

<b>ITEM:</b>		<b>RECOMMENDATION:</b>	APPROVAL	
<b>REF NO:</b>	3PL/2018/0518/F	<b>CASE OFFICER</b>	Natalie Levett	
<b>LOCATION:</b>	GUIST Land West of Bridge Road Guist	<b>APPNTYPE:</b>	Full	
<b>APPLICANT:</b>	Mr Noel Copley 43 Wroxham Road Coltishall	<b>POLICY:</b>	Out Settlemnt Bndry	
<b>AGENT:</b>	C & T Consultancy Ltd. Suite 2 The Old Dairy	<b>ALLOCATION:</b>	N	
<b>PROPOSAL:</b>	Construction of 4no detached bungalows with attached garages		<b>CONS AREA:</b>	N
		<b>LB GRADE:</b>	N	
		<b>TPO:</b>	N	

#### REASON FOR COMMITTEE CONSIDERATION

The application is referred to Planning Committee because the application is contrary to policy.

#### KEY ISSUES

- Principle of Development
- Design and Impact on the Character and Appearance of the Area
- Amenity Impact
- Access and Highway Impact
- Drainage and Flood Risk
- Ecology and Arboricultural Issues

#### DESCRIPTION OF DEVELOPMENT

The application seeks permission for 4no. bungalows with attached double garages on 0.39 hectares of land to the west of Bridge Road in Guist.

The proposed bungalows would each have four bedrooms and the overall cumulative floor area (including garages) of the development would be less than 1,000sqm. Two of the bungalows would be "House Type A" and the other two would be "House Type B". House types A and B are mirror images of the same dwelling in terms of elevations and floor plans.

Details regarding the palette of materials for the proposed dwellings have been provided, comprising mainly of red clay bricks and red clay pantiles, with House Type A featuring grey brown cladding and House Type B featuring sage green cladding and some render.

The proposed bungalows would front directly onto Bridge Road and be served from access points off Bridge Road.

## **SITE AND LOCATION**

The application site comprises of two sections of open space separated by an access road that serves the residential development to the west and north. These surrounding dwellings are currently under construction and will comprise of 8no. bungalows. To the south is open space (a planning application for 6no. dwellings on this site has recently been approved). To the east across Bridge Road is a row of semi-detached dwellings. These include single and two storey properties.

The site is located to the south west of Guist, a small dispersed parish, a fact recognised by there being four separated settlement boundaries forming its settlement. The dwellings on the opposite side of Bridge Road comprises one of the four defined settlement groups within the village.

## **EIA REQUIRED**

Not required.

## **RELEVANT SITE HISTORY**

- 3PL/2017/1500/O: Development of number six self build bungalow style houses - approved
- 3PL/2017/0760/F: Erection of 8 dwellings - approved

## **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.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.04	Affordable Housing Principles
DC.11	Open Space
DC.12	Trees and Landscape
DC.13	Flood Risk
DC.16	Design
DC.18	Community facilities, recreation and leisure
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
SS1	Spatial Strategy

**OBLIGATIONS/CIL**

Not applicable.

**CONSULTATIONS**

**NORFOLK COUNTY COUNCIL HIGHWAYS**

No objections subject to conditions.

**CONTAMINATED LAND OFFICER**

Approval is recommended, based on both the accuracy of the information provided and the current records of contaminated land issues, providing the development proceeds in line with the application details and subject to a condition to alleviate environmental concerns.

**HOUSING ENABLING OFFICER**

The site area and number of dwellings proposed trigger the thresholds of the Council's affordable housing policy (DC4 of the Council's Adopted Core Strategy and Development Control Policies Development Plan Document). However, NPPG states that affordable housing should not be sought on developments of fewer than 11 units with a combined floorspace of less than 1000sqm. Provided the development is for under 1,000m<sup>2</sup> GIA, no affordable housing contribution is required. We would request the standard condition be applied limiting the site to not more than 10 units and not more than 1,000m<sup>2</sup> GIA.

**ECOLOGICAL AND BIODIVERSITY CONSULTANT**

No objection, subject to ecological enhancement conditions.

**TREE AND COUNTRYSIDE CONSULTANT**

No comments.

**NORFOLK RIVERS INTERNAL DRAINAGE BOARD** No Comments Received

**PRINCIPAL PLANNER MINERAL & WASTE POLICY** No Comments Received

**GUIST PARISH COUNCIL** No Comments Received

**REPRESENTATIONS**

A Site Notice was displayed on 23rd May 2018, advertised in the EDP and 20 neighbours were directly notified.

One letter of objection was received, which raised a concern about development in this location not contributing affordable housing.

**ASSESSMENT NOTES**

**1.0 Principle of Development**

1.1 The site is located outside the settlement boundary of Guist and is, therefore, contrary to policies SS1, DC02, CP01, and CP14 of the Core Strategy and Development Control Policies Development Plan

Document 2009. Furthermore, the site is not being put forward for 100% affordable housing under the rural exceptions policy DC05.

1.2 Paragraph 11 of the NPPF states that where an authority does not have an up-to-date five year housing land supply, the relevant local policies for the supply of housing, as referred to above, should not be considered up-to-date and that housing applications should be considered in the context of the presumption in favour of sustainable development.

1.3 The Statement of Five Year Housing Land Supply as at 31st March 2017 was published in July 2017. This outlined that the District does not benefit from having a five year supply of housing land (it can only demonstrate a 4.6 years housing land supply). In these cases the NPPF makes provision, in principle, for Local Planning Authorities to positively consider sites that are not within defined Settlement Boundaries. This must be balanced against other policy requirements and aims including securing sustainable development, protecting the countryside, and good design.

1.4 The NPPF constitutes guidance for local planning authorities and decision-takers and is a material consideration in the determination of planning applications to achieve sustainable development. The Government outlines three dimensions to sustainable development: economic, social and environmental (paragraph 8). These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

- a social role - supporting strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

- an environmental role - contributing to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

1.5 Paragraph 9 states that these roles should not be undertaken in isolation, because they are mutually dependent and that the planning system should play an active role in guiding development to sustainable solutions. A balanced assessment against these roles is, therefore, required.

1.6 The social role of sustainable development seeks to ensure, amongst other matters, the creation of a high quality built environment with accessible local services. Guist is classified as a rural settlement. In terms of facilities, Guist has a local village shop with post office, which is located approximately 500m from the application site.

1.7 North Elmham, approximately 4.5km to the south of the site is the nearest service centre village, where services and facilities exist to meet the day to day requirement of the existing residents. The proposed development would be approximately 8.5km from the town of Fakenham, defined as a 'principal settlement' in the North Norfolk Core Strategy 2008.

1.8 Although Guist is provided with a half hourly bus service, (Number X29), it runs during daytime only, (Norwich - Fakenham), a bus service to Dereham, (Number 18), operates only on Friday where it offers one

return trip to Guist, (Dereham - Guist - Foulsham - Bawdeswell - Dereham). The application site is approximately 500m from bus stops that provide the Norwich to Fakenham service. Bus stops that serve Dereham are opposite the site. The bus service from Guist is limited, providing a daytime only service. Consequently public transport is not considered to provide a satisfactory alternative to travelling by private car to access employment, education and other services needed on a daily basis. For these reasons, future occupants of the dwellings would rely on the use of the private car to gain access to local facilities.

1.9 This would not accord with the paragraph 103 of the NPPF which is to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and ensuring the need to travel will be minimised and the use of sustainable transport modes will be maximised.

1.10 With regards to other benefits of the proposed development, it is noted that there would be some, albeit small, social and economic benefits through the provision of four additional dwellings; there would also be the generation of labour in the short term during construction. However, given the limited scale of development being proposed these are not considered to be significant and would not outweigh the conflict with the core policies in the development plan that manage sustainable growth across the district. This weighs against the proposal.

## 2.0 Design and Impact on the Character and Appearance of the Area

2.1 Policy DC16 requires development to achieve the highest standards of design. Development should respond positively to local character and in determining planning applications, consideration will be given to density, height, massing, layout and scale, and proposed materials.

2.2 The development would see the loss of open space but it is not considered that this would result in a significant change in the nature and appearance of the land to which the application relates, which is a relatively small space bordered on three sides by residential development.

2.3 The proposed density and layout of the proposed dwellings would match that of the surrounding properties. As single storey bungalows, they would be similar in scale to the surrounding properties on this side of Bridge Road and of a number of the properties on the opposite side.

2.4 The bungalows would be fairly traditional in style, with a pitched roof, chimney gable feature and timber porch. A full schedule of proposed materials has been provided and includes red brick, red pantiles, flint and cladding. The proposed style and materials of the dwellings is considered to reflect the local character and are considered acceptable.

2.5 The front gardens of the development would be open plan with a hedge forming a boundary with Bridge Road. This would mirror the approach of the dwellings on the opposite side of Bridge Road. Close boarded fencing would be used on the other boundaries; full details of this is not known, including how a fence would respond to the existing hedging that currently forms the southern boundary of the site. Further details in this regard should be secured via planning condition, should planning permission be granted.

2.6 The development of the site for the proposed four bungalows would result in a development of an acceptable layout and scale that would respond favourably to its surroundings and not adversely affect the character and appearance of the local area or the quality of the landscape to any significant level.

## 3.0 Amenity Impact

3.1 The proposed dwellings would be sufficiently separated from one another and surrounding dwellings to

ensure no adverse impacts in terms of overlooking, overshadowing, loss of light or privacy impacts and would also have a good amount of private outdoor amenity space, compliant with policy DC1 on the protection of amenity.

#### 4.0 Access and Highway Impact

4.1 The Highway Authority has not raised any objections to the development but recommended a series of conditions in the interests of highway safety. These relate to:

- construction of the access,
- boundary treatment,
- visibility splays,
- provision of parking and turning areas, and
- off-site footway improvement works.

4.2 Subject to the above conditions, the proposal is acceptable having regard to highway safety and parking provision in accordance with Policies CP13 and DC19 and the NPPF.

#### 5.0 Drainage and Flood Risk

6.1 The application proposes that foul drainage would be connected by means of an individual treatment plant within the curtilage of each dwelling, with discharge to a drainage field, subject to percolation tests. Surface water drainage would discharge into soakaways, positioned within the front and rear garden of each property.

6.2 The application site is located within Flood Zone 1 and has a low probability of flooding. On this basis, and on the basis of the information provided regarding the proposed approach to water management, the proposal is considered acceptable. It is suggested that relevant conditions are attached to any grant of planning permission to ensure flood risk is not increased by this development.

6.3 As a result, the proposal is considered to accord with Policies CP8 and CP9.

#### 7.0 Ecology and Arboricultural issues

7.1 A Preliminary Ecological Appraisal (PEA, Gray Ecology, April 2018) has been submitted with the application. The PEA notes that the River Wensum Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) are within 2km of the application site. No impacts on these designated sites are envisaged given the distance between these areas and the proposed development site, and the scale of the development.

7.2 The PEA also concludes that the habitats provided by the application site are of low ecological significance and the site is unlikely to support protected species. No impacts on ecology are predicted from the proposed development. A number of enhancement measures are suggested on the site.

7.3 The County Ecology team has considered the proposals. They find the PEA to be fit for purpose and agree with its findings. A condition that would secure biodiversity enhancements as per the PEA's recommendations along with an informative note regarding European protected species have been suggested to attach to any grant of planning permission.

7.4 A landscaping plan has been submitted with the planning application. The Tree and Countryside

Consultant has no comments to make on the landscaping proposals and they can be considered acceptable.

7.5 As a result, it is considered that the proposal complies with Policies CP10 and DC12.

#### 8.0 Other matters

8.1 Concerns have been raised regarding the lack of affordable housing delivery, especially in the context of a number of parcels of land being developed separately in this location. The Council, as the Local Planning Authority, can only consider the development as currently proposed; the proposed development does not meet the affordable housing thresholds as defined in National Planning Practice Guidance. The Housing Enabling Officer has recommended a condition be applied limiting the site to not more than 10no units and not more than 1,000sqm GIA.

8.2 Policy DC4 sets out the criteria for affordable housing principles, although the NPPF (2018) supersedes the criteria to no affordable housing contribution for proposals of less than 10 dwellings or less than 0.5 hectares of land. The proposal is below these. However, Policy DC4 states that the Policy "will be applied to all sites and proposals which, individually or as part of a wider but contiguous site in the same ownership and/or control, could accommodate a level of development that would meet the above thresholds". The stated applicant/owner of this application site together with the sites of the two permissions on adjacent land are different. As a result, the requirement for affordable housing for this application cannot be applied under Policy DC4, as it would otherwise have been the case if the developments were submitted as one application.

8.3 A Vulnerable Development Questionnaire regarding contaminated land was submitted with the application. The Contaminated Land Officer has no objections to the development but has suggested a condition relating to unexpected contamination be imposed to any grant of planning permission. As a result, the development complies with Policy CP9.

#### 9.0 Planning Balance and Conclusion

9.1 In terms of the overall planning balance, whilst the site is outside of any Settlement Boundary, the absence of a five-year housing land supply, the site being considered sustainable in accordance with the three strands of sustainable development together with the approvals for the residential development surrounding the site, it would be difficult to resist planning permission and the dwellings are considered acceptable in terms of design and location and impact on amenity.

9.2 On balance, it is considered that the proposal is acceptable and is recommended for approval, subject to conditions.

<b>RECOMMENDATION</b>
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**Planning Permission**

<b>CONDITIONS</b>
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**1**

**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.

**2 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.

**3 Non-standard condition**

Prior to the commencement of development, full details of at least three of the ecological enhancements outlined in section 7.2 of the Preliminary Ecological Appraisal report (Gray Ecology; April 2018) together with details of the hedgehog tunnels through any close-board fencing to facilitate movement across the site.

Reason for condition:-

For the protection of ecology in accordance with Policy CP13 of the adopted Breckland Core Strategy and Development Control Policies Development Plan Document (2009) and the NPPF (2018) and the NPPF.

**4 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**

**5 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**

**6 Highway improvements-offsite A**

Notwithstanding the details indicated on the submitted drawings, no works above slab level shall commence on site until detailed drawings for the off-site footway improvement works have been submitted to and approved in writing by the Local Planning 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 in accordance with Policy CP13 of the adopted Breckland Core Strategy and Development Control Policies Development Plan Document (2009) and the principles of the NPPF (2018).

**This condition will require to be discharged**



- 7**                    **Boundary treatment/screening to be agreed**
- Prior to the first occupation of the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment/screening to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment/screening shall be completed before the building(s) are first occupied. Development shall be carried out in its entirety in accordance with the approved details.
- Reason for condition:  
In the interests of the satisfactory appearance of the development in accordance with Policy DC16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.
- This condition will require to be discharged**
- 8**                    **Non-standard condition**
- Prior to the first occupation of the development hereby permitted, a scheme of biodiversity enhancements that shall include at least three of the ecological enhancements outlined in section 7.2 of the Preliminary Ecological Appraisal report (Gray Ecology; April 2018) and hedgehog tunnels through any close-board fencing shall be provided.
- Reason for condition:  
In order to secure the enhancement of biodiversity in accordance with Policy DC16 of the adopted Breckland Core Strategy and Development Control Policies Development Plan Document (2009) and the NPPF (2018).
- 9**                    **New access - construction over verge**
- Prior to the first occupation of the development hereby permitted, the vehicular access crossing shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority as part of a Discharge of Condition application in accordance with the highways specification TRAD 1 and thereafter retained at the position shown on the approved plan.
- 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.
- Reason for condition:-  
To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety in accordance with Policy CP13 of the adopted Breckland Core Strategy and Development Control Policies Development Plan Document (2009) and the NPPF (2018).
- 10**                   **Provision of visibility splays - conditioned**
- Prior to the first occupation of the development hereby permitted, visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splays shall thereafter be retained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- Reason for condition:-  
In the interests of highway safety in accordance with in accordance with Policy CP13 of the adopted Breckland Core Strategy and Development Control Policies Development Plan Document (2009) and the principles of the NPPF (2018).
- This condition will require to be discharged**
- 11**                   **Provision of parking - achievable**
- Prior to the first occupation of the development hereby permitted, the proposed access,

parking and turning areas 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 areas, in the interests of satisfactory development and highway safety in accordance with Policy CP13 of the adopted Breckland Core Strategy and Development Control Policies Development Plan Document (2009) and the NPPF (2018).

**12 Highway improvements off-site B**

Prior to the first occupation of the development hereby permitted, the off-site highway improvement works referred to in Condition 13 of this condition shall be completed to the written satisfaction of the Local Planning Authority.

Reason for condition:-

To ensure that the highway network is adequate to cater for the development proposed in accordance with Policy CP13 of the adopted Breckland Core Strategy and Development Control Policies Development Plan Document (2009) and the NPPF (2018).

**13 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 in accordance with Policy CP9 of the adopted Breckland Core Strategy and Development Control Policies Development Plan Document (2009) and the NPPF (2018).

**This condition will require to be discharged**

**14 Access gates - configuration**

Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015) (or any Order revoking, amending or re-enacting that Order), no gates/ bollard/ chain/ other means of obstruction shall be erected across the approved access.

Reason for condition:-

In the interests of highway safety in accordance with Policy CP13 of the adopted Breckland Core Strategy and Development Control Policies Development Plan Document (2009) and the NPPF (2018).

**This condition will require to be discharged**

**15 No PD for extensions or roof alterations.**

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 extensions or roof alterations as defined within Classes A, B, C and D of Part 1 of Schedule 2 of that Order shall be carried out on the land unless an appropriate planning application is first submitted to and approved by the Local Planning Authority.

Reason for condition:-

In the interests of the satisfactory appearance of the development and/or the amenities of adjoining residents in accordance with Policy DC1 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

**16 No PD for extensions, garages, ancillary buildings**

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 extensions, further garages or ancillary buildings as defined within Classes A and E of Part 1 of Schedule 2 of that Order shall be erected or brought onto the land unless an appropriate planning application is first submitted to and approved by the Local Planning Authority.

Reason for condition:-

In the interests of the satisfactory appearance of the development and/or the amenities of adjoining residents in accordance with Policy DC1 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

**17 No PD rights for garages and ancillary buildings**

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), express permission will be required in respect of any further garage, car port or similar structure for garaging of a motor vehicle or free standing ancillary building, as defined within Classes E of Part 1 of Schedule 2 of that Order. Express permission shall have been granted only when an appropriate planning application is first submitted to and approved by the Local Planning Authority.

Reason for condition:-

In the interests of the satisfactory appearance of the development and the amenities of adjoining residents in accordance with Policy DC1 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

**18 No alterations to garage**

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), express permission will be required for the alteration of any permitted garage facility to any other form of accommodation. Express permission shall have been granted only when an appropriate planning application is first submitted to and approved by the Local Planning Authority.

Reason for condition:-

In the interests of the satisfactory appearance of the development and to ensure adequate off street parking provision in accordance with Policies DC1 & DC16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

**23 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.