

AGENDA ITEM NO 8/1(a)

Parish:	Hilgay	
Proposal:	Demolition of existing dwelling and replacement for four new detached dwellings.	
Location:	25 Foresters Avenue Hilgay Downham Market Norfolk	
Applicant:	Mrs S Dennis	
Case No:	21/01060/F (Full Application)	
Case Officer:	Lucy Smith	Date for Determination: 28 July 2021

Reason for Referral to Planning Committee – called in by Cllr Holmes

Neighbourhood Plan: No

Case Summary

The application is for the construction of 4 new dwellings, replacing an existing bungalow, on land in the South West corner of Forester's Avenue, Hilgay.

Hilgay is categorised as a Rural Village in CS02 of the Core Strategy (2011) and therefore benefits from a development boundary to guide development to the most suitable locations. The application site is wholly within the development boundary shown on inset map G.48 of the SADMPP (2016).

The application site comprises 0.4ha of open land, partially residential curtilage, associated with No. 25 Foresters Avenue.

Key Issues

Principle of Development
Form and Character
Impact on Neighbours
Other material considerations

Recommendation

APPROVE

THE APPLICATION

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The application site comprises 0.4ha of open land, partially residential curtilage, associated with No. 25 Foresters Avenue. The existing bungalow, towards the north boundary of the site as well as a number of outbuildings along the east boundary and in the south west corner of the site are proposed to be demolished as part of the development. Amended plans have been received in relation to the access only.

SUPPORTING CASE None received at time of writing.

PLANNING HISTORY No relevant planning history

RESPONSE TO CONSULTATION

Parish Council: OBJECT - with the following comments:

'The Parish Council are worried about:

- the increase in traffic and access to this area which is already struggling with parking the environmental impact on the residents due to the number of proposed properties to be built
- should the application be passed, the Parish Council would also want some form of formal reassurance, of intent to build and genuine commitment to do so, as there appear to be a growing number of applications that have been approved but have never been built'

Highways Authority: NO OBJECTION - subject to standard access/parking/turning area conditions

Environmental Health & Housing - Environmental Quality: NO OBJECTION - recommended Asbestos informative due to age of building

Arboricultural Officer: NO OBJECTION (verbal) - recommended conditions relating to the protection of the existing ash tree on site.

REPRESENTATIONS

None received at time of writing

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

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 key issues are:

Principle of Development

Form and Character

Impact on Neighbours

Other material considerations

Principle of Development

The application is for the construction of four detached dwellings on land in the corner of Foresters Avenue, Hilgay. Hilgay is categorised as a Rural Village in CS02 of the Core Strategy (2011) and therefore benefits from a development boundary to guide development to the most suitable locations. The application site is wholly within the development boundary shown on inset map G.48 of the SADMPP (2016) and the principle of development on site is therefore considered acceptable in accordance with Policy DM2 of the Site Allocations and Development Management Policies Plan (2016).

Form and Character

The proposed development comprises four no. four-bedroom traditionally designed farmhouse type detached dwellings with timber porches and brick course detailing. Plots 1 and 4 also have single storey lean to projections along the north elevations. Each plot has a two-bay garage to the front and parking/turning areas in excess of the required standard. A shared access track runs along the east boundary of the site, providing access to Foresters Avenue in accordance with the standards required by Norfolk County Council.

Each of the dwellings measures approximately 9m to ridge line. With a total site area of 0.4ha (equivalent to 10 dwellings per hectare in terms of density), the dwellings have adequate spacing around them and private amenities spaces which are acceptable and are consistent with the larger detached dwellings fronting Foresters Avenue to the East of the site.

The proposed dwellings are located off a private access road and will be positioned in the site to the south of dwellings currently fronting Foresters Avenue. Given the layout of existing housing in the locality, in particular the existing semi-detached dwellings to the north of the

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site, the overall site layout is considered acceptable and unlikely to pose an adverse impact on the form and character of the site's surroundings.

The proposal is therefore in accordance with the NPPF (2021) Policy CS08 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).

Conditions are recommended to ensure that boundary treatments and hard and soft landscaping details are approved prior to the occupation of the dwellings.

Impact on Neighbours

Given the layout of the development, proposed front elevations will face east towards the side elevation and rear curtilage of No. 23 Foresters Avenue. Given the distance provided following the creation of the access road, turning areas, and garages, the proposed front elevations are located a minimum distance of approximately 25m from the east boundary (as measured from Plot 2). This distance is considered acceptable and is appropriate to mitigate any significant impact on this adjoining property.

Proposed windows on first floor side elevations will be obscure glazed and serve non-habitable rooms (en-suites). The proposed development is therefore considered to provide a good standard of amenity for future residents, with limited opportunities for overlooking between proposed dwellings.

To the north, the side elevation of the neighbouring dwelling faces towards the site. Given the position of plot 1, there is potential for slight overshadowing to the side garden/driveway during certain parts of the day. However, with in excess of 15m from side elevation to side elevation, the proposal will not pose a significant impact on the amenity of this dwelling.

The proposed access track is in close proximity to the shared boundary and the private amenity space of the adjoining dwelling (east). Conditions are recommended to ensure that this access track is suitably surfaced to limit any adverse impact on this adjoining property in regard to increased vehicle movements. An existing workshop/outbuilding in the rear garden of this neighbouring dwelling, combined with the landscaped strip along this boundary will also mitigate any impact.

The proposal is therefore in accordance with the NPPF (2021) Policy CS08 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).

Other material impacts

Following receipt of amended plans which altered the proposed access, the Local Highway Authority has stated no objection to the revised proposal, subject to standard conditions relating to the laying out of the access and parking/turning areas prior to the first occupation of the dwellings.

The application site is in Flood Zone 1 and therefore considered unlikely to lead to any adverse risk of flooding. Conditions are recommended to ensure that suitable foul and surface water drainage details are submitted and approved prior to the commencement of development.

An existing ash tree is located between plot 1 and plot 2 on site. The Arboricultural Officer raises no objection the scheme and conditions are recommended to ensure that this tree is protected during construction. Other soft landscaping details will also be conditioned to ensure a suitable scheme comes forward.

The Environmental Quality Team raised no objections to the plans subject to a standard asbestos informative which is recommended due to the age of the bungalow to be demolished on site.

Hilgay Parish Council objected to the proposal based on the increase in traffic, access and parking and the environmental impact on residents due to proposed number of houses. Whilst these comments are noted, as a total of 4 dwellings (a net gain of 3 when including the replacement of the existing bungalow) and with suitable access and parking areas provided wholly within the site, the proposal is considered unlikely to lead to any significant adverse impact on the surrounding street scene.

The Parish Council also raised concern around recent approvals across the village and the lack of build-out rate. Whilst these comments are noted, the LPA cannot control the commencement or completion of development. The approval will lapse if development does not commence within the standard three year time frame.

Crime and Disorder There are no known crime and disorder impacts.

CONCLUSION

The application site is within the development boundary for Hilgay and the construction of four new dwellings on the site is considered acceptable in principle.

Whilst Parish Council comments are noted, it is considered that the siting, design and scale of the dwellings as well as the layout of the proposed access is acceptable and will not impact on neighbour amenity or highway safety.

The application complies with Policies CS02 and CS08 of the Core Strategy (2011) and Policies DM2 & DM15 of the SADMPP (2016) and is recommended for approval on this basis.

RECOMMENDATION:

APPROVE subject to the imposition of the following condition(s):

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans:
 - (GA) 1020 Rev C
 - (GA) 1010
 - (GA) 1000 Rev A
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Prior to the commencement of the use hereby permitted the vehicular access indicated for improvement on Drawing No.1020 rev C shall be upgraded and widened to a minimum width of 4.5m metres in accordance with the Norfolk County Council residential TRAD1 access construction specification for the first 10 metres as

measured back from the near channel edge of the adjacent carriageway. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

- 3 Reason: 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 and traffic movement.
- 4 Condition: 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.
- 4 Reason: In the interests of highway safety.
- 5 Condition: Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking / turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 5 Reason: To ensure the permanent availability of the parking/maneuvering areas, in the interests of satisfactory development and highway safety.
- 6 Condition: No development or other operations shall commence on site until the existing trees and/or hedgerows to be retained have been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.
- 6 Reason: To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to trees during the construction phase.
- 7 Condition: No development shall commence until full details of the foul and surface water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 7 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.
- 8 Condition: Prior to the first occupation of any dwelling hereby permitted, full details of both hard and soft landscape works, including full details of the hard-surfacing of the proposed access track/driveway, shall be submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard

surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.

- 8 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF and to ensure that the access track is properly surfaced to mitigate any impact on adjoining properties in accordance with Policy DM15 of the SADMPP (2016).
- 9 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 9 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 10 Condition: Notwithstanding the details shown on the approved plan, prior to first occupation/use of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the occupation/use hereby permitted is commenced or before the building(s) are occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 10 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 11 Condition: Notwithstanding the details that accompanied the application hereby permitted, no development shall take place on any external surface of the development until the type, colour and texture of all materials to be used for the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 11 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.