

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2019/1600/D	CASE OFFICER	Naomi Minto
LOCATION:	SHROPHAM Rose Cottage Low Road, Shropham	APPNTYPE:	Reserved Matters
APPLICANT:	Mr Simon Hazelby 100 Station Road Attleborough	POLICY:	Part In Set Bndry
AGENT:	Mr John Barbuk Patterson DESIGN Ltd Suva House	CONS AREA:	N
PROPOSAL:	Reserved matters erection of two dwellings following outline permission 3PL/2018/1466/O		
		LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

The application is referred to Planning Committee at the request of the Ward Representative.

KEY ISSUES

- Principle of development
- Design and impact on the character and appearance of the area
- Impact upon amenity
- Highway safety
- Impact on trees/hedgerow
- Other matters

DESCRIPTION OF DEVELOPMENT

The application seeks approval of the reserved matters, following outline approval for access only, for up to three dwellings on site (planning reference: 3PL/2018/1466/O).

The proposal seeks reserved matters approval for the erection of two detached two storey, five / six bedroom dwellings, both with integral double garages, parking, turning and private amenity space. Materials proposed to be used in the construction of the dwellings includes; timber, render and brick walls with powder coated aluminium windows and traditional slate and clay roof tiles. Access to the site is via a new access (to the south west of the site) off Low Road.

SITE AND LOCATION

The land was previously used as a paddock and is screened from the roadside by established boundary hedging and trees. The site falls outside of any defined Settlement Boundary with the Shropham Settlement Boundary starting approximately 1200m to the north-west. Low Road contains sporadic development and is primarily rural / agricultural in its character with dwellings to the east, west and south-west.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2018/1466/O	Permission	13-02-19
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Outline planning permission (access only) for up to three dwellings

3PL/2019/0639/D	Refusal	25-11-19
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Reserved matters Erection of two dwellings following outline permission 3PL/2018/1466/O

POLICY CONSIDERATIONS

The following policies of the Breckland Local Plan, 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

COM01	Design
COM03	Protection of Amenity
ENV02	Biodiversity protection and enhancement
ENV05	Protection and Enhancement of the Landscape
ENV06	Trees, Hedgerows and Development
ENV07	Designated Heritage Assets
GEN02	Promoting High Quality Design
GEN03	Settlement Hierarchy
HOU01	Development Requirements (Minimum)
HOU05	Small Villages and Hamlets Outside of Settlement Boundaries
HOU06	Principle of New Housing
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

OBLIGATIONS/CIL

Not Applicable

CONSULTATIONS

SHROPHAM PARISH COUNCIL

Objection - The Council's concerns raised in the previous refused reserved matters application remain the same, namely appearance, scale, layout and landscaping.

- The properties are too large for the site and insufficient provision has been made for parking. Two parking spaces for a five bedroom property is considered inadequate.
- Low Road is too narrow to allow for any vehicles to stop or park on the road.
- There is a need in Shropham for smaller homes, a point which we have raised on many occasions.
- We note there is a distinct lack of information regarding the materials that are proposed for these dwellings.
- The amenity space is considered inadequate for properties of this size.
- The design is completely out of character to other properties in Shropham and in particular to those in Low Road and fails to enhance the historic nature and connectivity of communities.
- The Council is also concerned that the application fails to provide comprehensive proposals in relation to the landscaping and in particular to the hedge on the roadside.

NORFOLK COUNTY COUNCIL HIGHWAYS

Outline approval was granted against highway advice and I note that conditions relating to access and visibility were imposed at that stage.

The parking and turning arrangements indicated on drawing PD-19-469 031 Rev C are satisfactory and if you are minded to grant approval please impose a access condition and informative.

TREE AND COUNTRYSIDE CONSULTANT

I still feel that there will be future pressure for removal of trees due to shading issues and proximity of trees to the eastern plot. If approved, a condition should be attached to ensure that no trees can be pruned or removed without written consent from the council. It should also be noted that Policy ENV 06 states that development requiring the loss of category B trees will only be permitted where it would allow for a substantially improved overall approach to the design and landscaping of the development that would outweigh the loss of any tree or hedgerow. Given that T1 (category B Oak) is shown to be removed details of replacement planting will be required if approval is given to the current layout.

HISTORIC BUILDINGS CONSULTANT

No objection.

CONTAMINATED LAND OFFICER

No objection, subject to conditions.

REPRESENTATIONS

A site notice was erected on 20 January 2020 and three neighbours consulted. Three letters of representation were received, one in support of the application and two against it. The main points raised are noted below:

Comments in support:

- Well positioned on site
- Will make excellent family homes

Comments of objection:

- Ultra modern design out of keeping with existing built form on Low Road

- Over-development of site - dwellings too large for their plot size
- Highway safety concerns in respect of on site turning space and subsequent need to park / turn on public highway
- Insufficient external amenity space for such large dwellings
- No affordable housing provision
- Lack of information provided in respect of proposed materials

ASSESSMENT NOTES

1.0 Principle of development

1.1 The application site is located outside of any defined Settlement Boundary. However, it benefits from an extant Outline planning permission with access, for the construction of up to three dwellings (ref: 3PL/2018/1466/O, decision notice date 13 February 2019). Therefore, the principle of residential development on this site has been established.

1.2 This application is a re-submission of a previously refused application (ref: 3PL/2018/1466/O), which was refused at Planning Committee in November 2019 on the basis that the proposed design would not respect, nor be sensitive to the character of the local area, by virtue of the scale, appearance and positioning on site. The current application seeks to address the previous reason for refusal by submitting revised dwelling designs.

2.0 Design and impact on the character and appearance of the area

2.1 Policy GEN 02 of the Local Plan (adopted) states that the Council will require high quality design in all new development within the District. New development proposals are expected to meet a number of key tests, including respecting and being sensitive to the character of the surrounding area. Innovative and contemporary design where it enhances sustainability will be encouraged and promoted across the District. Policy COM 01 of the Local Plan (adopted) is concerned with design and provides additional detailed criteria that all new development should meet.

2.2 Paragraph 127 of the NPPF sets out a range of criteria that new development proposals should meet, including (but not limited to) a requirement that developments must be sympathetic to local character and history, including the surrounding built environment and landscape setting. Paragraph 123 of the NPPF is concerned with densities of development and where necessary seeks developments to make optimal use of the potential of each site.

2.3 The application seeks reserved matters approval for the construction of two detached two storey, five / six bedroom dwellings, both with integral double garages and associated parking and private amenity space provision. Materials proposed to be used in the construction of the dwellings include timber, render and brick walls with powder coated aluminium windows and traditional slate and clay roof tiles.

2.4 Whilst no further detail has been provided in respect of material brand / colour, it is accepted that this could be conditioned as part of any forthcoming planning permission to ensure external materials used are in keeping with existing development on Low Road. On that basis, it is considered that the use of brick and render would be in keeping with other dwellings on Low Road and the inclusion of timber cladding would compliment the proposed dwellings' design, whilst also being sympathetic to the site's rural location. Furthermore, given the range of roof materials already present on existing built development on Low Road, it is considered that the proposed slate and clay roof tiles would not adversely detract from what is already

there, subject to condition.

2.5 In terms of scale, it is acknowledged that the proposed dwellings are large in comparison to other dwellings present on Low Road. The proposed ridge heights measures in excess of 7.5 metres in height. Following discussions with the agent, they have confirmed in writing that they are prepared to reduce the height of both plots to 6.8 metres, to match the ridge height of Rose Cottage, which is the adjacent dwelling to the east of the site. In addition, the original design of Plot 1 was considered unacceptable and officers suggested having two plots the same (i.e. mimic the design of plot 2). Given the size of the site and the limited number of dwellings proposed, this is considered an acceptable solution. Amended plans are still to be received and will be reported to members of the Planning Committee.

2.6 In light of the above factors, it is considered that, subject to the provision of revised plans showing lower ridge heights (to 6.8 metres) and a similar design for the two proposed dwellings, the proposal, in terms of its design, would integrate well with the existing built form within the area. It is however, considered necessary to include a condition with any forthcoming planning permission requiring samples of the proposed external materials to be submitted to and approved in writing by the Local Planning Authority prior to any works above slab level, to ensure that materials proposed are sympathetic to the local character of the area, in line with Policies COM 01 and GEN 02 of the Breckland Local Plan and paragraph 127 of the NPPF (2019).

3.0 Impact upon amenity

3.1 Policy COM 03 of the Local Plan (adopted) states that development will not be permitted, which causes unacceptable effects on the residential amenity of neighbouring occupants, or does not provide for adequate levels of amenity for future occupants. Consideration will be had to a number of factors including (but not limited to); the protection of adequate areas of usable and secluded private amenity space for the occupiers of existing dwellings; the provision of adequate areas of usable and secluded private amenity space for the occupiers of proposed dwellings, in keeping with the character of the immediate surrounding areas; overbearing impact / visual dominance and overshadowing of private amenity space.

3.2 It is noted that objections have been received raising concerns that the proposed dwellings are too large for the plot sizes and therefore provide insufficient amenity space for such large dwellings. However, the dwellings are sited within a central position on their respective plots and it is considered that they have sufficient private external amenity space available to serve future occupants of the dwellings.

3.3 In addition, the relationship of the proposed dwellings to neighbouring dwellings and private open space is such that visual dominance, loss of light, overlooking and overshadowing impacts all fall within acceptable parameters. In addition, the small scale nature of the development, for two dwellings, will ensure that the proposal does not give rise to any undue noise, odour or other form of disturbance. It is therefore concluded that the proposal will maintain an acceptable level of residential amenity for existing residents and future occupants, consistent with Policy COM 03 of the Breckland Emerging Local Plan and paragraph 127 of the NPPF.

4.0 Highway safety

4.1 Paragraph 108 of the NPPF (2019) states that applications for development should ensure that;

- appropriate opportunities to promote sustainable transport modes can be (or have been) taken up, given the type of development and its location;

- safe and suitable access to the site can be achieved for all users; and,

- any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

4.2 Paragraph 109 of the NPPF (2019) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

4.3 Policy COM 01 (m) of the Local Plan (adopted) states that new development must not compromise highway safety, enabling safe access for vehicles and for walking and cycling. Policy COM 01 (n) requires parking to be in accordance with TR 01 and consideration of safe storage for bicycles.

4.4 The submitted plans show sufficient parking provision for at least four vehicles per dwelling. In addition, the provision of double garages ensures that there is safe storage for bicycles. On the basis that outline approval was granted against highway advice, the Local Highway Authority raised no objection to the current proposal, subject to conditions. In light of the above considerations, the application is considered to be compliant with Policies COM 01(m) and (n) and TR 01 of the Local Plan (adopted), as well as having due regard to paragraph 108 of the NPPF.

5.0 Impact on trees/hedgerow

5.1 Policy ENV 06 of the Breckland Local Plan states that trees and significant hedge and shrub masses form part of the green infrastructure and should be retained as an integral part of the design of development.

5.2 In respect of the latest proposal, the Tree and Countryside Officer still considers that there will be future pressure for removal of trees due to shading issues and proximity of trees to the eastern plot. If approved, the Tree and Countryside Officer recommends the inclusion of a condition to ensure that no trees can be pruned or removed without written consent from the Local Planning Authority.

5.3 In addition, the Tree and Countryside Officer also points out that Policy ENV 06 states that development requiring the loss of category B trees will only be permitted where it would allow for a substantially improved overall approach to the design and landscaping of the development that would outweigh the loss of any tree or hedgerow. Given that T1 (category B Oak) is shown to be removed, it is considered necessary to recommend the inclusion of another condition requiring details of replacement planting.

6.0 Other matters

6.1 Policy ENV 02 of the Breckland Local Plan states that all development should demonstrate how net gains for biodiversity are being secured as part of the development, proportionate to the scale of development and potential impacts. This is further reiterated in paragraph 170 of the NPPF, which seeks to ensure that development provides net gains for biodiversity.

6.2 The Natural Environment Team raised no objection to the reserved matters application. However, they did advise that their comments made in respect of the Outline application remain valid. In light of the above, the application is considered to be compliant with Policy ENV 02 of the Breckland Local Plan (adopted) and paragraph 170 of the NPPF.

6.3 Policy ENV 07 of the Breckland Local Plan states that the significance of designated heritage assets, including their settings, such as Listed Buildings, will be conserved or wherever possible enhanced. The development site is located in close proximity of a Grade II Listed Building, which is off-set from the

development site, on the opposite side of the road and set back within its plot.

6.4 Policy 16 of the NPPF and Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, seek to protect the special interest and significance of heritage assets/Listed Buildings and their settings. The application is supported by a Heritage Statement. The Historic Building Officer raised no objection to the proposal. On that basis, the application accords with Policy ENV 07 and Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6.5 The Contaminated Land Officer raised no objection based on the accuracy of the information provided. They advised that their comments in respect of the Outline application still apply. With this in mind, the application is considered to have due regard to Policy COM 03(8) of the Breckland Local Plan.

7.0 Conclusion

7.1 In terms of the overall planning balance of the scheme, the application site already benefits from outline planning permission for up to three dwellings. Due to concerns previously raised with the applicant in respect of the provision of three dwellings on this site, the current reserved matters application is for two dwellings only. Subject to the provision of revised plans including the replacement of plot 1 and showing a reduction in the height of the dwellings, in line with the neighbouring dwelling, known as Rose Cottage, the proposal is considered acceptable for the reasons outlined in the above report. Accordingly, the application is recommended for approval, subject to conditions.

RECOMMENDATION

That planning permission be granted, subject to receipt of revised plans showing the replacement of plot 1 and reduced ridge heights for both dwellings and subject to the following conditions.

CONDITIONS

- 1 Reserved Matters - time limit**

This approval is granted following the grant of Outline Planning Permission reference 3PL/2018/1466/O dated 13 February 2019. The timescales for implementation of the development are set out at condition 1 of the Outline Planning Permission.
Reason for condition:-
For the avoidance of doubt and to ensure that the development accords with conditions attached to the outline planning permission for the proposal, including time limits specified for commencement, resulting in appropriate development of the site.
- 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 and samples to be approved**

Prior to the commencement of any works above slab level details and samples of all external materials to be used shall be submitted to and approved in writing by the Local Planning Authority, and this condition shall apply notwithstanding any indication as to these matters which have been given in the current application. Only such agreed materials shall be used in connection with this approval.

Reason for condition:-

To ensure the satisfactory appearance of the development, in accordance with Policies COM 01, COM 03 and GEN 02 of the Breckland Local Plan (adopted), as well as having due regard to paragraph 127 of the NPPF (2019)

This condition will require to be discharged

4 Notwithstanding the provisions of the Town and Country

Prior to the first occupation of the development hereby permitted the proposed access parking and communal 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, in accordance with Policy COM 01 (m) and (n) of the Breckland Local Plan (adopted), whilst also having due regard to paragraph 108 of the NPPF (2019).

5 Non-standard condition

Prior to the first occupation of the development hereby approved, at least two bird / bat boxes shall be placed in a suitable location(s) on the site to provide net gains for biodiversity, in accordance with details to be first submitted to and approved by the Local Planning Authority.

Reason for condition:-

In line with paragraph 170 of the NPPF(2019), and Policy ENV 02 of the Breckland Local Plan (adopted), in order to improve biodiversity.

6 Landscaping scheme to be submitted - hard and soft

No development above slab level shall take place on site until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details. These details shall include:

- hard surfacing materials;
- means of enclosure;
- proposed finished levels or contours;
- minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc,)

Soft landscaping shall include:

- Planting plans;
- Written specifications (including cultivation and other operations associated with plant and grass establishment);
- Schedules of planting, noting species, plant sizes and proposed numbers/densities where appropriate;
- Replacement planting of a native species to compensate the loss of T1 (Category B Oak, see AIA);
- Implementation programme

Reason for condition:-

In the interests of the satisfactory appearance of the development in accordance with policies ENV 05 and ENV 06 of the Breckland Local Plan (adopted) and paragraph 127 of the NPPF (2019).

This condition will require to be discharged

7 Retention of trees and hedges

No trees or hedges shall be cut down, uprooted destroyed, lopped or topped, other than in accordance with the approved plans and particulars, without the previous written approval of the Local Planning Authority. Any trees or hedges removed without consent shall be replaced during the next planting season November/March with trees of such size and species as agreed in writing with the Local Planning Authority.

Reason for condition:-

To ensure that the trees and hedges are retained in the interests of the visual amenities of the are and the satisfactory appearance of the development in accordance with policy ENV 05 and ENV 06 of the Breckland Local Plan.

This condition will require to be discharged

8 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 COM 03 of the Breckland Local Plan (adopted).

13 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.