

<b>ITEM:</b>		<b>RECOMMENDATION:</b>	APPROVAL
<b>REF NO:</b>	3PL/2019/1034/O	<b>CASE OFFICER</b>	Lisa ODonovan
<b>LOCATION:</b>	GRESSENHALL Land at Bridge Street Gressenhall	<b>APPNTYPE:</b>	Outline
<b>APPLICANT:</b>	Mr R Duffield Charm Chil Dereham Road	<b>POLICY:</b>	In Settlemnt Bndry
<b>AGENT:</b>	Jonathan W Burton 12 Park Road Dereham	<b>CONS AREA:</b>	N
<b>PROPOSAL:</b>	Erection of single storey detached dwelling including change of use of land to residential and demolition of existing buildings	<b>LB GRADE:</b>	N
		<b>TPO:</b>	N

#### **REASON FOR COMMITTEE CONSIDERATION**

The application is brought to Planning Committee as the applicant is a Councillor.

#### **KEY ISSUES**

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

#### **DESCRIPTION OF DEVELOPMENT**

The application seeks outline permission for the erection of a single storey dwelling on the site of a former builders' yard. Access only is a matter for consideration at this stage. This is proposed as per the existing situated between Bridge House and Four-O-Nine.

#### **SITE AND LOCATION**

The site is currently and has been for the past 45 years a builders yard. To the west lies existing residential properties. There are several existing storage buildings on the site that will be demolished to make way for the development. The site lies outside but immediately adjacent to the Gressenhall Settlement Boundary.

#### **EIA REQUIRED**

No

**RELEVANT SITE HISTORY**

No relevant site history

**POLICY CONSIDERATIONS**

The following policies of the Breckland Local Plan, 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

COM01	Design
COM03	Protection of Amenity
ENV09	Flood Risk & Surface Water Drainage
GEN01	Sustainable Development in Breckland
GEN03	Settlement Hierarchy
HOU04	Villages with Boundaries
HOU06	Principle of New Housing
HOU10	Technical Design Standards for New Homes
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
TR02	Transport Requirements

**OBLIGATIONS/CIL**

Not Applicable

**CONSULTATIONS**

**GRESSENHALL P C**

The parish council considered the application and reached a majority decision in favour of the proposal. Two councillors voted against the application due to the site being outside the parish boundary. Five councillors voted in favour of the application. Councillors are aware that the proposal is just outside the boundary. Given the location, and assuming the commercial use is no longer required, the five councillors in favour felt the best use of the site would be residential, providing the immediate neighbour have no objections. The benefits of a single storey dwelling far outweigh an unused commercial builder's yard. Councillors also note and support the Tree Protection Order. The question of a soil survey was also raised.

**NORFOLK COUNTY COUNCIL HIGHWAYS**

Outline with only access included for current consideration.

On the basis that the commercial use will cease as a result of this proposal I would not wish to raise an objection subject to condition.

**CONTAMINATED LAND OFFICER**

Recommend approval providing the development proceeds in line with the application details and subject to conditions to alleviate environmental concerns.

**TREE AND COUNTRYSIDE CONSULTANT**

No objection.

**NORFOLK RIVERS INTERNAL DRAINAGE BOARD**

Standard comments given.

**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.

**ENVIRONMENT AGENCY**

No Comments Received

**PRINCIPAL PLANNER MINERAL & WASTE POLICY**

No Comments Received

**REPRESENTATIONS**

Site Notice erected: 06-09-2019

Consultations issued: 04-09-2019

No representations received.

**ASSESSMENT NOTES**

1.0 Principle

1.1 The Breckland Local Plan (adopted) allows for certain development outside of settlement boundaries in areas that it deems as sustainable locations. Gressenhall is defined in Policy GEN03 as a Village with a Boundary. Part of the application site falls outside of the current Gressenhall Settlement Boundary. Therefore Policy HOU04 is relevant.

1.2 Within the Settlement of Gressenhall, the Breckland Local Plan (adopted) allows for a 5% growth of the village over the plan period to 2036, which equates to 20 new dwellings. Having carried out recent monitoring it has been established that there is scope for further development within this 5% buffer.

1.3 Policy HOU04 allows for appropriate development in areas outside of these boundaries where the site is immediately adjacent to the settlement boundary, as is the case here, subject to a number of criteria. As a result, the principle of development is accepted.

2.0 Impact on the character and appearance of the area

2.1 Policy COM01 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 site is a builder's yard and therefore comprises of ancillary storage buildings and lots of building

supplies and machinery. The site is therefore considered as a brownfield site.

2.3 The application has been submitted in outline with only access as a matter for consideration at this stage. Notwithstanding that, the submitted detail advises that the dwelling will be single storey and the indicative layout provided shows the dwelling positioned in a roughly similar position to that of the main building currently within the site. The plot is considered large enough to accommodate a single storey dwelling whilst providing parking and amenity space, as such, the proposal is considered to have due regard to the environmental role of sustainable development, policy COM01, criteria 2 and 4 of HOU04 and paragraph 127 of the NPPF.

### 3.0 Amenity impact

3.1 Policy COM03 of the Breckland Local Plan (adopted) 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 application seeks outline approval only at this stage, therefore amenity impact and interior space standards will be fully assessed at the reserved matters stage if approval is given. Notwithstanding this, an indicative layout has been provided which illustrates that a spacious, single storey dwelling can be positioned within the plot whilst limiting the impact to the existing, adjoining properties whilst affording the dwelling with a sufficient level of private amenity space for future occupiers. The proposed use of the site for a single dwelling is also considered to be an improvement in terms of amenity impact to adjoining neighbours to that of the existing builder's yard. As a result, the application is considered to have due regard to Policy COM03 and paragraph 127(f) of the NPPF (2019).

### 4.0 Highway safety

4.1 Policy COM01 seeks to ensure that all access and safety concerns are resolved in new developments. Policy HOU06 requires sufficient parking for all new development. Paragraph 108 of the NPPF is also relevant.

4.2 The existing access is proposed for use off Bridge Street, two car parking spaces are also shown. Norfolk County Council Highways Team has advised that on the basis that the commercial use will cease as a result of this proposal no objection is raised but will require full details of parking and turning arrangements to form part of any reserved matters application. On this basis, the application is considered acceptable and has due regard to highway safety subject to condition.

### 6.0 Other issues

6.1 Fluvial and Surface water flooding - It is apparent from the flood maps that part of the site is prone to fluvial and surface water flooding. As such, the dwelling has been positioned outside of the area at risk and indicative positions of soakaways have been shown, again within areas outside of risk. As a result, the application is considered acceptable subject to a condition requiring a drainage strategy, including infiltration testing results to be submitted with any reserved matters submission. The proposal is therefore considered in accordance with Policy 14 of the NPPF.

### 7.0 Conclusion

7.1 The site is in close proximity to other dwellings and will utilise a former builder's yard, a brownfield site.

The plans indicate that the site can be developed and due to its existing use and the presence of dwellings to the north and east, the impact will be limited. On this basis, the development of the site would not negatively impact the character and appearance of the countryside or the amenity of the neighbours and therefore complies with relevant policies referenced above and criteria 1 and 3 of Policy HOU04 will be fully assessed at reserved matters stage if approval is given. As a result, the application is recommended for approval.

**RECOMMENDATION**

That Planning Permission be GRANTED subject to the following conditions:

**CONDITIONS**

- 1 Outline Time Limit (2 years) Early Delivery**

Application for Approval of 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 TWO YEARS 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 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 dwelling only**

This permission hereby authorises the erection of a single storey dwelling only.

Reason for condition:-  
To ensure a form of development compatible in scale and massing with the adjacent buildings and in the interests of the visual amenities of the area, having due regard to Policies COM 01 and GEN 02 of the Breckland Local Plan (adopted).
- 5 New access (over verge/ditch/watercourse/footway)**

Prior to the first occupation of the development hereby permitted the vehicular access shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority and additionally in accordance with the highways specification TRAD 5 where it lies within the highway and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposal 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, having due regard to Policy TR02 of the Breckland Local Plan (adopted).

**This condition will require to be discharged**

**6**

**Contaminated Land - Desk Study/Site Investigation**

Prior to the commencement of the development, the following details shall be submitted to and approved in writing by the Local Planning Authority:

**A. Desk Study**

A desk study and risk assessment to determine the risk of any contamination on the site, whether or not it originates on the site. The desk study and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments.

**B. Site Investigation**

A site investigation and risk assessment to determine the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include (i) the same details as in part A above (ii) a survey of the extent, scale and nature of contamination and (iii) an appraisal of remedial options, and proposal of the preferred option(s).

**C. Remediation Scheme**

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

**D Implementation of Approved Remediation Scheme**

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

The above must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason for condition:-

The details are required prior to the commencement of the development 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 from the outset of the development.

**INFORMATIVE:-**

Land contamination risk assessment is a step-by-step process. During the course of the risk assessment process set out in the above condition, it may become clear that no further work is necessary to address land contamination risks. Where this is the case the condition may be discharged by the Council without all the steps specified being completed. In all cases written confirmation should be obtained from the Council confirming that the requirements of the condition have been met.

**This condition will require to be discharged**

**7 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, having due regard to Policy 15 of the NPPF.

**This condition will require to be discharged**

**8 Drainage strategy**

The reserved matters submission shall include a Drainage Strategy which details how surface water drainage will be disposed of, including infiltration testing in line with BRE 365, and development shall be carried out in accordance with the approved details.

**Reason for condition:-**

In order to ensure that the development does not increase surface water run-off/exacerbate surface water flooding in the locality having regard to Policy ENV09 of the Breckland Local Plan (adopted).

**9 Water efficiency**

The dwelling hereby permitted shall meet Building Regulation requirement of 110 l/h/d.

**Reason for condition:-**

To ensure suitable water efficiency in accordance policy HOU10 of the Breckland Local Plan (adopted).

**10 Space standards**

The reserved matters application shall demonstrate how the dwelling hereby approved will meet the Government's Nationally Described Space Standard (NDSS). The development shall be carried out in accordance with the approved details.

**Reason for condition:-**

To ensure suitable space standards and amenity for future occupants in accordance policies COM03 and HOU10 of the Breckland Local Plan (adopted).

**14 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.