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| ITEM: | | RECOMMENDATION: APPROVAL |
| REF NO: | 3PL/2018/0889/F | CASE OFFICER Lisa ODonovan |
| LOCATION: | ATTLEBOROUGH Land to the rear of Pixie Paddock Leys Lane ATTLEBOROUGH | APPNTYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: N CONS AREA: N LB GRADE: N TPO: N |
| APPLICANT: | Miss Amy Harrington Pixie Paddock, Leys Lane Attleborough | |
| AGENT: | Patterson Design Ltd Suva House Attleborough | |
| PROPOSAL: | Erection of a 4-bed dwelling | |

REASON FOR COMMITTEE CONSIDERATION

The application is brought to Committee as the recommendation is contrary to Policy.

KEY ISSUES

Principle
Impact on the character and appearance of the area
Impact on amenity
Highway safety
Tree impact
Other issues

DESCRIPTION OF DEVELOPMENT

The application seeks full permission for the erection of a two-storey modern dwellinghouse on land to the north-west of Pixie Paddock. The dwelling is proposed to accommodate four bedrooms, one at ground floor.

The dwelling proposes a mix of pitched and lean-to roofs, with a mix of render and cladding.

SITE AND LOCATION

The site comprises of an area of hardstanding with stable buildings and outbuildings to the western end. To the south of the site development of 4 dwellings approved under permission 3PL/2017/0351/F are under construction. The design of these dwellings is similar to that of the current proposal. Existing dwellings are situated to the east/forward of the application site.

EIA REQUIRED

No

RELEVANT SITE HISTORY

Adjacent site

3PL/2017/0351/F - Erection of 4 dwellings - Permission

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

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| CP.04 | Infrastructure |
| CP.10 | Natural Environment |
| 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

Re-iterate previous comments, concerns regarding prospective piecemeal of the development of this site.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to conditions.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No objection subject to conditions.

CONTAMINATED LAND OFFICER

I have considered the application and would not raise any contaminated land comments based on both the accuracy of the information provided and the current records of contaminated land issues we hold to date.

TREE AND COUNTRYSIDE CONSULTANT

No objection subject to condition.

ENVIRONMENT AGENCY

We have reviewed the information provided and have no formal comment to make on this application but offer the following guidance: The site is located above a Principal Aquifer. The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination, which can be found here: <https://www.gov.uk/government/publications/managing-and-reducing-land-contamination> If the development proposes to use deep infiltration systems including boreholes and other structures that by-pass the soil layer we would wish to be re-consulted.

EAST HARLING I D B

The Board has no objection to the proposed drainage strategy subject to no surface water runoff to the watercourse at a rate greater than the natural (greenfield) rate.

ENVIRONMENTAL HEALTH OFFICERS

I have considered the application and would not raise any contaminated land comments based on both the accuracy of the information provided and the current records of contaminated land issues we hold to date.

REPRESENTATIONS

Site notice erected: 22-08-2018

Consultations issued: 15-08-2018

Re-consultations issued: 08-10-2018

No representations received.

ASSESSMENT NOTES

1.0 Principle/Background

1.1 The proposal was amended during the course of the application process at the request of the planning officer in order to reduce the overall bulk of the dwelling proposed by removing an 'L' shaped section coming off the rear. This amendment was the subject of a re-consultation.

1.2 The application site is located in close proximity to Attleborough but is outside the defined settlement boundary. The proposal is therefore contrary to local plan policies SS1, DC02 and CP14 which aim to restrict new development outside of settlement boundaries. However, at present, the Council cannot demonstrate a 5 year housing land supply, therefore the weight that can be afforded to these policies is reduced.

1.3 In this situation, the presumption in favour of sustainable development set out in the National Planning Policy Framework (NPPF) means that permission for development should be granted unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate that development should be restricted.

1.4 As per paragraph 8 of the NPPF, there are three dimensions to sustainable development: economic, social and environmental. The NPPF states that these roles should not be undertaken in isolation, because they are mutually dependent.

1.5 The provision of housing to meet local needs is identified as a key component of sustainable development and in this respect the NPPF seeks to boost significantly the supply of housing. The NPPF also encourages the avoidance of isolated homes in the countryside and the location of development where there is access to alternative modes of transport other than the private car.

1.6 As paragraph 8 of the NPPF outlines, there are three dimensions to sustainable development; economic, social and environmental, each mutually dependent, and not assessed in isolation from each other. In respect of this scheme, the development of 1 dwelling would provide economic benefits relating to the associated, albeit limited, economic activity involved in their construction and delivery. Furthermore the delivery of housing to meet local needs would also bring social benefits in meeting the needs of local residents, and providing further footfall to the service provision within Attleborough and other areas.

1.7 Whilst Attleborough is a suitable location for housing growth, this site is separated from the town and located on a rural lane, however the proposal would not be considered isolated when viewed within the surrounding residential context. Leys Lane and its surrounds provides little to no services or facilities, however, the site is in close proximity to the settlement boundary of Attleborough (a Market Town) which does benefit from provision of public transport, including bus services linking Attleborough to Wymondham and Norwich which would be likely to derive support from the proposed development, and would encourage future occupiers not to be reliant on the private car to gain access to services.

1.8 A balancing exercise has been undertaken and it is concluded that the proposed development would be considered in a sustainable location in close proximity to the Attleborough which has been identified under policy SS1 as an area for major focus of residential growth. The provision of an additional dwelling in this location would provide short term economic and long term social benefits, contributing modestly to the overall housing land supply within the district.

2.0 Impact on the character and appearance of the area

2.1 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 design, as is its design.

2.2 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.

2.3 The proposed dwelling will be situated on an area of existing hardstanding where there is already built development by way of the existing outbuildings and stables as well as the nearby development adjacent the site.

2.4 The reduced scheme is considered acceptable in terms of its scale and the design, whilst unusual is considered in keeping with the adjoining approved development to the south. The position of the dwelling, i.e. set back within the site will also ensure that views within the public realm are limited. Permitted development rights have been removed for outbuildings/ancillary buildings given the extent of the proposed curtilage. In light of these factors, the proposal is considered acceptable and in line with the environmental role of sustainable development as well as having due regard to Policy DC16.

3.0 Amenity impact

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 proposal seeks permission for one dwelling set within a spacious plot. The proposed siting within the plot, alongside the orientation and the separation distances between the proposed dwelling and the neighbouring dwelling, as well as those proposed (site to the south-east) are considered acceptable in order to limit any adverse impact on the amenity of neighbouring occupiers, in terms of overlooking, loss of light, overdominance and increased noise and disturbance. The proposal also provides the future occupiers with sufficient private amenity space. In light of these factors, the proposal is considered to have due regard to Policy DC1.

4.0 Highway safety

4.1 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.

4.2 The proposal provides sufficient room for parking and turning within the site. Norfolk County Council Highways Team was consulted and advised that the other 4 dwellings comprising this development were approved under 3PL/2017/0351 and it would be difficult to demonstrate the harm caused by an additional dwelling in this location provided that the passing place, approved as part of the original permission, is also required as part of the current proposal.

5.0 Tree impact

5.1 Policy DC12 seeks to preserve the District's trees, hedgerows and other natural features and secure appropriate landscaping schemes to mitigate the impact of, and complement, new development. None of the trees within the applicant's ownership are covered by a TPO.

5.2 The application was accompanied by a Tree Survey and the Tree and Countryside Officer consulted. Following confirmation that the garage element will utilise an existing pad, the tree and countryside officer raises no objection subject to condition.

6.0 Other issues

6.1 The application was supported by a Flood Risk Assessment and Drainage Strategy. The site does not fall within a Flood Zone 2 or 3 however the eastern end of the site is prone to surface water drainage issues. The proposed drainage strategy is considered acceptable and includes the following: permeable surfacing where any hardstanding areas are proposed; the use of rain water harvesting with all foul water will be directed to an onsite package treatment plant, with a discharge of treated effluent to the adjacent watercourse. The East Harling Drainage Board raised no objection and the Environment Agency made no formal comment.

7.0 Conclusion

7.1 The proposal seeks to provide a single dwelling close to Attleborough, a Market Town, which on balance is considered to be a sustainable location. The design and scale is acceptable and in keeping with other, approved development adjacent to the site and the site is not considered to be of a significant landscape

value given the existing buildings and hardstanding. The application is therefore recommended for approval.

RECOMMENDATION

Approval

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 wall and roof materials to be agreed**

No development beyond slab level shall take place until precise details, (including samples where required), of the materials used in the construction of the external walls and roof(s) of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply notwithstanding any indication as to these matters that have been given in the current application. The materials to be used in the development shall be in accordance with the approved details.

Reason for condition:-
To enable the Local Planning Authority to control the colour, tone, texture and appearance of the materials used to ensure the satisfactory appearance of the development, as required by 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
- 4 Provision of parking and servicing areas**

Prior to the first occupation of the development hereby permitted the proposed access, parking and turning 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.

This condition will require to be discharged
- 5 Highway improvements - off-site**

Notwithstanding the details indicated on the submitted drawings, no works shall commence on site above slab level until a detailed scheme for the provision of a passing place on Leys Lane 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.

6 Highway improvements - off-site

Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in condition 5 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.

This condition will require to be discharged

7 Mitigation - ecology

The mitigation measures outlined in sections 8.11, 8.16, 8.24, 8.31, 8.35 and 8.36 shall be followed, carried out and adhered to throughout the development process.

Reason for condition:-

In order to reduce the likelihood of impacts on these species to acceptable levels and to ensure the development is not detrimental to Protected Species and in order to protect the wildlife value of the site in accordance with Policy CP10 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009 and the National Planning Policy Framework.

8 Enhancement - ecology

Prior to first occupation of the dwelling hereby approved, the enhancement measures outlined in sections 8.12 and 8.17 shall be incorporated into the site's design and evidence submitted to and approved by the Local Planning Authority.

Reason for condition:-

In order to ensure the development is not detrimental to Protected Species and in order to protect and enhance the wildlife value of the site in accordance with Policy CP10 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009 and the National Planning Policy Framework.

9 Tree protection

Operations on site shall take place in complete accordance with the approved Arboricultural Impact Assessment (AIA), Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) provided by Plandescil dated July 2018 (rev A). No other operations shall commence on site in connection with the development until the tree protection works and any pre-emptive tree works required by the approved AIA or AMS have been carried out and all tree protection barriers are in place as indicated on the TPP. Works shall not commence until written confirmation has been obtained from the appointed arboriculturalist to confirm that fencing is in place as specified. The protective fencing shall be retained in a good and effective condition for the duration of the construction of the development and shall not be moved or removed, temporarily or otherwise, until all site works have been completed and all equipment, machinery and surplus materials removed from site, unless the prior written approval of the Local Planning Authority has been sought and obtained.

Reason for condition:-

In order to safeguard the protection of trees from the outset of the development, in accordance with Policy DC 12 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

10 Drainage

The development shall be carried out in accordance with the details of the submitted Level 1

Flood Risk Assessment & Drainage Strategy by JP Chick and Partners Ltd.

Reason for condition:-

The details are required prior to commencement in order to ensure that the development does not increase surface water run-off/exacerbate surface water flooding in the locality.

11

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 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.

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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.