

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2023/0177/D	CASE OFFICER	Naomi Minto
LOCATION:	THOMPSON Land Adj to Farriers Tottington Road	APPNTYPE:	Reserved Matters
APPLICANT:	Mr L Ainge c/o Lisa Allard -	POLICY:	In Settlemnt Bndry
AGENT:	Mrs Lisa Allard 18 St Walstans Close Costessey	CONS AREA:	N
PROPOSAL:	Approval of Reserved matters following Outline approval 3PL/2022/0016/O		
		LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

The application was referred to Planning Committee following a call in request by a local ward member and consideration at Chairman's Panel.

KEY ISSUES

- Principle of development
- Impact on character and appearance
- Impact on amenities
- Impact on parking provision and highway safety
- Ecology and GIRAMS
- Other matters

DESCRIPTION OF DEVELOPMENT

The application seeks approval for the reserved matters following Outline planning permission for a proposed new dwelling (ref: 3PL/2022/0016/O, dated 18 July 2022). All matters were reserved at the Outline stage. The current application therefore seeks approval of the access, design and appearance, landscaping, layout and scale.

SITE AND LOCATION

The application site, which measures approximately 0.03 hectares, is located on land north of Farriers, Tottington Road, Thompson. It is located between existing residential development (north and south), which follows a linear pattern along Tottington Road.

The double garage and shed that were previously on site have since been demolished and the site cleared for development. Boundary fencing has been erected to the rear of the site.

The site is located within the defined settlement boundary for Thompson. To the east is the public highway with designated open space beyond (Celebration Avenue) and to the west is agricultural land.

The site is located within a designated Special Protection Area Stone Curlew Buffer Zone. There is also a designated County Wildlife Site (Sparrow Hill Meadow) to the north west of the site (approximately 600m away).

The site is located within Flood Zone 1.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2022/0016/O	Permission	18-07-22
Proposed new dwelling		

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
COM02	Healthy Lifestyles
COM03	Protection of Amenity
ENV02	Biodiversity protection and enhancement
ENV03	The Brecks Protected Habitats & Species
ENV06	Trees, Hedgerows and Development
ENV09	Flood Risk & Surface Water Drainage
GEN02	Promoting High Quality Design
HOU06	Principle of New Housing
HOU10	Technical Design Standards for New Homes
NPPF	National Planning Policy Framework (Revised 2021)
NPPG	National Planning Practice Guidance
TR01	Sustainable Transport Network
TR02	Transport Requirements

OBLIGATIONS/CIL

Not applicable

CONSULTATIONS

THOMPSON PARISH COUNCIL

Objection - The scope of what we are able to comment on is limited by the reserved matters designation.

Appearance - It is proposed that the external window frames and roof tiles are black. This is out of keeping with other properties in the village which generally have red pantiles. It is further suggested that the external render should be cream rather than white to blend in with adjacent properties.

Means of Access - It is felt that this extends to the drainage system for the property. There is no detail on how sewage and waste water will be dealt with. If a PTP is to be installed (as suggested in the earlier outline planning application), then the location for this and where it will drain into needs specifying. It will be wholly unacceptable for the ditch on the Millennium Green side of the road to be used as the point that the PTP drains into.

Landscaping - The landscaping, as proposed is applauded, though it is noted that the dimensions of the garden are smaller than those given in the previous application.

Layout - Parking for two cars at the front of the property is proposed. This will leave virtually no space for a front garden as is the case with other properties on that stretch of Tottington Road.

Scale - Outline approval was for a 1.5 storey house. The footprint of the property in this application is larger than that which was agreed previously and it remains unclear whether the first floor will be of similar dimensions to the ground floor making it a full two storey house. We would also comment that the proximity of the new property to the existing neighbouring property to the north is very tight and would appear to make a window in the gable end of that building, the former village hall, redundant. It is also noted that there was no garage shown in the outline application, but one has now been included.

Summary - The Parish Council have significant reservations about the proposal presented. It is larger than previously agreed, using materials that are out of keeping and gives no detail on the treatment of sewage and wastewater. With such a compressed site, drainage arrangements are a key concern and must be resolved before the application can proceed.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection, subject to conditions.

ECOLOGY

No objection, subject to condition.

CONTAMINATED LAND OFFICER

Reserved matters not related to Environmental Health issues e.g. noise, air quality or contaminated land.

REPRESENTATIONS

A Site Notice was put up on 28 February 2023 and five neighbours directly consulted. No letters of representation have been received.

ASSESSMENT NOTES

1.0 Principle of development

1.1 The application site is located within the defined Settlement boundary of Thompson where the principle of residential development is accepted. In addition, the site benefits from an extant Outline planning permission (with all matters reserved) for the erection of one new 1.5 storey dwelling (ref: 3PL/2022/0016/O, dated 18 July 2022). Therefore, the principle of residential development on this site has been established.

1.2 The current application seeks approval for the Reserved Matters, having due regard to access, design and appearance, landscaping, layout and scale.

2.0 Impact on character and appearance

2.1 Policies GEN 02 and COM 01 of the Breckland Local Plan (adopted 2019) (BLP) require 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 Local Planning Authority raised concerns with the initial plans submitted, as did the Parish Council. It was considered that the design of the dwelling would not integrate to a high degree of compatibility with the surrounding area, having regard to layout, style, massing, scale and spacing between the proposed dwelling and existing dwellings. Following a discussion with the agent, revised plans have been submitted, which reduce the height of the dwelling by 750mm. A street scene perspective drawing was also submitted to enable the Council to see how the dwelling would integrate with the existing development either side of the site. The reduction in height would result in a stepped appearance in roof heights between the proposed dwelling and the existing dwellings either side of it. This is considered acceptable in planning terms and will integrate with the neighbouring dwellings.

2.3 Concerns were also raised in respect of the proximity and height of the proposed dwelling to an existing ground floor window on an adjacent dwelling. The agent has submitted revised plans, which show the proposed dwelling set further back on site, in order not to obstruct natural light from the neighbour's ground floor window, which abuts the application site. Whilst this now results in the proposed dwelling not conforming with the existing building line either side of it, it is accepted that the dwelling would not be positioned so far back on site that it would appear at odds with the street scene. The revised changes are therefore considered broadly acceptable, given the existing characteristics of the immediate area.

2.4 The Parish Council also raised concerns, in respect of the proposed design, having regard to materials, landscaping, layout and scale. They advised that the external window frames and roof tiles are proposed to be black, which would be out of keeping with other properties in the village, which generally have red pantiles. The agent has submitted revised plans, with updated materials including Imerys Pannes roof tiles in red and anthracite grey windows, fascia and bargeboards. Walls will comprise a red multi brick plinth with cream render above. Black fibre cement cladding is proposed on the walls to the sides and rear of the building. The revised plans are considered broadly acceptable and in keeping with the surrounding area.

2.5 In respect of the Parish Council's comments relating to layout, the applicant has since submitted revised plans, which result in the proposed dwelling set further back on site. This will enable a larger frontage and the ability for a landscaped area to be introduced. A landscaping condition is therefore recommended with any forthcoming planning permission.

2.6 Overall, it is considered that the appearance and scale of the revised dwelling is acceptable and would not result in an adverse impact on the character and appearance of the immediate vicinity or the wider area. The revised scheme therefore has due regard to Policies COM 01 and GEN 02 of the BLP and paragraph 130 of the NPPF (2021), subject to condition.

3.0 Impact on amenities

3.1 Policy COM 03 of the BLP states that development will not be permitted, which causes unacceptable effects on the residential amenity of neighbouring occupants, or does not provide for adequate levels of amenity for future occupants. Consideration will be had to a number of factors including (but not limited to); the protection of adequate areas of usable and secluded private amenity space for the occupiers of existing dwellings; the provision of adequate areas of usable and secluded private amenity space for the occupiers of proposed dwellings, in keeping with the character of the immediate surrounding areas; overlooking of windows of habitable rooms and private amenity space; overbearing impact / visual dominance and odour, noise, vibration or other forms of nuisance, such as artificial light pollution, insects and vermin.

3.2 Concerns were raised in respect of the original proposed siting of the dwelling and its height so close to a neighbouring property with a ground floor window facing onto the application site. It was considered that the dwelling, as originally proposed, would obstruct natural light from the existing window on the adjacent dwelling. The agent has since submitted revised plans for consideration, setting the dwelling back so as not to obstruct the neighbour's window. In light of the revised scheme, it is considered that the relationship of the development to neighbouring dwellings and private open space is such that visual dominance, loss of light, overlooking and overshadowing impacts all fall within acceptable parameters. The domestic nature of the development will ensure the proposal does not give rise to any undue form of disturbance.

3.3 It is noted that there is not a huge amount of private external amenity space afforded to future occupants of a four bedroom dwelling. However, it is accepted that it would be a case of buyer beware and there is at least a level of private amenity space available, as well as public open space directly opposite the site. In addition, Policy COM 03 of the BLP recommends that garden sizes should reflect that of the character of the area, there are differences in the size of dwellings / plot and garden sizes in the immediate area and some of similar and smaller sizes than that proposed. On this basis, the proposal is considered to be in character with the varied character of the surrounding area. It is however recommended that any forthcoming planning permission should include a condition removing permitted development rights. This is sufficient to safeguard the remaining garden space to ensure satisfactory private amenity space provision. In light of the above considerations, the application is considered to have due regard to Policy COM 03 of the BLP, whilst also having due regard to paragraph 130 of the NPPF.

4.0 Impact on parking provision and highway safety

4.1 Policies COM 01(m) and TR 02 of the BLP seek to ensure that all access and safety concerns are resolved in new developments. Policy HOU 06 of the BLP requires sufficient parking for all new development. Paragraphs 110 and 111 of the NPPF (2021) are also relevant considerations.

4.2 The submitted plans show sufficient parking provision for a three vehicles on site. In addition, provision of a garage will enable safe storage for bicycles. Norfolk County Council Highways were consulted as part of the application process and following receipt of revised plans, no objection has been raised, subject to conditions. Therefore, the application is considered to be compliant with Policies COM 01, TR 01, TR 02 and HOU 06 of the BLP, as well as having due regard to paragraphs 110 and 111 of the NPPF (2021).

5.0 Ecology and GIRAMS

5.1 Policy ENV 02 of the BLP states that all new development should demonstrate how net gains for biodiversity are being secured as part of the development, proportionate to the scale of development and potential impacts (if any). The site is located in close proximity to two ponds. Ecological considerations were had at the Outline stage and conditions were attached to the Outline planning permission accordingly. As part of the Reserved Matters application the applicant has submitted a Biodiversity Enhancement Plan. The Council's Ecologist has raised no objection.

5.2 In respect of the Norfolk Green Infrastructure and Recreational impact Avoidance and Mitigation Strategy (GIRAMs), it is noted that this was addressed at the Outline stage. Therefore, in light of the above considerations, the application is considered to be compliant with Policies ENV 02 and ENV 03 of the BLP, as well as paragraph 174 of the NPPF (2021) and the Conservation of Species Habitats Regulations 2017 (as amended).

6.0 Other matters

6.1 Policy INF03 of the BLP, includes a requirement for the Council to undertake a Partial Update of the Plan with regard to housing, non- travelling gypsy and travellers, accessibility of homes standards and economic development by November 2022. On this basis, the Council has carried out a Single Policy Partial Update of Policy INF03. The Partial Update was submitted for Examination on 29 November 2022. The Partial Update of the Local Plan sets out the rationale behind the approach. The Council therefore concludes that it has met the requirement set by Policy INF03 and that the relevant policies within the Development Plan, against which this application has been considered, remain up to date and have been given full weight in the determination of this application.

7.0 Conclusion

7.1 Taking into account the overall planning balance of the scheme, the principle of development has already been established via the grant of Outline planning for one dwelling (ref: 3PL/2022/0016/O, dated 18 July 2022). The Reserved Matters application has been assessed, having particular consideration to access, design and appearance, landscaping, layout and scale and following receipt of revised plans, the proposal has been found to be policy compliant. The submitted plans propose a scheme that would integrate with the existing built form without any adverse impacts to the character and appearance of the area, amenity and highway safety. Accordingly, the application is recommended for approval, subject to conditions.

RECOMMENDATION

Approval, subject to the conditions listed below.

CONDITIONS

1 Reserved Matters - time limit

This approval is granted following the grant of Outline Planning Permission reference 3PL/2022/0016/O dated 18 July 2022. The timescales for implementation of the development are set out at condition 2 of the Outline Planning Permission.

Reason for condition:- For the avoidance of doubt and to ensure that the development accords with conditions attached to the outline planning permission for the proposal,

including time limits specified for commencement, resulting in appropriate development of the site.

2 In accordance with submitted plans NEW 2017

The development shall 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, in accordance with Policy COM 01 of the Breckland Local Plan (adopted 2019).

3 External materials as approved

The development hereby permitted shall be constructed using the materials specified on the planning application form and / or submitted drawings.

Reason for condition:- To enable the Local Planning Authority to ensure the satisfactory appearance of the development, as required by Policies COM 03, GEN 02 and COM 01 of the Breckland Local Plan (adopted 2019).

4 Landscaping scheme to be submitted - hard and soft

Prior to the commencement of development above the laying of the foundations, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. These details shall include:

- hard surfacing materials;
- means of enclosure;
- proposed finished levels or contours;
- minor artefacts and structures (e.g. refuse, lighting etc.)

Soft landscaping shall include:

- Planting plans;
- Written specifications (including cultivation and other operations associated with plant and grass establishment);
- Schedules of planting, noting species, plant sizes and proposed numbers/densities where appropriate;
- Implementation programme

Reason for condition:- Details are required prior to commencement in the interests of the satisfactory appearance of the development in accordance with policies GEN 02 and COM 01 of the Breckland Local Plan (adopted 2019).

This condition will require to be discharged

5 Obscure glazing

The windows on the first floor north east and south west elevations (serving en-suites) hereby approved shall be obscure glazed to a specification of not less than the equivalent of classification 5 of Pilkington Glass and shall be permanently maintained in that form in accordance with the approved drawings unless otherwise first agreed in writing by the Local Planning Authority.

Reason for condition:- To prevent overlooking and to protect the amenity and living conditions of adjacent residential property, as required by Policy COM 03 of the Breckland Local Plan (adopted 2019).

- 6** **Precise details of foul water disposal**
- Prior to commencement of any development above the laying of foundations, precise details of the means of foul water disposal shall be submitted to and approved in writing by the Local Planning Authority. Only such agreed system or works shall be used in connection with this approval.
- Reason for condition:-
To minimise the possibilities of flooding from the outset of the development, in accordance with Policy COM 03 and ENV 09 of the Breckland Local Plan (adopted 2019).
- This condition will require to be discharged**
- 7** **Prior to the first occupation/use of the development hereby**
- Prior to the first occupation of the development hereby permitted, the vehicular access crossing over the verge shall be constructed in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority in accordance with the highways specification (TRAD 4) 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 in accordance with Policies TR 01 and TR 02 of the Breckland Local Plan (adopted 2019).
- 8** **Notwithstanding the provision of the Town and Country**
- Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-enacting that Order) no gates/bollard/chain/other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority. Only those approved details shall be erected on site.
- Reason for condition:- In the interests of highway safety in accordance with Policies TR 01 and TR 02 of the Breckland Local Plan (adopted 2019).
- 9** **Prior to the first occupation/use of the development hereby**
- Prior to the first occupation of the development hereby permitted, the proposed access and parking area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- Reason for condition:- To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with Policies TR 01 and TR 02 of the Breckland Local Plan (adopted 2019).
- 10** **No PD for classes A B C D & E**
- Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification), no extensions, roof alterations, porches or ancillary buildings as defined within Classes A, B, C, D and E of Part 1 of Schedule 2 of that Order shall be erected or brought onto the land unless an appropriate planning application is first submitted

to and approved in writing by the Local Planning Authority.

Reason for condition:- In the interests of the satisfactory appearance of the development and/or the amenities of adjoining residents in accordance with Policy COM 03 of the Breckland Local Plan (adopted 2019).

12 NOTE NCC Inf 2 When Vehicular access works required

This development involves works within the public highway that can only be carried out by Norfolk County Council as Highway Authority unless otherwise agreed in writing. It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. Please note that it is the Applicants' responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Advice on this matter can be obtained from the County Council's Highway Development Management Group. Please contact developer.services@norfolk.gov.uk If required, street furniture will need to be repositioned at the Applicants own expense. Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer. Please be aware it is the applicants responsibility to clarify the boundary with the public highway. Private structures such as fences or walls will not be permitted on highway land. The highway boundary may not match the applicants title plan. Please contact the highway research team at highway.boundaries@norfolk.gov.uk for further details.

13 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.