

ITEM:		RECOMMENDATION:	REFUSAL
REF NO:	3PL/2021/0544/PIP	CASE OFFICER	Naomi Minto
LOCATION:	OLD BUCKENHAM Land at Poplar Farm Fen Road Old Buckenham	APPNTYPE:	Permission Principle
APPLICANT:	Mr Des Hunt Poplar Farm Fen Road	POLICY:	Out Settlemnt Bndry
AGENT:	Mr Nathan Dickinson 7 Church Farm Close Weston Longville	CONS AREA:	N
PROPOSAL:	Permission in Principle for a New Self Build Single Storey Residential dwelling for a disabled person (Town and Country Planning Act 1990 Town and Country Planning (Permission in Principle) (Amendment) Order 2017).		
		LB GRADE:	Adjacent Grade 2
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

Following consideration at Chairman's Panel, it was concluded that the application should be determined at Planning Committee.

KEY ISSUES

- Location of development
- Land Use
- Amount of Development

DESCRIPTION OF DEVELOPMENT

The application seeks permission in principle for the development of one detached single storey dwelling.

Applications for Permission in Principle (PIP) must only consider the location of development, the proposed land use and the amount of development.

Local Planning Authority's cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission, but as the application type suggests, assess only the 'principles' of the proposed development with all details subject to a further application if the 'PIP' is approved.

SITE AND LOCATION

The site lies outside the Settlement Boundary of the village of Old Buckenham on land to the south of Fen Road. Residential development is located to the east, south east and south west of the site. One of the neighbouring dwellings (to the south west) is a Grade II Listed Building. There are also trees on site and on

neighbouring land in close proximity of the site. In addition, a large pond is located within 14 metres of the site (to the west).

EIA REQUIRED

No

RELEVANT SITE HISTORY

3DC/2021/0072/DOC

Discharge of Condition No 6 on 3PL/2020/1009/F

3PL/2002/1424/CU	Permission	09-04-03
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Change of use of barn to residential

3PL/2003/1135/F	Permission	01-09-03
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Conversion of redundant barns and outbuildings to dwelling with alterations and annexe

3PL/2004/1405/F	Permission	13-10-04
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Extension to Poplar Farm House

3PL/2004/1431/F	Refusal	09-11-04
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Extension to annexe

3PL/2005/0100/F	Permission	04-03-05
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Conversion of outbuilding to tourist accommodation

3PL/2017/1494/HOU	Permission	11-01-18
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Replace existing Garage

3PL/2019/0287/F	Refusal	25-06-19
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Demolish Existing agricultural building and construct new residential dwelling

3PL/2020/1009/F	Permission	27-01-21
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Demolition of existing building (with extant permission to convert to a dwelling) and the erection of New Single Dwelling and Cartlodge, and Change of Use of Agricultural Land to Domestic Curtilage (Revised Scheme)

3PN/2020/0017/UC	Prior Approval Given	26-06-20
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Prior approval for Conversion of existing agricultural building to single dwelling The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) -Schedule 2, Part 3, Class Q

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
ENV09	Flood Risk & Surface Water Drainage
GEN01	Sustainable Development in Breckland
GEN02	Promoting High Quality Design
GEN03	Settlement Hierarchy
GEN05	Settlement Boundaries
HOU01	Development Requirements (Minimum)
HOU02	Level and Location of Growth
HOU03	Development Outside of the Boundaries of Local Service Centres
HOU06	Principle of New Housing
HOU10	Technical Design Standards for New Homes
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
TR01	Sustainable Transport Network
TR02	Transport Requirements

OBLIGATIONS/CIL

Not applicable

CONSULTATIONS

OLD BUCKENHAM P C

OBPC object to the proposed development as it would be situated on the corner of a narrow single track road which would create a significant hazard for all road users.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection, subject to conditions.

CONTAMINATED LAND OFFICER

Further information required.

REPRESENTATIONS

A Site Notice was put up on display on 28 April 2021 and two neighbours have been directly consulted. Three letters of representation have been received, raising the following main points;

- Highway safety concerns - increased traffic on narrow lane;
- Heritage concerns - adverse impact on listed building;
- Ecology concerns - adverse impact on existing wildlife;
- If permission is granted, it should be on the condition that the dwelling shall be occupied by the applicant.

ASSESSMENT NOTES

Applications for Permission in Principal (PIP) must only consider the location of development, the proposed land use and the amount of development.

1.0 Location of Development

1.1 Paragraph 78 of the National Planning Policy Framework (NPPF, 2019) seeks to promote sustainable development in rural areas by locating housing where it would enhance or maintain the vitality of rural communities. The Breckland Local Plan (adopted 2019) (BLP) seeks to deliver the most sustainable approach to development outside the two strategic urban extensions of Attleborough and Thetford for distributing growth across the sustainable settlements in the District and achieving a more balanced approach in housing development between rural and urban areas, in line with the Strategic Vision, local and market demands.

1.2 Within the settlement hierarchy therefore growth is directed to Local Service Centres in the rural areas, with the rest of the housing target directed to the larger market towns of Thetford, Attleborough, Dereham, Swaffham and Watton. A small amount of development is targeted at villages within and immediately adjacent to settlement boundaries in order to provide development in the most sustainable locations, support local services, balance residential needs and employment opportunities and seek to enhance the rural economy, thereby helping to maintain the vitality of rural communities. Furthermore, development in smaller villages and hamlets outside of the defined Settlement Boundaries will be limited to small scale development, to meet local needs through criteria based policy.

1.3 The application site is located outside of the defined settlement boundary for Old Buckenham. For this reason the proposal conflicts in principle with Policy GEN 05 of the BLP, which seeks to focus new housing within defined Settlement Boundaries.

1.4 In December 2020 the Local Planning Authority published an update in respect of its five year housing supply. It is considered that Breckland District Council continues to have a five year supply of deliverable housing sites and is therefore a strong material consideration in the determination of planning applications. Paragraph 11 of the NPPF states that decisions should apply a presumption in favour of sustainable development. For decision makers this means approving development proposals that accord with an up-to-date development plan without delay.

1.5 As mentioned above, the site is located outside of the defined settlement boundary for Old Buckenham. It is located over 524 metres to the north west of the settlement boundary. Old Buckenham is defined as a Local Service Centre in Policy GEN 03 of the BLP. Local Service Centres are considered to have public transport, a community facility, employment, a shop / post office and a school. Old Buckenham benefits from two public houses, a special needs school, a primary school and a high school, village hall, a children's playground, church, shop and post office with public transport links, connecting the village to the wider area,

including Norwich.

1.6 Policy HOU 03 of the BLP states that development outside of the boundaries of Local Service Centres will normally be resisted where the Local Plan housing target is provided for unless supported by other policies within the Local Plan. Policy HOU 02 provides further detail in respect of the housing target for individual settlements within the District. The Housing Target for Old Buckingham has been exceeded and therefore the proposal is considered contrary to Policy HOU 03. If the housing target had not been met, development outside settlement boundaries must accord with the following:

1. It is immediately adjacent to the settlement boundary;
2. It would not lead to the number of dwellings in the settlement significantly exceeding the identified housing target;
3. The design contributes to conserving, and where possible enhancing, the historic nature and connectivity of communities; and
4. The development avoids coalescence of settlements.

1.7 The latest figures for Old Buckenham indicate that the total number of dwellings allocated for the village, made up of completions, commitments and allocations within the neighbourhood plan, equates to 74 new dwellings, where the target to be met over the plan period is 73. Whilst it is accepted that the provision of one new dwelling would not lead to the number of new dwellings significantly exceeding the identified housing target, it is also acknowledged that the location of the proposed dwelling would not be immediately adjacent to the settlement boundary, as required by HOU 03. As a result, the location of the development is not considered to be acceptable and contrary to Policy HOU03 of the Breckland Local Plan, in this instance.

1.8 Having read through the Design and Access Statement, it is noted that the applicant seeks to rely on Policy HOU 05 in respect of the location of the development. However, the site falls within the parish of Old Buckenham.

1.9 To provide a breakdown, Policy HOU 02 of the BLP sets out the settlement hierarchy for the District and for the rural areas, naming those areas included under each of the policies HOU 03, 04 and 05. Policy HOU 02 therefore provides details in respect of the level and location of growth within the District, distributing housing delivery requirements amongst the District's parishes. This is based on The Local Service Centre Topic Paper, which provides an assessment of services and facilities within each **parish** area within Breckland. The Topic Paper sets out population figures as well as numbers of dwellings either completed or with planning permission. These figures are for the whole parish, including any smaller villages and hamlets that may be within them, and not just the largest most sustainable settlement within them. The list under HOU 02 for HOU 05 sets out those areas within the District that are not covered by other policies.

1.10 Therefore, the areas listed under HOU 05 are parishes and not settlements. The reason for this is that if they were individual villages then under Policy HOU 05 there should be many more smaller villages and hamlets included in the list. If policies HOU 03 and HOU 04 were settlement based but not any other parts of the parish then the list set out in Policy HOU 02 of the areas covered by HOU 05 should either name all those settlements, without settlement boundaries or not have any list of named areas, and state that it covers all the other settlements not named on other policies.

1.11 There is no duplication between the areas listed under Policy HOU 03, 04 and 05. None of the areas listed under Policy HOU 05 are areas included in any other parishes listed under HOU 03 and 04. The fact that it does include a list and that list comprises only those parishes not included in higher level tiers (ie: under HOU 03 and HOU 04) indicates that the whole settlement hierarchy is in fact parish based.

1.12 To complete this point, it is important to note that if the policies were settlement and not parish based then it would be unclear as to which policy applications for development in various settlements should be assessed under, since many are not named in Policy HOU 02 as a settlement for consideration under Policy HOU 05. It is therefore considered that Policies HOU 03, 04 and 05 refer to the whole parish areas and that the assessment of this application having due regard to Policy HOU 03 is the correct consideration in this instance, as it lies within Old Buckenham's parish.

2.0 Land Use

2.1 Policy GEN 02 of the BLP 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. Policy COM 01 of the BLP is concerned with design and provides additional detailed criteria that all new development should meet. Paragraph 127 of the NPPF states that developments must be sympathetic to local character and history, including the surrounding built environment and landscape setting.

2.2 The proposal seeks to provide one single storey self-build dwellinghouse, which would be sited on an area of land currently used in association with Poplar Farm. The land is situated on a plot of land fronting Fen Road and there would be prominent views of the dwelling from this road. Fen Road is a narrow country lane with housing along part of it, set within large plots and set back from the public highway. The majority of houses on Fen Road have large front gardens. By contrast, this proposal would result in a dwellinghouse set much closer to the public highway and further forward of the existing building line on a much smaller plot size (when compared with those in the vicinity of the site).

2.3 It is therefore considered that the provision of a dwelling in this location would not integrate to a high degree of compatibility with the surrounding area. Whilst it is accepted that this is a PIP application, the submitted indicative proposed layout of the proposal, discussed above, would fail to reinforce the positive and distinctive local character of the area, having regard to the siting of existing residential development and the rural characteristics of the vicinity. It is therefore considered that the indicative layout would not be sensitive to the character of the surrounding area and give the size of the site, it is unlikely that an alternative proposal could be designed, which would be in character with the street scene/surrounding area. In light of the above considerations, the proposal would cause harm to the existing character and setting of the surrounding area.

2.4 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.

2.5 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.

2.6 Policy COM 01(m) states that new development should not compromise highway safety. In addition, it should enable safe access for vehicles and for walking and cycling. Policy COM 01(n) states that new development must provide adequate parking as outlined in TR 01 and consideration of safe storage for bicycles.

2.7 It is accepted that the application is for permission in principle. Therefore, in the event that permission is granted, the technical detail of the proposal would be considered at the second stage. This includes details relating to parking provision and consideration of safe storage for bicycles. In addition, greater consideration at the second stage would be given to the use of sustainable transport modes, such as the use of power points within the development to cater for electric powered vehicles.

2.8 The Local Highway Authority acknowledge that the site lies outside of the main village settlement and residents would be principally dependant on the use of the private car to access services and amenities on a daily basis. However, no objection has been raised, subject to the technical details application demonstrating provision of visibility splays, in accordance with adopted guidance.

3.0 Amount of Development

3.1 The proposal is for the erection of one dwelling. Whilst the plot size is much smaller than others in the vicinity of the site, it is not so small that the development would lead to a cramped form of development. The density of one dwelling is therefore considered acceptable.

3.2 As already mentioned, the application has been submitted as a PIP. However an indicative layout plan has been submitted, which indicates that one detached, single storey dwelling can be accommodated within the plot and will not present any significant overlooking issues, loss of privacy or over dominance, having regard to plot sizes and scale of development proposed. The full extent of the amenity impact would be assessed at the Technical Details stage.

4.0 Conclusion

4.1 On the basis of the application submission, it is considered that the application site would not be an appropriate location for the development proposed, having regard to Policy HOU 03 of the BLP. Furthermore, it is considered that the proposal would not integrate to a high degree of compatibility with the immediate vicinity and would therefore fail to reinforce the positive and distinctive local character, contrary to Policies GEN 02, GEN 05 and COM 01 of the BLP. The application is therefore recommended for refusal.

RECOMMENDATION

This application is recommended for refusal on the following grounds.

REASON(S) FOR REFUSAL

- 1 Non-std reason for refusal**

The proposal is located outside the designated settlement boundary for Old Buckenham and not immediately adjacent to it. Therefore the principle of development in this location is considered contrary to Policy HOU03 of the Breckland Local Plan (adopted). The proposal is not considered to be sustainable development contrary to Policies GEN01, GEN03, GEN05 and HOU03 of the Breckland Local Plan (adopted 2019).
- 2 Non-std reason for refusal**

The proposed dwelling would be located on site at odds with the existing pattern of residential development on Fen Road, which in the vicinity of the application site is set back from the public highway on large spacious plots. The proposal would therefore result in a

development that does not integrate to a high degree of compatibility with the surrounding area, having regard to the location of the plot. It would therefore fail to reinforce the positive and distinctive local character of the area, which is a rural setting, thereby resulting in the spacious character of the immediate vicinity being harmfully eroded, contrary to Policies GEN 05, GEN 02, and COM 01 of the Breckland Local Plan (adopted 2019).