

<b>ITEM:</b>		<b>RECOMMENDATION:</b>	REFUSAL
<b>REF NO:</b>	3PL/2019/0656/F	<b>CASE OFFICER</b>	Lisa ODonovan
<b>LOCATION:</b>	NORTH PICKENHAM Development Site Brecklands Green North Pickenham	<b>APPNTYPE:</b>	Full
<b>APPLICANT:</b>	Mr Terry Gray Romany Dream Breckland Green	<b>POLICY:</b>	Out Settlement Bndry
<b>AGENT:</b>	Sketcher Partnership Ltd First House Quebec Street	<b>CONS AREA:</b>	N
<b>PROPOSAL:</b>	Residential Development - 4 new houses and 2 double carports (Amended scheme)		
		<b>LB GRADE:</b>	N
		<b>TPO:</b>	N

#### REASON FOR COMMITTEE CONSIDERATION

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

#### KEY ISSUES

Principle  
Impact on the character and appearance of the area  
Amenity impact  
Highway safety  
Ecological impact  
Impact on trees  
Other Issues

#### DESCRIPTION OF DEVELOPMENT

The application seeks full permission for the erection of 4, two storey detached dwellings of three design types. Materials have been given as a mix of traditional red blend bricks, a yellow mix and a multi light mix although no specific details have been supplied. All plots are proposed to use a charcoal grey pantile.

#### SITE AND LOCATION

The application site, which occupies an approximate area of 0.456 ha, is located at Brecklands Green, North Pickenham. It is outside of any defined Settlement Boundary and is located on the south-western outskirts of the village of North Pickenham. The site comprises an area of designated open space.

To the north is another area of open space, which has planning permission for seven dwellings, allowed on Appeal under ref: APP/F2605/W/17/3183968, in January 2018. This development has not yet commenced.

At present the area is bounded in a semi-circle by residential development which fronts onto the open space.

The highway borders the site to the east. The open space area and housing originally formed part of a Christian fellowship centre and retreat. This use ceased a number of years ago with the complex being redeveloped solely for residential purposes. A war memorial is located within the site proposed for development, on the eastern boundary, in close proximity of the site entrance, off South Pickenham Road. The proposed Layout Plan indicates that this is proposed for retention.

**EIA REQUIRED**

No

**RELEVANT SITE HISTORY**

3PL/2018/0941/F - Residential development (8 new houses and 2 double garages) - Refused

3PL/2017/0057/O - Outline planning application for 8 no. dwellings - refused (allowed on Appeal, ref: APP/F2605/W/17/3183968)

3PL/2015/1310/O - Erection of 8 dwellings - Refused

3PL/2010/0742/F - Residential development - 7 no. dwellings and detached double garage - Recommended for refusal, approved at Committee

3PL/2009/0857/O - Proposed residential development - Refused

3PL/2001/0979/O - Residential development of 5 dwellings - Refused

**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
ENV02	Biodiversity protection and enhancement
ENV04	Open Space, Sport & Recreation
ENV06	Trees, Hedgerows and Development
GEN03	Settlement Hierarchy
HOU05	Small Villages and Hamlets Outside of Settlement Boundaries
HOU06	Principle of New Housing
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
TR02	Transport Requirements

**OBLIGATIONS/CIL**

Not Applicable

<b>CONSULTATIONS</b>
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**NORTH PICKENHAM P C**

The Parish Council response : 2 abstained 2 objectors 1 in favour

**NORFOLK COUNTY COUNCIL HIGHWAYS**

You will be aware that that this Authority has been consulted on a number of applications on Brecklands Green, including 3PL/2010/0742 and 3PL/2012/0544 which resulted in an additional 7 dwellings being built in this location and 3PL/2015/1310 and 3PL/2017/0057 the later of which allowed a further 8 dwellings at Appeal APP/F2605/W/17/3183968.

As confirmed by the Planning Inspector when allowing the Appeal "... the residents of this Appeal site would be substantially dependant on the private car as a means of travel for their shopping, health and works needs"

This Authority has previously raised concerns regarding the severely substandard level of visibility at the junction of C115 South Pickenham Road with C792 Swaffham Road where visibility to the north west is restricted to some 12m, from a 2.4m set-back by an adjoining wall.

It is reasonable to assume that residents of Brecklands Green would have a high reliance on using this junction given that access to both Swaffham and A47 is gained by travelling in this direction.

The junction lies within a 30mph speed limit where visibility of 59m is required, although this can be reduced to 43m if evidence is submitted to show that traffic speeds are contained to 30mph. The 12m of available visibility to the north west of the junction provides only 20% of the higher visibility safety standard and only 28% of the lower figure. However, it is noted that notwithstanding this Authority's previous highway safety concerns permission has been granted for a number of new dwellings on Brecklands Green and it may therefore it would be difficult to substantiate a highway objection in this respect in particular as it would appear this would be the final opportunity of developing Brecklands Green.

The access to the site is considered suitable to serve additional development in terms of its width, alignment and visibility at its point of connection with South Pickenham Road. It is however showing signs of deterioration in places. All dwellings would be served by a private road network which will not be considered for adoption by this Authority. If you are minded to grant approval I would suggest a condition be imposed to ensure there is no doubt concerning the responsibility for future maintenance.

**CONTAMINATED LAND OFFICER**

No objection subject to conditions.

**ECOLOGICAL AND BIODIVERSITY CONSULTANT**

No objection subject to conditions.

**TREE AND COUNTRYSIDE CONSULTANT**

The updated layout is an improvement. For the avoidance of doubt an updated tree protection plan based on the previously submitted tree survey would be required.

**FACILITIES MANAGEMENT**

Acknowledged, but no further comments

**NATURAL ENGLAND**

No objection

**R S P B**

No Comments Received

**REPRESENTATIONS**

Site notice erected: 21-06-2019

Consultations issued: 19-06-2019

8 representations received, 7 raising the following concerns/objections:

- Loss of open and green area
- Loss of views
- Loss of light
- Highway safety
- Ecological impact
- Lack of services in the village to serve residents
- General comment made about street naming
- Impact on the war memorial.

1 raising support:

- New dwellings/occupiers would support the pub and community centre
- Land isn't open space and is private
- No right to a view.

**ASSESSMENT NOTES**

**1.0 Background**

1.1 The application is the re-submission of a refused application for 8 dwellings. Whilst this application proposes a reduction in the scheme by four units, the fundamental issues remain.

**2.0 Principle**

2.1 The Breckland Local Plan (adopted) allows for certain development outside of settlement boundaries in areas that it deems as sustainable locations. North Pickenham is not included within the sustainable development hierarchy defined in Policy GEN03. The village is therefore defined as a small village and hamlets outside of settlement boundaries where Policy HOU 05 of the Breckland Local Plan (adopted) (2019) relates.

2.2 This Policy states:

2.3 Development in smaller villages and hamlets outside of defined settlement boundaries will be limited apart from where it would comply with other policies within the Development Plan and if all of the following criteria are satisfied:

1. The development comprises of sensitive infilling and rounding off of a cluster of dwellings to an existing highway;
2. It is of an appropriate scale and design to the settlement; and,
3. The design contributes to preserving and where possible, enhancing the historic nature and connectivity of communities.

2.4 In respect of the Appeal site on the opposite side of Brecklands Green, it is noted that the Inspector considered the proposal to amount to a moderate degree of harm on the basis that certain needs could be catered for within the village. However, since that decision was issued circumstances have changed, namely the closure of the primary school opposite the development site. Therefore, it is considered that the degree of harm caused by development of this proposal site would be greater and would also result in the complete loss of the current open space to the front of the existing properties.

2.5 For reasons further explained in the Officer report, the proposal is not considered to be a sensitive infilling as referred to above nor is it considered to preserve or enhance the historic nature and connectivity of the community. As a result, the principle of the proposal is not considered acceptable.

### 3.0 Impact on the character and appearance of the area

3.1 Policies GEN2 and COM01 requires, in part, for 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.

3.2 The application site is located outside the Settlement Boundary and is designated open space (NP2) within the Breckland Local Plan (adopted). The existing residential development, which consists of a combination of bungalows and two storey dwellings of varied design and appearance, forms a semi-circle around the open space with the highway bordering the site to the south east and beyond the redundant Primary School and agricultural fields. The site is segregated from the main built up area of North Pickenham by a field. The application site sits in a prominent position with its main and defining feature being the open green space to the front. There is also an Oak tree on the south eastern boundary, which is the subject of a Tree Preservation Order. In addition, there is a memorial to American Air Force personnel located to the north east of the site, adjacent to the access onto South Pickenham Road. The site currently creates a sense of openness within this rural location with the surrounding development facing onto the open space.

3.3 Whilst it is noted, due to the existing development at Brecklands Green, the proposal would not intrude into the open countryside, it is considered the erection of a further four dwellings in this location would remove any remaining sense of openness, with a complete loss of the rural appearance of this locality. Brecklands Green is currently an isolated development separated from the existing built up area of North Pickenham and, therefore, the proposal would result in an unacceptable consolidation of the existing development, giving the immediate locality a more built up appearance, to the detriment of the open and spacious appearance of the area and the character and appearance of the existing memorial, which is proposed to be retained.

3.4 Furthermore, when taking account of the Appeal site on the northern side of Brecklands Green, it is understood that the Inspector considered the harm of the proposal to be minimal, in respect of its impact on the character and appearance of the area, on the basis that the "development would face onto the two remaining southern open areas, thereby recreating a charming appearance of houses surrounding a village green on a smaller scale." However, this application seeks to develop those two remaining southern areas

and would therefore, as already mentioned, result in the complete loss of the rural appearance of this locality, therefore not preserving or enhancing the existing character of the immediate vicinity. It is therefore considered that the proposal would fail to adequately respect the character and appearance of the existing rural location contrary to paragraph 127 of the NPPF (2019) and GEN2 and COM01 of the Breckland Local Plan (adopted).

#### 4.0 Amenity impact

4.1 Policy COM03 of the adopted Core Strategy seeks to protect residential amenity and states that all new development must have regard to amenity considerations. In addition, it states that development will not be permitted where there are unacceptable effects on the amenity of neighbouring residents and future occupants.

4.2 In terms of neighbour amenity, the dwellings have been positioned far enough away from the existing dwellings so as not to cause a significant overlooking or over dominant impact and the orientation and separation of the site is such that loss of light is unlikely to be significant. The site has been laid out so as not to impact future occupants either.

#### 5.0 Highway safety

5.1 Policy TR2 seeks to ensure that all access and safety concerns are resolved in new developments. Policy HOU06 requires sufficient parking for all new development. Paragraphs 108 and 109 of the NPPF are also relevant.

5.2 Norfolk County Council Highways Team was consulted and advised that this Authority has been consulted on a number of applications on Brecklands Green, including 3PL/2010/0742 and 3PL/2012/0544 which resulted in an additional 7 dwellings being built in this location and 3PL/2015/1310 and 3PL/2017/0057 the later of which allowed a further 8 dwellings at Appeal APP/F2605/W/17/3183968.

5.3 As confirmed by the Planning Inspector when allowing the Appeal "... the residents of this Appeal site would be substantially dependant on the private car as a means of travel for their shopping, health and works needs".

5.4 The Highway Authority has previously raised concerns regarding the severely substandard level of visibility at the junction of C115 South Pickenham Road with C792 Swaffham Road where visibility to the north-west is restricted to some 12m, from a 2.4m set-back by an adjoining wall.

5.5 It is reasonable to assume that residents of Brecklands Green would have a high reliance on using this junction given that access to both Swaffham and A47 is gained by travelling in this direction.

5.6 The junction lies within a 30mph speed limit where visibility of 59m is required, although this can be reduced to 43m if evidence is submitted to show that traffic speeds are contained to 30mph. The 12m of available visibility to the north west of the junction provides only 20% of the higher visibility safety standard and only 28% of the lower figure. However, it is noted that notwithstanding this Authority's previous highway safety concerns permission has been granted for a number of new dwellings on Brecklands Green and it may therefore be difficult to substantiate a highway objection in this respect in particular as it would appear this would be the final opportunity of developing Brecklands Green.

5.7 The access to the site is considered suitable to serve additional development in terms of its width, alignment and visibility at its point of connection with South Pickenham Road. It is however showing signs of

deterioration in places. All dwellings would be served by a private road network which will not be considered for adoption by this Authority. If the authority is minded to grant approval it is suggested this is subject to a condition to ensure there is no doubt concerning the responsibility for future maintenance. This could be added to any subsequent permission. However, would be better applied as a note.

5.8 Following this assessment, the proposal is considered acceptable in respect of highway safety.

#### 5.0 Ecological implications

5.1 Policy ENV02 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.

5.2 The Preliminary Ecological Appraisal - UPDATED (BiOME Consulting; March 2019) is fit for purpose. There is agreement with the report that 'there will not be 'an adverse effect on the integrity' or the conservation objectives (specifically the habitats utilised by Stone Curlew) of Breckland SPA in relation to Stone Curlews (or any other species for which the SPA has been notified) through the completion of the proposed development, as the evidence detailed within this report suggests strongly that there are highly unlikely to be any Stone Curlews currently nesting within close proximity of the proposed development' and therefore a full Appropriate Assessment is not needed.

5.3 Therefore, for the purposes of the Habitats Regulations the application (project) has been screened and the Council considers that it is unlikely that there will be significant effects on the habitat site referred to above and their integrity will be preserved.

5.4 Natural England raised no objection to the scheme.

#### 6.0 Impact on surrounding trees

6.1 Policy ENV06 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.

6.2 The layout was amended following initial concerns from the Tree and Countryside Officer in respect of the dwelling's proximity to them and their likely impact in terms of shade/potential pressure for removal. This amended layout is considered an improvement in this regard, however an updated tree protection plan would be required should permission be granted. This can be adequately conditioned.

#### 7.0 Other issues

7.1 The loss of the public open space has been considered, however the presence of further open space to the north-east of the site (NP4) means that the village retains adequate provision in line with Policy ENV04.

#### 8.0 Conclusion

8.1 Whilst the scheme has been reduced from that submitted previously, the concerns remain.

8.2 Taking into account the overall planning balance of the scheme, the proposal would introduce new residential development outside of any defined settlement boundary and is therefore contrary to Policy GEN03. Whilst it is recognised that development of the northern half of Brecklands Green was allowed on Appeal in March 2017, the circumstances of the area have since changed, namely the closure of the primary school opposite the site and the Council now has a five year housing land supply following the adoption of

the Local Plan. Therefore the very limited benefits of the proposal do not outweigh the harm of allowing development contrary to the Breckland Local Plan (adopted).

8.3 Furthermore, the erection of four dwellings in this location would lead to an undesirable intrusion into the open setting to the detriment of the character and visual amenities of the area. Therefore, the proposal is considered to be contrary to Policies GEN2 and COM01. The proposal would result in a consolidation of the existing urban development, giving the immediate locality a more built up appearance, with the complete loss of the green, to the detriment of the open and spacious appearance of the existing USAAF War Memorial and the broader area. The proposal would therefore fail to adequately respect the character and appearance of the existing rural location contrary to paragraph 127 of the NPPF (2019) and the above referenced policies. The application is therefore recommended for refusal.

**RECOMMENDATION**

That the application is REFUSED in line with the Officer report.

**REASON(S) FOR REFUSAL**

**1**

**Unsustainable location**

The proposal would introduce new residential development outside of any defined settlement boundary and is therefore contrary to Policy GEN3 of the Breckland Local Plan (adopted). Whilst it is recognised that development of the northern half of Brecklands Green was allowed on Appeal in March 2017, the circumstances of the area have since changed, namely the closure of the primary school opposite the site. There are now fewer facilities available and a greater reliance on the private car to travel elsewhere to meet day-to-day needs and therefore the development is not considered to constitute sustainable development. The very limited benefits of the proposal do not outweigh the harm identified and given the character impact, the proposal is not considered to meet the criteria set out in Policy HOU05 of the Breckland Local Plan (adopted) which allows appropriate development in villages and small hamlets outside of settlement boundaries.

**2**

**Detrimental to the character and appearance of the area**

Whilst it is noted, due to the existing development at Brecklands Green, the proposal would not intrude into the open countryside, it is considered the erection of a further four dwellings in this location would remove any remaining sense of openness, with a complete loss of the rural appearance of this locality. Brecklands Green is currently an isolated development separated from the existing built up area of North Pickenham and, therefore, the proposal would result in an unacceptable consolidation of the existing development, giving the immediate locality a more built up appearance, to the significant detriment of the open and spacious appearance of the area and the character and appearance of the existing memorial, which is proposed to be retained, contrary to Policies GEN2 and COM01 of the Breckland Local Plan (adopted) and paragraph 127 of the NPPF (2019).