highways are affected by the latest changes.

ASSESSMENT NOTES

1.0 Principle of development

1.1 The application seeks full planning permission for the development of three dwellings. The application site is not within a defined Settlement Boundary. The proposal would therefore conflict in principle with policies SS1, DC2 and CP14 of the 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 2018 was confirmed at the Planning Committee on the 30th July 2018. The five year supply is not being currently met, although the council will prioritise work on establishing a five year housing land supply target. The emerging new local plan is currently at examination and when adopted, new policies and allocations will be able to be included within the five year housing land supply, which will ensure the Council is able to meet this. In these cases the NPPF makes provision, in principle, for Local Planning Authorities to positively consider sites that are 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.

1.4 The NPPF constitutes guidance for LPAs and decision takers, and is a material consideration in the

determination of planning applications to achieve sustainable development. The NPPF identifies three objectives of sustainable development:

- Economic, in terms of building a strong economy and in particular by ensuring that sufficient land of the right type is available in the right places
- Social, by supporting, strong vibrant and healthy communities by providing the supply of housing required to meet future need in a high quality environment with accessible local services and
- Environmental, through the protection and enhancement of the natural, built and historic environment.

1.5 Paragraph 8 of the NPPF also stresses that these objectives are interdependent and need to be pursued in mutually supportive ways; therefore, a balanced assessment against these three roles is required.

1.4 In terms of the economic and social criteria, the proposal would provide three new dwellings and would therefore make a minimal 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 three dwellings.

1.5 The social role of sustainable development seeks to ensure, amongst other matters, the creation of a high quality built environment with accessible local services. Roudham/Larling is classified as a rural settlement through Policy SS1 (Spatial Strategy) of the adopted Core Strategy and Development Control Policies Development Plan Document. These villages contain limited services and facilities and the spatial strategy states that these villages are not capable of supporting consequential growth as they rely on higher order settlements for the majority of these services and facilities.

1.6 Roudham village contains no services, facilities or regular public transport options and therefore there would be a high reliance on higher order settlements for everyday needs which would likely result in higher car dependency. The nearest service centre, East Harling, is approximately 3 miles away, which is primarily accessed from unlit, unpaved roads, Attleborough, the nearest Market Town is approximately 8 miles away and is accessed via unlit, unpaved roads or via the main A11 which is unsafe for travel by any other means than by car, therefore increasing this need. Therefore the proposal is inconsistent with the social dimensions of sustainable development.

1.7 For these reasons highlighted above the proposal would not accord with the core planning principles in terms of ensuring the need to travel will be minimised and the use of sustainable transport modes will be maximised. This consideration weighs against the proposal.

2.0 Impact on the character and appearance of the area

2.1 The environmental role of sustainable development seeks to, in part contribute to protecting and enhancing the natural, built and historic environment. Consideration of a development's impact on the character and appearance of the area within which it is situated is, therefore, integral to the environmental dimension of sustainable design, as is its design.

2.2 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.

2.3 The initial submission proposed the erection of 4 dwellings, however, this was not considered acceptable

in this location as it was considered to be overdevelopment of this plot. Following discussions with the applicants/Agent a revised scheme was submitted for 3 dwellings.

2.4 The revised scheme includes a pair of semi-detached 3 bedroom dwellings fronting Watton Road with their parking to the rear and a one and a half storey dwelling to the rear. This revised scheme is considered acceptable as it reflects the traditional character of the locality.

2.5 Environmentally, although outside the Settlement Boundary, the site is in a semi-rural location. There are other residential uses immediately to the west and the dwellings will be seen against a backdrop of other buildings used as part of the wider farm use adjacent, therefore will not appear as a further encroachment. Whilst this will result in some loss of character, the harm would be limited given the established boundary hedging and the proportions of the site will maintain a spacious character. The development would not intrude into the open countryside and it is considered that the proposals would not cause material harm to the character and appearance of the area. This is considered to satisfy the environmental role of sustainable development.

2.6 The amended planning statement proposes the following materials:

Plots 1 & 2 - Red clay brick, Terca Cholesbury (or similar) with Imerys Panne S Burnt red rustic clay pantiles (or similar) for the roof and white windows with heritage grey timberwork.

Plot 3 - Render painted Heritage light cream. Plinth and chimney in red brick, terca multi (or similar) with Imerys Panne S Burnt Red (Rustic) clay pantiles (or similar) for the roof and heritage grey timberwork for the windows.

Carport - Black composite weatherboard with Imerys Panne S Burnt Red (Rustic) clay pantiles (or similar) for the roof and black windows.

2.7 The design and layout are considered acceptable and to be in keeping with the character of the surrounding area, therefore, compliant with Policy DC16 of The Adopted Core Strategy and Paragraph 79 of The NPPF (2019).

3.0 Amenity impact

3.1 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.

3.2 An environmental noise assessment has been completed and submitted with the application to assess the impact of existing farm related noise sources on the proposed development. The farmyard is to the south of the development and is screened from the site by farm buildings. The assessment shows that suitable internal noise levels at the houses as a result of nearby farming activities can be met with standard double glazing and trickle vents. All windows could be open whilst still meeting WHO criteria. External noise levels from farm activities will meet WHO criteria for amenity spaces.

3.3 The assessment summarised that there are no special measures that are needed to control farm noise. It was noted that some farm machinery (tractor pulled items) is stored on the land between the farmyard and the proposed development site. Whilst this is unlikely to cause any annoyance any opportunity to relocate the machinery away from the houses could only be beneficial.

3.4 Due to the separation distances and generous private amenity space for each of the proposed dwellings, it is considered that three dwellings can be accommodated on the site without causing any significant amenity impact for existing and future residents. The application is therefore considered to have due regard to Policy DC1.

4.0 Highway safety

4.1 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. The Highway Authority considers that the site is located in a village with limited services and amenities and consequently any residents will have a high dependency on travelling by car.

4.2 There has been correspondence with The Highways Officer and an amended Block Plan (drawing LWR/03J) has been received on the 7th May 2019 and this was to address the Highway Officers' comments regarding access. The block plan has been amended to include the following details:

- The pedestrian access to Plots 1 & 2 has been moved further into the site and a fence is now proposed along the frontage so that there is no access to the properties directly off the highway.
- The access is now 4.8m for the first 10m.

A supplementary report will be completed if necessary for the Planning Committee with the Highway Officers' formal comments as soon as they have been received if material to the determination, but Officers consider the issues to be resolved with the amended plan.

5.0 Ecological implications

5.1 Policy CP10 seeks the enhancement of biodiversity and geodiversity in the district. Proposals need to ensure that the ecological network and protected species are not harmed or detrimentally impacted and mitigation measures are put in place where appropriate.

5.2 The Ecology consultant was consulted on the previous application in May 2018 and at that time it was proposed to remove 4 apple trees for the proposed development. The Ecology consultant requested further surveys which were submitted at that time which verified the suitability of one of the trees for bats and therefore further surveys were necessary due to impacts on the roost feature and potentially bats using it were predicted.

5.3 This application has been revised and the layout now proposes to retain all the trees, therefore no further details are required in this respect.

5.5 In light of this the application is considered to have had due regard to Policy CP10.

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 The application proposes new hedge and tree planting all around, to provide screening and enhanced wildlife habitat. Under the previous Outline Permission for two semi-detached houses fronting the road, the fruit trees were to be removed, however, this amended scheme will retain the trees.

6.3 The Council's Tree and Countryside Officer has commented that it appears that the changes will result in fewer arboricultural implications, removing the requirement for root pruning and no-dig surfacing. For clarity and to fully assess the implications the impact assessment and tree protection plan should be updated.

6.4 This can be adequately conditioned and the proposal is therefore considered to have due regard to Policy DC12.

7.0 Environmental health officers have been consulted and advised that based on the information provided at this time; there are no objections or comments on the grounds of Environmental Protection, providing the development proceeds in line with the application details.

8.0 The Contaminated Land Officer has been consulted and advised that based on the information provided at this time, there are no objections providing the development proceeds in line with the application details and subject to conditions to alleviate environmental concerns.

9.0 Planning Balance

7.1 The application does not accord with the adopted development plan as the site falls outside of any settlement boundary. However, the Council does not currently have a 5 year land supply as required by the NPPF and this development would provide a small contribution towards Breckland's Housing supply. On this basis, the other key principle considerations for this proposal must be assessed and are whether the site is a sustainable location for housing and the visual impact on the countryside.

7.2 The site is in close proximity to other dwellings and is in close proximity to an application site given permission for 2 dwellings at Planning Committee in 2018, Ref : 3PL/2017/1124/O. The applicant has submitted revised plans to overcome previous concerns, and the previous outline permission granted on this site for 2 dwellings in 2018 is a material consideration. It is considered that the development of the site would not negatively impact the character and appearance of the countryside and therefore complies with Policy CP 11.

7.3 The site is not in a sustainable location with good access to services and facilities. This is a negative aspect of the proposal, and does not accord with policies SS01 and CP14.

7.4 However - it is a material consideration of great weight that there is an extant permission for two dwellings on this site. The additional benefits of the extra dwelling are considered to counterbalance any additional harms from the one extra dwelling.

7.5 In this context, when applying the tilted balance required by paragraph 14 of the NPPF, the small negative harm created by one additional dwelling to that already approved, with the site's location away from services and facilities, is considered to be outweighed by the positive contribution towards housing in the district and due to the aforementioned reasons the development will not cause significant harm to the street scene or character and appearance of the countryside.

7.5 In accordance with paragraph 14 of the NPPF, no material additional or new harm has been identified which would significantly and demonstrably outweigh the acknowledged benefits, and therefore this application is recommended for approval, subject to conditions.

RECOMMENDATION

Approval recommended, subject to conditions.

CONDITIONS

- 1 Full Permission Time Limit (3 years)**

The development must be begun not later than the expiration of THREE YEARS beginning with the date of this permission.

Reason for Condition:
As required by section 91 of the Town and Country Planning Act 1990.
- 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 Indicated landscaping to be implemented**

The landscaping shown on the plan accompanying the application shall be carried out during the first planting season October/March immediately following the commencement of works on site. Any trees or plants which within a period of 5 (five) years from the completion of the landscaping die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason for condition:-
In the interests of the satisfactory appearance of the development.
- 4 Non-standard landscaping 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 A T Coombes dated 15th January 2019. (to be completed in line with the amended scheme)

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. Given that the development contains works within the root protection areas of retained trees additional site supervision will be required. There are four key stages where on-site arboricultural advice will be needed: Prior to commencement, to review the contents of the AMS, and deal with any queries the main contractor may have. To confirm that the protective fencing and ground protection is in place. To ensure the No-Dig surface is put in place satisfactorily. To supervise pre-emptive root pruning. A note of the date of each visit and a summary of the findings will be forwarded to both the Tree Officer and the Main Contractor to provide an audit trail enabling the proper implementation of the tree protection

measures to be checked and verified.

5 Precise details of foul water disposal

Prior to the commencement of any works above slab level precise details of the means of foul water disposal shall be submitted to and approved in writing by the Local Planning Authority.

Reason for condition:-

The details are required to be submitted prior to the commencement of development to minimise the possibilities of flooding from the outset of the development.

This condition is imposed in accordance with Policies DC 1 and DC 13 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009

This condition will require to be discharged

6 Ecology 1

Given the nature and size of this development the following working practices will be adhered to:

- No piles of loose sand or other granular materials into which could bury themselves should be left around the site. All such materials should be delivered in bags and kept on pallets or hardstanding until required for use;
- Should any waste be generated from the development, this should be placed straight into skips or rubble sacks, or immediately removed and not left lying around the site;
- No bonfires should be made or lit on site. Amphibians and/or reptiles often use piles of timber as a place of refuge;
- All trenches should be left covered at night. They must be checked in the morning before they are filled in.
- The development footprint and any working areas should be maintained in its current condition by regular mowing to ground level at weekly intervals until construction commences.
- Works should preferably be restricted to daylight hours only to prevent disturbance or accidental harm to nocturnal animals such as hedgehogs. Ideally night lighting of the site should be minimised to reduce disturbance to other nocturnal animals such as bats.

In addition if any protected species are identified at any stage during the development, work must immediately cease and a suitably qualified ecologist contacted for further advice.

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 2

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 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 Ecology-Lighting

Any site lighting schemes for the new development should be unobtrusive, hooded/shielded and directional away from features that may be used by commuting/ foraging bats, such as hedgerows and mature trees. Further guidance on lighting is available on the Bat Conservation Trust website (Interim Guidance: Artificial lighting and wildlife - Recommendations to help minimise the impact of artificial lighting; 2014. Available at: http://www.bats.org.uk/pages/bats_and_lighting.html).

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.

9 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