

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2017/1386/O	CASE OFFICER	Fiona Hunter
LOCATION:	GARVESTONE Sunnydene, Dereham Road Garvestone	APPNTYPE:	Outline
APPLICANT:	Mr & Mrs Collin Sunnydene, Dereham Road Garvestone	POLICY:	Out Settlemnt Bndry
AGENT:	David A Cutting Building Survey Breckland Business Centre St Withburga Lane	ALLOCATION:	N
PROPOSAL:	Proposed Bungalow	CONS AREA:	N
		LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

The application is reported to planning committee as the site is outside the settlement boundary and therefore contrary to the Adopted Development Plan.

KEY ISSUES

Principle of Development
Highways Safety
Trees
Residential Amenity
Ecology
Other issues - Contamination, Parking, Flooding and Drainage

DESCRIPTION OF DEVELOPMENT

The application seeks Outline planning permission for a single detached bungalow and separate garage with all matters reserved at land to the rear of Sunnydene, Dereham Road, Garvestone.

SITE AND LOCATION

The site is located to the rear of a Sunnydene which is red brick bungalow with a detached garage. The site is located to the north of Dereham Road, which the indicative plans shows the development will be accessed from. To the north, east and west of the site is residential properties and their gardens and outbuildings.

The site is at the north-western part of Garveston Village, which benefits from a primary school and village hall. A footpath with street lighting runs the length of the village, including to bus stops within 100m of the site.

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.10	Natural Environment
CP.11	Protection and Enhancement of the Landscape
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

GARVESTONE, REYMERSTON & THUXTON PARISH COUNCIL

"The Parish Council objects strongly to this application. The location is outside the settlement boundary, with no adequate reasons submitted for a house to be built outside the boundary. It is in a garden (with resulting loss of amenity to neighbouring properties and damage to the character of the neighbourhood which is of well-spaced housing with reasonable sized gardens). The Parish Council feels very strongly that building in gardens will be detrimental to the character and amenity of the village. The development would be over-development of the area and would involve an additional driveway onto the road which is undesirable. The area already has drainage problems. The development would set a very poor precedent in terms of development of the land behind the houses on Dereham Road. Nb The plan submitted which suggests that planning permission was granted for the houses at Greenwood Close outside of the settlement boundary is

misleading. The boundary was changed after the planning permission for these houses had been given."

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection, subject to the reserved matters application providing a widened access to 4.5m for the first 5m, a Visibility measuring 2.4m x 59m to the west and 2.4m x 43m to the east, and parking and turning for both properties.

CONTAMINATED LAND OFFICER

No objection or comments subject to development proceeds in line with the application details.

TREE AND COUNTRYSIDE CONSULTANT

No objection in principal, however the dwelling should be located as far away as possible from the beech tree, and certainly outside the root protection area and canopy spread. Room use and fenestration should also take into account shading caused by the tree. A tree protection will be required for the final layout. A condition which ensures that the tree is not pruned or removed without written consent from the Council should also be attached to any planning permission.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No objection subject to conditions relating to: method statement for reptiles and great crested newts; vegetation clearance time constraint; lighting scheme; and enhancement measures.

REPRESENTATIONS

One letter of representation was received for the application, raising the following points:

- The application is back land development which will negatively impact on the quality of life and privacy for all residents along the row
- The application is outside the development boundary and will create a precedent
- The 30mph speed limit is often ignored and coupled with the poor site access visibility, is likely to result in vehicle accidents
- There are no mains drains in the village and there are local issues with residents managing septic tanks
- There are no shops or restaurants residents can walk to
- To access services other than the village primary school and village hall a private car is needed

ASSESSMENT NOTES

1. Principle of Development

1.1 This application seeks Outline planning permission with all matters reserved, for the erection of a single bungalow on land outside but adjacent to the Garveston Settlement Boundary. 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 seeks to focus new housing within defined Settlement Boundaries.

1.2 The Council does not currently have a published 5 year land housing supply as required by the National Planning Policy Framework, which is a material consideration in the determination of planning applications. Paragraph 11(d) of the NPPF (2018), 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, as referred to above,

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 Garveston is a rural village which has a limited range of local services which are a primary school and village hall within 800m easy walking distance of the application site. These services/ facilities are connected to the site by an unlit public footpath. The village hall has good range of regular activities and a Monday post office service. The village also benefits from a once weekly bus services to Dereham and Norwich, together with a regular bus service for school children to Neatherd High School.

1.4 The market town of Dereham is located 4 miles to the north of the village which provides employment opportunities.

1.5 Notwithstanding the above, the majority of the day to day needs of the new residents will require private car travel. In particular, residents will need to drive to their places of employment and for their household shopping needs (food, toiletries etc.). They are also likely to drive to access GP, dentistry and restaurants/cafes.

1.6 The proposal is therefore not considered to not be very sustainably located near to a wide range of services and facilities, however, is within walking distance of a primary school, village hall and secondary school bus service. This results in some harm due to the location.

1.7 The site is at the edge of the village to the rear of an existing bungalow. The proposal is considered unlikely to change the character of the area or the setting of the village. This is due to: the existing outbuilding which will be demolished on the site; the single storey nature of the dwelling; the screening afforded by trees and hedges and the western neighbours setting back from the building line including its outbuilding / garage.

1.8 Backland development is not always appropriate, however, this specific proposal will not materially detract from character of the area or the setting of the village and is well related to the existing built form.

2. Highways Safety

2.1 Highways have not objected to the revised proposal, subject to the requirement for the reserved matters application to provide a widened access to 4.5m for the first 5m. There is sufficient space on site for these recommendations to be compiled with. In addition, they recommend conditions for visibility splay, parking and turning.

Subject to the imposition of conditions to secure these, the development is considered not to raise a highways safety issue, and complies with Policy CP4 and paragraph 109 of the NPPF.

3. Trees

3.1 A 25m in height beech tree is located to the west part of the site. This is indicatively shown as to be retained. The tree officer has raised no objection, however, has advised that the final layout will require the bungalow to be located outside the trees root protection area and for the tree to be retained. Conditions to secure the tree officers advisory notes are recommended. The impact to trees is considered acceptable in accordance with Policy DC12.

4. Residential Amenity

4.1 The application is for a bungalow, layout as a reserved matter. By appropriate window placement and design, there will be no overlooking to neighbours. To ensure this, a condition requiring levels to be submitted with the reserved matters application is recommended so that the finished levels of the site and internal floor levels do not result in overlooking to neighbours.

4.2 Due to the plots position to the north of existing houses and the single storey proposal, the development can be delivered without any overshadowing to neighbours houses or gardens.

4.3 Both the new property and Sunnysdene will have sufficient private rear gardens following development, within at least 170sqm not including outbuildings.

4.4 The proposal, therefore, is considered to comply with Policy DC01, subject to detailed design reserved for future determination.

5. Ecology

5.1 Following advice from the Natural Environment Team, the applicant has submitted a Preliminary Ecological Appraisal for the site. The Report concluded that there is low potential for foraging badgers or great crested newts on site, a moderate potential for common reptiles, a negligible potential for water voles and otters and a high potential for birds.

5.2 The report recommends a survey for nesting bird if there is any hedge or tree removal in bird breeding season together with precautionary ecological mitigation and on site enhancements including installation of sparrow nest boxes.

5.3 The Natural Environment Team have found the report acceptable and do not object subject to conditions relating to: great crested newt and reptile method statement; vegetation clearance time constraint; lighting scheme and enhancement measures. The proposals ecological impact can therefore be mitigated and the proposal therefore accords with Policy CP10.

6. Other issues

6.1 The supporting information identifies no former uses other than agricultural fields. The Contamination Officer has responded with no objection or comment subject and the development is considered compliant with Policy CP9.

6.2 Policy DC19 requires in rural locations new housing to have a minimum of 2 car parking spaces and 1 cycle space per dwelling where there is no garage or private gardens. The indicative development plans show this can be achieved.

6.3 The site is located in Flood Risk Zone 1, which has the lowest risk of flooding from rivers and sea. No risk is shown for surface water flooding on the government's mapping system. The proposal thus accords with Policy DC13.

7. Conclusion/ Planning Balance

7.1 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 (2018) 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 which are whether the site is a sustainable location for housing and the visual impact on the countryside.

7.2 The site is at the edge of the village of Garvestone and there are limited views towards the site due to adjacent neighbours and mature foliage along the sites north and west boundary. The proposal would not appear out of keeping with the existing form of development due to variations in the building frontage street line. On this basis, the development of the site would not negatively impact the character and appearance of the countryside and therefore complies with Policy CP11.

7.3 The site is not in a sustainable location with good access to a wide range of services and facilities. More specifically, the only service or facilities within comfortable walking distance is a primary school and village hall and weekly bus service. This is a minor negative aspect of the proposal, and does not accord with policies SS01 and CP14.

7.4 When applying the tilted balance required by paragraph 11 of the NPPF (2018), the small negative harm created by the site's location away from a wide variety of services and facilities for a single dwelling, it is considered to be outweighed by the positive contribution towards housing in the district.

8. Recommendation

8.1 In accordance with paragraph 14 of the NPPF, no harm has been identified which would significantly and demonstrably outweigh the benefits, and therefore, grant of Outline planning permission subject to conditions, is recommended.

RECOMMENDATION

Outline Planning Permission

CONDITIONS

- 1 Early delivery of Housing Time limit**

Valid Application for Approval of all Reserved Matters must be made not later than the expiration of TWO YEARS beginning with the date of this permission, and the development must be begun within ONE YEAR of the FINAL APPROVAL OF THE RESERVED MATTERS or, in the case of approval at different dates, the FINAL APPROVAL OF THE LAST SUCH MATTER to be approved.
Reason for condition:-
As required by section 92 of the Town & Country Planning Act 1990 and in order to ensure the early delivery of housing.
- 2 Standard Outline Condition**

No development whatsoever shall take place until the plans and descriptions giving details of the reserved matters referred to above shall have been submitted to and approved by the Local Planning Authority and these plans and descriptions shall provide details of the appearance, layout, scale, access and landscaping of the development.
Reason for condition:-
The details are not included in the current submission.
- 3 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.

4 Single storey height

The permitted dwelling will be single storey only with no habitable accommodation at first floor or in the roof void.

Reason for condition:-

To ensure the satisfactory appearance of the development and to mitigate impact to neighbours, in accordance with Policies DC16 and DC1 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009 and paragraph 127(f) of the National Planning Policy Framework (2018).

5 External materials to be approved

Prior to the commencement of any works details 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 DC1 and DC 16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged

6 Trees/hedges to be retained

The first reserved matters planning application will be accompanied by a Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan.

The existing trees and hedges on the site shall be retained unless agreed in writing with the Local Planning Authority. Should any die or be removed without the written consent of the Local Planning Authority, they shall be replaced during the next planting season with a tree(s) or hedging of a species, size and in the same location to the satisfaction and written agreement of the Local Planning Authority.

Reason for condition:-

In the interests of the satisfactory appearance of the development and the protection of existing trees and hedges on site.

Informative:-

The layout will need to consider and protect the existing beech tree at the north-west part of the site.

7 Access Dimensions

The reserved matters application/s will include proposals for the shared access from the edge of the adopted highways to be provided with a width of 4.5m for the first 5m leading to the proposed new bungalow.

Reason for condition:-

In the interests of highway safety.

8 Visability Splays

Prior to the commencement of the development hereby permitted the visibility splays of 2.4m x 59m to the west and 2.4m x 43m to the east shall be provided in full accordance with the details indicated on the 'Site Layout' drawing reference 2739 rev D, unless otherwise agreed in writing with the Local Planning Authority. The splays shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

Reason:-

In the interests of highway safety.

9 Lighting

Prior to the installation of any external lighting, details will be agreed in writing with the Local Planning Authority, and only lighting so agreed shall be installed on the site. Such lighting shall be kept to a minimum for the purposes of security and site safety, and shall prevent upward and outward light radiation.

Reason for condition:-

To ensure the satisfactory development of the site and to take account of the environmental effects of the development on the locality and to conserve and enhance biodiversity.

10 Protected Species Method Statement

No development shall take place (including any demolition or ground works or site clearance) until a method statement for great crested newts and reptiles has been submitted to and approved in writing by the local planning authority. The works shall be carried out strictly in accordance with the approved details.

Reason for condition:- In order to conserve and enhance biodiversity.

11 Nesting Birds

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:- In order to conserve and enhance biodiversity.

12 Ecological Enhancement measures

Prior to the commencement of the development hereby approved the recommendations and enhancements set out in the approved Preliminary Ecological Appraisal by Gray Ecology dated 19 March 2018, shall be carried out in strict accordance with the report and the development shall proceed in accordance with the recommendations.

Reason for condition:- In order to conserve and enhance biodiversity.

14 Precise details of foul water disposal

With the first reserved matters application, 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 DC1 and DC 13 of the Adopted Core

Strategy and Development Control Policies Development Plan Document 2009

This condition will require to be discharged

15 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 DC1 and DC13 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009

This condition will require to be discharged

16 Hardlandscaping - details and completion

Prior to the commencement of any works above slab level precise details of the hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. Such approved works shall be completed in all respects before the occupation of the development hereby permitted and thereafter retained.

Reason for condition:-

To ensure the satisfactory appearance of the development, in accordance with Policy DC01 and DC16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged