

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2017/1495/F	CASE OFFICER	Fiona Hunter
LOCATION:	WHINBURGH&WESTFIELD Wesley House,Dereham Road Westfield	APPNTYPE:	Full
APPLICANT:	Mr & Mrs William and Alison Downes Wesley House, Dereham Road Westfield	POLICY:	Out Settlemnt Bndry
AGENT:	Clayland Architects The Glass House Lynford Gardens	ALLOCATION:	N
PROPOSAL:	Erection of two new dwellings	CONS AREA:	N
		LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

The application is contrary to Development Plan policies as permission is sought for a dwelling outside any defined settlement boundary.

KEY ISSUES

Principle of development
Impact on Character and Appearance of the area
Impact on Amenity
Highways
Other Issues

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for the erection of 2no. two storey dwellings at the land to the west of Dereham Road, Westfield.

The dwellings would be detached 4 bedroom properties with a front gabled one and half storey projection facing onto Dereham Road.

The proposed scheme has reduced the proposed number of dwellings by one from that previously refused outline planning permissions under application references 3PL/2016/0775/O and 3PL/2015/1411/O.

The proposal involves the provision of two separate accesses into the site to serve each individual plot punctuated through the existing leylandii hedge along the site frontage.

Amended plans have been submitted under this application which removed the proposed garages for each plot and revised the access arrangements for the proposed dwellings to contain separate driveways.

SITE AND LOCATION

The site is rectangular in shape and extends to 0.42ha and currently comprises garden land for the adjacent residential Wesley House. There are various outbuildings on the site. A large hedge runs along the road frontage of the site, there is also boundary hedging running along the northern boundary.

Beyond the northern boundary is a track leading to Westfield allotments, and then Glen Cottage a two storey property beyond. Further to the north is a row of approximately twelve semi-detached and detached properties fronting Dereham Road.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2016/0775/O- Erection of 3 dwellings- refused 10.08.16
3PL/2015/1411/O Erection of 3 dwellings - refused 27.01.16

Wesley House, Dereham Road. This relates to the site on the other side of Wesley House (Between Wesley House and Five ways cottage).

3PL/2005/0432/0 - Erection of Cottage Style dwelling - refused 28.11.15. Dismissed on appeal.

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.01	Housing
CP.04	Infrastructure
CP.10	Natural Environment
CP.11	Protection and Enhancement of the Landscape
CP.13	Accessibility
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.11	Open Space
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

WHINBURGH & WESTFIELD P C

No objection, subject to sewerage and surface water disposal being adequately conditioned. Also asked that consideration be given to providing each dwelling with separate access.

Following receipt of the amended plans, no further comment to make.

CONTAMINATED LAND OFFICER

No objection subject to condition

TREE AND COUNTRYSIDE CONSULTANT

No objection, subject to development being in accordance with the submitted Arboricultural Impact Assessment (AIA), Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) supplied by Conservation Arboriculture, reference 2018.002, and protective fencing being maintained for completion of development.

ENVIRONMENTAL HEALTH OFFICERS

No objection, subject to the development proceeding in line with the application details.

WARD MEMBER

Support for application due to the need for housing in the district and the good design being put forward. Raises concern relating to shared drive and rear garages.

Following receipt of amended plans objection raised to the complete removal of garages and the drive way locations.

NORFOLK COUNTY COUNCIL HIGHWAYS

No Comments Received

REPRESENTATIONS

The Council has subsequently received nine comments, comprising 6 letters of support or neutral and 3 letters of objection, raising the following matters:-

- increased flooding in a flooding prone area
- impact on broadband speed
- environmental impacts
- impact on holiday let business
- queries over length of building works and start date

- rural village
- impact on character and appearance of the the village
- no facilities
- previous refusals on this site
- impact on road safety
- attractive scheme that fits in well with the local environment and meets significant need in district for houses
- not supportive of garages being removed
- two driveways are preferable and look better on the street scene, however, would like to see the driveways separated
- proposed ridge height does not give me any cause for concern.

ASSESSMENT NOTES

1.0 Principle of Development

1.1 This application seeks full planning permission for the erection of two dwellings on land within the rural settlement of Westfield, which falls within the countryside. For this reason, the proposal conflicts, in principle, with Policies SS01, DC02 and CP14 of the adopted Core Strategy and Development Control Policies Development Plan Document, (2009), which seek to focus new housing within defined Settlement Boundaries. The application should be refused, unless material considerations indicate otherwise in accordance with Section 70(2) of the Town and County Planning Act, 1990.

1.2 The Council does not currently have a published 5 year land housing supply as required by the National Planning Policy Framework, which provides national planning guidance for local planning authorities and is a strong material consideration in the determination of planning applications. Paragraph 49 of the NPPF, states that where an authority does not have an up-to-date five year housing land supply the relevant local policies specifically for the supply of housing, should not be considered up-to-date. Furthermore, housing applications should be considered in the context of the presumption in favour of sustainable development unless any adverse impacts of doing so would demonstrably outweigh the benefits or specific policies in the Framework indicate that development should be restricted. On the aforementioned basis, other principle planning issues for the application are considered below.

1.3 There is no bus service in the village. The nearest bus stop is at Yaxham, 1 mile distant which is served by the number 17 which provides a service to Bradenham and Dereham via, amongst other locations, Whinburgh.

1.4 Dereham is 0.9 miles to the north of the site (to the nearest edge). Dereham is a market town with a good range of services and facilities.

1.5 On the aforementioned basis, the proposal is not sustainably located near to services and facilities and residents would be reliant on the use of private car. However, there is a wide range of services and facilities in Dereham which is relatively close to the village and would only require a short car journey.

1.6 The site is located within the countryside in a plot of land currently used as residential curtilage. The site is an infill plot and if developed as sought, would not appear out of character with the street. Screening is provided from longer views from to west due to an existing woodland area.

1.7 The proposal would have negligible impact on the character of the street and wider landscape if developed. Two dwellings could therefore be accommodated without adverse impact due to the infill nature

of the site.

1.8 With due consideration to paragraph 14 of the NPPF, the harm caused by the lack of services immediately in the village is not considered to significantly and demonstrably outweigh the benefits as detailed above, particularly due to the small scale and infill nature of development and proximity to a market town and therefore, the principle of development is found acceptable.

1.9 Whilst planning permission has been previously refused for the site, this was whilst the Council were reporting a 5 year land housing supply and the planning application did not therefore benefit from the 'titled balance' of NPPF paragraph 14.

2.0 Design and Impact on local character

2.1 Policy DC 16 sets out that all new development should achieve the highest standards of design and identifies a number of design principles which need to have regard to. There are a variety of styles of dwellings along the road. The proposed positioning of the dwellings on the site are considered to follow the grain of existing development and are suitably placed.

2.1 The proposal is of a traditional design of redbrick and grey pantiles. Visual interest is created through: the use of a flint section and coloured cladding; a circular window; plinth detailing incorporation of a 1 and half storey element; and chimneys. The yellow render as shown on the drawings does not appear appropriate for the village, it is therefore final materials are conditioned.

2.2 It is considered that the proposal would have appropriate regard to Policy DC16 and CP11 (protection and enhancement of the landscape) and would not harmfully impact the character of the site and surrounding rural area.

3.0 Impact on Amenity

3.1 The proposals are for two detached two storey dwellings. The proposals would retain sufficient separation distances to the existing residential neighbours to prevent overshadowing or creating a sense of enclosure. Furthermore, there are no side windows at first floor preventing any overlooking.

3.2 In terms of amenity space provision for future occupiers of the plots satisfactory provision would be provided within the rear curtilages of each plot.

3.3 It is not considered that the houses would have any significant adverse impact on the adjoining allotments. Therefore it is considered that the site could satisfactorily accommodate the development as shown on the proposed layout with no detrimental harm caused to amenity as per the requirements of Policy DC1.

4.0 Highways

4.1 In terms of highway safety the proposal involves the provision of two new accesses off Derehem Road punctuated through the existing hedge to serve each of the individual plots. This hedge along the road frontage is also proposed to be reduced in height to 900mm for visibility. Whilst noting the objections raised on highway grounds from residents, the Highway Authority advised in previous applications (for 3 dwellings)

that in terms of traffic generation it would be difficult to substantiate an objection based on the traffic generation of three dwellings.

4.2 The Highways Authority have requested that the carriageway outside the site is widened on the basis that the applicant owns sufficient land for this to be achieved. It is not clear, at the time of writing this report, of the detailed justification for this request and a query raised with Highways to clarify the matter, albeit it was not raised as an issue in relation to the appeal scheme for 3 dwellings.. An update will be provided at the meeting.

4.3 Satisfactory on-site parking provision would be available on site having regard to Policy DC 19.

5.0 Drainage

5.1 The government mapping system identifies the site as being within Flood Risk Zone 1 which has the lowest risk of flooding from seas and rivers. No surface water flooding risk is identified for the site.

6.0 Planning Balance

6.1 The application does not accord with the adopted development plan as the site falls out any settlement boundary. However, the Council does not currently have a 5 year land supply as required by the NPPF and this development would provide a small contribution towards Breckland's Housing supply. On this basis, the other key principle considerations for this proposal must be assessed and are whether the site is a sustainable location for housing and the visual impact on the countryside.

6.2 The site is within a cluster of dwellings within Westfield, and has limited views towards the site due to adjacent neighbours and mature foliage along the sites eastern and western boundaries. Due to the street frontage and neighbours on either side, the development is considered infill development. The applicant has submitted plans which are considered acceptable for the existing context and character and would not have a negative impact on the immediate local views and would be seen in the context of a developed street frontage. On this basis, the development of the site would not negatively impact the character and appearance of the countryside and therefore complies with Policy CP 11.

6.3 The site is not in a sustainable location with good access to services and facilities. More specifically, the village is not known to have any services or facilities. However, the market town of Dereham is only 1 mile to the north of the site. The site's location is a minor negative aspect of the proposal, and does not accord with policies SS01 and CP 14.

6.4 When considering the planning balance, the small negative harm created by the site's location away from immediate local services and facilities, but close to a market town for two dwellings, is considered to be outweighed by the positive contribution towards housing in the District. Furthermore, the infill nature of development results in no material harm to the street scene or character and appearance of the countryside.

6.5 In accordance with paragraph 14 of the NPPF, no harm has been identified which would significantly and demonstrably outweigh the benefits of the provision of two visually attractive houses of an infill site, and therefore, based on the infill nature of the development, grant of full planning permission subject to conditions, is recommended.

RECOMMENDATION

Planning Permission

CONDITIONS

- 3104 External materials to be approved**
- Prior to the commencement of any works above slab level precise details of the colour of the external materials shall be submitted to and approved in writing by the Local Planning Authority. 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 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**
- 3946 Contaminated Land - Unexpected Contamination**
- In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with details to be agreed in writing with the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.
- Reason for condition:-
To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
This condition is imposed in accordance with CP9 of the Breckland Adopted Core Strategy.
- This condition will require to be discharged**
- 3006 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.
- 3047A 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.
- 3740 Any highway conditions**

Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan in accordance with the highway specification Dwg. No. 02 Rev C attached. Arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.

3740 Any highway conditions

Prior to the first occupation of the development hereby permitted a visibility splay Measuring 2.4 x 43 metres shall be provided to each side of each access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety.

3740 Any highway conditions

Prior to the commencement of the development hereby permitted full details (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following: -

- i) Localised widening along the site frontage to achieve a carriageway width of 4.5m adjacent to the entire site frontage.
- ii) Visibility splays.
- iii) Access arrangements.
- iv) Parking provision in accordance with adopted standard.
- v) Turning areas.

Reason: In the interests of highway safety.

3412 Trees/hedges to be retained

The development shall be carried out in accordance with the details hereby approved in the submitted Tree Survey and Report, BS5837:2012 supplied by Conservation Arboriculture, reference 2018.002.

Reason for condition:-

In the interests of the satisfactory appearance of the development.

3414 Fencing protection for existing trees

Prior to the commencement of any work on the site, all existing trees shall be protected by the erection of Tree Protection Fencing. This fencing shall be retained throughout the period of the development and at all times when works (as defined below) are being carried out on the site.

For the purposes of this condition "work" shall include the storage of plant, materials, site huts or the use of any machinery either for preparatory site work or construction itself.

"Trees" shall refer to all trees both on and adjacent to the site.

Protective fencing shall be constructed and maintained in accordance with BS5837:2012 and the Council's document Practice Note: Construction and Maintenance of Tree Protection Fencing, which is available to download from the Council's website. 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:-

The works are required to be undertaken prior to the commencement of the development 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

3413 Indicated landscaping to be implemented

The landscaping shown on the approved plans shall be carried out during the first planting season October/March immediately following the commencement of works on site. Any trees or plants which within a period of 5 (five) years from the completion of the landscaping die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Notwithstanding the approved plans, a hedge will be planted to the western and southern site boundaries and a close boarded fence of 1.8m will be erected between the two plots in the position shown on the approved plans prior to occupation of the development, unless otherwise agreed in writing with the Local Planning Authority.

Reason for condition:-

In the interests of the satisfactory appearance of the development.

3923 Contaminated Land - Informative (Extensions)

NOTE - Where remediation of contaminated land is required, the developer is advised to put in place measures to ensure that any future alterations/extensions to the development do not undermine completed remediation works and, if appropriate, that the future alterations/extensions include the same scheme of remediation as that included in the original development.

3740 Any highway conditions

NOTE - This development involves works within the public highway that can only be carried out by Norfolk County Council as Highway Authority unless otherwise agreed in writing. It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. Please note that it is the Applicants' responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Advice on this matter can be obtained from the County Council's Highway Development Management Group. Please contact Kay Gordon 01362 656211.

If required, street furniture will need to be repositioned at the Applicants own expense. Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

2001 Application Approved Following Revisions

The Local Planning Authority has acted positively and proactively in determining this application, (having engaged with the Applicant at the pre-application stage), and by assessing the application against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal within the statutory timeframe/in as timely a manner as possible , in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Copies of all documentation submitted in connection with this application can be viewed online at <http://www.breckland.gov.uk/content/planning-search-0>

2001

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