

<b>Parish:</b>	<b>Walpole</b>	
<b>Proposal:</b>	<b>Proposed detached dwelling</b>	
<b>Location:</b>	<b>Land Adj Eastleigh Chalk Road Walpole St Peter</b>	
<b>Applicant:</b>	<b>Mr Henry Amps</b>	
<b>Case No:</b>	<b>20/01240/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr K Wilkinson</b>	<b>Date for Determination: 22 October 2020 Extension of Time Expiry Date: 2 November 2020</b>

**Reason for Referral to Planning Committee** – Officer recommendation contrary to views of Parish Council and called in to Planning Committee by Cllr Blunt

**Neighbourhood Plan:** No

**Case Summary**

The application is for the erection of a detached two-storey 4-bedroom dwelling. The site lies to the south of the property known as "Eastleigh", on the east side of Mill Road on the southern edge of Walpole St Peter. The site lies outside the Walpole St Peter development boundary, so it is deemed as being in the countryside. The site lies in Flood Zones 2 and 3a.

**Key Issues**

- Principle of development
- Impact on character and appearance of the area
- Impact on neighbour amenity
- Flood risk
- Other matters that require consideration prior to the determination of the application

**Recommendation**

**REFUSE**

**THE APPLICATION**

The application is for the erection of a detached two-storey 4-bedroom dwelling. The site lies to the south of the property known as "Eastleigh", on the east side of Mill Road on the southern edge of Walpole St Peter. The proposed dwelling would lie adjacent to the built up area of Walpole St Peter, but still lie outside the development boundary, therefore the site is classed as countryside. In addition, the site lies in Flood Zones 2 and 3a. Mill Road is characterised by sporadic linear development, mainly on the west side of the road, with agricultural fields bounding the east.

## **SUPPORTING CASE**

- The building plot was originally purchased by my parents in 1996 (with planning consent) alongside the purchase of Eastleigh house. The building plot was purchased with the intention of building a self build when the time was right. My parents have never pursued this as they were more than happy living in Eastleigh. With the arrival of my Daughter Lucia in September 2019 we thought this was the perfect opportunity to start planning to build our forever family home on the building plot I had grown up next to as a young child.
- Family is really important to both myself, my partner Michelle and our parents. With all of Michelle's Family living in her homeland of Scotland, we feel it's really important to have such a close relationship with my parents, with them being our neighbours we feel this would create the perfect family surroundings.
- I have lived in the Walpoles since birth with my family.
- We are looking to extend our family in the near future and I would love for my children to attend the local Primary school (Anthony Curtain) as I did as a child.
- All the Local development boundary maps pre 2016 included this plot in the development zone. The site now immediately abuts the SADMP boundary.
- We believe the proposed building plans are in keeping with the village.
- We have included environmental details in the design including solar panels and air source heating to make the build as environmentally friendly as possible.
- With the current climate, we feel that our build would also support local companies in contracting them to help with build.
- We own a local family business, which has previously supported the local community and will continue to do so in the future, remaining in the village and close to my family will ensure the family business can run effectively.

## **PLANNING HISTORY**

2/92/0730/O: Application Refused: 23/04/92 – Site for construction of one dwelling – Mill Road, Walpole St Peter

2/92/1454/O: Application Permitted: 12/08/92 – Site for construction of one dwelling – South of Eastleigh, Mill Road, Walpole St Peter

2/95/0328/O: Application Permitted: 08/05/95 - Site for construction of dwelling (renewal) - South of Eastleigh, Mill Road, Walpole St Peter

2/02/1327/O: Application Permitted: 20/09/02 - Site for construction of dwelling - South of Eastleigh, Mill Road, Walpole St Peter

20/00030/PREAPP: Likely to Refuse: 08/04/20 - Outline: Proposed building plot – Land South Eastleigh, Chalk Road, Walpole St Peter

## **CONSULTATION RESPONSES**

### **Walpole Parish Council: SUPPORT**

In keeping with the village. i.e. cedar cladding.  
Environmental details within the development.  
Overall design is thought to be excellent.

## **Environment Agency: NO OBJECTION**

By consulting us on this planning application we assume that your Authority has applied and deemed the site to have passed the NPPF Sequential Test. Please be aware that although we have raised no objection to this planning application on flood risk grounds this should not be taken to mean that we consider the proposal to have passed the Sequential Test.

We have no objection to the proposed development, but strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) (4728770) are adhered to. In particular, the FRA states that:

- Finished floor levels will be set no lower than 10.195m AOD (1m above lowest site levels).
- Flood resilient measures will be incorporated up to 300mm above finished floor levels.

## **NCC Highways: NO OBJECTION**

The access to be utilised does presently have acceptable levels of visibility over the ditches and from their arraignment I would expect there to be a realistic expectation that such would remain in the future. With respect to the construction of the access point currently found, it was evident that it was un-surfaced and steep and would therefore not accord with adopted standards without improvement. The applicant should note the max recommended gradient as this may impact of driveway levels. From the drawings submitted I observe that the parking with turning would accord with the adopted standards.

Recommend conditions to ensure satisfactory access, visibility, gradient, permanent parking and turning areas and in the interests of highway safety.

## **Environmental Quality: NO OBJECTION**

## **Emergency Planning: NO OBJECTION**

The information supplied meets the criteria for an effective flood evacuation strategy.

## **Natural England: NO OBJECTION**

## **REPRESENTATIONS:**

No third party representations were received

## **LDF CORE STRATEGY POLICIES**

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM2** – Development Boundaries

## **DM15 – Environment, Design and Amenity**

### **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)  
National Design Guide 2019

### **PLANNING CONSIDERATIONS**

#### **The main considerations:**

The principle of development.  
Impact on character and appearance on area.  
Impact on neighbour amenity  
Flood risk  
Other matters that require consideration prior to the determination of the application

#### **Principle of development:**

The planning history indicates that proposals for residential dwellings have been permitted in the past, but the development boundary of Walpole St Peter has changed since then, so the circumstances of this proposed development are different. The site now lies outside the development boundary for Walpole St Peter and is not allocated for development in the SAMDPP 2016. As such, in accordance with Policy DM2, it will be treated as countryside where new development is more restricted and limited to that identified as suitable in rural areas. Policy CS06 of the Core Strategy 2011 reinforces this position, by stating that development of greenfield sites will be resisted unless essential for agricultural or forestry use.

The development of this dwelling would be commissioned by the family that intends to occupy it, as such it would be in accordance with the definition of custom and self-build housing (CSB). Local Authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self build and custom house building. Further that there is a duty under Sections 2 and 2A of the Self Build and Custom Housebuilding Act 2015 to have regard to the register and to give enough sustainable development permissions to meet the identified need. It has been evidenced and confirmed by an Inspector at Appeal (Fosters, Clenchwarton) that having regard to the register, the Council has granted a significant number of planning permissions (measured over the last 4 years) on the basis of them being self build and is therefore meeting the identified need. Clearly, the Council is meeting its duty with regard to custom and self build housing and as such, the weight attached to the provision of self-build plots is limited when considering the planning balance.

The proposed development when judged against the aforementioned policies is not suitable development and there is no justification for the residential development of this greenfield land. For the reasons above, the development of a dwelling on the site in question would be contrary to and undermines the spatial strategy for the area as set out in Policies CS02, CS06 and CS08 of the Core Strategy 2011 and DM2 of the SADMPP 2016.

### **Impact on character and appearance of the area:**

The character and appearance of dwellings along Mill Road is varied, with a mix of bungalows and two-storey dwelling and lots of different materials and styles. The external materials of the dwelling will comprise White render and cedar cladding with smooth grey roof tiles and grey windows. The footprint of the dwelling will span the width of the site with a small gap either side. The dwelling is proposed with a pitched roof with solar panels. An attached garage is proposed to the front of the dwelling. It is considered the scale, layout, character and appearance of the dwelling would be acceptable.

The side boundary hedge is shown to be removed and then replaced with a new 1m row of planting which would soften the visual impact of the development, the exact details of which could be conditioned. The site is located adjacent to the settlement and physically it relates well to the existing built up area. It is considered the residential development of this site would not have any detrimental impact on the character or appearance of the wider countryside.

The proposal in so far as character and appearance would therefore be in accordance with Policies CS06 and CS08 of the Core Strategy 2011 and Policy DM15 of the SADMPP 2016.

### **Impact on neighbour amenity:**

It is considered there is sufficient distance to Eastleigh to the north such that there would not be any significant detrimental overbearing or overshadowing impact.

With regard to privacy, the finished floor levels of the dwelling are proposed to be raised by 1m, including a 1m high raised patio to the rear. The proposed 1.8m close boarded fence will not be sufficient to screen overlooking views from ground floor windows and the rear patio area into the private garden and internal spaces of the donor dwelling to the north. However, details of boundary treatments along with screening to the raised patio could be conditioned.

The donor dwelling Eastleigh has a first-floor window on the south elevation which would be approximately 17m away from the proposed boundary of the garden. It is considered this is sufficiently far such that there would not be any significant overlooking impact. Lastly the proposed dwelling has a first floor window on its east gable end which would look towards a neighbouring outbuilding used as a sun room, however the gap between these would be approximately 22m. Overall, subject to additional screening the relationship between the proposed dwelling and its neighbours will not give rise to any significant impacts on residential amenity, in accordance with Policy DM15.

### **Flood risk:**

The site lies in several different flood risk zones, including tidal breach and surface water flooding zones in addition to Flood Zones 2 and 3a. The Borough Council Emergency Planning Officer recommended that a flood evacuation plan was prepared. One was then supplied by the agent and it was found satisfactory. The Emergency Planning Officer has no objection to the application

The Environment Agency also has no objection to the development subject to compliance with the recommendations set out in the Flood Risk Assessment. However the EA's response does not consider the sequential or exception tests, that is the responsibility of the Local Planning Authority.

The majority of the Walpole Parish lies within Flood Zone 3a and there are no alternative sites at lower risk, therefore the development would pass the sequential test. Following the

sequential test, it is considered the development would fail the exception test. The Borough Council can currently demonstrate it has a sufficient supply of housing land to meet the housing need identified for the district. Development of this site outside of the development boundary would therefore have limited sustainability benefits. Overall, it is considered the limited sustainability benefits of providing this dwelling in an unsuitable location would not outweigh the flood risk contrary to the NPPF and Policy CS08 of the Core Strategy 2011.

**Other material impacts:**

The level of traffic generated from the site would not have any significant adverse impact on highway safety on this part of Mill Road. In addition, adequate visibility can be achieved from the site access. Overall it is considered the development would not have any significant adverse impact on highway safety. The Local Highway Authority raise no objection subject to conditions regarding access, visibility, gradients and suitable parking and turning.

Lastly, it is considered there are no significant contamination risks involved with this site and Environmental Quality do not object to the application.

**CONCLUSION:**

The site lies in the countryside outside of but adjacent to the designated development boundary of Walpole St Peter. Therefore, in accordance with Policy CS06 of the Core Strategy 2011, it is not considered a suitable location for new residential development. As such, the application would fail to meet the objectives of Policy DM2 of the SADMPP 2016. Subsequently, it is considered the risk of flooding on the site would outweigh the limited sustainability benefits of providing a dwelling on this site contrary to Policy CS08 of the Core Strategy 2011 and the NPPF.

**RECOMMENDATION:**

**REFUSE** for the following reason(s):

- 1 The site lies outside of the development boundary for Walpole St Peter identified by the SADMPP 2016. Policy DM2 of the SADMPP states that areas outside development boundaries will be treated as countryside where development is more restricted, except for development identified as suitable in rural by areas by other policies in the plan.

There is no justification for the proposed dwelling as it does not meet the criteria of any of the policies which outline suitable development in rural areas. As such, it does not accord with the objectives of sustainable development and the application is contrary to Policies DM2 of the SADMPP 2016, CS06 and CS08 from the Core Strategy 2011, and the NPPF.

- 2 The application site falls within Flood Zone 3a of the SFRA 2018 and passes the sequential test; therefore the exception test is required. It is considered the proposal fails the exception test because the limited sustainability benefits of the development would not outweigh the flood risk. Therefore, the proposed development is contrary to Paragraphs 160 and 161 of the NPPF and Policy CS08 of the Core Strategy 2011.