

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2018/0702/F	CASE OFFICER	Tom Donnelly
LOCATION:	YAXHAM Land Adjoining White Cottage, Paper Street Yaxham	APPNTYPE:	Full
APPLICANT:	Mrs Jackie Taylor White Cottage Paper Street	POLICY:	Out Settlement Bndry
AGENT:	N H Building Design 18 Plasset Drive Besthorpe	ALLOCATION:	N
PROPOSAL:	Proposed New Residential Dwelling	CONS AREA:	N
		LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

The application is referred to planning committee as it is contrary to the development plan.

KEY ISSUES

Principle of development
Impact on character and appearance
Impact on amenities
Highway Safety impact

DESCRIPTION OF DEVELOPMENT

The application seeks the erection of a residential dwelling on land adjoining an existing property. The development would be served by an access onto Paper Street. The proposed palette of materials is for a brick plinth with render for the walls and clay pan tiles for the roof.

SITE AND LOCATION

The application site is land adjacent to White Cottage, Paper Street in Yaxham. The site falls outside of any defined settlement boundary but is adjoined by other residential development and can therefore be considered as infill. The land appears to currently form part of the garden for White Cottage.

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.16	Design
DC.19	Parking Provision
NP	Neighbourhood Plan
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

OBLIGATIONS/CIL

Not Applicable

CONSULTATIONS

YAXHAM P C

No objection

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to conditions

CONTAMINATED LAND OFFICER

No objection subject to conditions

ENVIRONMENTAL HEALTH OFFICERS

No objections

REPRESENTATIONS

4 neighbours were consulted with the 21 days expiring on 06-08-18.

A site notice and press notice were posted which expired on 09-08-18 and 13-08-18 respectively.

No responses were received.

ASSESSMENT NOTES

1.0 Principle of development

1.1 This application seeks planning permission for a two storey residential dwelling. The site lies outside of any defined Settlement Boundary and therefore the application is contrary to Policies SS1, DC2 and CP14 of the Core Strategy and Development Control Policies Development Plan Document 2009. The principle of the proposal is therefore not accepted.

1.2 Paragraph 10 of the NPPF states that at the heart of the Framework is a presumption in favour of sustainable development. Paragraph 11 further states that proposed development that accords with an up-to-date Local Plan should be approved without delay, and where there are no relevant development plan policies, or the policies which are most important for determining applications are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

1.3 The Council cannot demonstrate a current 5 year housing land supply and therefore the Core Strategy and Development Control Policies Document are not considered up-to-date and therefore the material considerations are assessed in line with the sustainable development roles within paragraph 8 of the NPPF:

- economic, to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types 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;
- social, to support 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
- environmental, to contribute 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.

1.4 In terms of economic and social sustainability, Clint Green is identified as a defined settlement in the development plan but it is not identified for a specific level of growth within the settlement hierarchy. Yaxham, approximately 1km away contains some everyday services and facilities including a public house, village / farm shop, cafe tourist accommodation, and recreation areas. Clint Green itself contains a primary school and a shop.

1.5 Dereham, the nearest service centre is approximately 3.5 km miles to the north west of the application site. In terms of public transport Yaxham is served by a regular bus service that runs seven days a week, the number 4, (Swanton Morley - Dereham - Yaxham - Norwich). The bus services linking the site to Dereham's local amenities would provide an alternative to the car, consistent with the social and environmental dimensions to sustainable development. These considerations weigh in favour of the proposal.

1.6 The environmental role of sustainable development seeks to, in part, contribute to protecting and enhancing the natural, built and historic environment. Consideration of a development's impact on the character and appearance of the area within which it is situated is therefore integral to the environmental

dimension of sustainable development. The site forms part of a garden used in association with White Cottage. The plot for one dwelling would form a logical in fill plot when considered in the context of the surrounding development. The plot is well screened through established planting, and would not appear at odds with the existing pattern of development. The appropriateness of the site to accommodate the dwellings in terms of character and appearance weighs in favour of the proposal, and supports its environmental role in terms of sustainability.

1.7 The proposal would make a positive, albeit modest, contribution towards the provision of housing in the area, and its construction would provide some short term economic benefits. With regard to availability and deliverability, the site is within the applicant's ownership and available now, making the development deliverable within five years to meet the housing shortfall. It is appropriate that the time limits are reduced and this would be in accordance with other applications in Breckland approved under the five year supply. In the event of an approval it is considered appropriate to impose a two year period for commencement of development in order to reaffirm the deliverability of the scheme.

1.8 The combination of all of these environmental factors together and not in isolation result in the proposal satisfying the environmental role of sustainable development.

1.9 Consideration is also given to the Yaxham Neighbourhood plan and Policy HOU1 and HOU4 in particular. These policy states that residential development will be allowed outside of the settlement boundary when they comply with the allowances of the NPPF and if they are considered to be in-fill sites. As stated, this site is considered to constitute an in-fill plot and is therefore considered to comply with these criteria.

2.0 Impact on character and appearance

2.1 Policy DC16 requires all new development to achieve the highest standard of design. As part of this, all design proposals must preserve or enhance the existing character of an area. Consideration will also be given to the density of buildings in a particular area and the landscape/townscape effect of any increased density.

2.2 The design and appearance of the dwelling, as well as its size and scale is considered to be appropriate in this location and in the context of the surrounding dwellings. The proposed palette of materials in this instance are considered to be sympathetic to the visual appearance of the surrounding area.

2.3 The proposed dwelling appears to fit comfortably within the site and reasonably follows the character of appearance in the surrounding area in terms of scale and proportion.

2.4 The proposed development is therefore considered to satisfy Policy DC16 in terms of the design and appearance of the proposed development.

3.0 Impact on amenity

3.1 Policy DC1 seeks to protect residential amenity and that all new development must have regard to amenity considerations and states that development will not be permitted where there are unacceptable effects on the amenity of neighbouring residents and future occupants.

3.2 The site is spacious and can comfortably accommodate the proposed dwelling of this size with the proposed dwelling and existing dwellings still able to benefit from substantial private amenity space. Given the layout and proposed window positioning overlooking will not be an adverse issue and the scale of

development at one unit, will ensure that noise and disturbance is also minimal. In addition, the proposal provides the future occupiers with a good degree of private amenity space. In light of the above, the application is considered to have due regard to Policy DC01.

4.0 Highway impact

5.1 Policy CP4 of the Core strategy seeks to ensure that all access and safety concerns are resolved in new developments. Policy DC19 requires sufficient parking for all new development.

5.2 The Highways Authority have considered the proposal and concluded that the proposal would provide sufficient on site parking so as not to compromise highway safety due to road side parking. In addition, they have not deemed that the creation of two access points on to the public highway would compromise highway safety subject to conditions being imposed on any permission granted to ensure sufficient visibility is achieved from the access.

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. There is the additional material consideration of the previously granted Outline Approval. 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 When applying the tilted balance required by paragraph 14 of the NPPF, the small negative harm created by the site's location away from services and facilities for a single dwelling, is considered to be outweighed by the positive contribution towards housing in the district and the nature of residential development in close proximity to the site prevents any harm to the street scene or character and appearance of the countryside.

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

RECOMMENDATION

Planning Permission

CONDITIONS

- 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 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.

4 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

5 Access One way system

Prior to the first occupation/use of the development hereby permitted a visibility splay measuring .2.4 metres x 43 metres shall be provided to the south of the private access track where it meets Paper Street .The splay shall thereafter be maintained 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 the principles of the NPPF.

This condition will require to be discharged

6 Provision of visibility splays - conditioned

Prior to the first occupation of the development hereby permitted the proposed access and parking 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 areas, in the interests of satisfactory development and highway safety.

This condition will require to be discharged

8 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.