

ITEM:		RECOMMENDATION:	REFUSAL
REF NO:	3PL/2019/1444/O	CASE OFFICER	Tom Donnelly
LOCATION:	BANHAM Mill Road Banham	APPNTYPE:	Outline
APPLICANT:	Mr Andrew Aldridge 5 Northmead Drive North Walsham	POLICY:	In Settlemnt Bndry
AGENT:	John Spencer Drawing Services Magnum House Deopham Green	CONS AREA:	N
PROPOSAL:	Two detached two storey dwellings.	LB GRADE:	N
		TPO:	N

DEFERRED REASON

The application was deferred at a previous meeting after the agent made representation about an alternative access arrangement that he considered would address the Highway Authorities concerns.

Following the deferral of the item, a revised site layout plan was submitted showing a shared central access point rather than 2 separate accesses as previously proposed. After considering this, the Highway Authority requested that an updated topographical survey was provided taking into account these changes.

The updated topographical survey was not forthcoming and therefore it cannot be considered that the outstanding concerns of the Highway Authority have been sufficiently addressed. It is therefore still considered that the Highway Safety concerns previously raised and outlined remain. Therefore, the recommendation of refusal, as set out below, remains on these grounds.

REASON FOR COMMITTEE CONSIDERATION

The application is brought before committee at the request of the ward representative

KEY ISSUES

Principle of development
Impact on character and appearance
Impact on amenities
Impact on character and setting of Listed Building
Impact on parking provision and highway safety

DESCRIPTION OF DEVELOPMENT

The proposal seeks outline permission for the erection of 2 dwellings with all matters reserved.

SITE AND LOCATION

The application site is land adjacent to South Mill Cottage, Mill Road in Banham. The site is currently vacant and overgrown. It is within the Banham Settlement Boundary and is adjacent to Grade II Listed Buildings.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2019/0525/O Refusal 29-08-19
Development of parcel of land with Two Detached Two Storey Dwellings

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
ENV07	Designated Heritage Assets
GEN01	Sustainable Development in Breckland
GEN02	Promoting High Quality Design
GEN05	Settlement Boundaries
HOU06	Principle of New Housing
LBC	Planning(Listed Building & Conservation Areas) Act 1990
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
TR01	Sustainable Transport Network
TR02	Transport Requirements

OBLIGATIONS/CIL

Not Applicable

CONSULTATIONS

BANHAM P C

No comment

NORFOLK COUNTY COUNCIL HIGHWAYS

A detailed survey drawing prepared revealed that by slightly repositioning the access points, a satisfactory

level of visibility could be achieved to the north east. However, to the south west visibility is still obstructed by boundary features on land which lies outside of the applicants control and can only achieve 33m from the northern access and 22m from the southern access. This provides a mere 55% and 37% respectively of the Government safety standard. Further, whilst not a matter for my consideration, even this minimal amount of visibility will have a significant effect on the existing frontage hedge contrary to the advice given in the submitted Heritage Statement.

Visibility is probably the most important contribution to road safety. Adequate visibility enables a driver leaving an access sufficient warning of oncoming vehicles to make their manoeuvre safely. Further it provides drivers of through vehicles sufficient warning of an emerging in time to react and take the necessary action.

In this instance visibility falls so far below recommended standards that I would have no hesitation in recommending permission be refused on this basis.

CONTAMINATED LAND OFFICER

No objection subject to conditions

HISTORIC BUILDINGS CONSULTANT

No objection on heritage grounds following submission of revised street scene drawing.

REPRESENTATIONS

The neighbour consultation period expired on 19-12-19.
Additionally, a site notice was posted which expired on 24-12-19.

No responses were received.

ASSESSMENT NOTES

1.0 Principle of Development

1.1 The site lies within the settlement boundary of Banham where the principle of development is considered to be acceptable by virtue of policy GEN03, GEN05 and HOU06 of the Breckland Local Plan (Adopted 2019). On this basis, the principle of residential development in this location is considered to be acceptable.

2.0 Impact on character and appearance

2.1 The site lies within the Banham Settlement boundary and is within an area characterised by residential development of a one and a half storey and two storey nature. On this basis, it is considered that the principle of residential development in this location would be acceptable in terms of the impact on character and appearance of the area subject to a sympathetically designed detailed scheme.

2.2 It is therefore considered that, subject to a suitably designed scheme, the proposal has appropriate regard to Policy COM01 and GEN02 of the Breckland Local Plan (Adopted 2019) and paragraphs 127 & 130 of the NPPF (2019).

3.0 Impact on amenities

3.1 The impact on amenities was considered with regard to Policy COM03 of the Breckland Local Plan (Adopted 2019).

3.2 An indicative block plan has been submitted in support of the application which indicates that 2 dwellings can be accommodated on site without resulting on any detrimental amenity impacts on existing properties and whilst providing sufficient amenity provision for the proposed units. Given that the block plan and elevations provided are indicative, this would need to be considered further at a detailed design stage.

3.3 On the basis of the above, the proposal is considered to have appropriate regard to Policy COM03 in respect of the preservation and provision of amenities.

4.0 Impact on significance and setting of Listed Building

4.1 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 (see in particular sections 16, 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. Local Plan Policy ENV07 seeks to ensure that new development preserves and enhances the character, appearance of conservation areas and significance and setting of listed buildings.

4.2 The previous application on this site was refused on the grounds of having insufficient heritage impact information. This has been addressed via the submission of a Heritage Impact Assessment in support of the application this time around. Following consideration of this, the Historic Buildings Officer requested that an indicative street scene be provided to give an idea as to the potential impact of the development on the setting of adjacent Listed Buildings.

4.3 Following some minor revisions to the indicative street scene drawings, the Historic Buildings Officer has indicated that he has no objection to principle of the development. However, further consideration will need to be given to the detailed design of the scheme to ensure that the impact on the setting and significance of the adjacent Listed Buildings is acceptable.

4.4 It is considered on balance that the proposal has appropriate regard to Policy ENV07 of the Breckland Local Plan (Adopted 2019), Section 16 of the NPPF and Section 66 of the Planning (Listed Building and Conservation Area) Act 1990.

5.0 Impact on parking provision and highway safety

5.1 During the course of the previous application, there was discussion regarding the visibility splays and location of the access point to determine whether safe access and egress could be provided to and from the site. To this end, a speed survey was commissioned which revealed that the 85th percentile traffic speed was in excess of the stated speed limit for the road and, as such, the level of visibility required is increased.

5.2 The visibility splay details provided show the northern access point only achieves 55% of the required visibility and the southern access achieves 37% of the required visibility to the south-west of the site as detailed by Manual for streets.

5.3 On the basis of the submitted details demonstrating that there is a shortfall in visibility to the south-west of the site, the Highway Authority have objected to the proposal on these grounds in terms of highways

safety.

5.4 Accordingly, it is considered that the visibility required falls well below the required standard and therefore the traffic movements associated with 2 additional dwellings would likely give rise to adverse highway safety conditions for users of the adjacent highway. On this basis, it is considered that the proposal does not satisfy the requirements of Paragraphs 108 & 109 of the NPPF (2019) and Policy TR02 of the Breckland Local Plan (Adopted 2019).

6.0 Planning balance/Conclusion

6.1 In terms of the overall planning balance of the scheme and in planning judgement terms, the proposal is considered to give rise to adverse highway safety conditions contrary to paragraphs 108 & 109 of the NPPF (2019) and Policies TR02 and COM01 (m) of the Breckland Local Plan (Adopted 2019) and is accordingly recommended for refusal on this basis.

RECOMMENDATION

That Planning Permission be REFUSED for the following reasons:

REASON(S) FOR REFUSAL

- 1 Non-std reason for refusal**
Inadequate visibility splays are provided at the junction of the access with the County highway and this would cause danger and inconvenience to users of the adjoining public highway detrimental to highway safety contrary to Policies TR02 and COM01 (m) of the Breckland Local Plan (Adopted) and Paragraphs 108 & 109 of the NPPF (2019).