

**TRUNCH - PO/19/1057 - Erection of dwelling (outline application with all matters reserved); Land opposite Cornish Avenue, North Walsham Road, Trunch, North Walsham, Norfolk, NR28 0PL for Mr King**

**Minor Development**

**- Target Date: 05 September 2019**

Case Officer: Natalie Levett

Outline Planning Permission

**RELEVANT CONSTRAINTS**

Landscape Character Area

SFRA - Risk of Flooding from Surface Water + CC

EA Risk of Flooding from Surface Water 1 in 1000

LDF Tourism Asset Zone

LDF - Countryside

C Road

**RELEVANT PLANNING HISTORY**

None recorded for this site.

**THE APPLICATION**

The application is an outline application with all matters reserved, for the erection of a dwelling on land opposite Cornish Avenue, North Walsham Road, Trunch

**REASONS FOR REFERRAL TO COMMITTEE**

The site is designated as "Countryside" under Policy SS 1, where the principle of the proposed new dwelling would not meet any of the exceptions criteria as set out in Policy SS 2. The proposal is being recommended for approval and, as such, it is a departure from Policy.

**PARISH/TOWN COUNCIL**

Trunch Parish Council: No response received at the time of writing.

**REPRESENTATIONS**

One representation received raising no objection subject to the dwelling being single storey.

**CONSULTATIONS**

County Council (Highway): No objection, subject to conditions.

**HUMAN RIGHTS IMPLICATIONS**

It is considered that the proposed development may raise issues relevant to

Article 8: The Right to respect for private and family life.

Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

**CRIME AND DISORDER ACT 1998 - SECTION 17**

The application raises no significant crime and disorder issues.

**POLICIES**

North Norfolk Core Strategy (Adopted September 2008):

SS 1 - Spatial Strategy for North Norfolk

SS 2 - Development in the Countryside

SS 3 - Housing  
SS 4 - Environment  
SS 6 - Access and Infrastructure  
EN 4 - Design  
EN 9 - Biodiversity & Geology  
EN 10 - Development and Flood Risk  
EN 13 - Pollution and Hazard Prevention and Minimisation  
CT 5 - The Transport Impact of New Development  
CT 6 - Parking Provision

### **National Planning Policy Framework (NPPF):**

Section 2 - Achieving sustainable development  
Section 4 - Decision-making  
Section 5 - Delivering a sufficient supply of homes  
Section 8 - Promoting healthy and safe communities  
Section 9 - Promoting sustainable transport  
Section 11 - Making effective use of land  
Section 12 - Achieving well-designed places  
Section 14 - Meeting the challenge of climate change, flooding and coastal change  
Section 15 - Conserving and enhancing the natural environment

### **MAIN ISSUES FOR CONSIDERATION**

- Principle of development
- Design and effect on the surrounding area
- Effect on amenity
- Flooding risk
- Highway impacts
- Environmental considerations

### **APPRAISAL**

#### **Principle:**

Policy SS 1 sets out spatial strategy for the district. Trunch is within the area identified as Countryside where development is restricted to particular types of development to support the rural economy, meet affordable housing needs and provide renewable energy. Policy SS 2 states that development in the Countryside will be limited to that which requires a rural location and lists the types of development that can be acceptable. New market dwellings are however, specifically precluded.

Since the publication of the Core Strategy in September 2008, the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) have been published, both of which are material planning considerations. The NPPF (revised February 2019) sets out the Government's planning policies for England and how these are expected to be applied whilst the NPPG sets out Government guidance in relation to planning related issues..

Paragraph 78 of the NPPF states that in order to promote sustainable development in rural locations, housing should be sited where it enhances or maintains the vitality of rural communities. Paragraph 79 requires development to avoid isolated homes in the countryside. The Court of Appeal, upholding the decision of the High Court, has clarified in the Braintree judgement that 'isolated' means "*a dwelling that is physically separate or*

*remote from a settlement*”; it is not related to ‘access to services’ but proximity to other dwellings. It also confirmed that access to services by sustainable means is to be taken in the context of other policy considerations such as supporting the rural economy.

Firstly, in consideration of the physical isolation of the application site, it is surrounded by residential dwellings on all sides so cannot be considered to be physically isolated. As such, paragraph 79 of the Framework does not apply.

In consideration of whether the application site is remote from services, Trunch has a number of services and facilities including a village hall and church, convenience store and post office, public house and social club. In addition, there are a variety of clubs including an art group and gardening society, and there is also a range of businesses in the Trunch area. The nearest schools are at North Walsham approximately 3.5 miles away and Mundesley approximately 2.3 miles away. Mundesley also has a petrol filling station and a number of other services and facilities. In terms of transport links, Trunch is served by a regular hourly bus service that links to Mundesley and local villages calling at North Walsham and Cromer, from where further services to most market towns between Hunstanton, Fakenham, Norwich and Great Yarmouth can be readily reached. In addition, the village is served by a number of Quiet Lanes which are suitable for cycling and walking.

It is, therefore, considered that the site also cannot be considered as remote from day to day services. Although not all services are provided within the village, the NPPF and NPPG, as supported by a number of appeal decisions, indicates that short car journeys are acceptable in rural settings in order to access services.

A planning application (ref. PO/18/2135) for three dwellings in Trunch was approved on 28th February 2019 on a similar basis by the Development Committee. This is also a material planning consideration.

The site is currently overgrown and not aesthetically pleasing, thus there are benefits for the redevelopment of the site to the wider area, which is considered to be material.

As such, and in accordance with paragraph 78 of the NPPF, which is a material consideration, despite the departure from Policy SS 2 of the North Norfolk Core Strategy, this particular application, considered on its own merits, is considered to be acceptable in principle, and would support the rural community of Trunch.

### **Design:**

Policy EN 4 seeks high standards of design.

The application is in outline with all matters reserved. However, the indicative access point is identified and the plot size is rectangular and marginally larger than the properties along the road.

Whilst design is a reserved matter, it is considered that a bungalow would be appropriate (as they are either side of the site) and this can be conditioned. The design of the dwelling would be assessed at the reserved matters stage.

As a result, the proposal has the ability to comply with Policy EN4 of the North Norfolk Core Strategy.

### **Amenity:**

Policy EN 4 seeks to ensure that there is no adverse amenity impact on neighbouring

properties.

Given the size of the plot and the dwellings surrounding the site, it is considered it is possible to design a single-storey building that would not result in a detrimental impact on neighbouring properties. The impact on amenity would be assessed at the reserved matters stage.

As a result, the proposal has the ability to comply with Policy EN4 of the North Norfolk Core Strategy.

### **Highways:**

Policy CT 5 seeks to ensure highway safety and Policy CT 6 sets out the car parking standards.

The Highway Authority has no objection to this proposed single infill residential development, subject to conditions.

As a result, it is considered that the proposal could comply with the conditions recommended and would, therefore, accord with Policies CT 5 and CT 6.

### **Flooding Risk:**

Policy EN 10 relates to development and flood risk.

The site is located in Flood Risk Zone 1 where new development is encouraged. However, the site is located in the "Strategic Flood Risk Assessment - Risk of Flooding from Surface Water plus Climate Change" and the Environment Agency's "Risk of Flooding from Surface Water - 1 in 1000 year probability" areas.

An appropriately designed dwelling and associated works is considered achievable so that it does not give rise to increased risk to surface water flooding. However, this would be assessed at the reserved matters stage.

As a result, the proposal has the ability to comply with Policy EN 10.

### **Environmental Considerations:**

Policy EN 13 seeks to protect the District from pollution and hazards.

The site is not on land that is known to be contaminated, although it would be appropriate to impose a condition should contaminated land be found during construction.

As a result, the proposal would comply with Policy EN 13.

### **RECOMMENDATION:**

Whilst it is recognised that the site is not within a settlement boundary as defined by Policy SS 1 of the North Norfolk Core Strategy, there are material considerations that weigh in favour of the application as follows:

- the NPPF, which is a material consideration, indicates that there should be an acceptance of some residential development in rural areas to support the rural community and economy;

- the site is surrounded by other dwellings, and the re-use of the site would be a benefit to the immediate surroundings and adjacent neighbours;
- Trunch has a number of services, facilities and community groups which cater for day to day needs so is neither physically or functionally isolated;
- although not all services are provided within the village, the NPPF and NPPG, indicate that short car journeys are acceptable in rural settings in order to access services;
- the proposal would be in keeping with the surrounding area and would not have a visually obtrusive or visually dominant effect on the surrounding area, and;
- it is considered that an appropriately designed dwelling would be achievable and would not have a significantly detrimental impact on the amenities of the occupiers of adjacent properties.

Subject to there being no further material comments received in response to further publicity advertising the application as a departure from the current Development Plan, it is recommended that approval of the application is delegated to the Head of Planning subject to conditions relating to the following:

- Approval of all Reserved Matters to be submitted within three years of the date of permission and the development to be begun not later than the expiration of two years from the final approval of the reserved matters
- The Reserved Matters shall relate to the access, appearance, landscaping, layout and scale of the proposed development;
- The development to be carried out in accordance with the approved plans;
- The dwelling to be single storey with no accommodation in the roof;
- The verge to be constructed in accordance with the highways specification;
- Visibility splay to be provided and retained;
- Provision of a minimum of two car parking spaces to meet requirements;
- Any access gates/bollard/chain/other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 5 metres from the near channel edge of the adjacent carriageway;
- Contamination condition

and any other conditions considered necessary by the Head of Planning.