

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2019/0369/F	CASE OFFICER	Lisa ODonovan
LOCATION:	NORTH ELMHAM Development Site adjacent 15 Larch Grove North Elmham	APPNTYPE:	Full
APPLICANT:	Jon Pennells c/o agent	POLICY:	Out Settlement Bndry
AGENT:	A Squared Architects 1 Netherconesford 93-95 King Street	ALLOCATION:	N
PROPOSAL:	Erection of new dwelling on land off Larch Grove	CONS AREA:	N
		LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

The application is brought to Committee as part of the site lies outside of the Settlement Boundary.

KEY ISSUES

Principle
Impact on the character and appearance of the area
Amenity impact
Highway safety
Tree implications

DESCRIPTION OF DEVELOPMENT

The application seeks permission for the erection of a one and half storey, three bed dwelling on land to the south-east of Larch Grove. The dwelling will sited on an angle within the plot so that it is road fronting and it is proposed to be constructed using red facing brick, black pantiles with an oak framed porch, however specific details have not been provided.

SITE AND LOCATION

The land lies within an existing development site and is surrounded to the north, south, east and west by other residential development comprising of a mix of single and one and half storey dwellings. The dwellings to the south are newly constructed. North Elmham is classified as a service centre village.

EIA REQUIRED

No

RELEVANT SITE HISTORY

Site and Adjacent site:

3PL/2016/0426/VAR - Amendment to 3PL/2015/1183/F (Plot 13) in respect of relocation of garage - Permission

3PL/2015/1459/F - Erection of 4 no. one and a half storey dwelling houses - Permission

3PL/2015/1183/F - Amendment to 3PL/2010/1038/F (Plot 13) in respect of garaging - Permission

3PL/2010/1038/F - Proposed amended design to approved plots 12 & 13 on pp ML3817 - 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
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.12	Trees and Landscape
DC.13	Flood Risk
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

NORTH ELMHAM PARISH COUNCIL

Recommend refusal for the following principal reasons: - The application papers are misleading in that they do not show the four new houses that have already been built or are close to completion adjacent to this site. The application seeks to insert an additional house in the middle of this development, not on the edge - in the view of the PC seriously detracting from the allure and empathy of the existing site and creating a cramped environment. The proposed new house appears to be an afterthought and would not fit well with the existing design or layout. Larch Grove largely has grown piecemeal and this would be a development too far, in that it

would seriously reduce the amenity and appeal of the site. Consequently, North Elmham Parish Council strongly recommends refusal of this application.

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 a condition.

ENVIRONMENT AGENCY

No objections - standard guidance offered.

NORFOLK RIVERS INTERNAL DRAINAGE BOARD

Advice given in terms of surface water and foul water drainage as well as reminding the application about the need for consent from in the instance where/if they need to use the watercourse.

REPRESENTATIONS

Site notice erected:18-04-2019

Consultations issued: 09-04-2019

Re-consultation issued: 26-04-2019

One objection received commenting about noise and disturbance during the development of the other dwellings on site and stating that the dwelling should have formed part of the original proposals.

ASSESSMENT NOTES

1.0 Background

1.1 The plans were amended during the course of the application process in order to indicate the new, surrounding development to the rear. This was the subject of a re-consultation.

2.0 Principle

2.1 The site lies partly inside the North Elmham Settlement Boundary and a previous planning application was approved for the erection of four dwellings which included the application site, these approved dwellings are largely complete. The principle of developing this land has therefore been established and considered acceptable.

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 scale and design of the dwelling proposed is in keeping with the new development to the north-east side and rear (south). The dwelling fits within the plot whilst also providing a good degree of circulation space and parking and turning space to the front. The dwelling will be set back from the road frontage so as not to appear overbearing. In light of these factors, the proposal is 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 has been positioned within the site so that sufficient separation distances remain between it and the neighbouring properties. These distances alongside the orientation of the dwelling will ensure that overshadowing and loss of light will not be experienced to an adverse degree. In addition, the distances between the neighbouring dwellings will also ensure that noise and disturbance will not be excessive as a result of the additional dwelling. The plot also provides a good degree of private amenity space for the future occupiers.

4.3 The comments made by neighbouring residents in respect of disturbance during construction have been noted and this is controlled by Environmental Health legislation, however a note will be added to any forthcoming approval advising the developers/applicant of the Council's advisory leaflet 'Construction and Demolition Works'.

4.4 In light of the above factors, the proposal is considered to accord with 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. Paragraphs 108 and 109 of the NPPF are also relevant.

5.2 Parking and turning space has been shown to be provided within the site. Norfolk County Council Highways was consulted on the proposal and advised that the red line drawing includes an area of highway which extends approximately 1.8m/2m from the kerb line. This does not affect the parking arrangements and an informative note has therefore been requested in order that the applicant may investigate this further. For the avoidance of doubt a visibility condition is also requested, requiring this area to be kept clear to ground level. Further, a telegraph pole is sited close to the proposed access, a condition requiring full access details to be agreed is also requested in order to ensure that this will not be adversely affected. In light of these conditions, the proposal is considered acceptable in highway safety terms.

6.0 Drainage/Flooding

6.1 The land to the north and south-east of the site is shown on the flooding maps to be situated inside flood zones 1, 2 and 3. The agent has provided an overlay indicating the proposed dwelling to be largely sited outside of these areas with a small portion (north/north-east to be inside flood zone 1 (previous modelling report has been submitted to support this). As such, there is no requirement for a flood risk assessment. Notwithstanding this, the agent has indicated that drainage measures have been considered in order to

reduce the risk of exacerbating any existing surface water drainage issues. These measures include:

- Permeable paving to the hardstanding areas;
- Surface water from roofs draining to soakaways with the use of water butts and overflows encouraged; and,
- The internal ground floor level finished at a minimum of 150mm above ground level.

6.2 The Environment Agency raised no objection to the scheme however have offered guidance which will be forwarded to the developer.

6.3 The Norfolk Rivers Drainage Board commented and provided comments in terms of drainage methods and standard advice in terms of the use of the watercourse, which is not proposed at this time.

6.4 In terms of soakaways the Agent has confirmed that the adjacent developments are all draining surface water run off by ground infiltration via suitably designed soakaways. There is no reason to suggest that the application site will be any different in terms of ground conditions. As there is sufficient space within the site to implement soakaways within the gardens it is confirmed that the surface water will be disposed of via soakaways and that these will suitably sized following percolation tests, all as required by Building Control and in full accordance with the Building Regulations. Foul water drainage will be via the mains sewer. Notwithstanding this, these factors will be fully assessed and monitored at the Building Regulations stages as stated.

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 The rear of the site contains two, middle aged 'B' category Alder trees. These trees are proposed for retention with some crown reduction and removal of lower limbs proposed, and the dwelling has been sited outside of their root protection areas. The Tree and Countryside Officer was consulted and raised no objection subject to condition requiring the development to be carried out in accordance with the submitted Arboricultural Implications Assessment and Preliminary Method Statement. In light of these factors, the proposal is considered to have due regard to Policy DC12.

8.0 Other issues

8.1 Whilst the objection of the Parish Council are noted as set out in the consultations section of this report. It is considered in overall planning judgement terms that the siting of a dwelling in this location is acceptable in street scene and amenity terms having regard to policies DC1, DC16 and paragraph 127 of the NPPF.

9.0 Conclusion

9.1 In terms of the overall planning balance, the application provides an additional dwelling in a sustainable location whilst having a limited impact on the character and appearance of the area, the amenity of the existing neighbouring occupiers, highway safety and trees on site. As such, the application is recommended for approval subject to conditions.

RECOMMENDATION

The application is recommended for 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 New access (over verge/ditch/watercourse/footway)**

Prior to the first occupation of the development hereby permitted the vehicular access crossing 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 4 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 in accordance with Policy CP4 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged
- 5 Provision of visibility splays - condition/approved plan**

Prior to the first occupation of the development hereby permitted a 2 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 above ground level other than for street

furniture

Reason for condition:-

In the interests of highway safety in accordance with the principles of the NPPF and Policy CP4 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged

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Provision of parking and servicing areas

Prior to the first occupation of the development hereby permitted the proposed access and parking 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 in accordance with Policy CP4 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged

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Tree protection 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 Oakfield, reference OAS/18-273-AR01 dated March 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.

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.

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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.