

ITEM:		RECOMMENDATION:	REFUSAL
REF NO:	3PL/2019/0314/F	CASE OFFICER	Joe Barrow
LOCATION:	SAHAM TONEY Goffes School House Pound Hill Saham Toney	APPNTYPE:	Full
APPLICANT:	Mr & Mrs Harwood Goffes School House Pound Hill	POLICY:	In Settlemnt Bndry
AGENT:	Adrian Morley Architectural Design Kingsfold Watton Road	ALLOCATION:	N
PROPOSAL:	Erection of 1.1/2 Storey dwelling including detached garage and re-use of existing vehicle access. Creation of new vehicle access to serve existing dwelling	CONS AREA:	N
		LB GRADE:	Adjacent Grade 1
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

This application is referred to planning committee upon agreement with the Chairman with regard to the level of public interest.

KEY ISSUES

Impact on character & appearance
Residential amenity
Impact on Heritage Assets
Parking & access
Trees & landscape

DESCRIPTION OF DEVELOPMENT

This proposal is for the erection of a one and half storey dwelling with detached garage to the front of Goffes School House, Saham Toney. The proposal also includes the creation of a new vehicular access serving Goffes School house, allowing for the proposed dwelling to make use of the existing access. The proposed dwelling would be partly cut in to the existing sloping ground level, with all heights referred to based upon the lowest ground level (at the front of the proposed dwelling). The proposed dwelling is approximately 10.6m wide and 12.4m deep, taking account of the single storey rear projection. The overall eaves height is proposed to be approximately 3.8m, and the ridge 7m.

The proposed garage is sited to the east of the plot, approximately 0.7m from the existing boundary treatment on this side. It is also positioned forward of the proposed dwelling's principal elevation. The proposed garage would have a width of approximately 6.9m, and a depth of 8.2m, including the stairs to the rear. The eaves height would be 2.9m, and overall ridge height approximately 5.7m, with storage proposed in the roof space. A roof dormer is also proposed in the eastern roof slope.

The proposed dwelling would make use of the access that currently serves Goffes School House, with a new access proposed to the rear of that property, onto Pound Hill.

SITE AND LOCATION

The site falls within the settlement boundary of Saham Toney, as defined by Policy SS1 - Spatial Strategy of the Local Planning Authority (LPA)'s Adopted Core Strategy. The site is wholly within the front garden of Goffes School house, and is a prominent corner plot. To the north of the plot is the School House with a new dwelling being constructed behind that. To the east is a 10 dwelling development permitted in 2008; Parkers Close, with agricultural land beyond that and to the south. To the west of the plot is the Grade I Listed St. George's Church - the distance from the church to the side elevation of the proposed dwelling considered to be approximately 37m, most of which is cemetery/churchyard. A category A tree is present along the boundary between the site and the church.

EIA REQUIRED

No

RELEVANT SITE HISTORY

No relevant site history

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.11	Protection and Enhancement of the Landscape
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.17	Historic Environment
DC.19	Parking Provision
LBC	Planning(Listed Building & Conservation Areas) Act 1990
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

OBLIGATIONS/CIL

Not Applicable

CONSULTATIONS

SAHAM TONEY P C

Consulted three times due to amendments to the scheme. Objections on the following grounds received to each consultation:

- Impact on the view of the Grade I Listed Church
- Design of the dwelling out of character for the location
- Highway safety concerns about another vehicular access onto Pound Hill

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to conditions.

CONTAMINATED LAND OFFICER

No objection subject to conditions.

HISTORIC ENGLAND

01/04/2019 - "On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant. It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request."

16/04/2019 - OBJECTION

The proposed development would introduce a new house on the open ground between the house and church affecting the visual relationship between the two and partly blocking the view of the church from the street. We consider this would result in harm to the historic significance of the parish church by diminishing the quality of its setting that contributes to that significance.

The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to achieve sustainable development and that protection and enhancement of the historic environment is an overarching objective in this (paragraphs 7 and 8). The significance of listed buildings can be harmed or lost by alteration to them or development in their setting. The NPPF states that clear and convincing justification should be made for any such harm and that great weight should be given to the conservation of listed buildings irrespective of the level of harm caused (paragraphs 193 and 194). This weight and the justification for harm should be especially convincing where harm to buildings of a high grade of listing is concerned. Paragraph 200 also states that the Council should favour those proposals for development which preserve those elements of setting that make a positive contribution to the heritage asset or better reveal its significance.

We have considered this application in terms of this policy and are concerned that development of the application site would result in harm to significance of the listed parish church and not preserve those elements of setting that make a positive contribution to the heritage asset and better reveal its significance in terms of the NPPF, paragraphs 193 and 200. As such it would not achieve the NPPF's overarching aim of promoting sustainable development. Paragraph 196 requires the Council to consider any public benefit which might be delivered by the proposals and weigh this against the harmful impact. We leave this matter to the Council but would object to the application.

Recommendation:

Historic England objects to the application on heritage grounds. Development of the application site would result in harm to significance of the listed parish church and not constitute sustainable development in terms of the NPPF. We consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 7, 8, 189, 193, 194, 196 and 200. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and/or section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Your authority should take these representations into account in determining the application."

26/04/2019 - The revisions do not change the earlier advice of Historic England and we therefore refer the council to our letter of 16 April 2019

08/05/2019 - The revisions do not change the earlier advice of Historic England and we therefore refer the Council to Historic England's letter of 16 April 2019.

HISTORIC BUILDINGS CONSULTANT

Objection due to concerns regarding the setting of the adjacent Parish Church.

TREE AND COUNTRYSIDE CONSULTANT

No objection subject to the revised layout.

REPRESENTATIONS

Neighbours consulted, site notice & EDP notice displayed.

Three letters of objection, two of which were repeat (as a result of reconsultation) raising the following material planning considerations:

- Impact on the significance and setting of a heritage asset
- Impact on local character
- Highway safety

Two letters of support received; including the Rector of St. George's Church, for the following reasons:

- Impact on the setting of the church only visible from the east
- Positive contribution that the occupants of Goffes School House have made to the frontage
- Matching form and sympathetic design

ASSESSMENT NOTES

1.0 Principle of development & key considerations:

1.1 The application is for a new detached dwelling and garage within the settlement boundary of Saham Toney, which is defined as a Key Service Village (KSV) by Policy SS1 - Spatial Strategy of the Local Planning Authority (LPA)'s Adopted Core Strategy. As a result, the principle of this development is considered acceptable, with regard to Policies CP14 & DC2 of the Adopted Core Strategy.

1.2 Therefore, the key issues for consideration are the impact of the proposal on the character & appearance

of the area, the historic environment, residential amenity, parking & access, and trees & landscape, having regard to the National Planning Policy Framework (NPPF) (2019), the planning (Listed Buildings & Conservation Areas) Act 1990, and the following policies from the LPA's Adopted Core Strategy; CP4 - Infrastructure, CP11 - Protection & Enhancement of the Landscape, DC1 - Amenity, DC12 - Trees & Landscape, DC16 - Design, DC17 - Historic Environment, DC19 - Parking Provision as well as having regard to the NPPF (2019).

2.0 Character & appearance:

2.1 The site forms a prominent location within the village of Saham Toney due to its proximity St George's Church which is Grade I Listed and is sited adjacent to one of the villages main through routes; Pound Hill.

2.2 Core Strategy policies DC1 and DC16 seek, among other things, to ensure that new development fully considers the context within which it sits, preserves or enhances the existing character of the area, reinforces locally distinctive patterns of development and has regard to the quality of the townscape and landscape.

2.3 The existing openness of Goffes School House's front curtilage is considered to contribute significantly to the character and setting of the street scene, helping to maintain a mostly natural setting for the adjacent church and creating an open feel to the streetscene in general at this particular location which contributes to the overall character and forms part of its distinctive character. The plot is prominent by way of its corner location, and it is inherently and closely linked to Goffes School House to the north, and St. George's Church to the west.

2.4 The positioning of the garage, by virtue of its height and appearance would have an unacceptably prominent impact on the streetscene and a new dwelling in this front garden corner plot would be out of keeping and character with the area.

2.4 In overall planning judgement terms it is considered that the siting of a dwelling and garage in this location would detract from the open character & appearance of the immediate area and would also affect the visual relationship between the Parish Church and Goffes School House contrary to Policies DC1(e) and DC16 of the LPA's Adopted Core Strategy as well as having regard to paragraphs 127 & 130 of the NPPF (2019).

3.0 Residential amenity:

3.1 The siting and size of the plot is considered acceptable in terms of impact on the amenities of nearby residents, with minimal potential for harmful effects such as overshadowing, dominance, or loss of light. The level of amenity space for both the proposed dwelling and Goffes School House is also considered acceptable. Therefore, the impact of this proposal on the amenities of neighbours is considered acceptable, having regard to Policy DC1 of the Core Strategy.

4.0 Historic environment:

4.1 Any decisions relating to listed buildings and their settings and conservation areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 (see in particular sections 16, 66 and 72) as well as satisfying the relevant policies within Section 16 of National Planning Policy Framework (2019) 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.

4.2 The site of the proposed dwelling and garage is approximately 37m from the eastern elevation of the Grade I Listed St. George's Church. The key issue is the impact of the proposed development on the setting of the heritage asset having regard to the above policies.

4.3 Historic England's online Listed Buildings Directory dates the building as '13th and 14th century' with elements restored 'by J C Buckler' in 1864 with Historic England's planning advice providing the following summary of the building's historical and architectural significance:

- 'The church chiefly dates from the 14th century but features a grand west tower and aisles of 15th century date with the characteristic appearance of English perpendicular architecture and makes the church it a significant landmark in addition to its major architectural and historic importance. The church is set on slightly raised ground at the centre of the village with a road curving around the side of the churchyard from where it can be seen between trees around the boundary. At the eastern end there is a particularly notable view of the fine chancel window with tower rising behind seen across the open ground which forms the application site. This view is flanked by the existing Goffes School House.'

4.4 The National Planning Policy Framework (2019) states that the purpose of the planning system is to achieve sustainable development and that protection and enhancement of the historic environment is an overarching objective in this. The significance of listed buildings can be harmed or lost by alteration to them or development in their setting. The NPPF states that clear and convincing justification should be made for any such harm and that " great weight" should be given to the conservation of listed buildings irrespective of harm. This weight and the justification for harm should be especially convincing where harm to buildings of a high grade as is the case here is concerned. Paragraph 200 also advises that Council should favour those proposals for development which preserve those elements of setting that make a positive contribution to the asset.

4.5. Historic England have raised objection to the scheme on the basis that the proposal would introduce a new house on the open ground between the house and church affecting the visual relationship between the two and partly blocking the view of the church from the street. This is considered to harm the historic significance of the church by diminishing the quality of its setting that contributes to that significance. The proposal would result in harm to the significance of the Grade I Listed Parish church and would not meet the requirements of the NPPF, in particular paragraphs 7,8,189,193, 196 and 200 as well as having regard to section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which states that the LPA have a duty to have special regard to the desirability of preserving the special interest of listed buildings or their settings.

4.6 Furthermore, objection has been raised by the LPA's Historic Building Officer to the scheme due to its impact on the setting of the Listed Building. It is not considered that the public benefits of providing an additional house would outweigh the harm caused to the setting of the Listed building by the proposal having regard to paragraph 196 of the NPPF 2019.

4.7 In terms of impact on the setting of the heritage asset, this proposal is considered unacceptable having regard to Policy DC17 of the Core Strategy, Section 16 of the NPPF (2019), as well as having regard to the Planning (Listed Buildings & Conservation Areas) Act 199 .

5.0 Trees & Landscape:

5.1 In terms of impact on trees, the site layout has been revised so as to mitigate harm to the Category A

Beech tree to the north-west corner of the plot. This proposed site layout is considered acceptable in terms of impact on this arboricultural asset in accordance with Policy DC12 of the LPA's Adopted Core Strategy and Section 15 of the NPPF (2019). No objection has been raised by the LPA's Tree & Countryside Consultant.

6.0 Highway safety:

6.1 The proposed site layout provides satisfactory parking and turning facilities for the proposed dwelling, making use of, but not intensifying the use of, an existing and established vehicular access. There are no objections in terms of highway safety to this element of the scheme.

6.2 The second element for consideration in terms of impact on highway safety is the creation of a new access to the rear of Goffes School House onto Pound Hill, to serve the existing dwelling. No objection has been raised by the Local Highway Authority, subject to appropriate conditions. Consequently, the LPA consider the scheme acceptable in terms of impact on Highway Safety, having regard to Policies CP4 and DC19 of the LPA's Adopted Core Strategy, along with paragraph 108 of the NPPF (2019).

7.0 Planning Balance & Conclusion:

7.1 In terms of the overall planning balance of the scheme, whilst the site falls within the settlement boundary where the principle of residential development is acceptable, as well as acknowledging the Council's lack of five-year housing land supply, the benefits of the scheme would not outweigh the significant and demonstrable harm identified in terms of impact on the setting of the Grade I Listed Building as well as the impact on the character & appearance of the area in this prominent corner location, contrary to Policies DC1, DC16 & DC17 of the LPA's Adopted Core Strategy, paragraphs 127 & 130 and Section 16 of the NPPF (2019), as well as the Planning (Listed Buildings & Conservation Areas) Act 1990. Refusal of this application is accordingly recommended.

RECOMMENDATION

That Planning Permission be REFUSED for the following reasons:

REASON(S) FOR REFUSAL

- 1 Non-std conservation reason for refusal**

The prominent location and proximity of the proposed dwelling and detached garage to the Grade I Listed St. George's Church would result in less than substantial harm to the setting and significance of the Listed Building, not outweighed by the public benefit of producing one dwelling, contrary to Policy DC17 of Breckland's Adopted Core Strategy and Development Control Policies Development Plan Document 2009, Section 16 of the National Planning Policy Framework (2019), and Section 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990.
- 2 Non-std design reason for refusal**

The siting of the proposed dwelling and detached garage in this prominent corner location would be detrimental to the character & appearance of the streetscene, contrary to Policies DC1 & DC16 of Breckland's Adopted Core Strategy and Development Control Policies Development Plan Document 2009 as well as having regard to paragraphs 127 & 130 of the National Planning Policy Framework (2019).

