

<b>ITEM:</b>		<b>RECOMMENDATION:</b>	REFUSAL
<b>REF NO:</b>	3PL/2019/0401/F	<b>CASE OFFICER</b>	Lisa ODonovan
<b>LOCATION:</b>	SHIPDHAM Land at Church Lane Shipdham	<b>APPNTYPE:</b>	Full
<b>APPLICANT:</b>	Clayland Estates Ltd The Glass House Lynford Gardens	<b>POLICY:</b>	Out Settlemnt Bndry
<b>AGENT:</b>	Clayland Architects The Glass House Lynford Gardens	<b>CONS AREA:</b>	Adjacent
<b>PROPOSAL:</b>	Residential development of 6 dwellinghouses	<b>LB GRADE:</b>	N
		<b>TPO:</b>	N

#### DEFERRED REASON

The application was deferred from the meeting held on 30-09-2019 in order to obtain a legal agreement to demonstrate that the works to the Church Wall in order to provide a sufficient level of visibility, could be carried out as this lies outside of the land owned by or in the applicant's control.

It has since been established that the relevant permission from the Parochial Church Council has not been obtained and this work can not take place.

Amended plans were received to demonstrate this and to indicate the levels of visibility that can be achieved. A re-consultation was offered. The following is a summary of the consultations received:

#### Consultee Responses

##### Norfolk County Council Highways

Following my original recommendation of refusal dated 14 May 2019, a speed survey was carried out and proposals were submitted to improve the current level of visibility from New Road onto Church Lane and, more importantly, Church Lane on A1075 Church Close.

These improvements involved lowering areas of the existing church wall but we are now advised that such alterations are not supported by the Parochial Church Council.

As a consequence only a marginal improvement could be made at the junction of Church Lane with Church Close (A1075) and this would require moving the give way markings and realigning the kerb in accordance with drawing 1906/23/C.

No Safety Audit evidence has been submitted to indicate whether such an improvement is acceptable in highway safety terms but even if it were the improvement would only result in visibility of 2.4m x 24.5m being achieved to the nearside carriageway edge in the critical approaching traffic direction.

Based on the submitted speed data splays of 36m are required. Whilst this is achievable to the north east, to

the south west the 24.5 available only provides 68% of the Government safety standard.

To achieve anymore relies on measuring visibility to the carriageway centreline which would mean any narrow vehicles, motorcycles for instance, would be totally out of the sight line of a driver emerging from Church Lane until they were 24.5m from the junction which would not provide sufficient warning to either driver to enable them to take appropriate action.

Visibility is one of the most important factors in terms of highway safety. Appropriate visibility splays enable drivers emerging from a junction to have adequate vision in each direction to see oncoming traffic in sufficient time to make their manoeuvre safely and for through traffic to be aware of an emerging vehicle.

On the basis that the applicant cannot provide a significant improvement to visibility this Authority will maintain the highway objection previously provided but I have updated the response, as follows, to reflect the submission of speed data.

The site is served by a private, no through, road with no public rights over it.

The private road links into the county road network via New Road (unclassified 35025) to the south west and a continuation of Church Lane (unclassified 35028) directly to the south. Both of these junctions connect into A1075 Church Close and both have substandard visibility.

Church Close (A1075) is designated as a Principal highway in the County Councils route hierarchy and carries considerable volumes of traffic including HGVs.

Taking into account traffic speed, and the built up nature of the environment, it is considered that visibility guidance may be derived from Manual for Streets in this instance.

In the case of the junction of Church Lane with A1075, visibility to the west (the critical approaching traffic direction) is restricted to only some 17 metres from a 2.4m set back.

Submitted speed data shows the 85th percentile traffic speed in this location is 26.1 mph requiring splays of some 36m.

The 17m available only achieves 47% of the Government safety standard.

As referred to earlier in this response, the applicant has put forward a proposal to improve visibility at this junction by moving the give way markings further into the carriageway.

No Safety Audit report has been submitted to indicate whether such an improvement is acceptable in highway safety terms but even if it were the improvement would only result in visibility of 2.4m x 24.5m being achieved to the nearside carriageway edge in the critical approaching traffic direction. This would still only represent 68% of the Government safety recommendation.

In the case of the junction of New Road and A1075, visibility is restricted to some 8 metres to the south.

Speed data in this location shows the 85th percentile speed to be 23.5mph. This would require clear splays of 31m. Consequently the 8m available to the nearside carriageway edge only provides 26% of the safety standard.

In addition, visibility at the junction of New Road (Unc 35025) with Church Lane (Unc 35028) only achieves

around 5 metres to either side. Allowing for 85th percentile traffic speeds of 20mph in this location the 5 metres available only provide a 20% of the Government's safety standard.

The site is described as agricultural grazing land which would generate only limited vehicular traffic. By comparison a development of 6 dwellings would generate in the order of 36 daily movements all of which would have to travel through substandard junctions to reach the wider road network.

It is accepted that the existence of these junctions is a matter of fact and therefore some degree of conflict and interference already exists. However there are highway safety concerns regarding the potential for collision and personal injury accident as a result in the intensification of their use should the development be permitted.

The proposal for a church car park and a communal turning facility, whilst welcome, do not outweigh my concerns regarding the intensification of the adjacent road junctions and it is therefore recommended that permission be refused.

### **Shipdham Parish Council**

Advised that their previous comments still stand: -

It was voted that Shipdham Parish Council are not in favour of this application as access road is too narrow and dangerous and does not allow two way traffic.

### **Historic England**

On the basis of this information, Historic England do not wish to offer any comments. We would therefore suggest that you seek the views of your specialist conservation and archaeological advisers, and other consultees, as relevant.

### **Cllr Lynda Turner**

As well as being one of two ward members, I am also a member of the PCC who as owners of the church wall were consulted in regard to the church wall. I voted to allow the alterations to the wall based on the clear evidence of improving the visibility and safety for all traffic using the A1075 - sadly the majority of the PCC voted otherwise. However, even with this result I still support the planning application now submitted without the alterations to the wall, as I believe the benefits to the community far outweigh the highway issues - particularly as the applicant is still prepared to put in a mitigation scheme to ensure traffic using Church (Trap) Lane can only move slowly.

### **Representations**

In addition to those initially received, 13 representations have been received since the latest re-consultation raising the following objections:

- Narrowness of the track with no passing provision
- Amount of additional traffic
- Danger to pedestrians walking along Church Lane
- Impact in terms of noise and disturbance to residents of the care home
- Car park provided is too far away from the Church
- The application will cause highway safety issues
- Impact on the meadow land

## **New Local Plan Policies**

The new Local Plan has been adopted since the original Committee report was drafted, below is a list of the out of date policies as they appear in the original report with the policies that have replaced them:

DC2 is replaced by HOU06  
CP14 is replaced by HOU03 in this case  
CP11 is replaced by ENV05  
DC16 is replaced by COM01 and GEN2  
DC1 is replaced by COM03  
CP4 is replaced by TR2  
DC19 is replaced by HOU06  
DC17 is replaced by ENV07  
DC12 is replaced by ENV06  
CP10 is replaced by ENV02

## **Conclusion**

The initial concerns in respect of highway safety; character impact and amenity impact remain. With the addition of an 'in principle' reason as a result of new Policy HOU03.

Shipdham is defined within the Breckland Local Plan (adopted) as a Local Service Centre village. The site lies outside of the Shipdham Settlement Boundary. Policy HOU03 states that development outside of the boundaries of Local Service Centres will normally be resisted where the Local Plan housing target (as set out in Policy HOU02) is provided for. Policy HOU02 states that there is a need for an additional 282 dwellings. Initial monitoring indicates a figure in the region of 313 of commitments and completions within the village, the village has therefore already met and exceeded its housing target. As such, the first part of this policy has not been met and there is an in principle policy objection to the proposal on that basis.

In addition to the above, for the reasons stated within the original report in terms of the countryside intrusion, the proposal is not considered to meet all of the remaining criteria of this policy, nor is it considered to comply with Policies GEN 2 and COM 01 (specifically points e and m).

In terms of the other, replacement policies referred to above, these do not materially alter the content of the original report or affect the decision.

The application is recommended for refusal.

### **REASON FOR COMMITTEE CONSIDERATION**

The application is brought to 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

Heritage impact - Adjacent Conservation Area and Listed Building

Trees

Ecological impact

#### **DESCRIPTION OF DEVELOPMENT**

The application proposes the erection of 6 dwellings on land to the west of Church Lane. The dwellings proposed comprise of 5, two storey dwellings and one single storey dwelling.

A new church car park is also proposed to the south of plot 1. Each of the plots are shown to have their own access off Church Lane.

#### **SITE AND LOCATION**

The site is currently agricultural land and is situated along Church Lane which is a narrow track leading from the A1075 (main road through Shipdham). The site is predominantly surrounded by agricultural land with residential to the south and the Church beyond. The Shipdham Settlement Boundary lies to the immediate south of the application site.

#### **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
ENV02	Biodiversity protection and enhancement
ENV05	Protection and Enhancement of the Landscape
ENV06	Trees, Hedgerows and Development
ENV07	Designated Heritage Assets
GEN03	Settlement Hierarchy
HOU02	Level and Location of Growth
HOU03	Development Outside of the Boundaries of Local Service Centres
HOU06	Principle of New Housing
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

TR02

Transport Requirements

**OBLIGATIONS/CIL**

Not Applicable

**CONSULTATIONS**

**SHIPDHAM PARISH COUNCIL**

14-05-19

Shipdham Parish Council have concerns that the build is outside the village boundary and will set a precedent for further development up to Wood Farm. Concerns also regarding highway issues.

11-06-19

Shipdham Parish Council will support this application and development of Church car park, if Highways issues are addressed.

11-07-19

Following discussion at the Shipdham Parish meeting held on 8th July, it was agreed to revoke our comments made on 11th June and the comments made on 14th May still stand.

10-09-19

Following another meeting of the Parish. It was voted that Shipdham Parish Council are not in favour of this application as access road is too narrow and dangerous and does not allow two way traffic.

**NORFOLK COUNTY COUNCIL HIGHWAYS**

Full comments within the report:

It is acknowledged that the proposed improvement to visibility as a result of the work to the Church wall will remove the highway objection however the church wall lies in third party ownership and the reduction in its height is fundamental to the removal of the highway objection.

Having discussed this with the Case Officer without the certainty of these improvements being able to be carried out the highway objection stands.

**CONTAMINATED LAND OFFICER**

No Objection

**TREE AND COUNTRYSIDE CONSULTANT**

No objection.

**ECOLOGICAL AND BIODIVERSITY CONSULTANT**

No objection subject to conditions.

**HISTORIC BUILDINGS CONSULTANT**

I can confirm that there is no objection to the proposed development in broad terms of principle.

It is also confirmed that there are no objections to the proposed alteration of the churchyard walling to facilitate the provision of vehicular access requirements.

Whilst the walling is within the curtilage of the Grade I listed Parish Church of All Saints, and originates from a pre 1st of July 1948, it is technically protected under the listing of the Church.

The primary phase of construction is of early 19th century date, although the walling has been successively remodelled and repaired following this.

The section of walling in question has already been remodelled to the southern end onto Chapel Street and extensively rebuilt up to the north-west corner.

Whilst the later phase of works has been undertaken to a high standard, the historic significance of the walling has been reduced.

On that basis, a further campaign of remodelling, whilst ensuring that the retaining action of the walling to the churchyard is not diminished, will not impact further on the special interest of the walling as an enclosure to the church.

I am therefore of the opinion that the harm associated with the proposed alterations is minimal.

#### **HISTORIC ENVIRONMENT SERVICE**

Based on currently available information the proposed development will not have any significant impact on the historic environment and we do not wish to make any recommendations for archaeological work.

#### **HOUSING ENABLING OFFICER**

Provided the site area is confirmed to be under 0.5ha, no affordable housing is required on a site of 6no units.

#### **NORFOLK FIRE AND RESCUE**

Norfolk Fire and Rescue Service would like a fire hydrant as a planning condition to this development.

#### **HISTORIC ENGLAND**

On the basis of the information available to date, Historic England do not wish to offer any comments. We would therefore suggest that you seek the views of your specialist conservation and archaeological advisers, and other consultees, as relevant.

### **REPRESENTATIONS**

Site notice erected: 26-04-2019

Initial consultations issued: 18-04-2019

Thirty two letters of objection the main points of which are:

The following are the main points of objection:

- Site is not brownfield as stated.
- No evidence of the site being unsuitable for farming.
- Outside Settlement Boundary location.
- Single track lane is unsuitable for the increased traffic.
- No passing places.
- Highway safety generally - for pedestrians as well as road users.

- Restricted visibility.
- Biodiversity/ecological impact.
- Negative intrusion into the countryside.
- Damage caused to the church wall to facilitate development.

Two letters of support the main points of which relate to the benefits the development will bring to the village.

## **ASSESSMENT NOTES**

### 1.0 Principle

1.1 The application seeks permission for the erection of six dwellings on land outside of the Shipdham settlement boundary. For this reason the proposal conflicts in principle with Policies DC02 and CP14 of the Core Strategy and Development Control Policies Development Plan Document, (2009), which seek to focus new housing within defined Settlement Boundaries. However, as the Council cannot currently demonstrate a 5 year supply of housing land, policies in respect of the supply of housing cannot be considered to be up-to-date and can be given little weight. The application is therefore assessed against the benefits provided in relation to the sustainable development tests as set out in the NPPF (2019).

1.2 The NPPF identifies three dimensions of sustainable development:

- 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.

1.3 Paragraph 8 of the NPPF also stresses that these roles should not be undertaken in isolation because they are mutually dependent; therefore a balanced assessment against these three roles is required.

1.4 In terms of the economic and social criteria, the proposal would provide six new dwellings and would provide some short-term economic benefits through construction, and longer-term economic benefits through additional household spend within the surrounding area that would be generated by the provision of the dwellings.

1.5 Socially, it is acknowledged that the development site is closely related to the Shipdham Settlement Boundary which is defined in the Local Plan as a Service Centre Village as it benefits from a shop, pub, post office, doctors and a primary school. The majority of which are all within walking or cycling distance. There are also good public transport links in the village to Watton and Swaffham.

1.6 As a result, the proposal is considered to meet the economic and social roles of sustainable development.

## 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 CP11 seeks the protection and enhancement of the landscape for the sake of its intrinsic beauty and benefit to the rural character. Development should have particular regard to maintaining the aesthetic and biodiversity qualities of natural and man-made features within the landscape, including consideration of individual or groups of natural and man-made features such as trees, hedges and woodland or rivers, streams or other topographical features.

2.3 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, paragraph 127 of the NPPF(2019) is also relevant.

2.4 As stated earlier in the report, it is acknowledged that the land lies adjacent to the settlement boundary with residential development situated to the south of the site. However, it is clear from maps and the location plan that the properties known as Rectory Cottage and Bridleways form a distinct end to the existing development pattern. It is acknowledged that there is development north-west of the site however this is specialist housing which was approved at Planning Committee, however between the existing properties and this cluster of development lies approximately 380m of predominantly open countryside comprising of agricultural land and paddocks.

2.5 The site comprises of a large parcel of agricultural land, away from the built environment and the proposal would therefore result in the further visual intrusion of development within the countryside to a harmful degree. Whilst precedent can't be cited as a reason for refusal, there is concern that if permitted, there would be future pressure on the Local Planning Authority to positively consider other development along Church Lane if submitted, which cumulatively, would further erode the countryside landscape character in this location.

2.6 As a result of the above factors, the proposal is not considered to comply with the environmental role of sustainable development or CP11 and DC16 of the Local Plan, or have due regard to 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 layout of the dwellings, the orientation of the site, separation distances and internal layouts are such that amenity between the proposed dwellings will be at an acceptable level in terms of overshadowing, loss of light, dominance and overlooking. Each plot has also been afforded a good degree of private amenity space.

3.3 Notwithstanding this, there is concern that a development of 6 dwellings, as well as the traffic resulting

from the church car park will potentially bring a large amount of extra vehicular movements past 8 bedrooms of Shipdham Manor Care Home which immediately adjoin Church Lane with facing windows. The dwellings alone could generate up to 36 daily movements (6 daily movements per dwelling) along a very narrow road network. As a result, there is a concern that the development could cause significant noise and disturbance issues to these occupiers and on that basis the application fails 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. Paragraphs 108 and 109 of the NPPF are also relevant.

4.2 Norfolk County Council Highways Department raised the following objection to the original scheme:

4.3 The site is served by a private, no through road with no public rights over it. The private road links into the county road network via New Road (unclassified 35025) to the south west and a continuation of Church Lane (Unclassified 35028) directly to the south. Both of these junctions connect into A1075 Church Close.

4.4 Church Close (A1075) is designated as a Principal highway in the County Councils route hierarchy and carries considerable volumes of traffic including HGVs.

4.5 Visibility from both junctions onto A1075 is restricted by the adjacent church boundary wall.

4.6 Taking into account traffic speed, and the build up nature of the environment, I consider that visibility guidance may be derived from Manual for Streets in this instance.

4.7 In the case of the junction of New Road and A1075, visibility is restricted to some 8 metres to the south. In the case of the junction of Church Lane with A1075, visibility to the west (the critical approaching traffic direction) is restricted to only some 17 metres. Even if traffic speeds were to be in the order of 25 mph, as a result of adjacent sharp bend, these levels of visibility only achieve 24% and 51% respectively of the recommended guidance of 33 metres from a 2.4 metre set-back.

4.8 In addition, visibility at the junction of New Road (Unc 35025) with Church Lane (Unc 35028) only achieves around 5 metres to either side. Allowing for 85th percentile traffic speeds of 20mph in this location the 5 metres available only provide a 20% of the Government's safety guidance.

4.9 The site is describe as agricultural grazing land which would generate only limited vehicular traffic. By comparison a development of 6 dwellings would generate in the order of 36 daily movements all of which would have to travel through substandard junctions to reach the wider road network.

4.10 It is accepted that the existence of these junctions is a matter of fact and therefore some degree of conflict and interference already exists. However I have highway safety concerns regarding the potential for collision and personal injury accident as a result in the intensification of their use should the development be permitted.

4.11 The proposal for a church car park and a communal turning facility, whilst welcome, does not outweigh the concerns regarding the intensification of the adjacent road junctions.

4.12 In order to overcome this objection, a revised scheme was put forward which involved the lowering of the church wall at both ends in order to improve visibility both at New Road and Church Lane/Church Close.

4.13 As a result of this proposal, notice was subsequently served on the Diocese - however we have been advised that the owners of the church wall would not be willing to allow these works to take place and no guarantee in this regard has been provided. As a result, the Highways Department has further advised that:

4.14 Following my original recommendation of refusal, a speed survey has been carried out and proposals have been brought forward to improve the current level of visibility from New Road onto Church Lane and, more importantly, Church Lane on A1075 Church Close.

4.15 Junction of Church Lane and Church Close (A1075)

4.16 This provides the main route for traffic leaving Church Lane intending to travel along A1075 in the Dereham direction. Visibility to the north east of this junction is satisfactory however, to the south west (the critical approaching traffic direction) measures just some 17 metres. The applicant proposes reducing the height of church wall to provide a visibility splay measuring 2.4m x 36m. This would provide a significant improvement over that which currently exists and would enhance highway safety in this location.

4.17 Junction of New Road and Church Lane

4.18 The applicant has provided drawing 24 which shows the church wall being lowered to 1m for a short length in order that a splay of 2.4m x 15m be achieved. Again this is a vast improvement on the existing situation where visibility in the approaching traffic direction is virtually blind.

4.19 Taking into account the extent of development already using these junctions, and given that the site is well connected to village amenities such as the doctors surgery, school and shops, in terms of both walking and cycling, it is considered difficult to maintain a highway objection provided the improvements are capable of being carried out.

4.20 However, the church wall lies in third party ownership and the reduction in its height is fundamental to the removal of the highway objection.

4.21 Without the certainty of these improvements being able to be carried out the highway objection stands.

4.22 It is therefore essential that the relevant sections of church wall are included within the red line and Notice served on the owners. We would also need to see confirmation with the owners of the wall that they are happy for the work to be carried out. If it is not possible to provide this information then my original recommendation of refusal would need to stand.

5.0 Heritage impact - Adjacent Conservation Area and Listed Building

5.1 Any decisions relating to listed buildings and their settings and conservation areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990, in particular sections 66 and 72, as well as satisfying the relevant policies within the National Planning Policy Framework and the development plan. National policy states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Core Strategy Policy DC17 seeks to ensure that new development preserves and enhances the character, appearance and setting of conservation areas and listed buildings.

5.2 The Shipdham Conservation Area includes the historic core of the village and is characterised by an intricate pattern of development, with narrow streets lined by a mix of traditional brick and flint cottages and

larger houses creating an intimate character.

5.3 The significance of the listed building (All Saints Church) derives principally from its historic fabric and prominent setting.

5.4 The application site lies adjacent to the conservation area so doesn't form part of it and the Church is approximately 90m to the south (forward) of the application site. Accordingly, it is considered that the scheme would preserve the special interest/setting of the listed building and would preserve the character and appearance of the Conservation Area, the proposal is acceptable in these terms having regard to the requirements of the sections 66/s72 of the Planning (Listed Buildings & Conservation Areas) Act 1990.

5.5 The Historic Buildings Officer has raised no objection to the scheme. In terms of the works proposed to the wall to facilitate visibility he advised that whilst the walling is within the curtilage of the Grade I listed Parish Church of All Saints, and originates from a pre 1st of July 1948, it is technically protected under the listing of the Church.

5.6 The primary phase of construction is of early 19th century date, although the walling has been successively remodelled and repaired following this.

5.7 The section of walling in question has already been remodelled to the southern end onto Chapel Street and extensively rebuilt up to the north-west corner.

5.8 Whilst the later phase of works has been undertaken to a high standard, the historic significance of the walling has been reduced.

5.9 On that basis, a further campaign of remodelling - whilst ensuring that the retaining action of the walling to the churchyard is not diminished - will not impact further on the special interest of the walling as an enclosure to the church.

5.10 It is therefore concluded that the harm associated with the proposed alterations is minimal.

## 6.0 Trees

6.1 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.

6.2 The proposal was amended during the course of the application process following the result of an arboricultural impact assessment (AIA) and in order to take certain elements of the development away from root protection areas. The AIA was sent to the Tree and Countryside Officer for comment who subsequently raised no objection. The application is therefore considered to have due regard to Policy DC12.

## 7.0 Ecological implications

7.1 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.

7.2 The application was accompanied by a Preliminary Ecological Appraisal (PEA) (Riverdale Ecology Ltd; no date). The PEA is considered fit for purpose and meets British Standards (BS42020:2013 Biodiversity - Code of Practice for Planning and Development). We agree with the proposed recommendations for further survey and mitigation/ compensation measures to reduce the likelihood of impacts on ecological receptors to

acceptable levels. The application is therefore considered to have due regard to Policy CP10 subject to conditions.

## 8.0 Conclusion

8.1 In terms of the overall planning balance of the scheme, whilst it is accepted that the site is in close proximity to a service centre village, the harm identified above in terms of the impact on the character and appearance of the area; potential amenity impact and the uncertainty in terms of the necessary and vital highway safety improvements is considered significant and demonstrable and outweighs the benefits that the scheme would bring.

### RECOMMENDATION

That Planning Permission be REFUSED for the following reasons:

### REASON(S) FOR REFUSAL

- 1 Fails to accord with HOU03 (HOU02)**

Policy HOU03 advises that development outside of the Local Service Centres will normally be resisted where the housing target identified in Policy HOU02 has been met. Policy HOU02 indicates that Shipdham has a need for 282 additional homes. Initial monitoring indicates approximate commitments and completions for the village of 313, therefore Shipdham already exceeds its housing target. The proposal therefore is not considered to accord with these policies and would result in unsustainable development for these reasons.
- 2 Highway safety**

The roads serving the site are considered to be inadequate to serve the development proposed by reason of the restricted visibility at adjacent road junctions. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety. Contrary to Policy TR2 and COM01 of the adopted Local Plan and paragraphs 108 and 109 of the NPPF.
- 3 Character and appearance**

The Local Planning Authority considers that the introduction of the proposed residential development in this location where development is limited would result in the intrusion of built development into the open countryside and detracting from the rural character of the area generally. Furthermore, the proposed development would relate poorly to the built form and settlement pattern of Shipdham, and the settlement boundary. As such the proposal would conflict with adopted Local Plan Policies ENV05, COM 01 and GEN2 and the guidance at paragraph 127 of the NPPF, which seek to safeguard the intrinsic beauty of the countryside and protect valued landscapes.
- 4 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 bedrooms of a care home, as such the proposal is contrary to Policy COM03 of the adopted Local Plan and paragraph 127(f) of the NPPF.

