

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2018/0467/F	CASE OFFICER	Naomi Minto
LOCATION:	ATTLEBOROUGH Meadow Cottage,Hillsend Lane Attleborough	APPNTYPE:	Full
APPLICANT:	Mr Lee Devlin Meadow Cottage, Hillsend Lane Attleborough	POLICY:	Out Settlemnt Bndry
AGENT:	Brown & Co The Atrium St Georges Street	ALLOCATION:	N
PROPOSAL:	Erection of five dwellings	CONS AREA:	N
		LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

The application is being reported to committee because it is recommended for approval contrary to policy.

KEY ISSUES

Principle of development
Impact on character and appearance
Design and appearance
Access and highway impact
Impact on amenity
Other matters

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for residential development comprising the construction of five dwellings. The mix of units comprises four,(4) bedroom detached two storey houses and associated garages , together with one (3) bedroom detached bungalow and associated garage. Access to the site would be from Hillsend Lane.

SITE AND LOCATION

The site lies outside of the Settlement Boundary of Attleborough and comprises the curtilage of Meadow Cottage, which is situated on the edge of Attleborough on Hillsend Lane, off London Road. The site is currently occupied by a large individual detached two storey house. To the north of the site is Hillsend Lane and beyond that the land has permission for large scale residential development (ref: 3PL/2012/0958/H). The A11 is to the west of the site and beyond that open agricultural land. Land to the south of the site has full planning for large scale residential development (ref: 3PL/2016/0325/F) and the east is characterised by a wooded area and residential development.

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.01	Housing
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.12	Trees and Landscape
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

ATTLEBOROUGH TC

Approve with concerns raised at potential access issues along single-track road.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection, subject to conditions.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No objection, subject to conditions.

ENVIRONMENTAL HEALTH OFFICERS

No objections, subject to conditions.

TREE AND COUNTRYSIDE CONSULTANT

No objection subject to conditions.

CONTAMINATED LAND OFFICER

No objections, subject to conditions.

NORFOLK RIVERS INTERNAL DRAINAGE BOARD

The IDB OBJECTS to the proposed development. This objection will be withdrawn on submission and approval of a Drainage Strategy.

REPRESENTATIONS

Site notice erected 15 May 2018 and neighbours consulted. Three representations received. main points of objection are:-

- Concerns over increased traffic movement on Hillsend Lane
- Noise concerns relating to construction works
- Impact on natural environment
- Light pollution from proposed dwellings
- Flooding / drainage concerns

ASSESSMENT NOTES

1.0 Principle of development

1.1 It is recognised that the site lies outside of the Settlement Boundary of the town of Attleborough. For this reason the proposal conflicts with the principle of Policies SS1, DC2, CP1 and CP14 of the adopted Core Strategy. The scheme has not been put forward as one under the exceptions site policy (DC4).

1.2 However, paragraph 11 and footnote 7 of the National Planning Policy Framework (NPPF) states that where an authority does not have an up to date five year housing land supply (at present the district has 4.6 years), the relevant development plan policies for the supply of housing should not be considered up to date and therefore housing applications should be considered in the context of the presumption in favour of sustainable development.

1.3 The Government defines sustainable development as having three overarching objectives:-

- economic, in terms of building a strong economy and in particular by ensuring that sufficient land of the right type is available in the right places and at the right time;
- social, by supporting strong, vibrant and healthy communities by providing the supply of housing required to meet future need in a high quality environment with accessible local services, and;
- environmental, through the protection and enhancement of the natural, built and historic environment.

1.4 Paragraph 8 of the NPPF stresses that these three overarching objectives are interdependent and need to be pursued in mutually supportive ways. Therefore, a balanced assessment against these three objectives is required.

1.5 In terms of the economic and social criteria, this scheme for five dwellings is well located to services and facilities (public houses, school, shops etc) and as such will make positive contributions in this regard. The town benefits from a variety of bus and coach services, a number of which pass the site, along London Road. In addition, Attleborough benefits from a railway station, which links the town to towns and cities further afield. The market town of Attleborough has an excellent range of local services and amenities, a significant proportion of which are available within 1.2 miles of the site and can be accessed on foot.

1.6 In terms of deliverability, Annex 2 (Glossary) of the NPPF states that to be considered deliverable, sites for housing should be in a suitable location, available now, and have a realistic prospect of being developed within five years.

1.7 With regard to availability of deliverability, it is considered appropriate to impose a two year period for commencement of development in order to reaffirm the deliverability of the development; a stated requirement of the five year supply issue. This could be achieved through the use of a suitable condition.

1.8 Notwithstanding that the site lies outside of the Settlement Boundary, the scheme is considered to represent a sustainable form of development, which would positively contribute to the shortfall of the District's housing requirement and therefore, the principle is considered to be acceptable.

2.0 Impact on character and appearance

2.1 Environmentally, the immediate area is currently undergoing large scale residential development. It is noted that the site has been cleared in order to make way for development of the land. However, several mature trees remain present on the north and south boundaries of the development site, which help to partially screen the site.

2.2 A preliminary Arboricultural Impact Assessment, including Tree Protection Plan and Arboricultural Method Statement forms part of the application and the Tree and Countryside Consultant accepts its content with a recommendation that its provisions and recommendations are conditions to any planning permission granted. In summary, it is considered that the proposed development would have an acceptable environmental impact in this location.

2.3 In light of the above, it is considered that the positive attributes of these new dwellings from an economic and social perspective outweigh any environmental harm and the scheme is considered to represent a sustainable form of development.

3.0 Design and appearance

3.1 The character of the area is mixed and includes recently completed residential development to the north and a primary school, as well as on going residential development to the south of the site. Aside from this, the character of the area is typical of an edge of town location with a mixture of house styles and sizes, generally of low density. The scheme is intended to respond more to this form of development than the more recent higher density development to the north and development now beginning construction to the south.

3.2 In terms of layout, the proposal includes one detached bungalow, three detached one and a half storey houses and one detached two storey house. The dwellings will be set in generous landscaped plots, served by a shared access off Hillsend Lane onto private drives. The dwellings have been set back from Hillsend Lane to avoid detrimental impact on existing trees on the boundary of the site. The amended layout creates

an attractive informal group of dwellings.

3.3 Traditional materials are proposed comprising pantiles, red brick, flint and render. These materials are considered to be sympathetic to the existing built form in the locality.

4.0 Access and highway impact

4.1 The site has access to London Road (via Hillsend Lane), which connects the market town of Attleborough to the A11. The development has on-site resident parking, which meets the required parking standards.

4.2 Norfolk County Council Highways have been consulted and raised no objection to the proposal subject to various conditions being included with any forthcoming approval.

5.0 Impact on amenity

5.1 The impact the development would have on the site and its surroundings are considered to fall within acceptable parameters. There would be no direct adverse effects as a result of loss of privacy, light or overbearing impacts.

5.2 Concerns have been expressed regarding the potential adverse effects of the proposal in terms of increased traffic movement, noise from construction works, the impact on the natural environment, light pollution and flooding / drainage issues.

5.3 Whilst development of the site would lead to an increase in traffic on Hillsend Lane, the likely increased volume of traffic would be small. In addition, the submitted details include highway improvements, which include localised road widening with the aim of allowing provision for two vehicles to pass. It is therefore considered that the proposal satisfactorily addresses issues in relation to increased traffic on Hillsend Lane.

5.4 In respect of construction noise concerns, disturbance during construction is normally a very short lived activity but it is accepted that there could be adverse impacts, particularly during the summer months. A construction method statement is therefore considered appropriate, which would include screening methods and hours of operation to assist in mitigating unacceptable effects on the wider locality.

5.5 In terms of the impact on the natural environment and in particular the existing trees on the boundary of the site, the applicant has submitted an amended layout to address concerns initially raised by the Tree and Countryside Consultant. The amendments are considered acceptable.

5.6 In terms of light pollution, flooding and drainage concerns raised, suitable conditions can be added to any forthcoming permission. The application is therefore considered to accord with Policy DC1 of the adopted Core Strategy.

6.0 Other matters

6.1 The Council's Contaminated Land Officer has raised no objection to the proposal subject to a condition in relation to unexpected contamination being found on site.

6.2 The Environmental Health Officer was also consulted and raised no objection subject to the development proceeding in line with the application details, and in particular the Adrian James Acoustic Report (11669 Report, dated 6 November 2017), which identifies the need for an acoustic fence to protect outdoor living areas. A condition could be added to address this.

6.3 An objection was received from Norfolk Rivers Internal Drainage Board advising that the development site is located within the IDB District and no drainage strategy report has been submitted with the application to satisfactorily demonstrate that the site can be drained and will not result in an increase in flood risk to other properties in the area. The Norfolk Rivers IDB advised that their objection would be withdrawn on submission and approval of a drainage strategy. It is considered that a suitable condition could be included to ensure that Norfolk Rivers IDB's concerns are addressed, prior to commencement of any forthcoming development.

7.0 Conclusion

7.1 In terms of the overall planning balance of the scheme, the proposal represents a sustainable form of residential development and is acceptable, taking into account the Council's lack of a five year supply of housing land and having regard to the NPPF. The site lies in close proximity to the town of Attleborough and the proposed layout, scale and form of the development is considered to reflect the existing character of the area. In addition, the proposed development would not compromise neighbour amenity and satisfies all highway safety requirements. It is therefore recommended for approval.

RECOMMENDATION

Planning Permission

CONDITIONS

- 3 Full permission 2 year time limit**
The development hereby permitted shall be begun before the expiration of TWO YEARS from the date of this permission.
Reason for condition:-
To ensure the retention of the barn by conversion within a reasonable time and to allow for the structural suitability of the building for conversion to be reassessed in the event that the permission hereby granted is not implemented within the specified time limit, in accordance with policy DC 20 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.
- 4 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.
- 5 Boundary screening to be agreed**
Prior to the occupation of the development hereby approved, a scheme for the provision of boundary screening, shall be submitted to the Local Planning Authority for approval. Such scheme as may be agreed shall be completed prior to the occupation of the development which the screening adjoins to the satisfaction of the Local Planning Authority.
Reason for condition:-

To safeguard the interests of the amenities of neighbouring occupiers and 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

6 Landscaping - details and implementation

Prior to the occupation of the development hereby permitted a scheme of landscaping which shall take account of any existing trees or hedges on the site, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out during the planting season November/March immediately following the commencement of the development, or within such longer period as may be agreed in writing with the Local Planning Authority. The details shall take account of the Council's leaflet "Tree pack" (Landscaping advice for applicants). Any trees or plants which within a period of 5 (five) years from the completion of the landscaping scheme die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with others of the same size and species unless the Local Planning Authority gives written consent to any variation.

Reason for condition:-

To ensure the satisfactory appearance of the development, in accordance with Policy DC 12 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged

7 Precise details of foul water disposal

Prior to the commencement of any works above slab level precise details of the means of foul water disposal shall be submitted to and approved in writing by the Local Planning Authority.

Reason for condition:-

The details are required to be submitted prior to the commencement of development to minimise the possibilities of flooding from the outset of the development.

This condition is imposed in accordance with Policies DC 1 and DC 13 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009

This condition will require to be discharged

8 Precise details of surface water disposal

Prior to the commencement of any works above slab level precise details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. Only such agreed system or works shall be used in connection with this approval.

Reason for condition:-

The details are required to be submitted prior to the commencement of development to minimise the possibilities of flooding from the outset of the development.

This condition is imposed in accordance with Policies DC 1 and DC 13 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009

This condition will require to be discharged

9 Full details of external lighting

No external lighting shall be erected unless full details have first been submitted to and agreed in writing with the Local Planning Authority. The details shall include a lighting plan indicating luminance levels both on the site and beyond, and a schedule of equipment

including mounting heights. Such lighting shall be kept to the minimum necessary for the purposes of security and site safety and shall prevent upward and outward light radiation. The lighting shall be installed, maintained and operated in accordance with the approved details unless otherwise agreed by the Local Planning Authority.

Reason for condition:-

In the interests of the amenities of the area and local residents and to minimise light pollution in accordance with policy DC1 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged

11 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.

13 Construction Method Statement

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period.

The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. detailed proposals for the removal of asbestos from existing buildings to be demolished
- viii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason for condition:

The details are required prior to the commencement of the development in the interests of the amenity of the area and to ensure a safe development from the outset of the development.

This condition will require to be discharged

14 Private access road - width

Notwithstanding the submitted details unless otherwise agreed in writing by the Local Planning Authority the proposed private drive shall be maintained in perpetuity at a minimum width of 4.2 metres for its complete length and shall be constructed perpendicular to the highway carriageway for a minimum length of 10 metres as measured from the near edge of the highway carriageway.

Reason for condition:-

In the interest of highway safety and traffic movement.

15 New access - gradient

The gradient of the vehicular access shall not exceed 1:12 for the first 5 (or longer if in connection with a commercial development) metres into the site as measured from the near channel edge of the carriageway.

Reason for condition:-

In the interests of the safety of persons using the access and users of the highway.

This condition will require to be discharged

16 Access gates - restriction

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 gates, bollard, chain or other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason for the condition:-

In the interests of highway safety.

This condition will require to be discharged

17 Provision of parking and servicing - when shown on plan

Prior to the first occupation of the development hereby permitted (or Prior to the commencement of the use hereby permitted) the proposed access / on-site car and cycle parking / servicing / loading, unloading / turning / waiting 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 area, in the interests of highway safety.

18 Construction traffic management and routing/ exceptional wea

Prior to the commencement of any works a Construction Traffic Management Plan and Access Route which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway shall be submitted to and approved in writing with the Local Planning Authority in consultation with Norfolk County Council Highway Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.

Reason for condition:-

In the interests of maintaining highway efficiency and safety.

This condition will require to be discharged

19 Construction traffic management and routing/ exceptional wea

For the duration of the construction period all traffic associated with the construction of the development will comply with the Construction Traffic Management Plan and use only the Construction Traffic Access Route and no other local roads unless approved in writing with the Local Planning Authority in consultation with the Highway Authority.

Reason for condition:-

In the interests of maintaining highway efficiency and safety.

This condition will require to be discharged

20 Highway improvements-offsite A

Notwithstanding the details indicated on the submitted drawings no works shall commence on site until a detailed scheme for the off-site highway improvement works as indicated on the approved plans have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason for condition:-

To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.

This condition will require to be discharged

21 Highway improvements off-site B

Prior to the first occupation of the development hereby permitted (or Prior to the commencement of the use hereby permitted) the off-site highway improvement works referred to in part A of this condition shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.

Reason for condition:-

To ensure that the highway network is adequate to cater for the development proposed.

22 Precise details of surface water disposal

Prior to the commencement of any works above slab level precise details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. Only such agreed system or works shall be used in connection with this approval.

Reason for condition:-

The details are required to be submitted prior to the commencement of development to minimise the possibilities of flooding from the outset of the development.

This condition is imposed in accordance with Policies DC 1 and DC 13 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009

This condition will require to be discharged

23 Non-standard drainage condition

Prior to commencement of any works, a Drainage Strategy for the site shall be submitted to and approved in writing by the Local Planning Authority and there after implemented.

Reason for condition:-

The details are required to be submitted prior to the commencement of development to demonstrate that the site can be satisfactorily drained and will not result in an increase in flood risk to other properties in the area.

24 Non-standard condition

An ecological management plan (EMP) shall be submitted to, and approved in writing by the LPA prior to commencement of development. The content of the EMP shall include the following.

- a) Description and evaluation of features to be managed,
- b) Ecological constraints on site that might influence management
- c) Aims and objectives of management
- d) Appropriate management options for achieving aims and objectives including mitigation detailed in the Ecology Assessment and Habitats Regulations Assessment Screening (Hopkins Ecology; November 2017) submitted with the application namely that for
 - badgers
 - protection and enhancement of bat feeding and commuting corridors,
 - protection and enhancement of hedgerows
 - no. of bat boxes

- no. of nest boxes for birds
- eradication of variegated yellow archangel
- widespread but declining moth Species of Principal Importance
- e) Prescriptions for management actions
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
- g) Details of the body or organisation responsible for implementation of the plan
- h) On-going monitoring and remedial measures

The EMP shall also include details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer. The plan shall also set out (where the results of monitoring show that conservation aims and objectives of the EMP are not being met) how remedial action will be identified, agreed and implemented so the development still delivers the fully function biodiversity objectives of the originally approved scheme.

Reason for condition:-

In line with the requirements of the NPPF

25 Non-standard condition

No removal, in full or in part, of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason for condition:-

For the safeguarding of any nesting birds on site.

26 Non-standard condition

Prior to commencement of development on site including any site levelling or erection of site fencing, a pre-construction badger check must be undertaken. The badger check will be no more than 4 weeks prior to the start of works on site. The findings of the badger check should be submitted to the Local Planning Authority prior to commencement.

Reason for condition:-

For the safeguarding of any badgers on site.

27 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

28

External materials as approved

The development hereby permitted shall be constructed using the materials specified on the planning application form and / or submitted drawings.

Reason for condition:-

To enable the Local Planning Authority to ensure the satisfactory appearance of the development, as required by policies DC 1 & DC 16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.