

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2018/1471/F	CASE OFFICER	Lisa ODonovan
LOCATION:	GREAT ELLINGHAM Aldercarr House Attleborough Road Great Ellingham	APPNTYPE:	Full
APPLICANT:	N H Building Design NM Hurrell T/as Arpels Developments Limited Alder Carr House	POLICY:	Out Settlemnt Bndry
AGENT:	Nigel Hurrell N H Building Design 18 Plassett Drive	ALLOCATION:	N
PROPOSAL:	New residential dwelling with incorporated double garage in position of demolished outbuilding		
		CONS AREA:	N
		LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

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

KEY ISSUES

Principle
Impact on character and appearance of surrounding area
Amenity impact
Highway safety
Ecological implications
Impact on trees

DESCRIPTION OF DEVELOPMENT

The proposal seeks permission for the erection of a one and a half storey dwelling in place of an existing outbuilding.

The dwelling will comprise of three bedrooms and is shown to be constructed using brick and tile. The existing site access is proposed for use.

SITE AND LOCATION

The outbuilding comprises of white painted render and a mix of roof types and sits behind a wall which fronts onto Attleborough Road. The main Aldercarr House lies to the north-east of the site and is well screened from the road/public vantage points by a mature, well-established hedgerow.

EIA REQUIRED

No

RELEVANT SITE HISTORY

Land to the rear

3PL/2017/1055/O - 3 new dwellings and re roof outbuilding - 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

GREAT ELLINGHAM P C

This application was discussed at the meeting of Great Ellingham Parish Council on 20 February 2019. The parish council object to this application on the grounds of Highways safety. Should permission be granted, in view of Great Ellingham's dark sky status, Councillors request that a lighting clause is included in any permission granted. National Planning Policy Framework Clause 125 and Norfolk County Council's Environmental Lighting Zones Policy both recognise the importance of preserving dark landscapes and dark skies. In order to minimise light pollution, we recommend that any outdoor lights associated with this application should be: 1) fully shielded (enclosed in full cut-off flat glass fittings) 2) directed downwards

(mounted horizontally to the ground and not tilted upwards) 3) switched on only when needed (no dusk to dawn lamps) 4) white light low-energy lamps (LED, metal halide or fluorescent) and not orange or pink sodium sources

NORFOLK COUNTY COUNCIL HIGHWAYS

Recommends refusal for the following reasons:

- Inadequate visibility splays are provided at the junction of the access with the County highway and this would cause danger and inconvenience to users of the adjoining public highway.
- The proposed development does not adequately provide off-site facilities for pedestrians, cyclists people with disabilities (those confined to a wheelchair or others with mobility difficulties) to link with existing provision and / or local services.
- The proposal is remote from local service centre provision conflicting with the aims of sustainable development, the need to minimise travel, and the ability to encourage walking, cycling, use of public transport and reduce the reliance on the private car as represented in national and local policy. Contrary to the National Planning Policy Framework and Policy 5 of Norfolk's 3rd Local Transport Plan, entitled Connecting Norfolk.
- The private access serving the site is considered to be inadequate to serve the development proposed, by reason of its restricted width and lack of turning provision. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

This planning application is supported by an Ecological Impact Assessment report (Tor Ecology; March 2019). The EIA report is fit for purpose. We agree with the proposed mitigation measures and reasonable avoidance measures to reduce the likelihood of impacts on ecological receptors to acceptable levels. Enhancement measures need to be incorporated into the site's design to provide 'net gains for biodiversity' in-line with paragraph 170 of the NPPF.

If you are minded to approve this application, we recommend that you condition the following:

- The proposed development must proceed in-line with the mitigation measures and reasonable avoidance measures outlined in section 6 of the Ecological Impact Assessment report (Tor Ecology; March 2019) and enhancement measures outlined in section 6 of the Ecological Impact Assessment report (Tor Ecology; March 2019) need to be incorporated into the site's design.

TREE AND COUNTRYSIDE CONSULTANT

No objection subject to condition.

CONTAMINATED LAND OFFICER

No Comments Received

REPRESENTATIONS

Site notice erected: 14-01-2019
Consultations issued: 11-01-2019

No representations received.

ASSESSMENT NOTES

1.0 Principle

1.1 The site immediately to the rear of the application site was granted planning permission at Planning Committee. This permission was given a 2 year time limit and therefore remains valid until January 2020. This permission was for 3 new dwellings. On this basis, residential use in this location has therefore been accepted.

2.0 Impact on character and appearance of surrounding 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 seeks the demolition of an outbuilding which sits at the Aldercarr House frontage and the replacement with a one and half storey dwelling which will site facing Attleborough Road. The outbuilding is of a varying roof design ranging from a lean-to to a single storey pitch. It is not of an age or of sufficient character/architectural merit to warrant retention. The design and scale of the proposed dwelling is reflective of those approved indicatively via outline consent, reference 3PL/2017/1055/O and also similar, to a development to the north-west. The plot size is considered satisfactory for the size of the dwelling. In light of these factors, the proposal is considered to have due regard to Policy DC16 and paragraph 127 of the NPPF.

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 The application proposes a one and a half storey dwelling which will be road fronting, within the plot. Given the modest scale, siting, internal layout and proposed separation distance between the dwelling and the indicatively shown plot to the rear (north-east) alongside the boundary screening between the residential development and the adjoining Alder Carr Hall, the proposal is unlikely to raise significant adverse amenity impact issues, particularly overlooking, loss of light, increased noise and disturbance and over-dominance. In light of these factors, the proposal is considered to have due regard to Policy DC1 and paragraph 127(f) of the NPPF.

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. Paragraphs 108 and 109 of the NPPF are also relevant.

4.2 The application indicates parking and turning within the site. Norfolk County Council Highways were consulted on the proposal and have objected on the basis that the visibility is inadequate; the proposed development does not provide off-site facilities for pedestrians, cyclists or people with disabilities; the proposal is remote from service centre provision, and the private access serving the site is considered inadequate to serve the proposed development by reason of its restricted width and lack of turning provision.

4.3 Whilst this objection is a material factor in the determination of this scheme, so to is the previously agreed scheme at Committee on the site to the north-east. The question is therefore, will the addition of one

dwelling to this scheme make a material difference to the traffic generated for three which already has approval. When applying the tilted planning balance, the harm caused by one additional dwelling was not considered significant to warrant a refusal on highway grounds in light of the existing approval for three on an adjacent site served off the same access having regard to Policy CP4 and paragraph 109 of the NPPF.

5.0 Impact on trees

5.1 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.

5.2 The application was accompanied by an Arboricultural Implications Assessment and Tree Protection Plan Report which was sent to the Tree and Countryside Officer for comment. No objection was raised subject to a condition requiring development to take place in accordance with the methods in the report.

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. The application was accompanied by an updated Ecological Impact Assessment by TORC Ecology which was forwarded to the Ecology Team for comment. They advised that the report is fit for purpose. The proposed mitigation measures are agreed and reasonable avoidance measures to reduce the likelihood of impacts on ecological receptors to acceptable levels. Enhancement measures shall be incorporated into the site's design to provide 'net gains for biodiversity' in-line with paragraph 170 of the NPPF, this can be added by way of a condition. In light of these factors, the proposal is considered to have due regard to Policy CP10.

7.0 Conclusion

7.1 In terms of the overall planning balance, the application is considered acceptable. It will be provide an additional dwelling toward the 5 year housing land supply without causing any significant or demonstrable harm, as such the application is recommended for approval subject to conditions.

RECOMMENDATION

Recommended for approval subject to conditions.

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 Full details of external lighting

Any external lighting proposed shall take account of Great Ellingham's "dark sky" status and any outdoor lights associated with this development should be:

- 1) fully shielded (enclosed in full cut-off flat glass fittings)
- 2) directed downwards (mounted horizontally to the ground and not tilted upwards)
- 3) switched on only when needed (no dusk to dawn lamps)
- 4) white light low-energy lamps (LED, metal halide or fluorescent) and not orange or pink sodium sources. The lighting shall be installed, maintained and operated in accordance with the approved details unless otherwise agreed by the Local Planning Authority.

Reason for condition:-

In the interests of the amenities of the area and local residents and to minimise light pollution in accordance with policy DC1 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged

5 Provision of parking and servicing areas

Prior to the first occupation of the development hereby permitted the proposed access/on-site 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

6 Ecology - mitigation and enhancements

The proposed development shall proceed in-line with the mitigation measures and reasonable avoidance measures outlined in section 6 of the Ecological Impact Assessment report (Torc Ecology; March 2019) and enhancement measures outlined in section 6 of the Ecological Impact Assessment report (Torc Ecology; March 2019) shall be incorporated into the site's design. Full details and evidence of the enhancement measures shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.

Reason for condition:-

To ensure the development is not detrimental to Protected Species and in order to protect and enhance 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.

This condition will require to be discharged

7

Tree protection

Operations on site shall take place in complete accordance with the submitted Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS) prepared by Plandescil dated April 2019.

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.

8

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

11

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.