

Parish:	Heacham	
Proposal:	Proposed dwelling following sub-division and part removal of wall	
Location:	Malthouse Farm 2 Cheney Hill Heacham Norfolk	
Applicant:	Greaves	
Case No:	21/01802/F (Full Application)	
Case Officer:	Connor Smalls	Date for Determination: 30 November 2021 Extension of Time Expiry Date: 17 June 2022

Reason for Referral to Planning Committee – Called in by Councillor Parish

Neighbourhood Plan: Yes- The referendum version of the Draft Heacham Neighbourhood Plan has now been published and is due to go to referendum on 16th June 2022.

Case Summary

The application site is located to the south of Malthouse Crescent, Heacham and comprises of an area of the plot to the east of Malthouse Farm, 2 Cheney Hill, the donor dwelling. The site is located within the development boundary of Heacham which is a Key Rural Service Centre as defined by Policy CS02 of the Core Strategy 2011.

The proposal seeks permission for a new single storey dwelling following the subdivision of the site.

Key Issues

- Principle of Development
- Form and Character
- Impact on Neighbouring Amenity
- Highway safety and parking
- Any other material considerations

Recommendation

APPROVE

THE APPLICATION

This application is located within the Key Rural Service Centre of Heacham The proposal consists of a single storey dwelling following the subdivision of the eastern area of the donor

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dwelling's plot, Malthouse Farm, 2 Cheney Hill. Access and parking would be to the north, with the site accessed from Malthouse Crescent. Amenity space serving the new dwelling would be located to the south of the plot.

The resultant plot is rectangular in shape, approximately 35m from north to south and approximately 15m wide towards the north, tapering down to approximately 11m wide towards the south.

SUPPORTING CASE

None received.

PLANNING HISTORY

19/01159/F: Application Permitted: 13/08/19 - Proposed single storey 3 bay carport

2/03/2049/O: Application Permitted: 30/03/04 - Site for construction of dwelling

2/94/0881/CU: Application Permitted: 01/08/94 - Alterations and extensions to dwelling to include 3 No. bedrooms for bed and breakfast accommodation and associated parking and detached garage

RESPONSE TO CONSULTATION

Parish Council: OBJECT (to original and amended scheme):

Over intensive backyard development. Access issues as within yards of a junction on a corner. Concerns over removal of trees

Highways Authority: NO OBJECTION:

Following an amended scheme with changes to the access and visibility arrangement NCC Highways raise no objection with conditions including access, visibility splays and on site parking and turning.

Arboricultural Officer: NO OBJECTION:

A condition is recommended regarding the Arboricultural Report and attached to this recommendation.

Community Safety and Neighbourhood Nuisance (CSNN): NO OBJECTION subject to a condition regarding foul and surface water drainage.

Environmental Quality: NO OBJECTION:

The site of the above application is residential which appears to have no contamination legacy as shown on BCKLWN historic archives.

The existing use of the site is currently as a garden space which is not vacant and is not known to be contaminated or suspected of contamination either in part or whole. In addition, no building suspected of asbestos containing material is on the site, no pollution incidents

and no land contamination report has been previous done with regards to the site according to the screening assessment form.

Consequently, we have no objection and no further observation may be required in relation to contaminated land assessment.

Environment Agency: NO COMMENT.

REPRESENTATIONS

None received.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

National Design Guide 2019

Draft Heacham Neighbourhood Plan

Policy 2: Small scale (windfall and infill) development

Policy 3: Housing mix

Policy 5 : Principal residence requirement

Policy 6: Design principles

Policy 7: Residential car parking

PLANNING CONSIDERATIONS

The main considerations are:

- Principle of Development
- Form and Character
- Impact on Neighbouring Amenity
- Highway safety and parking
- Any other material considerations

Principle of Development

The site lies within the development boundary of Heacham (a Key Rural Service Centre). The principle of residential development is therefore acceptable subject to compliance with other relevant national and local planning policy and guidance as well as the Draft Heacham Neighbourhood Plan.

Form and Character (including loss of trees)

This application proposes a single storey, detached dwelling following the subdivision of the eastern area of the host properties plot. The scheme has been amended from that originally submitted due to highways concerns and issues with the form and character of the original design.

The proposal now includes a gable ended dwelling orientated north and south measuring approximately 14m by 8m. The northern public facing elevation includes red facing brickwork with carrstone infill with two windows. Materials to the other elevations include red facing brickwork, aluminium doors, UPVC windows, slate effect roof tiles and galvanised rainwater goods. The eastern elevation includes an open sided porch with timber posts alongside the front door and three windows. The southern elevation includes large glazed sliding doors facing the rear garden area. To the west, there is one door and one window.

It is considered that the fenestration layout, materials and form of the dwelling is coherent and presents a good design. The dwelling would be located centrally within the plot with the parking and turning area to the front in shingle, a paved area around the dwelling and a grassed area to the rear of the plot. The dwelling would be in scale with the size of the plot and there would be an appropriate level of amenity space for future occupiers. The development is considered to meet the requirements regarding new dwellings set out within Draft Neighbourhood Plan Policy: 2 (Small scale (windfall and infill) development). Draft Policy 3 of this plan sets out the requirement and need for two and three bedroom houses with the village. This modest development provides a suitable addition to this needed level of housing for Heacham.

The visual impact on the wider area would be limited based on the dwelling itself. However, there would be a loss of some trees and a wall facing onto Malthouse Crescent which would be reduced to allow for the new access. Regarding trees, the Arboricultural Officer raises no objection and the plot is not within the Conservation Area. Four category C trees would be lost on the eastern boundary consisting of: three silver birch and one beech, however, the largest tree, a Horse Chesnut is located towards the roadside and would be retained, preserving the most visually notable tree. Two trees towards the south are also retained as are three

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larger trees to the west within the donor plot. This is therefore considered acceptable. A condition is attached to protect the remaining trees on site due their importance and justification for this development.

Regarding the wall to the roadside, this is of some age but has no individual prominence or protection. The wall would be retained to the donor plot and the area removed will allow access to the plot. This will of course have a visual impact on the street scene but as the plot is not within a Conservation Area and the front elevation of the proposed dwelling will be constructed in in-keeping materials, the impact on the street scene and locality is considered to be acceptable.

The proposal as a result complies with polices CS06, CS08 and CS09 of the Core Strategy 2011, DM15 and DM17 of the Site Allocations and Development Management Policies Plan 2016, Policies 2,3,6 and 7 of the Draft Heacham Neighbourhood Plan as well as the National Design Guide.

Impact on Neighbour Amenity

There would be no adverse impact on the amenity of any neighbouring properties. The development is single storey so windows and doors will be at ground floor only and boundary treatments would be conditioned as part of any approval.

Neighbouring properties are located to the west (the host dwelling) and to the south. To the north, the plot faces onto the road and to the east any residential properties are separated by an area of open field. The distance to the host dwelling is approximately 20m and to the southern dwelling over 20m. This distance combined with the single storey height and scale leads to no unacceptable amenity impacts.

The proposal would therefore comply with Polices CS08 of the Core Strategy 2011 and DM15 of the Site Allocations and Development Management Policies Plan 2016.

Highway Safety and Parking

The access is located to the north of the plot from Malthouse Crescent. The Parish Council raises concerns regarding the location of the access. However, NCC Highways raise no objection to this proposal following amendments to the access and visibility splays. Subject to conditions, there are therefore no highways safety concerns.

Policy 7 of the Draft Heacham Neighbourhood Plan as well as DM17 of the Site Allocations and Development Management Policies Plan states that two or three bedroomed units must have two spaces per dwelling. This development is in accordance with both of these policies (two bedroom dwelling with two parking spaces).

Other Considerations

Statutory consultee comments

No statutory consultee raises an objection to this proposed development. CSNN request further details on foul and surface water details which would be included as a condition of any approval.

Permitted Development Rights

It has been considered appropriate and necessary to remove permitted development rights regarding; enlargement, improvement or other alteration of a house, enlargement of a

dwellinghouse by construction of additional storeys, additions to the roof of a house, other alterations to the roof of a dwelling house, porches and buildings incidental to the enjoyment of a house (Outbuildings) in order to protect the amenity of future occupiers and neighbouring dwellings.

Draft Heacham Neighbourhood Plan

The Draft Heacham Neighbourhood Plan has passed at examination stage but has not yet passed through public referendum stage. As such, reference can be given to the neighbourhood plan policies, but they cannot be used as reasons for refusal.

As detailed in the above sections, it is considered that the proposed development would comply with the Draft Neighbourhood Plan regarding, small scale (windfall and infill) development, housing mix, design principles, residential car parking. Policy 5 : Principal residence requirement requires a condition that any new open market homes will require that they are occupied only as the primary (principal) residence of those persons entitled to occupy them. A condition would be attached to any approval.

CONCLUSION

Overall, it is considered that this development is acceptable and is fully policy compliant at national, local and neighbourhood level. The proposed dwelling is considered to be of an acceptable design given the locality and setting including form, scale and materials. There is an acceptable relationship between the host dwelling and the proposed dwelling including plot sizes. There are not considered to be any adverse or unacceptable neighbouring impacts and details of boundary treatments would be conditioned as part of any approval to ensure a suitable relationship with the host dwelling.

Reasons included in the Parish Councils objection do not directly mention any specific policy requirements and it is considered that the issues raised have been addressed in the above report. There are no objections from any other Statutory Consultees and the development is therefore considered to be in accordance with Policies; CS06, CS08 and CS09 of the Core Strategy 2011, DM15 and DM17 of the Site Allocations and Development Management Policies Plan 2016, Policies 2,3,6 and 7 of the Heacham Neighbourhood Plan as well as the National Design Guide.

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: PROPOSED PLANS & ELEVATIONS, Drawing Number: 21111-02 B.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Condition: Notwithstanding the provisions of Schedule 2, Part 1, Class A,AA,B,C,D and E of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration to the dwelling house, enlargement of a dwellinghouse by construction of additional storeys, additions to the roof of a dwellinghouse, porches and buildings incidental to the enjoyment of a dwellinghouse shall not be allowed without the granting of specific planning permission.
- 3 Reason: In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.
- 4 Condition: Prior to first occupation 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 hereby permitted is commenced or before the building is 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.
- 4 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 5 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.
- 5 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.

- 6 Condition: No development or other operations shall commence on site until the existing trees have been protected in accordance with the scheme as detailed in the Arboricultural Impact Assessment prepared by A T Coombes Associates Ltd, dated: March 2022. The works shall be carried out in complete accordance with the said scheme, which is hereby approved by the Local Planning Authority.

The protective fencing and the ground protection 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 or ground protection are damaged all operations shall cease until they are repaired in accordance with the approved details.

Nothing shall be stored or placed in any protected 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 the existing trees and hedgerow are properly protected in accordance with the National Planning Policy Framework 2021, CS08 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Policies Plan 2016 and Policy 6 of the Heacham Neighborhood Plan.

- 7 Condition: Prior to the first occupation of the development hereby permitted the vehicular/pedestrian/cyclist access/crossing over the footway shall be constructed in accordance with the highways specification (TRAD 3) and thereafter retained at the position shown on the approved plan. 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.
- 7 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.
- 8 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.
- 8 Reason: In the interests of highway safety.
- 9 Condition: Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- 9 Reason: In the interests of highway safety in accordance with the principles of the NPPF.
- 10 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.
- 10 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
- 11 Condition: No existing trees, shrubs or hedges within the site that are shown as being retained on the approved plans shall be felled, uprooted, willfully damaged or destroyed, cut back in any way or removed without the prior written approval of the Local Planning Authority. Any trees, shrubs or hedges removed without such approval or that die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of a similar size and species in the next available planting season, unless the Local Planning Authority gives written approval to any variation.
- 11 Reason: In order to protect existing trees and to ensure that the development is compatible with the amenities of the locality in accordance with the NPPF, Policies CS08 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Policies Plan and Policy 6 of the Heacham Neighborhood Plan.
- 12 Condition: The dwelling hereby approved shall be occupied only as the primary (principal) residence of those persons entitled to occupy it. The occupiers of the dwelling shall be required to provide evidence that they are meeting the requirements of the condition, and shall make this information available at all reasonable times to the Local Planning Authority.

- 12 Reason: In order that the development permitted is in accordance with Policy 5 of the Heacham Neighbourhood Plan.