

ITEM:		RECOMMENDATION:	REFUSAL
REF NO:	3PL/2019/1403/F	CASE OFFICER	Joe Barrow
LOCATION:	SPORLE Land off The Street Sporle	APPNTYPE:	Full
APPLICANT:	Swaffham Carpet Factory 8 Priory Close Sporle	POLICY:	Out Settlemnt Bndry
AGENT:	Martin Reynolds Construction 183 The Drove BARROWAY DROVE	CONS AREA:	N
PROPOSAL:	Construction of dwelling and commercial unit with B8 business use (Re-application of 3PL/2019/0704/F)		
		LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

This application is brought before the planning committee at the request of the local ward representative.

KEY ISSUES

Principle of the dwelling
Principle of the industrial unit
Character & appearance
Residential amenity
Highway safety
Trees

DESCRIPTION OF DEVELOPMENT

This application is a resubmission of planning application 3PL/2019/0704/F and is a full application for a new two storey dwelling and detached garage, with a new industrial unit to the rear of the site.

The dwelling is sited towards the site's frontage along The Street, approximately 19m from the carriageway edge. It would have a maximum ridge height of approximately 8.75m, with front and rear projecting gables being approximately 7.15m in height. The front gable projects approximately 0.5m from the main bulk of the property, with the rear gable projecting approximately 5.9m, offset on the rear elevation to the north, creating an L-shape design. The dwelling would have four bedrooms, and be constructed from 'rustic old cottage bricks', 'Marley Cedral grey cladding', 'anthracite grey uPVC windows and doors' and 'teracotta interlocking roof tiles'.

The detached garage is designed to house two vehicles, with storage above in the roof space. This building would be sited to the south-east of the dwelling, approximately 9m from the carriageway edge. The garage would be approximately 5.8m in height, and constructed from the same materials palette as the dwelling.

The industrial unit would be sited to the west of the dwelling, approximately 20m away from the house. It would have a gross external area of 355 square metres, measuring 30m x 12m, with a height of approximately 4.7m at the ridge, 3m at the eaves.

SITE AND LOCATION

The application site is currently well-maintained agricultural land in the form of a paddock. The southern site boundary is approximately 95m north of the rear gardens of Wolferton Cottages to the south, which front the A47 Trunk Road. Substantial trees and hedges defined the site boundary to the north and west, with agricultural land beyond those boundaries. The site is approximately 640m south of Sporle, outside of its settlement boundary, but within its parish.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2019/0704/F	Refusal	21-08-19
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Construction of dwelling & detached garage and commercial unit with B8 business use

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
EC04	Employment Development Outside General Employment Areas
ENV05	Protection and Enhancement of the Landscape
ENV06	Trees, Hedgerows and Development
GEN02	Promoting High Quality Design
GEN03	Settlement Hierarchy
GEN05	Settlement Boundaries
HOU03	Development Outside of the Boundaries of Local Service Centres
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
TR01	Sustainable Transport Network
TR02	Transport Requirements

OBLIGATIONS/CIL

Not applicable

CONSULTATIONS

SPORLE WITH PALGRAVE PARISH COUNCIL

Concerns around the use of agricultural land for industrial purposes and traffic generation. Wishes for a caveat that there be no further development on the land if permission is granted.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to conditions.

HIGHWAYS ENGLAND

No objection subject to conditions.

ENVIRONMENTAL HEALTH OFFICERS

No objection subject to conditions.

CONTAMINATED LAND OFFICER

No objection.

TREE AND COUNTRYSIDE CONSULTANT

No objection subject to conditions.

REPRESENTATIONS

Site notice displayed and neighbours consulted - Four letters of objection received highlighting the following material planning considerations:

- Highway safety at the junction between the A47 and The Street
- No justified need for a dwelling in this location
- Visually intrusive development out of character with the rural area
- Sets a harmful precedent

ASSESSMENT NOTES

1.0 Key Issues

1.1 The key issues for consideration with this application are the principle of both the house and the industrial unit, the impact on character & appearance, amenity, highway safety, and trees & landscape, having regard to the National Planning Policy Framework (NPPF) (2019) as well as the following Policies from the Breckland Local Plan (adopted); GEN02 - Promoting High Quality Design, GEN03 - Settlement Hierarchy, GEN05 - Settlement Boundaries, HOU03 - Development Outside Local Service Centres, TR01 - Sustainable Transport Network, TR02 - Transport Requirements, ENV05 - Protection and Enhancement of the Landscape, ENV06 - Trees, Hedgerows and Development, EC04 - Employment Development Outside General Employment Areas, COM01 - Design, and COM03 - Protection of Amenity.

2.0 Principle of Dwelling and Garage

2.1 This application seeks consent for the erection of a detached dwelling and garage on agricultural land that sits outside of any settlement boundary as defined within the Breckland Local Plan (adopted). The site is outside the village of Sporle, which is classified as a Local Service Centre by Policy GEN03, and therefore the principle of the dwelling is assessed against Policies GEN05 and HOU03.

2.2 Policy GEN05 allows for residential development outside settlement boundaries provided the proposal accords with all relevant policies, including in this case; Policy HOU03, which states that development outside of local service centres will 'normally be resisted where the Local plan housing target is provided for unless supported by other policies'. In the case of Sporle, the total completions and commitments are deemed to exceed the target.

2.3 Furthermore, the development site is not immediately adjacent to Sporle's Settlement Boundary so could not be acceptable under Policy HOU03 in any case. This application is therefore considered unacceptable in principle, contrary to Policy HOU03, and subsequently GEN05, of the Breckland Local Plan (adopted).

3.0 Principle of the industrial unit:

3.1 The scheme also proposes a 355 square metre industrial unit to be used for storage and distribution (Use Class B8 as defined the Town and County Planning (Use Classes) Order 1987. Any proposal for development falling within Use Classes B1, B2 or B8, when located outside of Breckland's General Employment Areas, shall be assessed against Policy EC04 of the Breckland Local Plan (adopted)

3.2 This policy states that Proposals for employment uses outside of the identified General Employment Areas and allocated sites will only be permitted where:

- a. It is demonstrated that there are no other suitable sites available on identified or allocated employment sites; and/or
- b. There are particular reasons for the development not being located on an established or allocated employment site including:
 1. The expansion of an existing business;
 2. Businesses that are based on agriculture, forestry or other industry where there are sustainability advantages to being located in close proximity to the market they serve; or
 3. Industries and / or businesses which would be detrimental to local amenity if located in settlements, including general employment areas.
- c. The development of the site would not adversely affect the type and volume of traffic generated.

3.3 With regard to point A, the information submitted in support of this application demonstrates a search on Rightmove showing a lack of commercial units available within a 10 mile radius of Swaffham including sold subject to contract. That said, this evidence is not particularly extensive, and does not have due regard to alternative general employment areas across the district which could be appropriate.

3.4 In terms of the application's compliance with point B, it is not considered that there are genuine reasons for this industrial unit to be located on this land outside of general employment areas. It does not expand an existing established business on the site, nor are there considered to be sustainability advantages to this location, nor is the proposed operation considered unsuitable to be located within a settlement.

3.5 Thirdly, the application details suggest that the current business situation for the company involves deliveries to a home office in the settlement of Sporle, therefore the operation's relocation to this site away from the settlement is proposed to reduce traffic into Sporle. This has been considered, and it is deemed that the proposed industrial unit could accommodate larger vehicles and more of them than the amount stated for the existing dwelling in Sporle itself. It is therefore considered that this application would adversely affect the

type and volume of traffic generated, particularly at the junction between The Street and the A47.

2.6 Having regard to the above, it is considered that the proposed industrial unit does not comply with Policy EC04 of the Breckland Local Plan (adopted), and is therefore unacceptable in principle.

3.0 Character & appearance:

4.1 This proposal would result in the construction of a two storey dwelling and detached garage approximately 95m from other residential development, and therefore quite isolated. In addition, despite the reduction in scale when compared with the previous scheme, the 30m x 12m industrial unit would be considered wholly at odds with the rural character of the area, representing a significant and intrusive addition into the rural landscape.

4.2 The proposal is therefore considered contrary to Policies GEN02, COM01 and ENV05 of the Breckland Local Plan (adopted) as well as having regard to paragraph 127 of the NPPF (2019).

5.0 Residential amenity:

5.1 The site is reasonably well isolated, and it is considered that the buildings proposed would not be particularly detrimental to the amenities of individual dwellings in the immediate vicinity due to the large separation distances involved as well as the reasonable screening, which is now considered more effective after the reduction in height of the industrial unit when compared with the previously refused scheme.

5.2 The application is subsequently considered acceptable in terms of impact on residential amenity, having regard to Policy COM03 of the Breckland Local Plan (adopted) as well as paragraph 127(f) of the NPPF (2019).

6.0 Highway safety:

6.1 The site's location means that the scheme would have an impact on the A47 trunk road, therefore both Highways England and Norfolk County Council Highway Authority were consulted on the scheme.

6.2 In terms of impact on the local highway network, the county highway authority raise no objection subject to any permission being personally tied to the applicant, linking the dwelling and the industrial unit to retain the low key nature of the development. Overall the county highway authority has no objection to the scheme, subject to conditions.

6.3 In terms of impact on the A47 trunk road, Highways England responded similarly to the local highway authority, also raising no objection subject to a personal tie being imposed on any grant of permission.

6.4 Considering the responses from the statutory consultees, this application is deemed acceptable in terms of impact on highway safety, having regard to Policies TR01, TR02 and COM01(m&n) of the Breckland Local Plan (adopted), as well as having regard to paragraph 108 of the NPPF (2019).

7.0 Trees:

7.1 This application has been submitted with a smaller industrial unit, in approximately the same location and of the same orientation than the previously refused application. The Tree Officer is satisfied that all information in relation to trees remains the same, and has maintained his comments from the previous scheme.

7.2 Considering the above, the application is deemed acceptable in terms of impact on trees, having regard to Policy ENV06 of the Breckland Local Plan (adopted).

8.0 Conclusion:

8.1 In terms of the overall planning balance of the scheme, the principle of both the dwelling & garage, and the industrial unit, in this location, are considered unacceptable, contrary to Policies GEN05, HOU03 and EC04 of the Breckland Local Plan (adopted).

8.2 In addition, the erection of the structures proposed is considered harmfully intrusive into the open countryside, contrary to Policies GEN02, COM01 and ENV05 of the Breckland Local Plan, as well as having regard to paragraph 127 of the NPPF (2019).

8.3 Whilst it is acknowledged that the proposal's impact on highway safety, residential amenity, and trees, is considered acceptable, it is considered that on balance, these acceptable impacts do not outweigh the harm caused by the intrusive and unacceptable development proposal.

8.4 Having regard to all policy considerations, this application is considered unacceptable in principle and visually intrusive, harmful to the character & appearance of the area.

RECOMMENDATION

It is recommended that planning permission be refused.

REASON(S) FOR REFUSAL

- 1 Non-std reason for refusal**

This application proposes development on land outside of Sporle; a Local Service Centre which has identified sufficient sites within the Breckland Local Plan (adopted) to achieve its housing target. Consequently, the application is considered contrary to Policies GEN05 and HOU03 of the Breckland Local Plan (adopted) and is therefore not considered to be sustainable development.
- 2 Non-std design reason for refusal**

The proposed dwelling and industrial unit in this location would represent a visually intrusive addition into the countryside, detrimental to its character & appearance, contrary to Policies GEN02, COM01 and ENV05 of the Breckland Local Plan (adopted) as well as having regard to paragraph 127 of the NPPF (2019).
- 3 Non-std reason for refusal**

The siting of the proposed industrial unit (Use Class B8) in this location is considered unacceptable in principle, failing to support rural areas or promote sustainability, contrary to Policy EC04 of the Breckland Local Plan (adopted), with no particular planning justification for the development not being located on an established or allocated employment site.