

ITEM:		RECOMMENDATION:	REFUSAL	
REF NO:	3PL/2018/1584/F	CASE OFFICER	Lisa ODonovan	
LOCATION:	GREAT ELLINGHAM Land north of The Cottage Town Green Great Ellingham	APPNTYPE:	Full	
APPLICANT:	Mr Beales C/O Agent Parker Planning Services East Tuddenham	POLICY:	Out Settlemnt Bndry	
AGENT:	Parker Planning Services Ltd Orchard House Hall Lane	ALLOCATION:	N	
PROPOSAL:	Erection of 2 no. dwellings with associated landscaping and parking		CONS AREA:	N
		LB GRADE:	N	
		TPO:	N	

REASON FOR COMMITTEE CONSIDERATION

The application is brought to the Planning Committee at the request of the Ward Representative.

KEY ISSUES

Principle of development
Impact on the character and appearance of area
Amenity impact
Hghway safety
Impact upon trees
Ecology impact

DESCRIPTION OF DEVELOPMENT

The application seeks permission for the erection of two dwellings with landscaping and parking on land to the north-east of The Cottage, to the rear of dwellings fronting Glebe Meadow. An existing access is proposed for use

Plot 1 is proposed at single storey and plot 2 at one and a half storeys.

SITE AND LOCATION

The site measures 0.2 of a hectare and is laid to grass and is bounded by residential development to the south and east with open, agricultural land to the north. Boundary screening comprises of established planting and trees to the eastern side with an open boundary to the north.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2016/1191/F - 3 new dwellings with garages and access - Refused and dismissed at appeal

3PL/2017/1568/F - Erection of one dwelling and detached double garage - Permission

3PL/2018/0895/F - Erection of dwelling and garage (amended scheme) including re-positioning the house 1.5m to the west, raising roof height to accommodate bedroom in roof and introduction of rooflights & replacement of chimney stack with stainless steel flue - 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

CP.04	Infrastructure
CP.10	Natural Environment
CP.11	Protection and Enhancement of the Landscape
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

GREAT ELLINGHAM P C

This application was discussed at the meeting of Great Ellingham Parish Council on 16 January 2019. Councillors object to this application as it is outside of the development boundary. This application would be backfill and there would be loss of amenity to immediate neighbours. Concerns were also raised in respect of the access / egress. If, despite objections, planning permission should be granted, in view of Great Ellingham's "dark sky" status, Councillors request that a lighting clause is included. National Planning Policy Framework Clause 125 and Norfolk County Council's Environmental Lighting Zones Policy both recognise

the importance of preserving dark landscapes and dark skies. In order to minimise light pollution, we recommend that any outdoor lights associated with this application should be: 1) fully shielded (enclosed in full cut-off flat glass fittings) 2) directed downwards (mounted horizontally to the ground and not tilted upwards) 3) switched on only when needed (no dusk to dawn lamps) 4) white light low-energy lamps (LED, metal halide or fluorescent) and not orange or pink sodium sources

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to condition.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

This planning application is supported by a Preliminary Ecological Appraisal (Greenlight Environmental Consultancy Limited; December 2018). The report is fit for purpose. We agree with the mitigation measures proposed to reduce the likelihood of impacts on ecological receptors. Due to the distances involved and scale of the proposed development there are unlikely to be impacts on designated sites.

If you are minded to approve this application, we recommend that you condition the following:

- The proposed development must proceed in-line with the mitigation measures outlined in section 8 of the Preliminary Ecological Appraisal (Greenlight Environmental Consultancy Limited; December 2018).
- Prior to occupation a biodiversity enhancement plan shall be submitted and approved in writing by the local planning authority, detailing the enhancement measures for biodiversity on site. The biodiversity enhancement plan should include numbers and locations of bird boxes, bat boxes and habitat enhancements outlined in principle in section 8 of the Preliminary Ecological Appraisal (Greenlight Environmental Consultancy Limited; December 2018). The measures shall be carried out strictly in accordance of the approved scheme.

TREE AND COUNTRYSIDE CONSULTANT

No objection subject to condition.

CONTAMINATED LAND OFFICER

There are no objections or comments on the grounds of Environmental Protection, providing the development proceeds in line with the application details.

ENVIRONMENTAL HEALTH OFFICERS

There are no objections or comments on the grounds of Environmental Protection, providing the development proceeds in line with the application details.

REPRESENTATIONS

Site notice erected: 14-01-2019

Consultations issued: 07-01-2019

No representations received.

ASSESSMENT NOTES

1.0 Principle of development

1.1 The application site is located outside of the Great Ellingham Settlement Boundary, as designated by the adopted Core Strategy and Development Control Policies Development Plan Document (2009). For this

reason the proposal conflicts in principle with Policies DC 2 and CP 14, which seek to focus new housing within defined Settlement Boundaries.

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 relating to housing land supply 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 criteria, the proposal would provide two residential dwellings for market sale, which would make a positive, albeit small, contribution to the housing supply. The proposal would provide limited short-term economic benefits through labour and supply chain demand required during construction. However, given the small scale nature of the development these benefits are not considered to be significant and not definitive in this instance.

1.5 The social role of sustainable development seeks to ensure, amongst other matters, the creation of a high quality built environment with accessible local services. Great Ellingham is identified as a Local Service Centre Village and has a number of facilities to meet the day to day requirements of its residents, which include a primary school, shop, post office, community hall and public house, and are all accessible from the proposed development via existing footpath provisions. The nearest town that offers services that has the potential to meet all everyday needs, including shopping and employment is Attleborough which is located approximately three miles away from the site. There are also good public transport links (bus) in the village to Attleborough and Norwich, therefore linking the village to a wider network without the need to travel by car. As a result, the proposal is considered to accord with the social dimension.

2.0 Impact on the character and appearance of the area

2.1 The environmental role of sustainable development seeks to, in part, contribute towards protecting and enhancing the natural, built and historic environment. Consideration of a proposals impact on the character and appearance of the area within which it is situated is therefore, integral to the environmental dimension of sustainable development, as is design. Core Strategy Policy CP11 says, amongst other things, that the countryside will be protected for its intrinsic beauty and rural character and that the design of new

development should be sympathetic to landscape character, informed by the Council's Landscape Character Assessment (LCA).

2.2 The site lies outside of any defined Settlement Boundary and currently forms a grassed area, which has recently been cleared of some trees and has a very rural appearance given its undeveloped character and the fact it adjoins agricultural land to the north, with this boundary currently open.

2.3 Development within the vicinity of the site consists of detached/semi-detached properties of relatively modest size and scale and of traditional design. The most immediate dwelling to the west, one newly constructed and The Cottage, are single storey and one and a half storey dwellings.

2.4 Whilst the previous approval of a single dwelling to the east of The Cottage is noted (3PL/2017/1568/F), this proposal was considered acceptable given the infill nature of the plot and the modest scale of development proposed which did not result in a further intrusion into open countryside. The land to the rear remained open and undeveloped retaining the existing line of development within the scope of the gardens of the adjoining dwellings at Glebe Meadow.

2.5 It is considered that the erection of two dwellings on the site, despite their reduced scale to the previously refused scheme for three on this site, would still result in an unsatisfactory form of development, which would be out of keeping with existing development and would result in an incongruous and unwarranted intrusion into this rural setting that would not enhance the existing form and character. As a result the proposed development would cause significant demonstrable harm to the character and visual amenities of the area.

2.6 As part of the decision for the upheld refusal for three dwellings on this site (3PL/2016/1191/F) the Inspector concluded that:

"It would result in a loss of the relative openness, would incur loss of views of countryside, and would replace the distinctiveness of the site and its setting by predominantly built form."

2.7 The proposal is therefore considered contrary to Policies CP11, DC1, DC16 and paragraph 127 of the NPPF.

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 dwellings proposed are modest in terms of their scale and have been positioned well within the site so that adverse amenity impact, particularly in terms of overlooking, loss of light and over dominance will not be a significant issue. The plots also provide each dwelling with a good amount of private amenity space for future occupiers.

3.3 Notwithstanding the above, there is concern in respect of the proposed access serving the site and the noise and disturbance impact resulting from its use. It is considered that a single dwelling has the capacity to generate up to six vehicle movements per day, equating to 18 in total, including the newly constructed dwelling to the south of the application site which will run alongside the gardens of the Glebe Meadow development. The dwellings which are likely to receive the majority of the impact are the newly constructed dwelling to the south and the first two dwellings within Glebe Meadow (no's 1 and 2) as a result of a very modest rear garden serving number 2, at approximately 10 metres to the nearest section adjoining the site to

the rear, and the garden serving number 1, whilst larger, will be surrounded by the access serving the proposed development to the rear (west) as well as the initial access point to the existing dwellings to the south. Whilst it is noted that planting would assist in reducing the noise that would be heard, given the likely vehicle numbers and movements using the access and the proximity to the newly constructed dwelling (which also includes two windows along this side elevation) and numbers 1 and 2 Glebe Meadow. In light of these factors, the proposal is not considered to accord with 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 site provides sufficient parking and turning, Norfolk County Council as Highways Authority was consulted on the application and subsequently advised that the site lies within walking distance of local services and amenities and the nearby footway provision is considered adequate to link the site with these. The site is served by a private track which achieves adequate width and visibility at its point of connection with the public highway. The proposal also includes a communal turning area, as such no objections were raised subject to a condition.

5.0 Impact upon trees

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.

5.2 The application was supported by an Arboricultural Report which concluded that based on the proposed tree constraints plan and recommended tree protection measures, it is considered that development can be accommodated on this site with minimal impacts on the arboricultural interest of the site.

5.3 The Tree and Countryside Officer consulted and raised no objection in this regard subject to condition. In light of these factors, the proposal is considered to have due regard to Policy DC12.

6.0 Ecological impact

6.1 Policy CP10 seeks the enhancement of biodiversity and geodiversity in the district. There is an expectation that development will incorporate biodiversity or geological features where opportunities exist.

6.2 This planning application is supported by a Preliminary Ecological Appraisal (Greenlight Environmental Consultancy Limited; December 2018). The report is fit for purpose. The mitigation measures proposed to reduce the likelihood of impacts on ecological receptors are accepted. Due to the distances involved and scale of the proposed development there are unlikely to be impacts on designated sites. If approval is recommended this should be subject to conditions requiring mitigation as outlined in Section 8 and an enhancement plan.

7.0 Conclusion

7.1 Whilst the Council acknowledges that it does not benefit from a five year housing land supply it is considered, in this instance, that the significant harm caused by allowing development on this site is considered to demonstrably outweigh the benefits by way of its likely adverse character impact, as such, the application is recommended for refusal.

REASON(S) FOR REFUSAL

1 Harm on the character and appearance of the area

It is considered that the erection of two dwellings on the site, despite their reduced scale to the previously refused scheme for three on this site, would result in an unsatisfactory form of development, out of keeping with existing development and would result in an incongruous and unwarranted intrusion into this rural setting that would not enhance the existing form and character. As a result the proposed development would cause significant demonstrable harm to the character and visual amenities of the area, contrary to the environmental role of sustainable development and Policy DC16 and CP11 of the adopted Local Plan.

2 Amenity impact

The proposal would result in an unacceptable impact upon the living conditions of the immediate adjoining neighbours either side of the access way by virtue of disturbance caused by vehicular movement and manoeuvring associated with egress and access of future occupants of the development site due to the proposed access being within close proximity to neighbouring properties and private amenity spaces. As such the proposal is contrary to Policy DC01 of the Breckland Core Strategy and paragraph 127 of the NPPF February 2019.