

<b>ITEM:</b>		<b>RECOMMENDATION:</b>	APPROVAL
<b>REF NO:</b>	3PL/2019/0284/F	<b>CASE OFFICER</b>	Joe Barrow
<b>LOCATION:</b>	BRIDGHAM Land South of Corner House Chapel Lane Bridgham	<b>APPNTYPE:</b>	Full
<b>APPLICANT:</b>	Mr Ashley Barham Abdon House Fen Lane	<b>POLICY:</b>	Out Settlemnt Bndry
<b>AGENT:</b>	Jon Venning Hardwick House Ipswich Road	<b>ALLOCATION:</b>	N
<b>PROPOSAL:</b>	Proposed Erection of two storey dwelling with detached garage		
		<b>CONS AREA:</b>	N
		<b>LB GRADE:</b>	N
		<b>TPO:</b>	N

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

The application is referred to committee as it is contrary to Policy and recommended for approval.

#### **KEY ISSUES**

Principle of development & previous appeal decision  
Character & appearance  
Residential amenity  
Parking & access

#### **DESCRIPTION OF DEVELOPMENT**

This proposal is for the erection of a two storey dwelling and detached garage on land south of Corner House, Chapel Lane, Bridgham. The dwelling's overall height would be 7.7m, with a stepped roof design and three pitched-roof dormer windows in both the front and rear elevations. The proposed detached garage would have an overall height of approximately 4.6m, and be sited in the north west corner of the plot.

Planning permission for a one & half storey dwelling was allowed on appeal on 20th June 2018 and still remains a valid permission.

#### **SITE AND LOCATION**

The application site is sited to the west of Chapel Lane, in between two dwellings, in the parish of Bridgham. The site falls outside of any settlement boundary as defined by Policy SS1 - Spatial Strategy of the Local Planning Authority (LPA)'s Adopted Core Strategy.

#### **EIA REQUIRED**

No

**RELEVANT SITE HISTORY**

3PL/2012/0646/O - Erection of one & half storey dwelling - Refused 26/07/2012

3PL/2017/0719/F - Proposed new one and a half storey dwelling - Refused 02/08/2017 - Allowed on appeal 20/06/2018

**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.09	Pollution and Waste
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
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**

**BRIDGHAM P C**

No objections.

**NORFOLK COUNTY COUNCIL HIGHWAYS**

No objections subject to conditions.

**TREE AND COUNTRYSIDE CONSULTANT**

No comments.

**CONTAMINATED LAND OFFICER**

No objections subject to conditions.

## **REPRESENTATIONS**

1 letter of objection received raising the following main points:

- Increased scale of the dwelling
- Amenity concerns based on proximity to boundary and overdominance.
- Construction traffic harming the road surface of Chapel Lane.

## **ASSESSMENT NOTES**

### 1.0 Principle of development

1.1 The site for this proposed new dwelling falls outside of the settlement boundaries as defined by Policy SS1, and therefore contrary to Policies CP14 and DC2 of the LPA's Adopted Core Strategy. However, the principle of residential development on the site has already been established by an appeal allowed under reference 3PL/2017/0719/F, granted on 20/06/2018. This permission allowed a one and a half storey dwelling with attached garage. This permission remains extant, and is therefore a significant material planning consideration in this assessment.

1.2 The Inspector, in allowing the appeal, had regard to the LPA's lack of a five year housing land supply and the adverse impacts of the development not demonstrably outweighing the benefits of the proposal in accordance with paragraph 11(d) of the NPPF (2019).

1.3 The principle of residential development is therefore established and the key issues are the difference in the design of the dwelling compared with the previous allowed appeal. These key differences are:

- Provision of additional accommodation at first floor level, above the previously approved single storey side element.
- An increase in overall ridge height of the dwelling by approximately 50cm.
- Relocation of the access to the northernmost point of the site.
- Provision of a detached garage rather than an integral one, allowing for more living space at ground floor level.

### 2.0 Character & appearance

2.1 The overall main ridge height of the proposed dwelling is approximately 50cm higher than the the 2017 scheme with a single storey attached garage replaced by a subservient two storey element providing living accommodation. This element sits flush with the main front and rear elevations, as opposed to a small step in, which was present on garage of the 2017 scheme. As such the proposed ground floor area is approximately 4 square metres larger than the previous scheme. The siting of the dwelling is the same as the 2017 application.

2.2 The proposal still includes dormer windows at first floor level (six in total) which help to break the massing of the proposal, and allow the dwelling to provide usable space at first floor level. The new two storey element to the north is also set down from the ridge of the main dwelling by approximately 50cm, at both eaves and ridge level.

2.3 The materials proposed include facing brickwork to the walls of the dwelling, and black clay pantiles for

the roof, with uPVC windows. The garage would be clad with black Hardie Plank cladding. This contrasts with the 2017 application which included cream render for the external walls, and red pantiles for the roof. In any case the materials palette is deemed acceptable, and in keeping with the wider area having regard to Policy DC16 of the LPA's Adopted Core Strategy.

2.4 In streetscene terms, neither the dwelling or the proposed detached garage would read as unduly prominent within the streetscene, sat further away from the highway than both Corner House to the north, and Cherry Tree Cottage to the south. The additional 50cm overall roof height, compared with the 2017 scheme, is not considered unduly harmful to the streetscene either.

2.5 Overall, the siting, scale and design of the proposal is considered acceptable in terms of impact on character & appearance of the area, having regard to Policy DC16 of the LPA's Adopted Core Strategy and paragraph 127 of the NPPF.

### 3.0 Residential amenity

3.1 Again comparing with the 2017 scheme, this application maintains three dormer windows at first floor level in the rear elevation of the proposed dwelling. In the previous scheme these windows served a bedroom, a bathroom and an en-suite, whereas in this application they serve two separate bedrooms and a bathroom. It is not considered that the current scheme would result in any greater overlooking than the previous scheme.

3.2 There are no windows proposed in the side elevations at first floor level of the proposed dwelling which directly face the immediate neighbours to the north and south. A new ground floor en-suite window is proposed in the north elevation, which is not considered to have any significant impact on amenity.

3.3 The height, scale and massing of the proposed dwelling, given the previous approval, are not considered to result in any significantly greater impact in amenity terms.

3.4 In terms of the proposed detached garage is sited in the north west corner of the plot, with a dual-pitch roof that slopes away from Corner House to the north. At the scale proposed, the boundary fence would provide a good level of screening, and the single storey scale, along with the separation distances present, is not considered to adversely impact the level of amenity for Corner House, or any other nearby property.

3.5 Overall, the siting, scale and design of the proposal is considered acceptable in terms of impact on residential amenity, having regard to Policy DC1 of the LPA's Adopted Core Strategy.

### 4.0 Parking & access

4.1 This proposal also involves the repositioning of the access onto Chapel Lane to the northernmost point along the site's frontage, allowing for increased visibility in the direction of approaching traffic. The previously approved access was more centrally placed.

4.2 The local highway authority do not object to the revised access plans, subject to conditions, and the additional parking space, required by the proposed dwelling having four bedrooms, can be accommodated on site, having regard to Policy DC19 of the LPA's Adopted Core Strategy.

4.3 Overall, based on the adequate parking provision, and the improved access location within the site frontage, the proposal is considered acceptable in terms of impact on highway safety, having regard to Policy DC19 of the LPA's Adopted Core Strategy, Norfolk County Council Parking Standards and paragraphs 108 &

109 of the NPPF (2019).

## 5.0 Conclusion

5.1 In terms of the overall planning balance of the scheme, and having appropriate regard to the previous, extant permission, the siting, scale and design of the proposed dwelling and garage are considered acceptable in terms of streetscene appearance, residential amenity and highway safety, having regard to the NPPF (2019), Norfolk County Council Parking Standards, and Policies CP14, DC1, DC2, DC16 & DC19 of the LPA's Adopted Core Strategy and Development Control Policies Document.

### RECOMMENDATION

Grant Planning Permission, 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 External materials as approved**

The development hereby permitted shall be constructed using the materials specified on the planning application form and submitted drawings.  
Reason for condition:-  
To enable the Local Planning Authority to ensure the satisfactory appearance of the development, as required by policies DC 1 & DC 16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.
- 4 New access (over verge/ditch/watercourse/footway)**

Prior to the first occupation of the development hereby permitted the vehicular access over the verge shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority in accordance with the highways specification TRAD 5 and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposal of separately so that it does not discharge from or onto the highway.  
Reason for condition:-  
To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety.  
**This condition will require to be discharged**
- 5 Access gates - restriction**

Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-enacting that Order) no gates/bollard/chain/other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason for condition:-

In the interests of highway safety.

**6 Provision of visibility splays - condition/approved plan**

Prior to the first occupation of the development hereby permitted a 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage.

The splay shall thereafter be maintained at all times free from any obstruction exceeding 1.05 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**

**7 Provision of parking and servicing areas**

Prior to the first occupation of the development hereby permitted the proposed on-site car 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 having regard to Policies CP4 and DC19 of the Core Strategy.

**This condition will require to be discharged**

**8 Garage - ancillary only**

The garage building hereby approved shall be used for purposes ancillary to the residential use of the site and shall at no time be used for any commercial or business purposes whatsoever.

Reason for condition:-

In the interests of residential amenity.

**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 in accordance with

Policy CP9 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

**This condition will require to be discharged**

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**No additional windows at first floor**

Notwithstanding the provisions of Class A & C of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order)(with or without modification), there shall be no additional window or other opening constructed at first floor level or above in the north and south elevations of the dwelling hereby approved without the prior written permission of the Local Planning Authority.

Reason for condition:-

To help safeguard the privacy and amenity of the occupiers of adjacent properties in accordance with Policy DC1 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

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**No PD for classes A B C D & E**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification), no extensions, roof alterations, porches or ancillary buildings as defined within Classes A, B, C, D and E of Part 1 of Schedule 2 of that Order shall be erected or brought onto the land unless an appropriate planning application is first submitted to and approved by the Local Planning Authority.

Reason for condition:-

In the interests of the satisfactory appearance of the development and/or the amenities of adjoining residents in accordance with Policy DC1 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

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**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.

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**Inf 2**

It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a legal Agreement between the applicant and the County Council. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained. Advice on this matter can be obtained from the County Council's Highway Development Control Group based at County Hall in Norwich. Please contact Graham Worsfold tel 01362 656211.

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

