

AGENDA ITEM NO: 9/3(d)

Parish:	Emneth	
Proposal:	Proposed residential dwelling and detached double garage in the form of chalet bungalow on part residential part former agricultural land	
Location:	Land SW of 82 the Plot next Door The Wroe Emneth Norfolk	
Applicant:	Mr and Mrs Ladd	
Case No:	16/00346/F (Full Application)	
Case Officer:	Mr Bryan Meredith	Date for Determination: 18 April 2016

Reason for Referral to Planning Committee – Referred at the discretion of the Assistant Director.

Case Summary

The application proposes the residential development of a dwelling and detached double garage on land south-west of 82, the Plot Next Door, The Wroe, Emneth. Emneth is defined as a Key Rural Service Centre in the settlement hierarchy contained in the Core Strategy of the Local Development Framework. The site (red line) amounts to 0.14ha of land.

The site is located outside the settlement boundary of Emneth and as a result lies in an area classified as Countryside within the saved policies of the 1998 Local Plan and Policy DM2 of the emerging Site Allocations & Development Management Policies plan. The site does border a residential property to the north-east with the rest of the site surrounded by grade 1 agricultural land.

The site lies in Flood Zone 1 of the Strategic Flood Risk Assessment.

Key Issues

The principle of development
Form and character
Neighbour amenity
Highway safety
Other considerations

Recommendation

REFUSE

THE APPLICATION

The application site is situated on the south western side of 82, the Plot next the Door, the Wroe, Emneth and compromises part of an agricultural field.

Emneth is defined as a Key Rural Service Centre under the settlement hierarchy of Policy CS02 of the Council's adopted Core Strategy (2011).

The application seeks full planning permission for a proposed residential dwelling in the form of a chalet bungalow and detached double garage.

SUPPORTING CASE

The applicant has supplied a Design and Access Statement to accompany and support the application. The statement outlines the design proposal for the site showing how matters concerning design and access have been considered and incorporated by the applicant. The statement describes the layout, scale, design and access of the proposal whilst also setting out how the proposed dwelling aims to incorporate a number of features to reduce energy consumption and improve its environmental performance.

PLANNING HISTORY

2/02/2161/O: Application Refused: 06/03/03 - Site for construction of bungalow - Land west of Rose Bank, The Wroe, Emneth;

2/97/1769/O: Application Refused: 16/02/98 - Site for construction of bungalow - Site adjacent Rose Bank, The Wroe, Emneth;

2/97/1375/O: Application Refused: 06/11/97 - Site for construction of bungalow - Site adjacent Rose Bank, The Wroe, Emneth;

2/01/1802/O: Application Refused: 04/01/02 - Site for construction of bungalow - Land west of Rose Bank, The Wroe, Emneth;

CONSULTATIONS

Town/Parish Council: Emneth Parish Council recommend **REFUSAL** to this application. The chalet bungalow does not conform to the form or character of the street scene further stating that adjacent properties are single-storey.

Local Highway Authority: The current submission has taken on board the Highway Authority comments and whilst the change in carriageway width could be aligned less abruptly, it appears that the applicant does not control sufficient land to provide the appropriate visibility. The Highways Authority initially recommended refusal of the application as the Applicant did not appear to control sufficient land to provide adequate visibility at the site access. The proposed development would therefore be detrimental to highway safety and contrary to Development Plan Policies.

Advice was given that in order to overcome the Highway objection the applicant would have to either demonstrate that the land will be purchased or an appropriate Section 106 Agreement would need to be entered into with all parties to secure the visibility in perpetuity. Alternatively if it can be demonstrated that reduced visibility splays can be provided commensurate with 85th percentile traffic speeds that does not require third party land, the Highway Authority would duly consider such proposals.

Subsequent revisions of the access and vision splays were submitted to the Council to address the Highway Authority reasons for recommending refusal. The Highway Authority was re-consulted and confirm that the amendments addressed the Highway Authority's earlier concerns. However the Highway Authority did note that the Planning Authority will need to be satisfied that appropriate agreements are in place to ensure the provision and perpetuity of the visibility splay.

Accordingly in highway terms only there are no objections to the proposals as outlined on the amended plan numbered ADS/045/PL02D subject to the following conditions and informative note being appended to any grant of permission.

Environmental Quality: Based on the information supplied and held within this section, I have no comments to make for this proposal regarding contaminated land or air quality issues.

REPRESENTATIONS

ONE representation was received stating that their concerns were similar to those raised by the Parish Council stating that 'the proposed property as it's not in keeping with the properties in this area. The representation also had concerns that the road narrows at the point of the proposed property and had concerns that this will cause a problem as with such a large house there will be multiple vehicles.

NATIONAL GUIDANCE

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM22 - Protection of Local Open Space

PLANNING CONSIDERATIONS

The key issues identified in the consideration of this application are as follows:

- The principle of development
- Form and character
- Neighbour amenity
- Highway safety
- Other considerations

The Principle of Development

Emneth is defined as a Key Rural Service Centre in the settlement hierarchy set out under Policy CS02 (as amended by the emerging Site Allocations and Development Management Policies Document (SADMP)) of the Core Strategy (2011). Until the SADMP is adopted, the King's Lynn and West Norfolk Local Plan (1998) Proposals Map indicates that this part of the village is located within "countryside", beyond the existing development boundary, where new housing development is not normally supported unless there is a case under paragraph 55 of the NPPF.

In this case the application site lies on the edge of the existing settlement boundary, the NPPF specifies that local planning authorities should avoid new homes in the countryside and as a result the principle of development in this location is not supported by local or national policy.

As the Council currently considers it has a five year supply of housing sites, the Council's housing policies are the basis for making planning decisions.

Form and character

The application site compromises part of an agricultural field on the periphery of Emneth. Although there are a row of existing properties to the north-east of the application site, these dwellings are located within the development boundary of the settlement whereas this site, although adjacent to the development boundary, is outside of it.

Beyond 82, the Wroe, beginning with the application site, the character of the surrounding area is rural in nature, characterised by an open agricultural landscape. The addition of a dwelling and garage would completely alter the site's existing rural appearance and be harmful to the established form and character of the area with the placement of a chalet bungalow on the site.

The adverse impacts of the proposed development upon the form and character of this locality would cause harm to the area, when assessed against the policies of the NPPF taken as a whole, Core Strategy policies CS06 & CS08 of the LDF and emerging policies DM2 and DM15 of the Site Allocations and Development Management Policies Plan.

Neighbour Amenity

The only neighbouring residential property immediately adjoining the application site is the dwelling to the north-east of the application site.

The design of the dwelling would not have an adverse impact upon the residential amenity of the neighbouring dwelling or those that are already lining The Wroe road which are predominantly bungalows. There are no issues of overlooking or overshadowing from the proposal on the neighbouring property.

Highway Safety

Having initially recommended a refusal for this application, the applicant submitted amended plans and the Highways Authority were re-consulted and, they removed their initial objection and approved the renewed plans subject to conditions being attached to a decision notice.

Other considerations

There are no other material considerations.

CONCLUSION

In light of the Council's declaration that it has a 5 Year Supply of Housing, the application is judged against the Council's LDF/Local Plan policies which are no longer deemed to be out of date. Whilst the proposed layout shows the proposed chalet bungalow and garage can satisfactorily be accommodated on site, it is considered the provision of the proposed dwelling and garage in this location would contravene Policies CS01, CS02, CS06 and CS08 of the Core Strategy (2011) as well as the emerging Policies DM1, DM2, DM15 and DM22 of the Site Allocations and Development Management Policies document (2015). There are no material considerations that would justify a departure from the established policy.

It is therefore recommended that outline planning permission be refused for the reasons set out below.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 Planning policy states that the countryside should be protected beyond the villages for its intrinsic character and beauty and that development will be resisted unless essential for agricultural, forestry or other rural enterprise needs. The proposed new dwelling is located outside of the settlement boundary with no justification that would warrant a departure from policy and is therefore contrary to the provisions of the NPPF, Policies CS01, CS02, CS06 and CS08 of the King's Lynn and West Norfolk Core Strategy 2011 and does not accord with Policies DM1, DM2, DM15 and DM22 of the emerging Site Allocations and Development Management Policies document.