

Development Committee



Please contact: Linda Yarham

Please email: linda.yarham@north-norfolk.gov.uk Direct Dial: 01263 516019

TO REGISTER TO SPEAK PLEASE SEE BOX BELOW

Monday, 29 March 2021

A meeting of the **Development Committee** will be held **remotely via Zoom** on **Thursday, 8 April 2021** at **9.30 am**.

Please note that due to the Covid-19 restrictions, meetings of Development Committee will be held remotely via Zoom video conferencing and live streamed on Youtube.

Public speaking: If you wish to speak on a planning application on this agenda, please email DemocraticServices@north-norfolk.gov.uk no later than 5.00 pm on the Tuesday before the meeting and include a copy of your statement. You will have the opportunity to make your statement by video link but in the event that this is not possible, or if you would prefer, your statement will be read out by an officer.

This meeting will be broadcast live to Youtube and will be capable of repeated viewing. The entirety of the meeting will be filmed except for confidential or exempt items. If you attend the meeting and make a representation you will be deemed to have consented to being filmed and that the images and sound recordings could be used for webcasting/ training purposes.

Emma Denny
Democratic Services Manager

To: Mrs P Grove-Jones, Mr P Heinrich, Mr A Brown, Mr C Cushing, Mr P Fisher, Mrs A Fitch-Tillett, Mrs W Fredericks, Mr R Kershaw, Mr N Lloyd, Mr G Mancini-Boyle, Mr N Pearce, Dr C Stockton, Mr A Varley and Mr A Yiasimi

Substitutes: Mr T Adams, Dr P Bütikofer, Mrs S Bütikofer, Mr T FitzPatrick, Mr V FitzPatrick, Mr N Housden, Mr J Punchard, Mr J Rest, Mrs E Spagnola and Mr J Toye

All other Members of the Council for information.

Members of the Management Team, appropriate Officers, Press and Public



If you have any special requirements in order to attend this meeting, please let us know in advance

If you would like any document in large print, audio, Braille, alternative format or in a different language please contact us

Chief Executive: Steve Blatch

Tel 01263 513811 **Fax** 01263 515042 **Minicom** 01263 516005

Email districtcouncil@north-norfolk.gov.uk **Web site** www.north-norfolk.gov.uk

AGENDA

PLEASE NOTE: THE ORDER OF BUSINESS MAY BE CHANGED AT THE DISCRETION OF THE CHAIRMAN

PUBLIC BUSINESS

1. CHAIRMAN'S INTRODUCTIONS

2. TO RECEIVE APOLOGIES FOR ABSENCE AND DETAILS OF ANY SUBSTITUTE MEMBER(S)

3. MINUTES

To approve as a correct record the Minutes of meetings of the Committee held on 25 February and 11 March 2021.

4. ITEMS OF URGENT BUSINESS

(a) To determine any other items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B(4)(b) of the Local Government Act 1972.

(b) To consider any objections received to applications which the Head of Planning was authorised to determine at a previous meeting.

5. ORDER OF BUSINESS

(a) To consider any requests to defer determination of an application included in this agenda, so as to save any unnecessary waiting by members of the public attending for such applications.

(b) To determine the order of business for the meeting.

6. DECLARATIONS OF INTEREST

(Pages 1 - 2)

Members are asked at this stage to declare any interests that they may have in any of the following items on the agenda. The Code of Conduct for Members requires that declarations include the nature of the interest and whether it is a disclosable pecuniary interest. Members are requested to refer to the attached guidance and flowchart.

OFFICERS' REPORTS

ITEMS FOR DECISION

PLANNING APPLICATIONS

7. HOLT RV/20/2662 - VARIATION OF CONDITION 1 (PLANS) AND DELETION OF CONDITION 2 OF RESERVED MATTERS PLANNING PERMISSION PM/15/0804 TO VARY HOUSE TYPES/EXTERNAL FINISHES, WITH CORRESPONDING CHANGES TO LAYOUT AND LANDSCAPING, AS PART OF PLANNING PERMISSION PF/15/0774

(Pages 3 - 12)

This page is intentionally left blank

Declarations of Interest at Meetings

When declaring an interest at a meeting, Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting.

Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.

Does the interest directly:

1. Affect yours, or your spouse / partner's financial position?
2. Relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?
3. Relate to a contract you, or your spouse / partner have with the Council
4. Affect land you or your spouse / partner own
5. Affect a company that you or your partner own, or have a shareholding in

If the answer is "yes" to any of the above, it is likely to be pecuniary.

Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.

Does the interest indirectly affect or relate to any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?

If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

Is the interest not related to any of the above? If so, it is likely to be another interest. You will need to declare the interest, but may participate in discussion and voting on the item.

Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

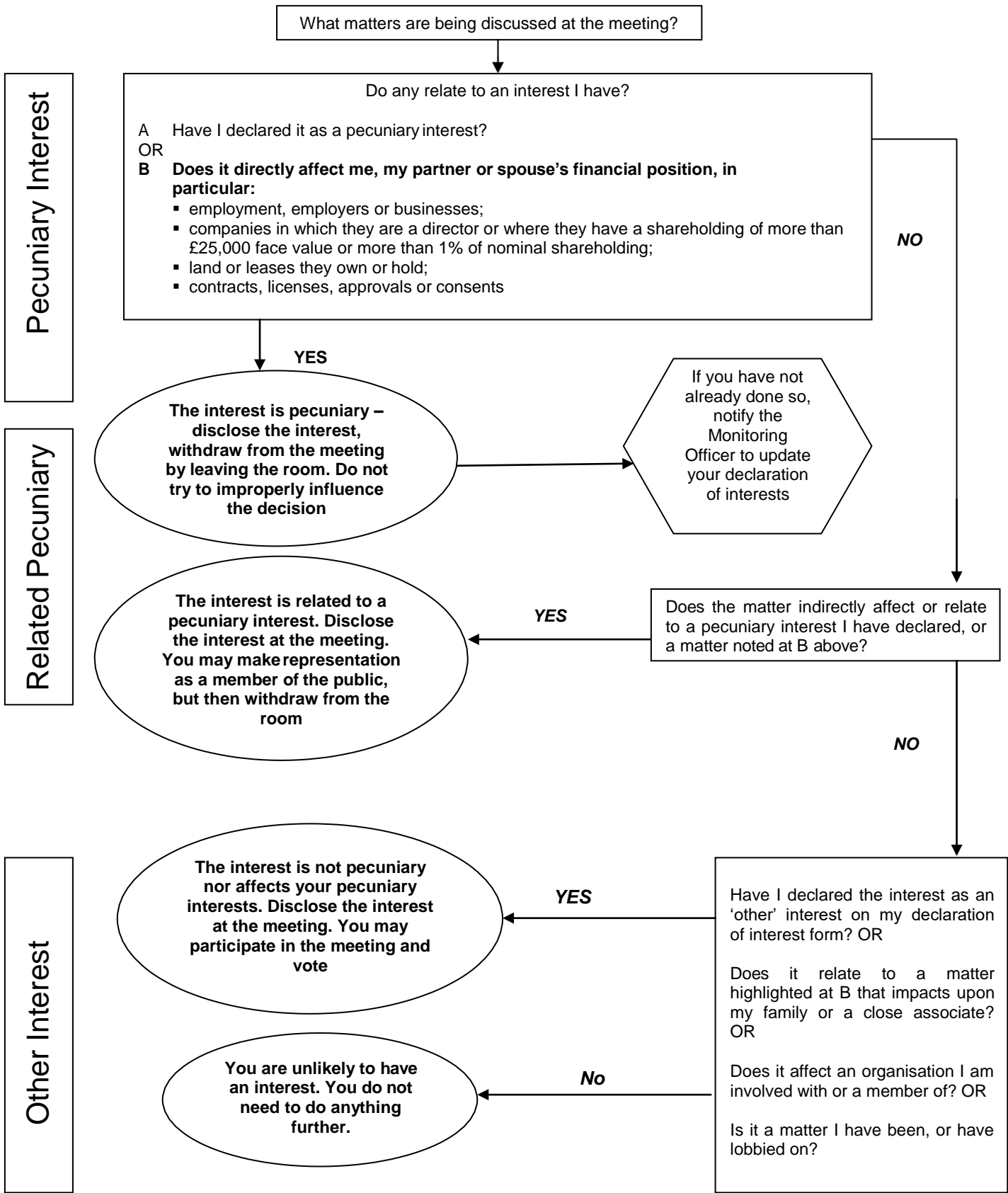
FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF

PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST INSTANCE

DEVELOPMENT COMMITTEE MEMBERS SHOULD ALSO REFER TO THE PLANNING PROTOCOL

Declarations of Interest at Meetings

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



HOLT RV/20/2662 - Variation of condition 1 (plans) and deletion of condition 2 of reserved matters planning permission PM/15/0804 to vary house types/external finishes, with corresponding changes to layout and landscaping, as part of planning permission PF/15/0774 at Land East of 42 Cley Road, Holt

Major Development

Target Date: 02 March 2020 - Extension agreed to 8 April

Case Officer: Mr P Rowson

Full Planning Permission

RELEVANT SITE CONSTRAINTS

Core Strategy Proposed Residential Use Allocation
Controlled Water Risk - Medium (Ground Water Pollution)
Unclassified Road
Public Rights of Way Footpath
Section 106 Planning Obligations
Conservation Area
Area of Outstanding Natural Beauty

RELEVANT PLANNING HISTORY

PO/11/0978 PO: Development of up to 85 dwellings, access, public open space and associated infrastructure, Approved 26/06/2012

PF/13/0854 PF: Variation of Conditions 3 & 7 of planning permission reference: 11/0978 (residential development of up to 85 dwellings) to permit revised specification for Cley Road access which would serve 15 dwellings in lieu of 12 dwellings, Approved 19/09/2013

PF/15/0774 PF: Removal of conditions 19 and 20 of planning permission ref: 11/0978 to remove the requirement of Code Level 3 and to provide at least 10% of the development's energy supply from decentralised and renewable or low-carbon sources, Approved 02/09/2015

EF/18/1456 EF: Certificate of Lawfulness for implementation of planning application ref: PF/15/0774 without triggering the requirements of the S106 Obligation dated 22 June 2012 entered into in relation to application ref: PO/11/0978, Refused – Permission Required 23/08/2019.

THE APPLICATION

The site comprises two parcels of agricultural land, north of Holt Allotments, laying to the west of residential development to Woodfield Road and east of ribbon residential development to Cley Road. There is a belt of pine and other trees along a large part of the northern site boundary. There is a public footpath along the southern boundary. Peacock Lane terminates to the south and Woodfield Road terminates to the north east.

The proposals seek to vary plans previously agreed under extant permission PF/15/0774. Amongst others the changes relate to substitution of house types, amendments to external materials, along with minor variation to landscape and layout. The proposals are inclusive of

12 affordable homes supported by s106 agreement in draft form. The public road layout, access points remains as previously approved.

REASON FOR REFERRAL TO COMMITTEE

The proposal is contrary to adopted plan policy H02. Significant prior planning history and local interest.

Consultees:

Holt Town Council – Support.

Question whether the road from Cley Road to Woodfield Road (proposed as a no through road) could be adapted to allow for the Hopper Bus to pass through. This would enhance the bus route allowing it to follow a circular route around the town. This would have significant environmental benefits as well as making the development a more attractive place to live.

Norfolk County Council Highways – no objections.

Norfolk County Council, Lead Local Flood Authority – No objection subject to conditions. Initial concerns removed following further revised plans and suitable conditional controls.

Anglian water – Comments awaited

Norfolk County Council infrastructure – No objection.

Does not wish to restrict the grant of permission.

Public Rights of Way Officer – No objection.

Highlight that a Public Right of Way, known as Holt Footpath 4 is aligned along the Southern boundary of the site. Welcome the inclusion of a 2m wide provision for this footpath. The full legal extent of this footpath must remain open and accessible for the duration of the development and subsequent occupation.

Ramblers Assoc. – No objection.

The Norfolk Area of the Ramblers Association notes that the south side of part of this development, is bordered by Holt FP4. Footpaths should be kept open, free and unnumbered during the development process. In particular, surface deterioration of this stretch of the footpath due to building machinery must be kept to a minimum

NNDC Strategic Housing – Comments

The 12 affordable homes on the site are likely to be fully occupied, for example a two-bed home for three people is likely to house a three-person family. So it is important that the space standards are sufficient.

Technical housing standards – nationally described space standard provide an objective comparison. Of the 12 affordable homes 10 have space standards that meet the nationally described space standards. However, two of the homes, plots 54 and 56, which are described as two-bed three person houses at 64 m2 fall below the nationally described space standard of 70 m2. Meaning that these two homes will be small for families of three people.

Additional comment: The two shared equity properties (54 & 56) are not really large enough for three-person occupancy. That said the developer has come up with a solution to avoid one-bed shared ownership homes which in our experience are not popular in the district. These properties will be popular with couples who do not have an immediate need for a second bedroom but who might bring it into use if they start a family.

The delivery of the affordable housing on the site in perpetuity must be protected through the completion of a Section 106 Agreement containing the Council's standard terms in relation to phasing of delivery, protection as affordable housing, recycling and nomination arrangements.

Environmental Health – No objection

Revised consultations support informative note for due diligence on contaminated land and confirms layout is acceptable on refuse collection.

Design & Conservation – No objection

The principle is already established; comments can only relate to the variation from the approved plans. The “dialling out” of the previous Georgian grandeur is supported. A series of initial concerns have been addressed by later amended plans provided.

Landscape Officer – No objections

Having reviewed the submitted information, the proposed changes raise no substantive landscape issues. The revised layout does not increase encroachment onto the protected mature tree belt to the north boundary within the Glaven Valley Conservation Area. The proposed soft landscape planting palette is acceptable and the materials for surfacing and boundary treatments remain acceptable.

Representations:

A total of 4 individual letters/e-mails have been received 2 objecting and 2 commenting on to the proposed development. These objections are summarised as follows:

- Constriction to access (lockable gates) at Lane End (SW corner of development).
- Approval for this development should be granted only if pedestrian and bicycle access is available to all, including non-residents, throughout the estate, from Peacock lane, Cley Road and Woodfield Road, i.e., that any gates marked "lockable gates" do not restrict access on foot or cycle to anyone. This is important to facilitate more circular walks around Holt, to encourage walking and cycling and to reduce car use and the traffic that this development will inevitably create.
- Initial designs afforded greater space / amenity around Lane End Bungalow.

Relevant Core Strategy Policies:

Policy SS 1: Spatial Strategy for North Norfolk

Policy SS 4: Environment

Policy SS 9: Holt

Policy EN 1: Norfolk Coast Area of Outstanding Natural Beauty and The Broads

Policy EN 2: Protection and enhancement of landscape and settlement character

Policy EN 4: Design

Policy EN 8: Protecting and enhancing the historic environment

Policy EN 9: Biodiversity and Geology

Policy EN 10: Development and Flood Risk

Policy HO 2: Provision of affordable housing

Policy CT 2: Development contributions

Policy CT 5: The transport impact on new development

Policy CT6: Parking Provision

NNDC Design Guide - Basic Amenity Criteria

Appraisal:

MAIN ISSUES FOR CONSIDERATION

1. Background
2. Principle of development
3. Appearance, Layout, Scale
4. Impact upon designated heritage assets
5. Landscaping, biodiversity and On-site Public Open Space
6. Provision of Affordable Housing
7. Flood risk and surface water drainage associated with culvert works
8. Residential Amenity
9. Highways

1 Background

The application site is allocated for residential development of approximately 100 dwellings under Policy HO1 in the Site Allocations Development Plan Document (DPD), adopted by the Council in 2011. Subsequently, outline planning permission was granted under application reference PO/11/0978 for development of approximately 85 dwellings, with an associated Section 106 agreement completed. Access for a maximum of 15 dwellings from Cley Road was secured by a variation of condition application PF/13/0854. The reserved matters application PF/15/0774 was then approved for 83 dwellings, it is this proposal that the current Section73 application seeks to vary via these proposals.

Members may also be aware of the refused application EF/18/1456 EF, seeking agreement to certificate of lawfulness in relation to development completion out with the historic S106 agreement attached to PO/11/0978. This matter was then subject to High Court consideration, under which the appointed judge agreed that the development may proceed without compliance with the historic s106 agreement. These proposals represent an opportunity for completion of a standalone S106 agreement which deliver 12 affordable homes. The applicant has agreed to be bound by previous payments and mitigation already provided to Holt Town Council under the historic S106 agreement.

2 Principle of development

The site is allocated in the local plan allocations DPD; it also has an extant planning permission. On this basis the principle of the development is accepted. Having established the matter of land use principle then the development proposals will be considered again local and national plan policy within the context the extant planning permission; under the provisions of Section 73 of the Town & Country Planning Act 1990.

3. Appearance, Layout, Scale

The site adjoins existing development to the south and east and is located on the edge of the Norfolk Coast Area of Outstanding Natural Beauty (AONB) and the Glaven Valley Conservation Area. The Conservation, Design and Landscape Team Leader has provided detailed comment and is supportive of the scheme.

The original design approach was rooted in a pastiche Georgian style, the elevations provided significant levels of detailing and an arguably overly complex execution. Whilst this approach is perhaps not surprising in Holt, the revised proposals provide a design which is perhaps more in line with the terms of the emerging NNDC design guide. The level of detailing remains appropriate and perhaps more appropriately placed within the immediate context of the site and its immediate surroundings. The materials proposed are of high quality and would successfully support the proposed buildings. The main roof materials are all natural whilst the brick and render finishes would be sympathetic within a North Norfolk context.

It is considered that the proposed development would preserve the character and appearance of the Conservation Area and would be in compliance with the aims of Policies EN 4 and EN 8 of the North Norfolk Core Strategy. Furthermore, that the scale of development remains proposed at 83 dwellings meets with the provisions of the outline application.

4. Impact upon designated heritage assets

There are no listed buildings or monuments within the vicinity of the scheme. The only designated heritage asset affected by the development would be the Glaven Valley Conservation Area which washes over the entire site and building 83 houses on the existing site. The proposals irreversibly change the character of the land, the site will no longer contribute to the existing transition from the urban area into the countryside. Instead the proposals would now support the extension of the urban form northwards.

In heritage terms, it is considered that the level of harm would be relatively modest due to the self-contained nature of the site, the site also occupies a marginal position the site occupies within the wider Conservation Area designation. Therefore, in accordance with para 134 of the NPPF, it is considered that the proposals remain as being of a “less than substantial” harm, whose wider contribution to local housing numbers, affordable homes and construction employment would more than outweigh the limited harm created.

5. Landscaping, biodiversity and On-site Public Open Space

The Councils Landscape Officer has been involved in consideration of proposals at this site for some time. The proposed changes raise no substantive landscape issues minor revisions to the layout do not increase encroachment onto the protected mature tree belt to the north boundary or wider impacts on the Glaven Valley Conservation Area. The proposed landscape is acceptable, materials for surfacing and boundary treatments follow those previously approved. Similarly, the wider impact in the AONB is considered acceptable subject to imposition of appropriate conditions.

On-site public open space provisions are acceptable, matters of ownership and maintenance will be considered via suitable s106 clauses / conditional controls.

The proposal is acceptable under Policies EN1 and EN9 of the adopted North Norfolk Core Strategy.

6. Provision of Affordable Housing

The historic outline application was granted consent with a corresponding Section 106 legal agreement requiring 45% of the dwellings to be affordable housing, in accordance with Policy HO 2 of the Core Strategy 2011. At the reserved matters stage the applicant provided a detailed layout delivering 45% affordable housing on the site, with 59.5% provided as affordable dwellings for rent and 40.5% for sale on a shared equity basis.

The subsequent refusal of EF/18/1456 and outcomes of the High Court case have comprehensively demonstrated that affordable housing cannot be delivered via this historic s106 agreement.

Current planning policy remains consistent with the requirement for on-site provision at 45% affordable housing under policy H02, no case is made under viability in relation to the delivery of a lesser quantum of affordable homes. The proposals offer 12 affordable homes (14.5%) and fail to comply with policy H02.

The application should be considered as a departure from policy H02. The departure may be viewed within the context of a potential "Fallback" position. There remains a realistic probability that the "Fallback" position under the extant historic permission will be delivered, technical approvals are in place and an initial commencement of development has been made on site. The applicant may reasonably choose to pursue the "Fallback" position should permission not be granted for the current proposals. On this basis the potential offer of 12 affordable homes represents a significant benefit to the "Fallback" position. As such the proposals may be supported as a departure from policy H02.

7. Flood Risk and Surface Water Drainage Associated with Culvert Works

Initial objections on the subject of flood risk and surface water drainage are now understood to have been resolved, at the time of compiling this report the formal consultation response from LLFA remains to be reported. The details will be reported verbally to members on at the development Committee meeting.

8. Residential amenity

The site is well contained in relation to neighbouring properties, being separated to the east by a track and to the south by a public footpath from existing residential properties. The positioning and relationship of the proposed dwellings has revised from the previously approved layout.

The application has a limited number of local comments relating to relationships in the South East corner of the site. Here the development sits adjacent to Lane End, two existing dwellings are impacted by the proposals in this area Three Gables and Lane End Bungalow. In considering impacts then relationships in terms of height, scale, mass and privacy are the principle issues. Those matters should be considered within the context of the extant planning permission. The approved sectional drawings show a substantive group of two storey town houses in close proximity to the adjacent dwellings. The relationship between the proposed apartments and near neighbours remains comparable in terms of height, scale, mass and privacy. Finished floor levels will be controlled to ensure limited if any detriment arises from the revised dwelling types at plots 44 to 53. In addition a separation distance of over 20m with drive way between properties will suitably ameliorate impacts.

The proposal is considered to be acceptable and would be in compliance with the aims of Policy EN4 of the adopted North Norfolk Core Strategy.

9. Highways

The planning history shows restrictions remain for no more than 15 dwellings to be served direct from an access on to Cley Road with the remainder of the dwellings accessed from Woodfield Road. It was agreed that safety bollards will be used to prevent general vehicle movements through the site with the exception of access for emergency vehicles.

For the majority of plots garaging is provided, or on plot parking adjacent to the dwelling. A limited amount of parking courts is proposed in the east and South east of the site.

A traffic management plan has been previously agreed giving details of access during construction and detailed highways construction drawings have been provided for both the on-site and off-site works. Highways engineers have agreed specifications under s38 / 278 and conditions have been discharged for the road layout.

NCC Highways confirm that with reference to the application relating to the above development (as shown on drawing 1228/1- rev G), in relation to highways issues only, notice is hereby given that Norfolk County Council does not wish to restrict the grant of permission.

It is noted that the following mitigating off-site highways works were completed in 2017 to facilitate this development:

- Widening of Cley Road,
- Improvement of the Cromer Road/Kelling Road and Cromer Road/Grove Road junctions,
- Provision of a continuous footway along the west side of Kelling Road from Woodfield Road to Kelling Close,
- Improvement to the surfacing of Peacock Lane up to Footpath 4.

The proposed development is considered to comply with Core Strategy Policies CT5 and CT6.

Contamination

Members will be aware of consultation response above, and the supporting documentation submitted by the applicants on this matter. At the time of reporting the position remains that the application relies upon a previously submitted historic assessment relating to the historic outline permission dated 13 April 2011.

The assessment was a desk based environmental assessment with a site walkover survey. The report included a review of available historical, geological, hydrogeological information and other relevant environmental sources obtained for the site. A conceptual model for the site in accordance with the current Contaminated Land Legislation was developed. At that time the site was noted has in agricultural use since 1886. No industrial activity or sources of contamination have been identified. Therefore, the site was assessed as low risk in accordance with Contaminated Land Legislation as no potential sources of contamination have been identified from the subject property. The author considered no further work was warranted on contamination.

A watching brief provision was made that if visual or olfactory evidence of contamination is encountered during the construction works, assessment by a suitably qualified environmental consultant of the potential contamination is recommended.

On this basis no contamination condition was attached to the Outline application.

A request is made under consultation for the current S73 application for an informative note to be added to the decision notice related to due diligence over contaminated land. The S73 proposals are unable to review the initial framework and principles already established under the outline permission. On this basis then officers must recommend that on the matter of

contaminated land that our recommendation must be subject to an informative note and be bound by the terms of the principles of the historic permission.

Other matters:

Locking gates: Comments are from local residents relating to locking gates in the South east Corner of the site. The gates will provide private access to plots 56 -65; 44 -55 and also to the existing dwelling Lane End Bungalow. Specifically, for Lane End Bungalow the applicant confirms that the locking gates are to ensure access in either direction. This maintains the owner's current rights of access; gate keys will be held by that property only. An independent pedestrian access to/from the remainder of the development via the north end of Peacock Lane is provided.

Bus link: It is noted that the provision of a link east to west through the development is preferred by The Town Council. This is requested to enable through passage of the Hopper Bus to run between Cley Road and Woodfield Road. Unfortunately, the applicant is unable to facilitate the bus route via layout amendments, as this would necessitate significant amendments to the layout resulting in lost public open space and the creation of utilities constraint issues (substation, etc.). In addition, Norfolk County Council Highways has consistently opposed a through route from Cley Road to Woodfield Road including conditions limiting the number of dwellings accessible via Cley Road to a maximum of 15 dwellings.

Conclusion & Planning balance

At its heart these proposals are a vehicle to seek revision and change to historic permissions which have proven less preferred to implement. The permissions have been unimplemented since the reserved matters approval in September 2015. Over 80 homes have been "mothballed" awaiting the commencement of development. It has to be to benefit for our local community that this development now comes forward, finally a local plan allocation for this site will be delivered. The planning system is changed and will be revised further to encourage innovation and flexibility to bring forward stalled sites such as this.

In making this decision the proposals must be measured against compliance with principles established under the historic permission and our current planning policy framework. The applicant has successfully challenged the historic S106 agreement. The Council is no longer able to rely on those provisions to provide affordable housing at the highest levels of local plan policy compliance. A positive offer is made to provide 12 affordable homes on site, this should be treated as a departure from plan policy H02 (no viability assessment accompanies the proposals). The offer is set against the likelihood of a fall-back position whereby development would otherwise go forward without affordable housing contributions being made. A positive weight in the matter of planning balance is attached to the additional affordable homes offered via these proposals.

The report notes that the proposals are broadly similar to previously approved details. No substantive objections are raised by technical consultees. Concerns are otherwise suitably mitigated by conditions previously imposed and discharged as matters of detail under the previous permissions. The proposals remain compliant with local plan policies. There are no overriding matters of harm relating to those key issues detailed above that outweigh the wider benefits associated with delivery of 83 homes on a local plan allocated housing site, subject to a s106 agreement.

The proposals are not complaint with Development Plan policy H02; but otherwise held in compliance with Development Plan policies SS1, SS2, SS4, SS9, EN1, EN2, EN4, EN8, EN9, EN10 and CT2, CT5 and CT6 of the adopted North Norfolk Core Strategy. For the reasons detailed within this report officers find that the material considerations in favour of

the proposed development offer suitable potential benefits, those benefits are considered capable of attracting sufficient weight to overcome the limited harm associated with the proposals. A positive planning balance results.

Recommendation: Approval subject to completion of an appropriately worded s106 agreement to deliver:

- **Affordable housing**

And suitably worded conditions

Final wording to be delegated to the Assistant Director of Planning

The District Council adopted the North Norfolk Core Strategy on 24 September 2008, and subsequently adopted Policy HO9 on 23 February 2011, for all planning purposes. The following policy statements are considered relevant to the proposed development:

Policy SS 1: Spatial Strategy for North Norfolk

Policy SS 4: Environment

Policy SS 9: Holt

Policy EN 1: Norfolk Coast Area of Outstanding Natural Beauty and The Broads

Policy EN 2: Protection and enhancement of landscape and settlement character

Policy EN 4: Design

Policy EN 8: Protecting and enhancing the historic environment

Policy EN 9: Biodiversity and Geology

Policy EN 10: Development and Flood Risk

Policy HO 2: Provision of affordable housing

Policy CT 2: Development contributions

Policy CT 5: The transport impact on new development

Policy CT6: Parking Provision

Conditions relating to compliance with details on matters relating to:

- Time limit for commencement.
- Approved plans
- Open space management
- Landscaping
- Ecology
- Arboriculture
- Materials
- Boundary treatment
- Highways matters – limitation to access numbers, no through link, full details of the roads, footways, foul and on-site water drainage, visibility splays, access arrangements and parking provision in accordance with adopted standards.
- Construction Traffic Management Plan and Access Route / wheel cleaning facilities
- Surface water drainage scheme
- Finished floor levels
- Fire hydrants / fire service requirements
- Informative for Contaminated land.

This page is intentionally left blank

WALCOTT PF/20/1582 – Development of 18 dwellings, comprising 16 two-storey dwellings for affordable rent (Site Plot A: 4no. 3-bed houses, 8no. 2-bed houses, and 4no.1-bed flats), and 2no. 4-bed detached houses for market sale (Site Plots B and C), with associated access, parking and landscaping: Land off, Ostend Road, Walcott.

Major Development

Target Date: 31.12.2020

Extension of Time: 14.04.2021

Case Officer: Tracey Meachen

Full Planning Permission

SITE CONSTRAINTS

Designated Coastal Erosion Risk within 100 years and Constraint Area within the adopted Core Strategy

Designated Area of Countryside within the adopted Core Strategy

EA Risk of Flooding from Surface Water 1 in 1000

Within the Coastal Plain Landscape Character Area

Areas Susceptible to Groundwater Flooding

Flood Warning and Flood Alert Area

Unclassified Road

Undeveloped Coast

RELEVANT PLANNING HISTORY

PF/10/0576 HOU

Land adjacent Coastline Village, Ostend Road, Walcott, Norwich, NR12 0NE

Change of use of land from agricultural to gardens

Approved 05/07/2010

The above application was to the rear of properties in Ostend Gap, and has now been assimilated into the rear gardens. The land is therefore adjacent the application site.

SITE AND SURROUNDINGS

Walcott is designated by the Core Strategy (2008) as a 'Coastal Village' and which has access to a range of facilities such as a convenience store, cafes, a church and a country inn. There is access to a primary school and pre-school and village hall close by at Bacton. Walcott is located approximately 5-6 miles to the east of North Walsham, 1.5 miles from Happisburgh and just under 3 miles from the edge of Bacton.

There are two heritage buildings to the outskirts of the settlement:

All Saints Church Walcott which is 604 metres south west, and Malthouse Farm which is 325 metres west.

The village is situated close to the coast, and Ostend Gap is only 110 metres from the coast at its nearest point. The application site is located on land to the south of Ostend Gap, and is accessed from Ostend Road. The proposed development site would be accessed from Ostend Road which has no footpath or street lighting. The proposed access road would be

under 100 metres from the entrance to Ostend Gap, but the access road narrows from a two lane carriageway to a single lane carriageway to the south of Ostend Gap.

The application site is located on agricultural land to the south east side of the village and is situated between the properties of the Ostend Gap Coastal village to the north consisting of a mix of bungalows and houses built in the 1980's to 1990's, and a small group of about ten dwellings to the south which are apparently ex-council properties which are semi-detached, and some detached private houses.

Ostend Gap Coastal Village along the north boundary of the application site boundary consists of some two storey terraced dwellings consisting of 8 blocks of 4 which are constructed of red brick and with shallow roofs, and a rendered finish to the rear elevation. The rest of the dwellings already existing along the north of the application site further to the east are bungalows constructed of red brick walls and red pantile roofs.

There are properties within Seaview Crescent and along the coastal path which have a horizontal board cladding appearance and these are located along minor roads. Most properties along Ostend Road and the main Coast Road are of brick and tile construction with the occasional rendered or horizontal board cladding to the exterior. Close to the coast, however, there is a caravan park visible from the main road.

The site is a small agricultural field which adjoins other agricultural fields. This field, however, has been isolated from the adjacent fields by the circular access road known as Ostend Road to the south and west boundaries, Ostend Gap to the east, and the dwellings along the north boundary which front Ostend Gap.

THIS APPLICATION

Seeks full permission for the erection of 18 dwellings with associated access road from Ostend Road which includes footpath provision, an area of open space, landscaping and parking. The proposed development comprises of the following mix:

- 4 x 1 bed flats (affordable rent)
- 8 x 2 bed two storey houses (affordable rent)
- 4 x 3 bed two storey houses (affordable rent)
- 2 x 4 bed two storey houses (market sale)

REASON FOR REFERRAL TO COMMITTEE

At the request of the Assistant Director of Planning given the range of competing planning issues and because the proposal is not fully policy compliant with regard to Policies CT 2, CT 5, HO 1 and HO 3.

CONSULTATION RESPONSES

Amended plans were received in response to the constructive comments made by both the Conservation and Design Officer about the design of the proposed dwellings, and Highways with regard to the road format and width.

The first round of consultation took place for a period of 21 days between 02/11/20 to 23/11/20. Following these consultations, amendments included:

- Adjustment to the site plan to ensure the correct road width inside the site, and introduction of a footpath along the front of affordable dwellings;
- A staggering of the terraces to avoid a long continuous block;
- A side window to the first floor of the end properties of the terraces, which would remove a window from the rear elevation at each end;
- A brick plinth was added to the base of plots B and C for the ground floor level;
- Hedgerows and wire to be added to the boundaries of each property;
- A 6 metre manoeuvring space added for vehicles;
- parking spaces now of the standard size and set back from the adopted highway; and
- Speed bumps would be introduced as a traffic calming measure.

These amendments were then consulted on for a further 21 days from 19/01/2021 to 09/02/2021.

Walcott Parish Council - Supports.

Commented on 18/11/20:

'Given the narrow nature of Ostend Road the development should embrace the provision of a footway to ensure pedestrian safety towards the village centre'.

Anglian Water – No objections / comments provided

Comments made 11/11/2020.

Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. The site layout either needs to take these into account, or the sewers would need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991, and should normally be completed before development can commence.

Wastewater Treatment

The foul drainage from this development is in the catchment of Mundelsey Water Recycling Centre that will have available capacity for these flows

Used Water Network

Based on the submitted Drainage Strategy revision P1 dated August 2020, the sewerage system at present has available capacity for these flows. The developer should serve notice under Section 106 of the Water Industry Act 1991 if connection is to be via this sewerage network.

Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. The surface water drainage hierarchy considers infiltration on site as the preferred disposal option, followed by discharge to a watercourse followed by connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets.

No further comments were made due to re-consultation.

Coastal Management (North Norfolk District Council) – Comments received.

Comments made on 21/12/2020

Site is situated within Shoreline Management Plan 6 (August 2012) Kelling to Lowestoft Ness. However, with the exception of garden/ amenity land the site does not fall within the 2105 epoch. The change of use from agricultural land to garden/amenity land does not result in a significant change in the intensity of the use.

Conservation and Design (North Norfolk District Council) – neither supports or objects

Comments made on 21/12/2020:

Scheme as a whole would look alien and unlikely to have any real local resonance. The proposal could be amended or enlivened as follows:

Improving the entrance to 'Plot A' –

- The end unit of Plot A could be turned 90 degrees to present an active elevation and frontage;
- Introducing some gables to the terraces;
- Substituting flat fibre cement tiles with a pantile;

These improvements would lift the proposed design from blank elevations, dominant parking areas, and a lack of detailing generally.

Plots B and C should match with the existing dwellings in some way. i.e a matching brick to the ground floor and a rendered first floor.

The extent such changes can be actioned, that is something to be factored into the overall planning balance along with the other material considerations (including the lack of a built environment designation). For our part, however, the particulars of the development and the local area affectively prevent C&D from either supporting or objecting to this application.

Comments made on 19/01/2021 following revised plans:

- *Only modest changes have been made to address design concerns.*
- *Terraced units would still be viewed as plain regimented blocks in the wider landscape.*
- *The second cement tile suggested is inferior in quality and unlikely to improve the visual quality or to merge the proposed development into the surrounding area.*
- *It is very evident that cost and expedience has been placed above aesthetic and qualitative considerations and would fail to take advantage of the opportunities available for improving the character and quality of the area. We therefore recommend that this be factored into the overall balance along with the other material planning considerations.*

Environment Agency – No objections

Comments made on 27/11/2020:

A Flood Risk Activity Permit is not required as the defence in this area is maintained under the Coastal Protection Act 1949, and therefore is not considered a 'sea defence' under the terms of The Environmental Permitting (England and Wales) (Amendment) (No.2) Regulations 2016, Schedule 25, Part 1, Paragraph 3 (3).

However, the Shoreline Management Policy options for the area should be taken into consideration.

Environmental Protection (North Norfolk District Council) – comments made

Comment made on 13/11/2020:

Contaminated Land

As the site comprises agricultural land, there is potential for contamination by previous land use and other factors such as filled land due to the nature of agricultural methods. There is no information provided regarding investigation into contamination, and given the nature of the land involved and size of the development, further investigation is required. As such, a condition is suggested as follows:

E31 Investigation and Remediation of Potentially Contaminated land.

Prior to the commencement of development, an investigation and assessment into the presence of possible contaminants affecting the site shall be carried out in accordance with details which shall have first been agreed in consultation with the Local Planning Authority. The findings of the assessment shall then be submitted to the Local Planning Authority in writing. Unless otherwise agreed in writing by the Local Planning Authority, no development shall take place on those areas of the site which have been identified as potentially containing contaminants until a scheme to protect the exposure of future users of the site from hazards associated with the contaminants has firstly been agreed in writing by the Local Planning Authority, and secondly implemented in full.

Heating Method

There is contradictory information about whether air source or ground source heat pumps are to be used as the method of heating proposed for energy efficiency. An air source heat pump system has more potential for excess noise. Therefore, the applicant needs to define which method of heating is proposed.

If air source heat pumps are to be used, a condition is suggested similar to the below:

Prior to the installation of any air source heat pumps, details shall be submitted to and approved in writing by the Local Planning Authority, the details will include the manufacturer's details, the noise level output of the proposed machinery and proposed locations of installation. The air source heat pumps shall thereafter be installed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Landscape and Ecology Officer (North Norfolk District Council) – no objection subject to planning obligations secured through a Section 106 Legal Agreement.

Comments made on 21/12/20.

The Landscape Officer has considered the impact of the development on biodiversity, and on Habitats Sites (European protected sites: SAC, SPA, Marine Areas and Ramsar sites) in the District, through recreational disturbance arising from increasing numbers of visitors, in line with emerging best practice guidance.

1. Landscape Character and Design

The site lies within Coastal Plain Landscape Type where Key Characteristics include an open, rural, flat landscape with low woodland cover with dispersed rural villages with fringe inter and post war holiday development. The landscape appears so open due to loss of hedged field boundaries as a result of agricultural intensification with field edges marked by ditches

or low banks. Reinstatement of hedgerows and management of ditched watercourses are cited as measures to enhance this landscape and to re-connect fragmented habitats.

The Landscape section consider:

- this proposed development can be accommodated within the immediate landscape setting, given the existing settlement pattern and type of housing.
- the scale and massing of the proposed build is appropriate,
- the proposed materials will not be readily assimilated as the colour palette is too limited and uniform,
- a selection of muted colours would give variety to elevations and roof profiles.
- dark grey fibre cement cladding for the roofs all of the three terraces on Plot A is not appropriate as the existing built form around the site hosts a variety of roof finishes and no one roof material dominates.
- dark grey corrugated metal for the roof and elevations for the two market dwellings adjacent to the existing detached dwellings constructed in red brick and pantiles.
- The 'agricultural barns' design proposed is not fitting for this location.
- There is no information about the proposed garden room details on both Plot B and C.
- Insufficient hard and soft landscaping details have been provided prior to consent to show hedge planting, tree planting, how the POS is intended to be used, treatment for all boundaries including plot division and garden curtilage within the site and the outer site boundaries.
- Mixed native hedging (possibly instant hedging for immediate effect) should be encouraged to reinstate lost hedgerows within this Landscape Type, as advocated in the Landscape Character Assessment. All boundaries should be permeable for small mammals to allow ecological connectivity through the site.
- The use of laurel as stated in 5.02 of the D&A Statement is not appropriate. It is not clear if permeable surfaces are proposed to accommodate surface water run-off as this is not mentioned in the Drainage Strategy. Surfaces should be informal and avoid over-engineered kerbing.

Further information is required to ensure that these and all design parameters set out in EN4 are satisfied.

2. Undeveloped Coast (Policy EN3)

The site also lies within Undeveloped Coast as defined in Local Plan Policy EN3. This designation is designed to minimise the wider impact of general development, additional transport and light pollution on the distinctive coastal area.

External lighting has the potential to adversely impact the open Coastal Plain landscape, so should be conditioned to ensure preservation of the dark night skies which are a feature of the nocturnal character of this open Landscape Type, and to be compliant with Local Plan policy EN13 Pollution and Hazard Prevention and Minimisation.

3. Biodiversity Impact (Policy EN9)

The application was supported by a Preliminary Ecological Appraisal (PEA) prepared by Biome Consulting Ltd. dated 10th July 2020, which incorrectly states that there are no nationally designated sites within 2km of the development site. However, the site is located just over a mile from Happisburgh Cliffs SSSI, with good public access by foot to the SSSI from the site, and approximately 4km from East Roston Common SSSI. Natural England should therefore be consulted on the likely risks to SSSIs.

It is noted, however, that Happisburgh Cliffs SSSI is designated due to its geological interest and the main risk to the site is through coastal defence measures restricting erosion of the cliffs. However, it is not considered that the development will result in significant adverse impacts to the special features of Happisburgh Cliffs SSSI.

The PEA survey did not identify the presence of any protected species but recommends precautionary mitigation measures for badger and breeding birds, and the development should offer potential for biodiversity enhancements.

Subject to securing suitable precautionary mitigation and enhancement measures, the development is unlikely to result in an offence to protected species and is compliant with Policy EN9. As the submitted ecology report is only a Preliminary Ecological Appraisal and because of the potential for construction of the development to commence beyond the valid survey window (i.e. greater than 18 months) and the changeable nature of the habitats on site, it is recommended that condition ECO1 is attached to any permission granted to ensure that suitable measures are in place to protect badgers and breeding birds, and to secure biodiversity enhancement measures.

4. Habitats Sites Visitor Disturbance (Habitats Regulations Assessment)

The PEA identifies that the development site is located approximately 0.3km from the edge of the Greater Wash Special Protection Area (SPA) and the edge of the Southern North Sea Special Area of Conservation (SAC). These are large marine protected areas designated to protect certain marine birds and their feeding areas, and for the protection of harbour porpoise. Furthermore (not highlighted within the PEA) the development site is approximately 7.5km (Euclidean distance) to the Broads/Broadland SAC/SPA/Ramsar site and Calthorpe Broad NNR and approximately 12km from Great Yarmouth North Denes SPA and 15km from Winter-Horsey Dunes SAC and Winterton Dunes NNR.

Impacts on the marine conservation sites are not considered likely given the nature of the conservation features of the sites and the associated impact pathways from the development and the size of the development.

However, in combination with other residential growth in the County, the development could have a likely significant impact on the conservations objectives of the Broads/Broadland SAC/SPA/Ramsar site, Great Yarmouth North Denes SPA and Winter-Horsey Dunes SAC (and their constituent SSSIs) through increasing recreational pressure associated with rising visitor numbers. To avoid an adverse effect on the integrity of these sites, strategic mitigation measures are proposed through the Green Infrastructure and Recreational Impact Avoidance Mitigation Strategy (the GI/RAMS) and will need to be secured as part of this development (if approved). The GI/RAMS requires a set contribution per dwelling from the developer (approx. £205) which will either need to be secured via a S106 agreement or through a S111 payment. Subject to securing the developer contribution in accordance with the endorsed GI/RAMS report the development would not result in an adverse effect on the integrity of the Habitats Sites and would be compliant with the Habitats Regulations.

Conclusions

In summary, the Landscape section consider that, in principle, this proposal can be accommodated within the landscape setting and that the requirements of relevant Local Plan policies relating to landscape and visual impact and biodiversity can be satisfactorily addressed. However, as set out above, more detailed information is required prior to consent

to be assured that this is the case. Once this is established a full set of planning conditions can be employed to secure an agreed scheme.

Comments made on 03/03/2021:

1. Amendments to materials are acceptable and will add variety and help to assimilate the new dwellings with those existing in the open landscape setting.

2. More detail was requested with regard to proposed soft landscape planting, how pockets of open space are intended to be used, and boundary treatments.

With regard to boundary treatments, the agent confirmed by email that boundaries would be using a combination of Profile Mesh (2-8 Mesh) and hedgerows while installing wildlife corridors within the structure. This is an acceptable solution.

There is still no site plan expanding on the indicative landscape planting as requested.

3. The agent's attention has already been drawn to the issue of the proximity of the site to Happisburgh Cliffs SSSI and that being located within the defined Natural England (NE) SSSI Impact Risk Zone requires that Natural England are consulted.

The adverse effect of recreational pressure on the habitats and species of the nature conservation sites has been considered by the Norfolk Strategic Partnership (a partnership of Norfolk Local Planning Authorities) who have worked together under the Duty to Collaborate to collect evidence to inform the preparation of emerging Local Plans. This evidence has been required to produce a strategic mitigation package to address the impacts of the combined increase in residential and tourist accommodation in Norfolk, which has been identified in the Local Plan HRAs as having the potential for a likely significant effect on Habitats Sites. The Green Infrastructure and Recreational Impact Avoidance Mitigation Strategy (GIRAMS) report has determined standardised zones of influence (ZOIs) for the Habitat Sites in Norfolk, which define the broad area from where additional visitors will generate from, based on new residential and tourist accommodation, for each individual Habitats site, and indicate where project level HRAs are required for planning purposes

Natural England have provided interim advice to LPAs in Norfolk (letter dated 12th August 2019) advising that the Zones of Influence (ZOI) calculated in the GIRAMS are used to inform planning decisions prior to the formal adoption of the GIRAMS. This development is within the calculated ZOI for the North Norfolk Coast Habitats Sites (specifically the East Coast sites), therefore should this development proceed, the Landscape section advise that the GIRAMS contribution towards the implementation of strategic mitigation should be secured.

In the event that you are minded to approve this proposal the following conditions should be secured:

- *BIO 3 Requirement for small mammal gaps in all solid boundary measures to promote ecological connectivity.*
- *Adapted version of L01: submission of hard and soft landscape details*
- *L10 replacement of plant failures for ten years.*
- *EC01 to secure biodiversity mitigation and enhancement measures set out in the Preliminary Ecological Appraisal (Biome July 2020) including the requirement for further ecological re-survey after a stated period in accordance with standard ecological best practice.*
- *E32 External Lighting*

Lead Local Flood Authority (Norfolk County Council) – comments and standing advice.

The application falls below the current threshold for the provision of detailed comment.

The applicant should demonstrate the proposal would not increase flood risk elsewhere and will incorporate sustainable drainage systems as required by NPPF paragraphs 155 – 165.

The applicant should also demonstrate how the proposal accords with national standards and relevant guidance. If the proposal does not accord with these the applicant should state their reasoning and the implications of not doing so.

Local Highways Authority (Norfolk County Council) –

Comments made on 11/12/2020:

A residential development of this scale should be provided with an adopted road in accordance with the requirements of the County Council. This would require either a 4.8m carriageway and 1.8m footway or a 5.8m wide shared surface. In addition the layout plan should clearly indicate the required parking spaces at the rate of 2 spaces per dwelling, with exception of the 4 bedroom dwellings that will require 3 parking spaces each. The junction with Ostend Road should have 6.0m radii and visibility splays measuring 2.4 x 43m in both directions. A new estate road of this length should also be subject to a 20mph zone and will therefore require additional traffic calming measures to maintain vehicle speeds at the appropriate level.

However, the proposed development would be accessed from Ostend Road which is narrow with no footway. Walcott is not sustainable and is devoid of adequate facilities. Norfolk County Council recommends that permission be refused for the following reasons:

The proposed development does not adequately provide off-site facilities for pedestrians and people with protected characteristics (those confined to a wheelchair or others with mobility difficulties) to link with existing provision and local services.

The unclassified road serving the site is considered to be inadequate to serve the development proposed, by reason of its restricted width. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety.

Further comments made on 06/01/2021:

Recommendation of refusal was maintained as the applicant has not addressed the fundamental highways objection to the principle of estate scale development in this location.

Additional requirements include:

- *Parking spaces must have minimum dimension measuring 5.0m x 2.5m.*
- *All parking spaces must have 6.0m manoeuvring space.*
- *Private parking spaces located immediately adjacent to an adopted road should be setback at least 0.5m from the carriageway.*
- *No traffic calming measures have been proposed.*

Further comments made on 13/01/2021:

Still recommends refusal as the fundamental reasons for refusal have still not been resolved.

If the District Council deem this site to be acceptable, whilst it would not fully overcome my original recommendation, as an absolute minimum I would expect Ostend Road to be improved by widening the carriageway to 4.8m and providing a footway from the southern site boundary to where it the carriageway widens in the vicinity of the junction with Ostend Gap.

Natural England – No response received.

Strategic Housing (North Norfolk District Council) – No objection subject to the delivery of affordable housing

Comments made on 09/11/20

Current Planning Policy

The site is on land designated as countryside in the current local plan. Planning Policy H03 allows for the development of affordable housing providing there is evidence of local housing need. An element of market housing is allowed provided this is the minimum necessary to cross subsidise the affordable housing.

Housing Need

The council's housing list provides evidence of housing need. For affordable housing in the Countryside we consider applicants with a local connection to Walcott and the adjoining parishes. As at 9th November 2020 there are 96 households on the council's housing list with a local connection to Walcott, of these 62 households are in Bands A – C which are the households with the strongest local connections. In terms of household type there are:

- 33 Single person households.*
- 10 Couples.*
- 37 Small families (up to two children).*
- 16 Large families (three or more children).*

There are 11 households age 60+ and three households which include a wheelchair user.

Proposed Property Mix

Warren House Construction plan to develop 18 homes on the site. There will be two market homes and 16 affordable homes, all 16 for affordable rent which will be sold to a Registered Provider to manage and maintain.

Water Management Alliance (Broads Drainage Board) – No Objection subject to prior consent from the IDB

REPRESENTATIONS

There were two periods of public consultation. The first round of consultations took place for a period of 21 days between 02/11/2020 to 23/11/2020. After amended plans were received, a second round of consultations were undertaken over a 21day period from 29/01/2021 to 18/02/2021.

During the first public consultation period a total of 14 representations were made. All were objections. No further objections were made during the second consultation period.

The key points raised in OBJECTION are as follows:

- The rest of the field will be developed at a later stage as the area that will be left is not financially viable to continue with arable farming.
- Having a new road behind existing properties would give access for criminals, making people feel more vulnerable.
- Within 250m of the site, there are at least 2 more ponds in gardens which could support GCN if any were in the vicinity.
- Comments highlight an abundance of snakes, wildflowers, hedgehogs, pipistrelle bats etc, contradicting the Ecological Appraisal.
- As the field was confirmed as greenbelt agricultural use in my property search, I have purchased more garden area to plant wildlife areas which I won't be able to enjoy.
- This area could look better and benefit wildlife if it could return to nature and be developed into a meadow and it would also assist with controlling the flooding on the field.
- This field suffers from flooding and is therefore unsuitable for housing development.
- The north-east corner of Plot A is within the indicative coastal erosion zone so won't last longer than years.
- Ostend Road is a very narrow road which is on the local bus route. An additional 40 vehicles on such a small road is not insignificant and may gridlock area further. It is already hazardous for pedestrians
- The road is also heavily used by large agricultural machinery
- there has been NO public consultation.
- Local building stock in the immediate vicinity is not reflected, with the profusion of porches and garages on the proposal.
- Corrugated metal cladding to elevations and roof will rust in salt air.
- Another development will further increase the negative character of the landscape.
- The proposed road between the back of Coastline Village and the proposed flats/houses will funnel wind through the gaps causing damage.
- This application is in direct contravention with current planning policies
- outside of any settlement boundary
- detrimental to biodiversity, and will destroy the local landscape
- occupants will be totally reliant on cars
- Submitted documents are inaccurate.
- Public transport links to Norwich or larger towns are poor.
- The coastline is at further risk of tidal flooding as it is low lying and unsuitable for housing development.
- Walcott is predominantly a retirement village and therefore unsuitable for young families, no jobs nearby and no facilities.
- there may be future issues with drainage issues, sewerage gets blocked frequently, and water shortages and power cuts could become more frequent.
- The provision of soakaways for the houses does not address the problem at the other end of the field and the excess water will still fall towards new houses.
- Apart from the beach itself, there are no recreation facilities or accessible greenspaces in Walcott,
- Ostend Road is a very narrow road with a blind bend and no pedestrian pathway on either side.
- concerns that the extra development traffic may cause a fatality.
- Very close to the cliffs. Concerns are that this development will exacerbate erosion.
- Adequate infrastructure is not in place.
- Would devalue properties.

- Traffic made worse by tourist traffic in summer.
- HGV's delivering materials will be dangerous on narrow road.
- Coastline Village including Ostend Road are sited on a cliff top that is eroding visibly at a steady rate. The landscaping carried out recently is not stopping the erosion as the cause of this is groundwater from rain plus flooding from severe sea surges in extreme weather which are able to wash over the cliff top.
- Local people are not buying properties in this area, being mainly second homes, holiday homes or holiday lets.
- Where local people are unable to afford to buy perhaps community housing associations for the allocation of these properties to local people to rent would reduce the need for new housing being built in rural areas like Walcott.
- There are alternative, more suitable sites for the building of community housing in the area with better road access.
- Redundant plot previously considered unsuitable for development.
- Subsidence/flooding risks at point less than 200 metres from stated plot.
- Investigation and remediation of potentially contaminated land.
- Impacts privacy (overlooking), loss of views and will create more noise and disturbance.
- Will create light pollution. No infrastructure, eg doctors or other services including children's play areas, and poor bus service.
- Possible coastal erosion – market homes located furthest away from possible coastal erosion.
- No pavements on Ostend Road.
- Social housing will devalue property prices in the area.
- A resident has an autistic son who would be adversely impacted by the changes.
- Farmer will sell more land for development as rest will be too small to farm.
- The two market homes would look out of place due to size and design.
- Parish council did not obtain views of residents.

4 additional letters of objection were made recently, only one being a new objector. New issues raised are as follows:

- The highway cannot be widened as advised by the Highways Dept. due to existing houses and ditches.
- Materials are cheaper and inferior yet the value of the affordable units has gone up.
- Replacing plants would be too expensive as plants don't grow in exposed coastal areas.
- A newt has been found in a rear garden.
- Market properties are overpriced and no mortgages available due to coastal erosion,
- Number of affordable houses will be cut in the long run.
- Happisburgh Cliffs are nesting sites for Sand Martins.

LOCAL MEMBER CONTACT

Councillor Stockton has not provided a comment during the consultation stage, but will be providing a comment before the Committee date.

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.

RELEVANT POLICIES

North Norfolk Core Strategy Policies 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

H0 1 – Dwelling mix and type

HO 2 – Provision of Affordable Housing

H0 3 – Affordable Housing the Countryside

HO 7 – Making the most efficient use of land (Housing density)

EN 2 – Protection and enhancement of landscape and settlement character

EN 3 – Undeveloped Coast

EN 4 – Design

EN 6 – Sustainable construction and energy efficiency

EN 8 – Protecting and enhancing the historic environment

EN 9 – Biodiversity and geology

EN10 – Flood risk

EN 11 – Coastal Erosion

EN 13 – Pollution and hazard prevention and minimisation

CT1 – Open Space Designations

CT 2 – Development contributions

CT 5 – The transport impact of new development

CT 6 – Parking provision

Supplementary Planning Documents (SPDs):

North Norfolk Landscape Character Assessment 2021

North Norfolk Design Guide 2008

North Norfolk District Council Coastal Control Guidance – Development and Coastal Erosion (2009)

National Planning Policy Framework (NPPF):

Section 2 – Achieving sustainable development

Section 5 – Delivering a sufficient supply of homes

Section 8: Promoting Safe and Healthy 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

Flood Risk and Coastal Change Planning Practice Guidance

OFFICER ASSESSMENT

Main Issues to consider:

1. Principle of development
2. Housing Mix and Type
3. Density, Layout and Design
4. Residential Amenity
5. Historic Environment
6. Trees and Landscape
7. Ecology and Habitats Regulation Assessment
8. Open Space
9. Highways and Parking
10. Coastal Erosion, Flood Risk and Drainage
11. Sustainable Construction and Energy Efficiency
12. Planning Obligations
13. The Planning Balance
14. Other material planning considerations

1. Principle of Development

In accordance with Section 38(6) of the Town and Country Planning Compulsory Purchase Act 2004, planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Council can also demonstrate a Five Year Housing Land Supply and the Development Plan is considered to be up-to-date.

The application site is a non-allocated site of approximately 0.92 hectares in size. The current use of the land is as an agricultural field to the south east of the settlement of Walcott, which is identified within policy SS 1 of the adopted North Norfolk Core Strategy as being in a countryside location where development will be restricted to particular types of development which will either:

- support the rural economy,
- meet affordable housing needs and
- provide renewable energy

The proposed development will be erecting 18 dwelling houses, 16 of which will be affordable. They will be built with Passivhaus principles to reduce the carbon footprint, and including heat pumps and low energy lightbulbs.

Policy SS2 restricts the development of market housing in the countryside to prevent dispersed dwellings and unsustainable development. It does, however, permit affordable dwellings. The proposed development is mainly affordable, but also proposed 2 market dwellings in order to enable the affordable dwellings to be more financially viable, and the scheme potentially more likely to be deliverable.

Policy SS3 allows rural exception schemes, and identifies that there would be approximately 1,004 affordable dwellings on windfall sites within the Local Plan period of 2001 – 2021. Due

to the need for affordable dwellings in North Norfolk, this figure should be taken as a minimum expectation.

Rural Exception

Policy HO 3 will only permit an affordable housing development within the countryside so long as:

- the proposal would help to meet a proven local housing need for affordable housing as demonstrated in the Strategic Housing Market Assessment and waiting list information, and
- for schemes of 10 or more dwellings the site is situated within 100m of the boundary of a Principal or Secondary Settlement or one of the defined Service Villages or Coastal Service Villages, and
- the affordable housing provided is made available to people in local housing need at an affordable cost for the life of the property (the Council will ensure that any planning permission granted is subject to appropriate conditions and/or planning obligations to secure its affordability in perpetuity).

There is an identified need for affordable homes within Walcott; there are currently 62 households which have strong local connections. These households within the waiting list information includes the following mix:

- 33 single person households
- 10 Couples
- 37 small families
- 16 large families

The 16 affordable dwellings proposed would be Local Lettings and would therefore go towards those with strong local connections. A Viability Assessment has been undertaken and the 2 market dwellings proposed would be considered the minimum market dwellings necessary in order to support the delivery of the 16 affordable homes.

The site area is within Walcott which is classed as part of the countryside. It is 1.10 kilometres from Bacton which is a Coastal Service Village, and the closest defined settlement. As the application site is not within 100 metres of the defined settlement, the application is not fully compliant with policy. Sites proposing 10 dwellings or under need only to be adjoining a group of 10 or more dwellings and not within 1 km of a previously approved affordable dwelling scheme. Therefore, to be policy compliant, the scheme should consist of no more than 10 dwellings.

Affordable Housing

The proposal for the provision of 16 affordable houses and 2 market houses is contrary to Policy H03, and therefore, development of this site would represent a departure from the Development Plan. Consideration will need to be given to the existence of material considerations if favour of the proposal as part of the planning balance in order to justify any departure from policy which are considered further within this report.

2. Housing mix and type (Policies HO 1 and HO 2)

The Core Strategy has identified, within section 3, a deficit of smaller starter homes of one or two bedrooms. Policy HO 1 'Dwelling Mix and Type' sets out that on schemes of more than

five dwellings, at least 40% of the dwellings proposed shall have a floor space which that does not exceed more than 70 sqm, and which shall have only one or two bedrooms. In addition, 20% of the dwellings shall be suitable or easily adaptable for occupation by the elderly, infirm or disabled. Where calculations result in a part dwelling required, the figure would be rounded upwards.

On a scheme of 18 dwellings, Policy H01 would require a minimum of 7.2 dwellings of two bedrooms or less, and 3.6 dwellings which would be either suitable or easily adaptable for occupation by the elderly, infirm or disabled.

Twelve of the dwellings have 2 beds or less which is more than the required 40%. However, there are only 4 x 1 bed flats on Plot A (type C) that are within the guideline of 70sqm or less. All the other dwellings are over 70sqm, the 2 bed properties being 88sqm. The 4 flats represent only 22.2% of the dwellings proposed. Therefore, the application is not fully compliant with Policy HO 1.

None of the proposed dwellings on Plot A are of a size which would accommodate a wheelchair with extra wide doorways. Only 2 of the flats are on the ground floor and able to offer ground floor accommodation only. The applicant has pointed out that these are lifetime homes which have a downstairs entrance level accessible WC with capped off drainage to allow for an accessible shower in unit type A and B, and an upstairs bathroom, again with capped off drainage to allow for a shower in all the unit types.

On Plots B and C, the four bed properties are 'upside down' houses, with only bathroom and bedrooms downstairs. However, these are large homes, which could be adapted.

Therefore, there are only 2 flats within Plot A which could accommodate ground floor accommodation only for an infirm or elderly person. However, all other accommodation is provided over two floors. A walk-in shower could only be installed by removing the existing bathroom facilities, which places more emphasis on the upstairs bathroom.

In regard to floorspace and dwelling size, the proposal does broadly accord with the principles of the policy in that the provision of smaller bedroom units is provided, however these are larger dwellings than is required by the first criterion of Policy H01. In regard to adaptable and accessible the proposed site does not offer a policy compliant number of adaptable and accessible homes, however a number of the plots could be adapted to become adaptable and accessible due to the size of the dwellings proposed. The proposal is therefore not in strict accordance with policy HO 1 of the adopted North Norfolk Core Strategy.

Affordable mix

The proposal is in accordance with Policy H02 as:

- Housing Strategy have confirmed that the proposal will meet an identified local need connected to Walcott (as set out in section 1 of this report) reflecting identified housing needs identified by the Strategic Housing Market Assessment and waiting lists.
- Of the 16 market dwellings provided these would all be affordable rent, which would accord with the Council's target of providing 80% of affordable housing as social rented accommodation.

3. Density, Layout, Design (Policy EN 4):

Density

Core Strategy Policy HO7 requires that housing developments in designated service villages should have an indicative density of not less than 30 dwellings per hectare. The application site area is outside designated settlement areas, and classed as in countryside. Policy HO 7 of the Core Strategy therefore does not provide a minimum density. The NPPF also seeks to avoid homes being built at low densities due to land shortages for meeting identified housing needs. However, the NPPF also advises that policies should optimise the use of land and should use minimum density standards reflecting the accessibility and potential of an area. Lower densities can be applied if strong reasons can be made as to why a high density would be inappropriate. The NPPF also takes into account the 'desirability of maintaining an area's prevailing character and setting' and the 'importance of securing well-designed, attractive and healthy places'.

Properties closer to the village centre are at a higher density and of a more traditional, grid like built form, whilst the neighbouring planned development of Coastline village sees properties set in small cul-de-sacs set around an area of open space and at a lower density. The site is 0.92 ha. With only 18 dwellings are proposed on this site, the density would therefore be 19.5 dwellings per hectare. The density proposed would maintain the countryside character and would bridge the gap between the higher densities to the north, the reduced density within the Coastline village at Ostend Gap, and the lower densities to the south in Ostend Road. Considering the need for an access road, open space and decent sized back gardens, it does make appropriate use of land as the site is not wide enough to add another row of houses. The affordable dwellings occupy a small footprint, with small gardens. The market house plots are large, having 4 bedrooms. However, the creation of a third market plot would create a cramped appearance, and would be harder to create without any potential overlooking, even if the size of the market dwellings are reduced to only 3 beds.

It is therefore considered that the proposed development does make an appropriate use of land, satisfying the national policies within the NPPF.

Layout

The North Norfolk Design Guide requires development schemes to comply with the requirements of Policy EN 4, and has produced a number of principles to help developers achieve this as follows:

- The established form and character to provide a strong steer towards new development;
- Well-designed spaces with a clear purpose and function;
- Clear visual links between buildings;
- The siting and grouping of buildings should reinforce local identity;
- Private garden areas should be of an adequate size and shape; and
- Buildings should be orientated to make maximum use of solar gain.

The affordable dwellings and associated gardens are small, and the layout is compact due to the terraced format. The plots are smaller than those surrounding the site in Ostend Road and Ostend Gap. This is largely dictated by the narrow width of the plot which does not lend itself to many layout formats while maintaining this density of housing. Gardens, although small, would be the same size as the footprint of the dwellings which is adequate.

The form and character of the terraced blocks in Plot A have been taken from the blocks of two storey dwellings within Ostend Gap to the north boundary, while the dwellings in plot B and C are a continuation of the dwellings in Ostend Road. Detached properties are located along the road opposite. More interest can be generated in the development by the use of a variety of design techniques and differing ridge heights. However, it is considered that the site layout is acceptable given the constraints of the site which has a restricted width.

Design

The Conservation and Design Officer had made a number of comments with regard to the original scheme. As a result, slight revisions have been made where possible and amended plans submitted. The layout design and the scale of development now proposed within drawing number 19114-3-002-P4 is considered largely acceptable. The comments and subsequent amendments regarding design are shown in the table below:

Conservation and Design Officer Comments 21/12/2019	Changes made as a result
<p>The three terraces are plain in appearance with a mid-late 20th century aesthetic which would arguably be more suited to a new town than to the North Norfolk countryside.</p>	<ul style="list-style-type: none"> - Each terrace will have a step at its midpoint, approx. 0.5m, to give visual interest. It is also considered that the front porches will break up the repetitiveness. (19114-3-110-P2, 19114-3-111-P2, 19114-3-112-P2 and D&A section 4.07) - In addition, materials were updated. Terraces 1 & 3 and Terrace 2 to have different finishes to be in keeping with the surrounding area. (19114-3-150-P2).
<p>Attempt made on 'Plots B' and 'C' to introduce buildings of more contemporary appearance, this would surely be undermined by the ubiquitous corrugated cladding and the less than coherent mix of window shapes and sizes. The end result is therefore unlikely to have any real local resonance and could well appear alien instead.</p>	<ul style="list-style-type: none"> - Materials on Plot A have been updated to provide variety between the terraces. The use of fibre cement tiles has been chosen due to cost and ongoing maintenance. (19114-3-150-P2 and D&A section 4.08) - The windows on Plots B and C have been designed with Passivhaus in mind, taking in to account solar gains and the specific uses of the interior spaces behind, as well as overlooking and privacy.
<p>Improving the entrance to 'Plot A' - e.g. rather than having a blank gable end, 8 upfront parking spaces and presumably a bank of fencing around the rear garden, the end unit could be turned through 90 ° in order to present an active elevation and frontage. In turn, the parking could then be pushed out of site (or at least screened or softened behind a wall or hedge) and the private amenity space limited adjacent the carriageway (or at least screened with hedging rather than a solid enclosure).</p>	<p>The applicants are limited by Passivhaus design standards to maintain a North-South orientation to ensure the units benefit from passive solar gains, therefore they are unable to rotate the end unit by 90deg.</p>

Introducing some gables onto the 'Plot A' terraces to relieve the repetitiveness and thus add some contrast and visual interest.	To activate the end gable, we propose introducing a window at first floor. This will be repeated for all gables. (19114-3-130-P2, 19114-3-131-P2, 19114-3-132-P2, 19114-3-136-P2 and D&A section 4.07)
Substituting the flat and potentially lifeless fibre cement tiles with a pantile.	The use of fibre cement tiles has been chosen due to cost and ongoing maintenance
Revisiting the cladding and windows on 'Plots B' and 'C' - e.g. by restricting the use of the corrugated metal to just the roofs or possibly even introducing a terracotta standing seam finish to at least tonally match the existing properties on this southern section of Ostend Road. Also, mix up the walling materials ideally by having a brick GF and a rendered FF (although boarding could be used instead for the latter).	The use of corrugated cladding has been restricted by adding a brick plinth to Plots B and C. The bricks are to be a red stock brick to match the adjacent dwellings. (19114-3-150-P2 and D&A section 4.08)

Conservation Comments 19/01/21	
The steps in the terraces might well create shadow lines and some relief at close quarters, but they would achieve precious little from wider vantage points – ultimately the identical eaves and ridge heights would not stop these units being viewed as plain regimented blocks. The modestly-sized, single-storey porches would be similarly ineffective in this regard.	No changes have been made as a result.
Whilst it might add some colour contrast, introducing a second cement tile of inferior quality is unlikely to help in terms of creating visual quality or bedding the scheme into the locality.	No changes have been made as a result.
By contrast, adding a brick facing to the GF of Blocks B & C would help to 'ground' the development on site (assuming it is a sympathetic block slip used). On its own, however, it would not prevent the lasting impression being of the corrugated cladding and the mix of window shapes and sizes.	No changes have been made as a result.

A number of proposed changes were made to the scheme as a result of Conservation and Design Officer comments on the proposal, however the brief provided by the affordable housing provider, the Flagship Group, was too restrictive to make any major changes. As a result of this, Conservation Design officers and Landscape officers raise objections in regard to the proposal and its design within its context.

Notwithstanding this, design improvements have been made and the two market houses have been designed as 'upside down' houses with the bedrooms downstairs and living space upstairs so that the occupants can enjoy the views of the open fields during the day time, and the use of materials and windows attempt to bring a more modern appearance to the area.

The scheme is different in appearance to the two residential areas either side, but with the use of the darker colours, it is hoped the scheme will add an acceptable contrast to what is existing while still blending in due to the agricultural barn type appearance which would suit an edge of settlement location.

Materials:

The dwellings in the immediate facility are of a traditional design and materials. However not all dwellings are of a traditional appearance within Walcott, and there are a lot of holiday homes in the area, including a caravan park located along the Coast Road. The application site is on the outskirts of Walcott. The main road leaving the village towards Stalham has a variety of styles and materials, with the more untraditional buildings being located adjacent the coastline and sea. There is a similar format with Ostend Road with the more untraditional buildings being located within side roads but not along the main road leading to Happisburgh.

The introduction of cement fibre boards and corrugated roofs is therefore a contrasting material to those used in the surrounding area, but may not necessarily be out of place in a coastal location, and would be similar to the materials used in holiday homes and chalets (albeit chalets are generally of a light colouration), but would be of a more resilient and long lasting material. The dwellings on the plots are intended to be built to a similar design style as a converted barn, and the materials and muted colours of light and dark greys reflect this.

The windows would be dark grey aluminium throughout the development. The affordable dwellings would have combinations of white render to the ground floor walls, light and dark grey fibre cement cladding to the first floor and fibre cement roof tiles in red or black to maintain a variety. The market housing would have a red brick finish to the ground floor level, and dark grey corrugated sheet cladding to the first floor walls and roof.

The dark grey maintains a colour scheme for a barn style conversion, and would allow the development to merge into the surroundings, being unobtrusive compared to white windows which tend to give a more domestic appearance, while being more visible against brick exteriors. However, the use of similar colours in the first floor walls and roofs, especially for Plots B and C, needs further consideration, and a wider range of muted colours needs to be incorporated to add more interest.

Design Conclusions:

The design proposed has been very restrictive, and little has been done to improve the visual appearance of a row of identical terraced properties. This would need to be taken into account in the planning balance. The existing two storey properties located along the north boundary are of a poor architectural style and are lacking in variety. The estate has been built using one design for the two storey houses, and a second design for the bungalows. There has been little variety in materials, and the render to the rear of the houses looks scruffy in appearance. The lack of a front garden has noticeably detracted in the character of the estate, which will also be the case for the proposed scheme. The proposed hedges, however, which will be used to mark out the rear gardens, may introduce a softening to the visual impact of the dwellings. The existing dwellings to the south in Ostend Road are also built of the same design as each other. These dwellings, however, take on the character of the materials and

mature landscaping scheme which includes hedges and trees rather than from the fenestration alone.

It could be argued that the materials proposed for this development scheme may provide some distinctive housing which would add another interesting dimension to the surrounding area rather than more of the same. Officers consider that the proposal does not meet the high quality design aspirations of North Norfolk and the proposal would therefore not be considered to be in accordance with Policy EN 4 and the supporting guidance as set out within the North Norfolk Design Guide.

4. Residential Amenity: (Policy EN 4)

The application site is well positioned to prevent any loss of residential amenity for existing dwellings. The Design Guide indicates there should be at least 15 metres between living room windows and bedroom windows as would be the case for the terraced properties proposed where the frontage would face the rear of the dwellings along Ostend Gap. There should also be an additional 3 metres as some of the properties along the north boundary are bungalows, and the facing properties within the terraces are two storey in height. There should therefore be a suggested distance of approximately 18 metres separation distance between the proposed properties and the existing located adjacent the north boundary.

The Design Guide also suggests there should be a minimum gap of 15 metres between facing bedroom windows, or kitchen and dining room windows. The suggested separation distance along the south boundary is therefore 15 metres.

Taking into account facing bedroom windows between the proposed terraced properties within Plot A, the suggested minimum distance is also recommended as 15 metres.

Properties within Ostend Gap have rear garden distances of approximately 15 metres, while properties in Ostend Road have distances of 21 metres. Taking into account the land within the site which forms the rear gardens of the proposed plots to the rear (which are a minimum of 10.5 metres) and the access road, footpath and car parking areas to the front of the plots (which are approximately 12.8 metres combined), there is an appropriate distance between properties to ensure no overlooking or overbearing development.

The side windows of the end properties for each terraced block are bedroom windows, and the gap between dwellings to the side has a minimum gap of at least 21 metres which exceeds the recommendation in the Design Guide for appropriate distances between bedroom windows.

The two storey market dwelling on Plots B and C have bedroom / bathroom windows to the ground floor of the west elevation, and a living room window on the first floor facing to the east. There are approximately 20 metres between the side of Plot B and the existing dwelling along Ostend Road, which considered an appropriate distance, especially with the tall hedges obscuring the side of the existing dwelling from view. There is a shorter distance of 6.5 metres between plots B and C.

There is therefore an issue with the distance between the proposed living room window on the first floor of Plot B which face towards the bedroom windows to the ground floor of plot C. However, this small bedroom window can be conditioned to be opaque glazed as the bedroom has larger windows to the rear elevation.

In all, the proposed development is compliant with the requirements of Core Strategy Policy EN 4 and the North Norfolk Design Guide regarding amenity.

5. Historic Environment (Policies EN 4 and EN 8)

Policy EN 8 seeks to preserve or enhance the character and appearance of designated assets, other important historic buildings, structures, monuments and landscapes, and their settings through high quality sensitive design. It also states that development which has an adverse impact on their special historic or architectural interest will not be permitted. However, it should be noted that the strict 'no harm permissible' requirement in Policy EN 8 is not in strict conformity with the guidance contained in the National Planning Policy Framework (NPPF). As a result, in considering any proposal for the site the Local Planning Authority will need to take into consideration Section 16, paragraph 196 of the NPPF. This requires that where a development proposal will lead to 'less than substantial harm' to the significance of a designated heritage asset, including its setting, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Paragraph 192 of the National Planning Policy Framework 2019 expects local planning authorities to ensure new development makes a positive contribution to the local character and distinctiveness of listed buildings.

Paragraph 193 goes on to give weight to an asset's conservation in accordance to its importance.

Walcott has no Conservation Area and there are only two listed buildings in the area, and both are more than 300 metres from the entrance to the application site and which are identified as Malthouse Farmhouse and Church of All Saints which are located along the Coast Road.

Malthouse Farmhouse - The hedges along the land belonging to the farmhouse, and its own curtilage buildings restrict views of Ostend Gap and adjacent buildings. Although the rooftops of the properties either side of the application site can be seen from behind the listed buildings within the curtilage of the Malthouse Farmhouse, they are too far away to significantly impact the setting of the listed building, and being of a dark roof colouring, would have less of an impact than the existing dwellings where the most distinctive elements are the first floor areas of white render.

There are distant views from All Saints Church, Walcott which is a grade I listed building, but would be too far away to impact the setting. Although there are clear views along the B1159, the views are from a distance, and some views are blocked by existing buildings and some trees and hedges. There would therefore be no harm to the significance of the Listed Building. Further, this Church is not related to the parish of Walcott and therefore the lack of relationship between the two would mean that this proposal would not have an impact of the setting of the listed building.

There is therefore no detrimental impact to the listed buildings as a result of the proposed development. Views are too distant to be anything more than a minor impact and would be seen within the context of existing development. The application therefore complies with the local policies of EN 4 and EN 8 of the North Norfolk Core Strategy and the NPPF as the

impact would have no harm on the significance of the nearby listed buildings or any contribution made by their setting.

6. Landscape (Policy EN 2, EN 3 and EN 9)

Ostend Road connects to the B1159 Coast Road, and North Walsham Road. There are also a number of public footpaths around the site. The proposed development would be seen at distances against the backdrop of the existing Coastal Village and the group of existing dwellings to its south boundary. North Walsham Road is approximately 909 metres from the site and is too far away for existing dwellings to be clearly seen. There are views of the dwellings as you approach the site from Ostend Road about 500 metres to the south east of the site. The trees and hedges are generally associated with isolated dwellings while the fields generally have open views across the landscape.

Landscape characteristics include an open, rural, flat landscape with low woodland cover with dispersed rural villages with fringe inter and post war holiday development. The landscape appears exposed due to the loss of hedged field boundaries as a result of agricultural intensification with field edges marked by ditches or low banks. The reinstatement of hedgerows and management of ditched watercourses are cited as measures to enhance this landscape and to re-connect fragmented habitats.

The site also lies within Undeveloped Coast as defined in Local Plan Policy EN3. This states that 'only development that can be demonstrated to require a coastal location and that will not be significantly detrimental to the open coastal character will be permitted'. Para. 3.3.10 explains that this designation is designed to minimise the wider impact of general development, additional transport and light pollution on the distinctive coastal area.

It is possible to accommodate the proposed development within the immediate landscape setting, given the existing settlement pattern and type of housing. The scale and massing of the proposed build is appropriate, but the proposed materials may not be so readily assimilated. The proposed palette is considered too limited and uniform and should include a wider selection of muted colours to give variety to both the elevations and the roof profiles.

The site is predominantly a ploughed field with narrow field margins containing a mix of grasses and 'arable weeds' that are considered to be common across England and locally. No protected species have been identified. The site is therefore of very low ecological value although there may be opportunities to provide biodiversity enhancements within a suitable landscaping scheme.

The applicant has not currently provided detailed information regarding the proposed landscaping of the site or details relating to the use of the open space area between the terraced plots. Boundary treatments will give the appearance of being hedgerows around the rear gardens, but will have grown around a profile mesh (2-8 mesh) which will be used to provide the positive boundaries required by Flagship Housing, and will allow wildlife corridors to be built into the boundaries with a more natural appearance.

Due to the lack of information provided, it is difficult to judge whether the application fully complies with Policy EN 9 and the requirement to restore, enhance or connect natural habitats and to achieve either the same, or an enhancement to the biodiversity or geodiversity value of the site. The Landscape Officer is keen to see landscape enhancement measures prior to consent. This is not possible due to the relationship between the developer and Flagship

Housing. However, a landscaping condition will be applied to ensure there is sufficient landscaping proposed to achieve a net gain through a comprehensive planting scheme and an appropriate use of materials including colouration.

A full landscaping condition would therefore be required before the completion of the development.

Habitats Regulation Assessment:

Policy EN 9 of the North Norfolk Core Strategy identified that any proposed development that would cause a direct or indirect adverse effect to nationally designated sites (which includes SSSI sites) should provide further mitigation.

The development site is located approximately 0.3km from the edge of the Greater Wash Special Protection Area (SPA) and the edge of the Southern North Sea Special Area of Conservation (SAC). These are large marine protected areas designated to protect certain marine birds and their feeding areas, and for the protection of harbour porpoise.

The development site is also approximately 7.5km (Euclidean distance) to the Broads / Broadland SAC/SPA/Ramsar site and Calthorpe Broad NNR and approximately 12km from Great Yarmouth North Denes SPA and 15km from Winter-Horsey Dunes SAC and Winterton Dunes NNR. The Landscape Officer points out that the development could have a likely significant impact on the conservation objectives of the Broads/Broadland SAC/SPA/Ramsar site, Great Yarmouth North Denes SPA and Winter-Horsey Dunes SAC (and their constituent SSSIs) through increasing recreational pressure associated with rising visitor numbers.

There is also the potential to adversely affect various habitats and nature conservation sites due to increased recreational activities from the occupiers of the dwellings once constructed. This would therefore add to existing pressures on the habitats and species of the nature conservation sites in the surrounding areas of North Norfolk. This would involve a programme of monitoring to assess the impact of development on these sites in terms of visitor disturbance, to ensure there would be no adverse impacts on the surrounding European Wildlife Sites.

From 2011, there has been a collaboration between local authorities based within the Norfolk area which has led to a Norfolk-wide strategic approach to this issue. This would result in a fee which is non-negotiable, and paid as part of the legal obligations agreed for the scheme.

Recreation Impacts Study: Visitor Surveys at European Protected sites (2016) by Footprint Ecology, highlighted that there will be a 14% increase of visitors to the Broads and a 9% increase of visitors to the North Norfolk coast during the current plan period as a result of the planned residential growth across the County. Historically, a fee of £50 has been sought for each residential dwelling within the District has been secured through planning obligations. This fee goes towards monitoring and mitigating visitor impact on the North Norfolk Coast Special Area of Conservation (SAC) and Special Protection Area (SPA) and other Natura 2000 sites.

The introduction of the Norfolk Green Infrastructure and Recreational Avoidance Mitigation Strategy (GI/RAMS) is currently being finalised, and introduces a developer charge using a zone of influence based approach. This charge amounts to £205.02 per dwelling, and

replaces the former charge of £50 per dwelling. While the final report has yet to be adopted by the Norfolk Strategic Framework, the evidence base presented in the draft report has been accepted in principle and will be in place before development commences, and before the payment is due to be made. It would provide a financial contribution to the council's Habitats Regulations monitoring work.

The accumulative impacts of the proposed growth in Norfolk, which could amount to 84,000 new dwellings, cannot rule out a likely significant effect. In which case, the GI/RAMS assessed financial contribution from developers to implement the scheme of monitoring and any necessary mitigation identified as required to protect the conservation features of Natura 2000 sites should be payable.

It is also noted that the site is only one mile away from Happisburgh Cliffs which are a Special Site of Scientific Interest (SSSI), part of Natural England's SSSI Impact Risk Zone, and part of the North West Coast Habitats site. Natural England have been consulted for the statutory 21 days, but no response has been received.

The applicant has agreed to a contribution secured through an S106 agreement. Subject to this the proposal would be in accordance with policies EN 2 and EN 9 of the North Norfolk Core Strategy.

7. Ecology (Policy EN 9)

A Preliminary Ecology Appraisal was undertaken by Biome Consulting in July 2020. The report suggests opportunities may exist to create small habitat areas and to use native species in any landscape planting, and to enhance the site for various species. However, no examples were provided.

- No records of any flowering plant species were returned from the biological records search.
- No floral species or habitats of specific conservation 'interest' were noted during the survey.
- The site is likely to support only very low numbers of foraging/commuting bats based on the habitat types present and relatively small size of the site. No bat roosting habitats were present.
- No badger sets were found.
- Optimal habitats/environments for all Section 41 mammal species are absent from the site and adjacent offsite areas.
- Of the three ponds in the area, Pond 1 on the site is inaccessible, The HSI assessment suggests GCN presence in Pond 2 to be highly unlikely as it is covered in duckweed, and pond 3 has been filled in. Evidence of GCN has not been found on the site, and their presence is considered highly unlikely.
- This is not an optimum site to support the presence of reptiles.
- It is considered unlikely that any bird species nest within the site and therefore no further survey work is considered necessary. However, if vegetation is allowed to develop, or crops are planted, then the site may become attractive to common nesting birds. If this occurs, appropriate mitigation is proposed.
- Taking into account the nature of the habitats within the site it is considered highly unlikely that significant populations or species of invertebrates are present in areas to be impacted.

It should be noted that objectors have disagreed with the information provided, the field being rich in wildlife with many habitats present.

It has been agreed to create wildlife corridors in the hedging, and to provide hedgehog gaps. Although there is potential, no other mitigation details have been provided. A condition will be added to ensure boundary treatments include the provision for a 13cm x 13cm gap at ground level at intervals of 6 to 10 meters in the wire fencing between hedging to facilitate commuting corridors for small mammals including hedgehogs, and the introduction of some bat and/ or bird boxes although it is noted that the materials to be used are not conventional. The landscaping condition would also ensure an agreed level of planting can be achieved, in order to satisfy Policy EN 9 which seeks to conserve or enhance the biodiversity of land. Should the landscaping scheme details, to be provided through a condition, includes any close board fencing, or other solid material, then hedgehog gaps would be required at regular intervals.

8. Highways and Parking (Policies CT5 and CT 6)

Core Strategy Policy CT5 states that development will be designed to reduce the need to travel and to maximise the use of sustainable forms of transport appropriate to its particular location and that development proposals will be considered against the relevant criteria of that policy which states that:

- the proposal provides for safe and convenient access on foot, cycle, public and private transport addressing the needs of all, including those with a disability;
- the proposal is capable of being served by safe access to the highway network without detriment to the amenity or character of the locality;
- the expected nature and volume of traffic generated by the proposal could be accommodated by the existing road network without detriment to the amenity or character of the surrounding area or highway safety; and
- if the proposal would have significant transport implications, it is accompanied by a transport assessment, the coverage and detail of which reflects the scale of development and the extent of the transport implications, and also, for non-residential schemes, a travel plan.

However, paragraph 32 of the NPPF, also states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.

Policy CT6 seeks to ensure adequate parking is provided, including for cyclists. Highways have been involved with this application, guiding the applicants to improve the service road and public footpath inside the application site area to ensure they are of an adequate standard, such as in materials and minimum width.

A residential development of this scale should be provided with an adopted road in accordance with the requirements of the County Council. Highways negotiations to the scheme have secured the following improvements:

Highways comments 11/12/2020	Results
Minimum road width should be 4.8m with 1.8 metres footway or a 5.8m wide shared surface.	See dwg. no. 19114-3-008 P3 A 4.8m road with 1.8 metres footway were added.

The layout plan should clearly indicate the required parking spaces at the rate of 2 spaces per dwelling, with exception of the 4 bedroom dwellings that will require 3 parking spaces each.	The layout plan was altered to accommodate the car parking arrangements requested.
The junction with Ostend Road should have 6.0m radii and visibility splays measuring 2.4 x 43m in both directions.	These were added.
A new estate road of this length should also be subject to a 20mph zone and will therefore require additional traffic calming measures to maintain vehicle speeds at the appropriate level.	The requirement for a 20mph zone will be added as a condition. The applicant did not want to commit to a specific traffic calming measure.
Walcott lacks support services, such as a primary school, shops and employment opportunities, which will result in the residents of the new development being reliant on the private car to access these services in neighbouring villages.	The application is a rural exception site which allows affordable housing in the countryside.
The proposed development will take access from Ostend Road, which is narrow and has no footway provision. Reasons for refusal should therefore include: 'The proposed development does not adequately provide off-site facilities for pedestrians and people with protected characteristics (those confined to a wheelchair or others with mobility difficulties) to link with existing provision and local services', and 'The unclassified road serving the site is considered to be inadequate to serve the development proposed, by reason of its restricted width. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety'.	The financial viability of the application is unable to stretch to this cost.
Highways comments 06/01/2021	See dwg. no. 19114-3-008 P3
Parking spaces must have minimum dimension measuring 5.0m x 2.5m	Alteration made.
All parking spaces must have 6.0m manoeuvring space.	Alteration made.
Private parking spaces located immediately adjacent to an adopted road should be setback at least 0.5m from the carriageway.	Alteration made.
No traffic calming measures have been proposed.	None provided
Highways comments 13/01/2021	
Still not showing any traffic calming feature.	Applicant will provide speed bumps.
not addressing the fundamental issues, regarding the unsustainable location;	A rural exceptions site as Core Strategy allows affordable housing in the countryside.
lack of footways linking the site to the surrounding area, and should be provided from the southern site boundary to where the carriageway widens in the vicinity of the junction with Ostend Gap;	The financial viability of the application is unable to stretch to this cost

the narrow road network. Passing places would not be sufficient.	The financial viability of the application is unable to stretch to this cost
permeable paving is not an acceptable material for an adopted road required for a development in excess of 9 dwellings.	Grasscrete has been replaced with tarmac.

As a result of the comments made by Highways, there have been a number of improvements made to the development scheme.

Highway safety

Norfolk County Council, in their role as the Highway Authority have, however, objected to the proposals due to the impact of the development on the current road arrangements between the application site and the entrance into Ostend Gap. The road is narrow and is used by cars as well as large scale agricultural machinery. The Highway Authority have therefore proposed the road outside the application site area is widened to ensure highway safety is maintained. They also point out that the market dwellings on plots B and C should be accessed from within the site, and not directly onto Ostend Road unless this part of the road is also widened.

The delivery of the affordable dwellings on the site will already be constructed with narrow cost margins which undermines the viability of the scheme. Options available would be to either:

- add an additional market house. However, the provision of such a plot would remove a terraced block of affordable dwellings, losing at least 4 affordable dwellings; or
- directly lose affordable dwellings without the addition of a market house to save costs.

Therefore, there are insufficient funds to create additional infrastructure such as a wider road with or without a connecting footpath, without the loss of additional affordable dwellings. Therefore, the delivery of affordable housing units in the local area of Walcott must be assessed against this highways shortfall.

Ostend Road has a 30mph speed limit, and is of an adequate road width north of Ostend Gap. After this point, the road narrows to a single width carriageway typical of country lanes in the countryside. There are no streetlights or pathways. It may therefore not be considered safe for pedestrians to walk along this narrow road at night, or during the dull days of winter in order to reach community facilities or the bus stop at Ostend Gap as the verge is narrow either side. However, the local residents most likely walk these lanes for recreational purposes despite the lack of pedestrian facilities.

Whilst it is acknowledged that additional traffic on these narrow roads would lead to an increase in traffic and an increase in pedestrians utilising roads without footpaths, the traffic in this area is limited and would not result in an 'unacceptable impact upon highway safety' as set out in paragraph 109 of the NPPF. It should be pointed out, however, that the nearest passing point is to the entrance of Ostend Gap itself.

Pedestrian and vehicular access to the Market houses:

It is acknowledged that there are approximately ten existing dwellings adjacent the application site and plots B and C. Occupiers of these dwellings must walk along Ostend Road when they need to, or are reliant on travel by motor vehicle. It is also observed that the driveways proposed for Plots B and C would be positioned adjacent the existing, and it has to be decided whether an additional two driveways would be considered to create such a significant impact that highway safety would be further compromised to an unacceptable level.

It is the view of Officers that although this would create additional traffic on this part of the road network and more pedestrian movements on a road without pedestrian access, given the scale proposed, would not result in an unacceptable impact upon highway safety as set out in paragraph 109 of the NPPF.

Pedestrian and vehicular access to the Affordable dwellings:

The proposed access road for the 16 affordable dwellings is also accessed from the narrow part of Ostend Road. The proposed access road into the development site would be 4.8 metres wide, but would widen further to approximately 11 metres in width at the point it would join with Ostend Road. It also has the required visibility splay of 43 metres in each direction. The average width of a vehicle is approximately 2 to 2.4 metres wide, so two vehicles could pass each other on the proposed access road, and with care at the junction. There may be issues caused by the carriageway width of Ostend Road if a car is waiting to turn into the site as a car is wanting to leave at the same time, and in the same direction. These types of passing issues are not uncommon on roads within the wider network and, although an inconvenience, would not cause an unacceptable impact upon highway safety.

Norfolk County Council in their role as the Highway Authority object to the proposal unless the entirety of Ostend Road is widened, which, as stated previously, is not within the gift of the applicant to secure without the loss of affordable housing. Highways advocated a 20 mph zone with traffic calming measures along the new access road. However, a condition could be secured to ensure there is also a Traffic Regulation Order placed on this part of Ostend Road which would reduce the speed of traffic to 20mph. This would significantly increase highway safety along this stretch of the highway and, whilst this would not overcome the objection of the Highway Authority, would, in the opinion of Officers create a betterment to the highway network in this area.

This proposal does not accord with Policy CT 2 to provide sufficient infrastructure capacity or Policy CT 5 of the adopted North Norfolk Core Strategy, which

expects development to provide:

- safe and convenient access on foot, cycle, public and private transport addressing the needs of all, including those with a disability; and
- safe access to the highway network without detriment to the amenity or character of the locality;

Members should therefore assess whether the residual cumulative impacts of the development are so severe as to warrant refusal on transport grounds, or whether the proposal reflects the standard of highways provision within the countryside. Highways have recommended refusal for the following reasons:

- The proposed development does not adequately provide off-site facilities for pedestrians and people with protected characteristics (those confined to a wheelchair or others with mobility difficulties) to link with existing provision and local services.
- The unclassified road serving the site is considered to be inadequate to serve the development proposed, by reason of its restricted width. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety.
- Paragraph 109 of the NPPF tells us that ‘development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety’. In this context, it is expected that developers should ‘address the needs of people with disabilities and reduced mobility in relation to all modes of transport’. (Paragraph 110.b)

Whilst these objections are noted and carefully considered, it is the view of Officers that

the anticipated increase in traffic would filter into the existing road without impacting Highways Safety to such an extent that refusal would be warranted. Road traffic does appear to change behaviour in accordance with the conditions of the road, so an additional access road and two additional driveways along Ostend Road is more likely to add to the inconvenience of having to slow down rather than creating dangerous road conditions.

Therefore, whilst this would represent a departure from Policy CT 5 of the adopted Core Strategy, the proposal is not considered to be contrary to paragraph 109 of the NPPF, which is a material consideration in the consideration of this proposal.

Parking

In respect of the provision of car parking within the site, the development comprises the following:

- 4 x 1 bedroom units
- 12 x 2 and 3 bedroom units
- 2 x 4 bedroom units

According to Core Strategy Policy CT6, the development should deliver an average of 1.5 spaces per 1 bedroom unit, 2 spaces per 2/3 bedroom unit and a minimum of 3 spaces per 4 bedroom unit, amounting to a total on-site requirement of 36 car park spaces.

Drawing number 19114-3-008 P3 shows that each plot has been provided with the minimum parking standard as outlined within Appendix C of the North Norfolk Core strategy. In fact, there are 38 car parking spaces provided. The development is therefore considered to be compliant with Policy CT6 of the North Norfolk Core Strategy.

9. Open Space (Policy EN 2)

Core Strategy Policy CT2 requires developer contributions for schemes of 10 dwellings or more where there is insufficient capacity in infrastructure, services, community facilities or open space. The Core Strategy’s Open Space Standards therefore require a development of 18 dwellings to provide the following levels of open space on-site:

- Amenity Green Space = 364 msq

Not including areas of verge, the development provides two areas of Amenity Green Space / Natural Green Space:

- The end of the access road to the front of terrace 3 – 250sqm
- Central area between terraces 1 and 2 – 973 sqm

The smaller strip of land is too small to provide any recreational value. The use of the central open space was not stated, and this information has been unable to be provided. This open space will be owned and maintained by Flagship Housing. The quantum of open space proposed to be provided centrally within the site meets the definition of Amenity Green Space as set out in the 2019 Open Space Study. Further, the study identifies a deficit of Amenity Green Space of 0.21ha in the parish.

With regards to Allotments, Parks and Recreation and Play Space, the development is not close to any of these facilities and Walcott shows a deficit of all of these. Off-site contributions required as a planning obligation would therefore be requested as follows:

- Allotments: £4,879
- Play: £8,640 (To be spent on Play Equipment in the Parish to be agreed with the District Council)
- Parks: £37,213 (To be spent on Play Equipment in the Parish to be agreed with the District Council)
- Natural Green Space: £11,051

The total would amount to £61,783. The applicant is, however, unable to agree to this contribution payment and has submitted sufficient information to show that the site would not be viable should off-site contributions be requested. Although the natural green space would form part of the S106 Legal Agreement, the site would be unable to provide any other open space requirement without the loss of affordable dwellings. It is estimated that the amount of off-site contributions requested may lead to the loss of 5 or 6 affordable units within the development, but it is not possible to accurately quantify. The application, however, as submitted would be unable to comply with the full requirements of Policy CT 2 of the Core Strategy.

10. Coastal Erosion, Flood Risk and Drainage (Policy EN 10)

Policy EN 10 ensures the sequential test is applied to ensure most new development is located within Flood Risk Zone 1, and development in Flood Zones 2 and 3 will be restricted. Policy EN10 also expects new development to have appropriate surface water drainage arrangements for dealing with surface water run-off. The use of Sustainable Urban Drainage systems is preferred.

NPPF paragraph 168 states that 'Development in a Coastal Change Management Area will be appropriate only where it is demonstrated that:

- a) it will be safe over its planned lifetime and not have an unacceptable impact on coastal change;
- b) the character of the coast including designations is not compromised;
- c) the development provides wider sustainability benefits; and

d) the development does not hinder the creation and maintenance of a continuous signed and managed route around the coast

Flood Risk and Coastal Change PPG deals with large scale assessments of the risks associated with coastal processes and provides a primary source of evidence to define the Coastal Change Management Area, and to control land allocation within it. It serves to inform decision making and the appropriateness of land allocation uses.

'Permanent new residential areas are not appropriate within a coastal change management area'. It also advises that flood risk needs to be carefully considered.

North Norfolk District Council Coastal Control Guidance – Development and Coastal Erosion (2009) advocates a cautionary approach to development in areas susceptible to coastal erosion. Points out that coastal erosion is predicted re coastal sea defences – when defences fail, coastal erosion accelerates.

Coastal Erosion:

Part of the proposal is located within the 2105 epoch of the Coastal Erosion Zone. The Shoreline Management Plan seeks to mitigate future coastal erosion and flood risk issues by predicting loss of property within the time frames of 20, 50 and 100 year risk zones.

It has been confirmed by the Coastal Partnership that all the proposed structural development will be located outside of the 2105 Coastal Erosion Epoch. Only a small area of land is located within the 100 year epoch, but this land is to be used for garden land or amenity area only. As this application does not involve a dwelling, or the access to a dwelling within the Coastal Erosion Constraint Zone, residential development in this location has been identified as acceptable.

It has been pointed out within the Coastal Control Guidance, and by the East Coast Partnership, that the Coastal Erosion Time Zones are indicative only. The rate of coastal erosion could be more gradual than predicted, but equally, the coast can erode faster than expected. Once coastal erosion risk zones are revised, the situation may change and more of the site could fall within the 100 year Epoch.

Flood Risk:

The application site lies within Flood Zone 1 and is therefore located in an area of low flood risk, and also has a low risk of surface water flooding. There is, however, no information provided regarding the intended floor levels. Officers consider that this can be secured by way of condition.

Drainage:

Surface water:

The applicant has shown, within the schematic drawing included as part of the Drainage Strategy, that the site currently benefits from historic and extensive under-ground drainage which consists of 60mm buried plastic pipes which feed in to an existing trench and swale system to the south side of the site. This joins a 160mm plastic pipe which carries the surface water to the sea. A pond to the south west corner of the site has also been mentioned, though its location is not identified. It could provide a buffer and store for excess surface water runoff.

In addition to the existing drainage pipes, it is proposed to add a total of 9 soakaways. One for each market home, two for the smaller terrace blocks, and 3 for the larger terrace block which includes the 1 bed flats. No infiltration rates have been provided, but this can be

provided through condition to ensure the soakaways are a suitable drainage method for this site. The applicant has, however, provided sufficient evidence to show that surface water drainage can be dealt with, and that the proposed development scheme will not cause flooding elsewhere.

Foul Water:

There is an existing foul water sewer which runs along Ostend Road past the main site entrance, and past plots B and C. It is intended to connect the foul water drainage to the existing sewer system. Anglian Water confirm that the development is within the catchment area of the Mundelsey Water Recycling Centre. They also confirmed it would have available capacity to serve the needs of the proposed development.

The application has shown that there is adequate drainage for the site, subject to a condition relating to the suitability of soakaways. It therefore complies with Policy EN 10 which requires appropriate surface water drainage arrangements which has a hierarchy of preferences, with SUDs being the preferred choice. It also appears to comply with Policy EN 13 which does not permit detrimental impacts on surface and groundwater quality.

11. Sustainable Construction and Energy Efficiency: (Policy EN 6)

The idea of a Passivhaus construction is to reduce the carbon footprint of the development. The dwellings would benefit from solar gain, and would not require a conventional heating system. They would instead rely on either air or ground sourced heat pumps to provide renewable energy. Combined with low energy light bulbs, the scheme should be able to offset to provide at least 10% of the development's predicted total energy usage under policy EN 6, although conclusive figures have not been provided to confirm this is the case.

12. Other considerations (Refuse Storage & External Lighting)

Refuse details for storage and collection would need to be submitted in detail, and should be positioned to ensure the storage of refuse is out of the way, yet easy for residents to take out for collection.

External lighting has the potential to have a wide reaching adverse impact in this open Coastal Plain landscape. An external lighting scheme should therefore be submitted for approval prior to installation to ensure preservation of the dark night skies which are a feature of the nocturnal character of this open Landscape Type. Lighting should be minimal in amount, downward directional, minimal lumens required to meet the function, warm white and PIR so only in use when required. The details shall be obtained through a condition.

11. Planning Obligations: (Policies CT 1 and CT 2)

Viability Review

The submitted viability assessment was reviewed by the Council, the results of which has confirmed the following in terms of planning obligations:

- There is a Development Agreement with Flagship Housing and which is inclusive of any grant funding from both Homes England and the Council;
- The applicant has provided sufficient justification for the costs involved;

- No allowance for s106 costs have been made as the applicant contests that these are unaffordable due to the viability of the scheme;
- The viability surplus amounts to a developer return of approximately 2.8%. This level of return is significantly lower than normally accepted levels which can be up to 15% for an Enabling Scheme such as this.
- whilst there are some errors in the Viability Statement, these are not material to the outcome of the viability;
- The two open market houses have been confirmed as the minimum necessary to cross subsidise the 16 affordable housing; and
- Any s106 costs in respect of Public Open Space applied are likely to reduce an already marginally viable development as undeliverable.

Section 106 Agreement

1. All the 16 Affordable homes will be rented and will be allocated using NNDC's local lettings policy, meaning homes will go to those with the strongest local connection (through residence, employment of family) to Walcott or the adjoining parishes of Bacton, Witton, East Ruston & Happisburgh. The homes will be secured as affordable in perpetuity, so would not be subject to schemes such as Right-To-Buy but will remain as affordable homes for local people.
2. SPA / SAC visitor impact mitigation contributions which would be £205.02 per dwelling totalling £3,690.36.

Due to the financial viability of the proposal, which is only marginally viable in order to provide the most number of affordable dwellings, the application is considered to be unable to comply with the requirements of Core Strategy CT 2 in respect of developer contributions for the provision of open space.

12 Planning Balance:

The proposal represents a departure from the Development Plan. It is contrary to Policies CT 2 - Developer Contributions, CT 5 –Transport Impact of New Development, HO 1 - Dwelling Mix and Type and HO 3 – Affordable Housing in the Countryside in regards to:

- off-site open space contributions and the provision of infrastructure,
- Highway Safety,
- 20% of dwellings to be suitable or adaptable for the elderly, infirm or disabled,
- 40% of dwellings to be under 70 sqm, and
- Not located within 100 metres of the boundary of a Principal or Secondary Settlement, defined service village or coastal village.

This application has been subject to a viability assessment to demonstrate that the delivery of 2 market dwellings is the minimum required to make the site viable and also that contributions towards open space and highways improvement works would not be viable without the loss of affordable dwellings.

Most fundamentally is the issue of highway safety and the objection from the Local Highway Authority. Officers consider that although this would have an impact upon both highway safety and the wider road network, this would not result in an unacceptable impact on highway safety

or a severe impact upon the wider road network as required within Paragraph 109 of the NPPF.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 sets out that decisions must be taken in accordance with the Development Plan unless material considerations indicate otherwise. The material considerations in this case are as follows:

- The provision of 16 affordable units meeting an identified need for residents with a local connection
- an over provision of Amenity Green Space on site in a parish where there is an identified need,
- Job creation during construction;
- Support to the local economy, services and facilities within the area.

Officers recognise the highway safety concerns and other policy conflicts identified within this report but note also that the delivery of affordable housing is in the wider public interest and is a corporate priority attracting substantial weight in favour. As such, on balance, Officers consider that the material planning considerations in favour attract sufficient weight to justify a departure from the Development Plan.

The recommendation is therefore one of approval, subject to the following:

RECOMMENDATION

Part 1:

Delegate authority to the Head of Planning to APPROVE subject to:

1) Satisfactory completion of a S.106 Planning Obligation to cover the following:

- Provision of 16 affordable dwellings to be socially rented.
- Amenity Green Space to be provided on site:
- SPA / SAC visitor impact mitigation contributions - £205.02 per dwelling (total £3,690.36);

2) The imposition of the appropriate conditions to include:

1. Time Limit – three years beginning with the date on which this permission is granted
2. The development shall be undertaken in strict accordance with the plans
3. The materials for external surfaces to be in accordance with submitted plans
4. Investigation and assessment of possible contaminants on site required.
5. Construction management plan required.
6. Traffic Regulation Order to be secured.
7. Detailed plans of the roads, footways, street lighting, foul and surface water drainage.
8. Submission of a detailed Surface Water Management Strategy.
9. Details of built in bat or bird boxes prior to commencement.
10. Access installed and on-site car parking / turning areas laid out prior to commencement.
11. Road and footways to be constructed to binder course level prior to commencement.
11. Visibility splays
12. Obscure glazing to be installed to bathroom windows and a side window in Plot C.

13. In accordance with the recommendations of the Preliminary Ecological Appraisal.
14. Boundary treatments to include small mammal corridors and hedgehog gaps.
15. Details of 10% energy reduction measures
16. External lighting measures.
17. Hedge planting requirements.
18. Hard and soft landscaping details required.
19. Replacement of tree or shrub in approved landscaping scheme if any die within 5 years.
- 20 Permitted Development Rights removed.

Part 2:

That the application be refused if a suitable section 106 agreement is not completed within 3 months of the date of resolution to approve, and in the opinion of the Head of Planning, there is no realistic prospect of a suitable section 106 agreement being completed within a reasonable timescale.

BINHAM - PF/20/1954 – Single storey detached dwelling with accommodation within part of roofspace; Land West of 49 Priory Crescent Binham

Minor Development

- Target Date: 01 January 2021

Case Officer: Mrs L Starling

Full Planning Permission

CONSTRAINTS

Countryside LDF

Conservation Area

Landscape Character Area

Areas Susceptible to Groundwater SFRA

Tourism Asset Zone LDF

Unclassified Road

RELEVANT PLANNING HISTORY

PF/19/1839

Land West of 49, Priory Crescent, Binham

Erection of two storey detached dwelling on site of former garage court

Withdrawn by Applicant 08/01/2020

IS2/19/0068

Former utility and parking land to rear of Priory Crescent, Binham

Erection of dwelling and annexe on former utility and parking land

Advice Given (for pre-apps) 02/04/2019

THE APPLICATION

Seeks planning permission for the construction of a one-and-a-half storey, one-bedroom market dwelling on the site of a former garage court (6 garages were demolished on the site in 2018) which served properties on Priory Crescent. The proposed dwelling would be constructed using reclaimed pantiles, brick and flint to the north and south elevations and dark grey stained wide-board planking and louvres to the east and west gables.

The dwelling would comprise a bedroom, kitchen and associated living accommodation at ground floor level, with a bedroom at first floor level. It would also be served by its own garden area to the north and areas provided for onsite parking and turning.

The site, located on the western side of the village, is bounded to the west by a public footpath and fields, with residential properties/gardens situated directly to the north, east and south.

Access to the site would be provided by an existing shared private access road off Priory Crescent, which previously served as the access to the garage court.

REASONS FOR REFERRAL TO COMMITTEE

At the request of Councillor Kershaw on the grounds that this application has come up at the Parish Council on several occasions and as a result of the modifications made and the seeming change in the Conservation Officers comments there is support for the scheme. It is considered that this application is finely balanced and therefore should come before Development Committee.

PARISH/TOWN COUNCIL

Binham Parish Council – Supports the application and make the following comments:

1. *Design - New building proposed is smaller in scale than the previous (withdrawn) application and therefore sits more in keeping with the overall size of the plot and location. The proposed building will incorporate the use of local materials of brick, flint and wood and will blend more appropriately into the location and the Conservation village of Binham. It will provide a continuity in look and style with the other recent new properties of the Priory Close estate built further south at the end of the footpath/Walsingham Road.*

Initially, the property will be visible from the footpath and from the rear of the properties adjacent to the site fronting Priory Crescent until such time as the planned planting reaches maturity, BPC feel therefore it's an important feature that the building is compatible and sensitive to its surroundings of open countryside and existing residential properties.

BPC is supportive of the planting plan which intends to provide the future screening from the footpath with the use of hedging and trees and to afford a degree of privacy for the adjacent neighbour's properties of Priory Crescent.

BPC are very mindful of dark skies initiatives and the need to minimise light spill and protect nocturnal wildlife from its effects. We would ask therefore that any proposed external lighting installed to the property is considered with this in mind.

2. *Highways - BPC previously expressed concerns about access to the site as the width of the shared access point to the plot is approx. 3 metres. BPC are given to understand from the previous withdrawn application (PF/19/1839) that Highways will not object, given the historic use as a garage court and the low speed cul de sac location. BPC would kindly ask that the applicant ensures that every consideration is undertaken by their contractors working on site during the build to minimise disruption where possible to the nearby neighbouring properties for access to the rear of their properties.*
3. *Other - Previously BPC has commented that there is a wooden electricity supply pole on the site located where the intended development is proposed and assume that this may need to be relocated.*

REPRESENTATIONS

None received.

CONSULTATIONS

Conservation and Design Officer – raises the following concerns;

The site in question comprises a tertiary piece of backland, currently servicing the existing dwellings off Priory Crescent. Although these are clearly not of particular architectural or historic merit, they do at least have a distinctive form and character which is derived from their regimented and repetitive semi-detached blocks. With the elevations similarly consistent, there is an established template which informs this part of the Binham Conservation Area.

Against this prescribed context, this revised proposal still does not appeal from a Conservation & Design perspective. Whilst the building itself has been considerably simplified, and in fact now appears to be a not unattractive structure, it would still have an extra-curricular feel by virtue of its marginal position within the built envelope. Hence, rather than being sensitive to, in keeping with, its surroundings (as intimated by the Parish Council in their supportive response), Conservation & Design (C&D) remain of the opinion that the development would appear as an incompatible visual postscript which would only gain a measure of acceptance through the maturing of the proposed planting. The unavoidable conclusion therefore remains that some harm would be caused to the appearance and character of the Binham Conservation Area.

In terms of assessing the level of harm, the following factors are considered relevant: -

- 1. As previously stated, the immediate context for this development is by no means the most important or significant part of the designation.*
- 2. In recent years, this site has had a rather disregarded quality which has prevented it making a positive contribution to the designation.*
- 3. Whilst not strictly comparable, the development to the south has pulled the built envelope out towards the public footpath and has thus created something of a local precedent.*
- 4. Although by no means a subservient outbuilding, the design of the dwelling is a good deal 'quieter' than it was before. Indeed with its sub-5m ridgeline and largely unanimated flank elevations, the residential use would not be overtly expressed. Even when viewing its two main gables, the larch cladding and louvres would downplay the internal domestication.*

Taken together, it is duly considered that the level of harm for NPPF purposes would be towards the lower end of the 'less than substantial' spectrum. As such, it would need to be weighed against the public benefits accruing from the proposals prior to determination (as required by para 196 of that document).

Summarising, it has to be said that this is a development which still does not sit comfortably from a C&D perspective. Equally, however, it is acknowledged that the heritage grounds for refusal are nowhere near as strong as they were previously.

Landscape Officer – objection on the following grounds;

Despite the revisions contained within this latest application, the Landscape section remain of the opinion that this proposal is not compliant with Local Plan Policy EN2: Protection and Enhancement of Landscape and Settlement Character, requiring that development proposals should protect conserve and enhance the distinctive settlement character.

The site is a small piece of land on the western edge of the settlement, situated amongst rear gardens of a small estate of semi-detached dwellings. A dwelling as proposed in this location is not compatible with the uniform settlement grain of this part of Binham Conservation Area. Dwellings in Priory Crescent typically have sizable rear gardens. The semi-detached dwellings are all in alignment within their respective spacious plots, giving a rhythm and consistency to the built form. There is no development tight up against the footpath (Binham FP4) which runs immediately adjacent to the west boundary.

Previous iterations raised concerns with regard to the siting of the development and the impact of internal light spill on the dark night skies that are a stated feature of the defined Landscape Type, Tributary Farmland as defined in the North Norfolk Landscape Character Assessment, 2018 (NNLCA). Whilst this latest design has, to some degree addressed the lighting issue through a reduction in glazed area and the use of louvres, the intensification of use of the site that would result from a dwelling, vehicle parking and domestic curtilage would result in a pinched development that, despite the landscape mitigation proposed, is not readily assimilated into the prevailing built grain. An increase in infill development within

settlements in the Tributary Farmland Landscape Type is cited within the NNLCA as a potential detractor that could undermine the traditional settlement patterns of the villages.

The Landscape section do not consider that this proposal would be compliant with Local Plan Policy EN2: Protection and Enhancement of Landscape and Settlement Character or Local Plan Policy EN4: Design which requires that development proposals should be suitably designed for the context and that the scale and massing of buildings relates sympathetically to the surrounding area.

Whilst a hedge is indicated along the west boundary on the Scheme Proposals Plan, it is not included on the Soft Landscape Proposals Plan. In the event of approval, the soft landscape proposed along the west boundary should be reinforced with a mixed native hedge along the full length of the west site boundary, planted in a double staggered row at a density of 5 plants per meter, along with more hedge trees such as field maple, wild service tree, native plum and apple. Once matured, this hedge should be maintained at a minimum height of 1.5m and details can be secured by condition.

NCC Highways – No objection subject to a condition in respect of the proposed on-site car parking and turning provision.

Comment that whilst proposal is for a new dwelling served by an existing unmade access track of approximately 3m in width where the normal requirement for a shared access is to provide a 4.5m wide access driveway, given the historic use as a garage court and low speed cul-de-sac location, NCC Highways would find it difficult to substantiate an objection on this point alone.

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, refusal 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):

Policy SS1: Spatial Strategy for North Norfolk

Policy SS2: Development in the Countryside

Policy SS 4: Environment

Policy EN 2: Protection and enhancement of landscape and settlement character

Policy EN 4: Design

Policy EN 8: Protecting and enhancing the historic environment

Policy CT 5: The transport impact on new development

Policy CT 6: Parking provision.

National Planning Policy Framework

Section 2: Achieving sustainable development
Section 4: Decision-making
Section 5: Delivering a sufficient supply of homes
Section 9: Promoting sustainable transport
Section 12: Achieving well-designed places
Section 15: Conserving and enhancing the natural environment
Section 16: Conserving and enhancing the historic environment

Supplementary Planning Documents

North Norfolk Landscape Character Assessment 2021 (NNLCA)
North Norfolk Landscape Character Assessment, 2018 (NNLCA)

- It should be noted that the Landscape Officer's response is based on the 2018 version as the comments were made prior to the adoption of the 2021 version.

North Norfolk Design Guide (SPD), 2008

MAIN ISSUES FOR CONSIDERATION

1. Principle
2. Design, landscape and heritage impacts
3. Residential amenity
4. Highway safety

APPASAL:

1.Principle (Policies SS1 and SS2)

The application site is located within Binham which Policy SS1 of the North Norfolk Core Strategy designates as 'Countryside' in the settlement hierarchy where new residential development is restricted by Policy SS2. Planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Policy SS1 of the adopted North Norfolk Core Strategy (NNCS) sets out the spatial strategy for the District and directs development to the areas which have been identified as sustainable locations. The application site is not within one of those.

Policy SS 2 lists the types of development that can be acceptable in principle within this area, but new market dwellings as proposed in this case are restricted in order to prevent dispersed dwellings that will lead to a dependency on travel by car to reach basic services, and ensure more sustainable patterns of development. Recent appeal decisions have confirmed that these policies remain broadly consistent with the NPPF in respect of setting an overall strategy for the distribution of sufficient housing and focusing significant amounts in locations which are sustainable, thus limiting the need to travel, offering a choice of transport modes and helping to reduce congestion and emissions, so as to improve air quality and public health. The Council also has a supply of deliverable land for housing equivalent to 5.16 years and as such the tilted balance under paragraph 11d of the NPPF is not triggered.

Whilst the site is not physically isolated being set within a development of other dwellings, it is remote from essential services, with the village itself lacking many basic services such as a shop, post office or primary or secondary school. Whilst Binham is located approximately

4 miles from Blakeney and 4 miles from Wells-next-the-Sea (with Wells designated as a Secondary Settlement under policy SS 1 due the level of amenities and services located within it), to access these facilities in Wells by foot would involve walking some considerable distance on generally un-lit rural and busy roads, with limited footways. As such it is considered that walking would not be an attractive option to reach these basic facilities. Similarly travelling by bike is unlikely to an option other than for experienced, confident cyclists.

Although a bus service would be accessible from the site to surrounding settlements such as Wells, Holt and Blakeney, this provision is relatively limited and as such, unlikely to offer a realistic alternative to car use for accessing essential services and facilities by any future occupants of the proposed dwellings.

Furthermore, as the site is not physically isolated paragraph 78 of the NPPF is relevant. This states that policies should identify opportunities for villages to grow and thrive, especially where this will support local services and that where there are groups of smaller settlements, development in one village may support services in a village nearby. In this case, there are no facilities within the vicinity of the site, and those within Wells and further afield in Fakenham are realistically only accessible from the site by car.

The Planning Practice Guidance (PPG) notes that a wide range of settlements can play a role in delivering sustainable development in rural areas, so blanket policies restricting housing development in some types of settlement will need to be supported by robust evidence of their appropriateness. As referred to in a recent appeal decision (dated 17/09/2020) relating to a site in Erpingham where, unlike the current case, there were a number of facilities within walking distance of the site "policies SS 1 and SS 2 are firmly supported in this respect by the correlation between the locations for growth and the availability of an appropriate level of supporting services and infrastructure. This part of the PPG does not contradict the broader Framework principles for achieving sustainable development". It is considered that this proposal would result in significant harm with the introduction of a dwelling where there would be a relatively high reliance on private car use to access a full range of essential services, contrary to these principles. The proposal is therefore contrary to policies SS 1 and SS 2.

It is questionable as to whether the site would meet the definition of previously developed land in Annex 2 of the NPPF. Whilst it is accepted that there were buildings on the site (garaging which previously served dwellings in the vicinity), even if the site was considered to fall under the definition of 'previously developed land', it is considered this would not outweigh the harm identified above.

It is noted that the applicant's supporting documents make reference to other developments for new housing permitted in the village, along with the Council's emerging Local Plan (2016 – 2036) identifying Binham as a small growth village. Notwithstanding this, the emerging Local Plan can currently only be given minimal weight in light of it being at draft stage, with the other examples highlighted, differing in their context.

2. Design, landscape and heritage impacts (Policies SS4, EN2, EN4, EN8 and EN9)

The site also lies within the Binham Conservation Area. Whilst Officers concur with the Conservation Officer's view referred to above, that the revised scheme is an improvement in design, scale and form terms from the withdrawn application (Ref: PF/19/1839), resulting in a reduced level of harm for NPPF purposes towards the lower end of the 'less than substantial' spectrum, this level of harm still needs to be weighed against the public benefits accruing from the proposals prior to determination as required by para 196 of the NPPF. In terms of public benefits, given that the proposal is for a single market dwelling, it is

considered that the limited public benefits would result to outweigh the level of harm identified to the heritage asset and the surrounding landscape.

Furthermore, as noted in the Landscape Officer's response, the application site comprises of a relatively small parcel of land on the western edge of the settlement, situated amongst rear gardens of a small estate of single and two-storey semi-detached dwellings. The positioning of the application site, set to the rear of existing properties is such, that it is considered that a dwelling in this location would constitute an unacceptable form of 'backland' development, which would fail to reflect the established uniform pattern of development, characteristic in this part of village. The dwellings in Priory Crescent are predominantly semi-detached dwellings which are set in alignment forward on relatively spacious plots, giving a rhythm and consistency to the built form. There is no development tight up against the footpath (Binham FP4) which runs immediately adjacent to the west boundary in the immediate vicinity.

The Landscape Officer has also raised concerns regarding the effect of internal light spill from the proposed dwelling on the dark night skies that are a stated feature of the defined Landscape Type, Tributary Farmland as defined in the North Norfolk Landscape Character Assessment, 2018 (NNLCA). This revised design has, to some degree addressed the lighting issue through a reduction in glazed area/use of louvres. However, the intensification of the use of the site for a dwelling with its associated parking and domestic curtilage, would result in a pinched development that, despite the landscape mitigation proposed, would not readily assimilate into the prevailing built grain. An increase in infill development within settlements in the Tributary Farmland Landscape Type is cited within the NNLCA as a potential detractor that could undermine the traditional settlement patterns of the villages and as such it is not considered consider that this proposal would be compliant with Core Strategy Policies EN2 and EN4 in this regard.

As such, it is considered that the scheme would fail to comply with the requirements of Policies SS4, EN2, EN4 and EN8 of the Core Strategy and Sections 12, 15 and 16 of the NPPF.

3. Residential amenity (Policy EN4)

Policy EN 4 supports development proposals where they would not have a significantly detrimental effect on the residential amenity of nearby occupiers and requires that new dwellings should provide acceptable residential amenity.

Notwithstanding the sites 'backland' position, with existing properties set directly to the north, east and south, given the former use of the site for garaging/parking, and the scale, orientation and design of the proposed dwelling, it is not considered that the scheme would raise any significant concerns in respect of the residential amenities of the occupants the existing and proposed properties in respect of disturbance, privacy or light. Furthermore, it is considered that the scheme would provide any future occupants of the dwelling with adequate levels of amenity.

On this basis, the scheme is considered to comply with the requirements of Policy EN4, of the Core Strategy and the North Norfolk Design Guide (SPD).

4. Highway safety (Policies CT5 and CT6)

Access to the site would be via an existing shared unmade access off Priory Crescent which previously served the garage court. Whilst it is noted that NCC Highways have raised some concerns over the use of this access due to its restricted width and more intensive use previously, no formal highway objection has been raised. As such, it is considered that the

scheme would comply with the requirements of Policies CT5 and CT6 of the Core Strategy, subject to the imposition of a condition for onsite parking/turning provision.

Conclusion

In conclusion, it is considered that for the reasons set out above, that the proposal would fail to comply with relevant Development Plan policies and the guidance set out in the National Planning Policy Framework (NPPF).

In conclusion, whilst it is recognised that there would be limited public gain resulting from the redevelopment of the former garage court area, it is not considered that this would sufficiently outweigh the harm resulting from the construction of a market dwelling in an unsustainable location, where the principle of new residential development remains contrary to the requirements of Policies SS1 and SS2, and the resulting harm to the designated Conservation Area and the character of the surrounding development and landscape.

CONCLUSION AND RECOMMENDATION:

Refusal on the following grounds;

In the opinion of the Local Planning Authority:

- The scheme would result in construction of a market dwelling located on land designated as 'Countryside' where there is a general presumption against residential development and in a location with no services and poor access to a full range of basic services. The future occupiers would therefore be dependent on the car to be able to reach such services and the proposal would therefore not be sustainable development. In the opinion of the Local Planning Authority there is also no justification to permit the erection an additional dwelling in the Countryside contrary to Policies SS 1 and SS 2 of the adopted North Norfolk Core Strategy and paragraph 78 of the National Planning Policy Framework (February 2019).

A dwelling in this location would constitute an unacceptable form of 'backland' development, which would fail to reflect the established uniform pattern of development, characteristic in this part of village, comprising of predominantly semi-detached dwellings set in alignment within relatively spacious plots, and set away from the boundary with adjacent footpath (Binham FP4) to the west, contrary to the requirements of Policies, EN 2 and EN 4 of the North Norfolk Core Strategy, Section 15 of the NPPF and the principles set out in the North Norfolk Landscape Character Assessment, 2018 (NNLCA) and the North Norfolk Design Guide (SPD).

- The proposed development would also result in 'less than substantial' harm to the designated heritage asset (in this case being the Binham Conservation Area), which would not be outweighed by any demonstrable public benefits accruing from the proposal as required by para 196 of the NPPF. The scheme is therefore considered contrary to the requirements of Policy EN8 of the North Norfolk Core Strategy and Section 16 of the NPPF.

Final wording of reasons to be delegated to the Assistant Director for Planning

IRSTEAD - PF/20/2368 – Erection of general purpose agricultural building with associated concrete hardstanding to front, soft landscaping and access; Land South of Car Park and Public Conveniences, Long Road, Irstead, Norfolk

Minor Development

- Target Date: 19 January 2021

Case Officer: Mr C Reuben

Full Planning Permission

CONSTRAINTS

Advertising Control

Areas Susceptible to Groundwater SFRA

Landscape Character Area

Landscape Character Assessment

Countryside LDF

NATS Application for Wind Turbines

RELEVANT PLANNING HISTORY

PF/20/0945

Land South of Car Park And Public Conveniences, Long Road, Irstead

Erection of a general purpose agricultural building including associated concrete hardstanding, soft landscaping and access improvements

Withdrawn 18/09/2020

THE APPLICATION

The application proposes a new agricultural building on a section of agricultural field adjacent to a small copse of trees along Long Lane, Irstead. A single point of access presently exists into the field which would be used to access the building. There are open views of agricultural land to the south, east and west, with the Barton Broad boardwalk car park located to the north with a footpath link across agricultural land to Barton Broad further to the east. This application follows a previous application (PF/20/0945) which was withdrawn owing to concerns regarding the visual appearance of the building. This current application seeks to address these concerns and provide further mitigation.

REASONS FOR REFERRAL TO COMMITTEE

At the request of Cllr N Dixon citing matters of landscape impact and traffic generation.

PARISH COUNCIL

Irstead Parish Council – Objection. Consider that the junctions at either end of Long Road are not suitable for large agricultural vehicles with the highway being too narrow with too few passing bays, being in close proximity to the boardwalk car park which has frequent visitors.

REPRESENTATIONS

Seven public representations have been received. All have objected and raised the following concerns:

- Long Lane is narrow with no passing places and tight junctions

- The peaceful location, and surrounding country lanes, are popular with visitors on foot and bicycles where there are no pavements/street lighting, where people access local facilities/services.
- There is other land available which would be more suitable.
- The building would be in a highly visible position on elevated ground and would spoil rural views enjoyed by residents and visitors
- Site is close to a conservation area
- Close to a busy tourist facility/car park and boardwalk and Grays Staithe which has a public mooring facility.
- Will result in increased noise levels for local residents.

CONSULTATIONS

Norfolk County Council (Highway) – No objection subject to condition.

Landscape Officer – No objection subject to conditions. The changes to the size of the building and the colour changes to Van Dyke Brown cladding and anthracite roof colouring does go some way to reduce the impacts slightly and while it is acknowledged that the site is less than ideal, all other locations and options have been explored therefore this appears to be the only solution and the best in terms of colour and size.

An indicative landscape scheme has been provided as part of the Proposed Site Plan which appears to illustrate a hedgerow around the entire boundary of the site (excluding visibility splays) together with proposed tree planting on all boundaries except the northern boundary. The Landscape section would be satisfied if the landscaping scheme were secured as a condition of planning, but the sooner the planting is implemented the sooner it can establish and start to screen the building.

Environmental Health – No objection subject to condition.

Broads Authority – Objection. This application is for a substantial building on the edge of an open field devoid of built form. Whilst there are trees screening the north of the site, there are numerous areas where the building will be an obvious presence, including on the well-used walk to Barton Boardwalk from the carpark. The proposals would alter key characteristics of the pre-development landscape by introducing a built element which would be uncharacteristic when set within the attributes of the landscape, namely a strong sense of tranquillity and sense of remoteness. Much of this area is characterised by an apparent lack of built development. Overall, the proposals are considered to have a moderate adverse effect on landscape character and the setting of the Broads. Adverse effects would be particularly felt by visitors to the National Park in terms of their perceptions and experience of the Park. The Broads Authority therefore raise an object to this application. If minded to grant permission, this should be subject to a landscape condition requiring more substantial screen planting in order to mitigate to some extent the negative impacts.

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

EN 2 - Protection and enhancement of landscape and settlement character

EN 4 - Design

EN 13 - Pollution and hazard prevention and minimisation

CT 5 - The transport impact of new development

National Planning Policy Framework (NPPF):

Section 12 - Achieving well-designed places

Section 15 - Conserving and enhancing the natural environment

MAIN ISSUES FOR CONSIDERATION

1. Principle
2. Design and amenity
3. Highway impact
4. Landscape impact
5. Environmental considerations

APPRAISAL

1. Principle (Policies SS 1 and SS 2)

The site in question lies within the Countryside policy area of North Norfolk, as defined under Policy SS 2 of the adopted North Norfolk Core Strategy. Within this area, proposals to erect new agricultural buildings are considered to be acceptable in principle and are subject to compliance with other relevant Core Strategy policies.

2. Design and amenity (Policy EN 4)

Under the previous application (ref: PF/20/0945), concerns were raised by officers in respect of the visual impact of the building. The applicant has since sought to try and address these concerns, primarily through a reduction in the size of the building in terms of overall length by 6m, a change in the colour of the external appearance from grey cladding with two roller shutter doors to brown cladding and just a single roller shutter door, along with proposing a substantial landscaping scheme, all of which whilst trying to maintain the required functionality of the building. These changes have helped to mitigate the visual impact of the building, though it is recognised not fully, as further discussed below.

However, in terms of the overall design of the building, it is considered that the proposed development complies with the requirements of Policy EN 4.

3. Highway impact (Policy CT 5)

The new building would be served by a single access point onto Long Road. The concerns of the Parish Council and Local residents have been considered, however, the Highway Authority have not raised any objections to the proposed single building, with the conclusion that it would

not generate a significant volume of agricultural traffic. There is no reason for officers to disagree with this view, particularly noting that the rough access point into the field already exists and as such, could already generate the movement of agricultural vehicles into/out of the field. In addition, it is recognised that the junction at either end of Long Lane is tight and with Long Lane being frequented by walkers/cyclists (residents and tourists) but again, there is nothing to restrict agricultural vehicles from using these junctions and Long Lane already. It is further recognised that this is characteristically a rural/agricultural district with agricultural vehicles typically using narrow country track/lanes.

As such, on balance, the proposed development complies with the requirements of Policy CT 5.

4. Landscape impact (Policy EN 2)

The proposed building would be situated on a site bordered on one side by a small copse of trees, thus providing some visual screening from a northerly direction and a soft backdrop when viewed from the south. Notwithstanding this, it is recognised that, without mitigation, there would be open views of the building, particularly from an easterly and southerly direction, and it would be visible from the public right of way and Irstead Road to the east/north-east. From the east, it would be seen against the backdrop of another small woodland copse within the agricultural field to the west.

Along with the design alterations made, in order to partly mitigate this visual impact, the applicant has proposed a comprehensive landscaping scheme along the eastern, southern and western site boundaries. This would include new hedgerows and a significant level of tree planting to act as a buffer and which would link to the existing copse of woodland. This landscaping can be secured through planning conditions.

It is noted that the applicant has provided a map depicting other land within their ownership, however, much of this land is similarly open and accessed via narrow rural lanes. The submitted Landscape Assessment has identified an alternative site which would not require mitigation, however, the applicant has ruled this site out for operational/accessibility reasons. Notwithstanding this, there is no requirement in policy to adopt a sequential approach and as such, each application is to be judged on its own merits.

This is a finely balanced judgement and the views of both local residents and the Broads Authority are acutely recognised, as is the need for time to allow the proposed planting to establish itself. However, it is considered that the applicant has done just enough, upon further consultation with the Council's Landscape officer, to mitigate the visual impact to the extent that would be, on balance, acceptable. It is further recognised that the demands of modern agricultural practices require the need for new, modern agricultural buildings, with such features not wholly uncommon within a rural landscape. The toned down colour scheme and significant mitigation planting can help to soften this visual impact.

As such, the proposed development complies with the requirements of Policy EN 2.

5. Environmental considerations (Policy EN 13)

The site does not present any significant environmental concerns, with no objections raised by the Environmental Protection Officer. The building would be positioned sufficient distance away from the nearest residential properties so as to not raise any overriding noise concerns. As such, the proposed development complies with the requirements of Policy EN 13.

6. Conclusion

It is considered that, although concerns regarding highway and landscape impacts are recognised, on balance, with sufficient mitigation planting being provided, the proposed building is compliant with the relevant Core Strategy policies.

RECOMMENDATION:

It is recommended that the application be APPROVED subject to conditions relating to the matters listed below and any others considered necessary by the Assistant Director for Planning:

- Time limit for implementation
- Constructed in accordance with the approved plans
- Materials as approved
- Provision of a detailed landscaping scheme to be carried out during next available planting season
- Landscape Management Plan
- Replacement of new planting if fails
- Access construction details to be agreed
- Prior agreement of any ventilation/air conditioning/refrigeration/mechanical extractor systems or any other plant and equipment
- Prior agreement of any external lighting
- Restrict use to agricultural purposes only
- No external storage of vehicles/equipment/machinery

Final wording of conditions to be delegated to the Assistant Director for Planning.

This page is intentionally left blank

APPEALS SECTION

(a) NEW APPEALS

**HICKLING – CDC/19/0400 – Discharge of Conditions 6 (Visibility Splay) and 7 (On-site Parking and Turning) of Planning Permission PF/19/0400
Former Andrews Garage Site, The Green, Hickling, Norwich NR12 0XR
For Mr George Hermann
WRITTEN REPRESENTATION**

**RYBURGH - ENF/20/0231 – Replacement Roof
19 Station Road, Great Ryburgh, Fakenham NR21 0DX
For Christopher Buxton and A E Simcock
INFORMAL HEARING**

(b) INQUIRIES AND HEARINGS – IN PROGRESS

**AYLMERTON – PF/20/0691 - Discontinuation of use of land for aggregate recycling and erection of a single self-build detached dwelling with garage, and ecological improvements.
Highfield Aggregates And Recycling, Church Road, Aylmerton NR11 8PZ
For Mr Scott Wells
INFORMAL HEARING**

**BRISTON - PF/19/1567 - Change of use of land for the stationing of 9 no. caravans for residential use
Land North Of Mill Road, Briston
For Mr David O'Connor
INFORMAL HEARING**

**HOLT - PO/18/1857 - Outline planning application for the erection of up to 110 dwellings with associated infrastructure to service 2 hectares of land potentially for a new Two Form Entry (2FE) primary school, public open space, landscaping and sustainable drainage system (SuDS) with main vehicular access point from Beresford Road and secondary pedestrian, cycle and emergency access from Lodge Close. All matters reserved except for means of access; Land off Beresford Road, Holt for Gladman Developments Ltd
PUBLIC INQUIRY 20 October 2020**

**CLEY-NEXT-THE-SEA - ENF/18/0164 - Alleged further amendments to an unlawful dwelling
Arcady, Holt Road, Cley-next-the-Sea, Holt, NR25 7TU
for Mr Adam Spiegel
VIRTUAL INFORMAL HEARING 08 February 2021 – Deferred until after 31 March 2021**

**ITTERINGHAM - ENF/17/0006 / CL/19/0756 - Annex which has permission for holiday let is being used for full residential purposes
The Muster, Land adjoining Robin Farm, The Street, Itteringham, Norwich, NR11 7AX for Mr E Goodman
VIRTUAL PUBLIC INQUIRY 08 March 2021**

NORTH WALSHAM - ENF/18/0339 - Material change of use of the land for stationing of containers and jet washing of coaches, and a breach of condition as coaches are stored and manoeuvred outside the area details in the planning permission 02/0013

**Bluebird Container Storage, Laundry Loke, North Walsham, NR28 0BD
for Mr John Silk, Bluebird Commercial Properties Ltd**

VIRTUAL PUBLIC INQUIRY 25 January 2021 – to be Re-Scheduled – Awaiting Dates

(c) **WRITTEN REPRESENTATIONS APPEALS - IN HAND**

BLAKENEY – PF/20/0614 - Subdivision of single dwelling to form two dwellings including replacement white PVC doors and windows throughout and erection of a detached double garage/cartshed for each dwelling, and conversion of existing detached garage to habitable space for proposed 'Dwelling 2'.

**Galley Hill House, Langham Road, Blakeney, Holt NR25 7PR
For J Bunn Homes Ltd**

WRITTEN REPRESENTATION

CORPUSTY & SAXTHORPE - PU/20/0398 - Application to determine if prior approval is required for change of use of agricultural building to a dwellinghouse (Class C3) and for associated building operations

**Barn At Valley Farm, Wood Dalling Road, Corpusty, Norwich NR11 6QW
For Mr George Craig**

WRITTEN REPRESENTATION

EDGEFIELD – PF/20/0761 - Erection of two storey front and side extension, new dormer to first floor West elevation and internal alterations

**Stonehaven, Ramsgate Street, Edgefield, Melton Constable NR24 2AX
For Mr And Mrs Andrew And Lesley Rainsford**

WRITTEN REPRESENTATION

HIGH KELLING - ENF/16/0131 - Alleged Unauthorised Development and Recreational Activity

**Holt Woodland Archery, Cromer Road, High Kelling
for Mr Jonathan Hancock**

WRITTEN REPRESENTATION

NORTH WALSHAM – PO/20/1081 - Detached two storey dwelling - Outline application for access & layout (all other matters reserved)

**52 Aylsham Road, North Walsham, NR28 0BL
For Mr John Smith**

WRITTEN REPRESENTATION

STALHAM - PF/20/1073 - Single storey detached dwelling and garage

**Land At Lucinda House, Moor Lane, The Green, Stalham, Norwich NR12 9QD
For Mrs Linda Fiske**

WRITTEN REPRESENTATION

WEST RUNTON – ENF/20/0058 – Erection of a Rear Extension

**The Thatched Cottage, The Hurn, West Runton, Cromer NR27 9QS
For Mr M Fisher**

WRITTEN REPRESENTATION

WIVETON - PF/19/0856 - Retention of an electronic communications base station without removing the existing 12.5m high monopole mast and attached transmission dish (as required by condition 5 of prior approval ref. no. PA/17/0681); Telephone Exchange, Hall Lane, Wiveton for Arqiva Limited
WRITTEN REPRESENTATION – JOINT WITH ENF/18/0061

WIVETON - ENF/18/0061 - Works not in accordance of permission- Telecommunications monopole not removed.; Telephone Exchange, Hall Lane, Wiveton for Arqiva Limited
WRITTEN REPRESENTATION – LEAD APPEAL

(d) **APPEAL DECISIONS - RESULTS AND SUMMARIES**

FAKENHAM - PF/20/1510 - Single storey side extension 52 Salmons Way, Fakenham NR21 8NG For Mr & Mrs Aldridge
FAST TRACK HOUSEHOLDER
APPEAL DISMISSED

HICKLING – PF/20/0760 - Construction of single and two-storey side and rear extensions including first floor balcony with external staircase and construction of new permeable driveway Marsh Cottage, Pockthorpe Loke, Hickling, Norwich, NR12 0BX for Mr Lambard
WRITTEN REPRESENTATION – FAST TRACK
APPEAL DISMISSED

HICKLING - PF/20/1230 - Construction of a two-storey outbuilding to be used as ancillary to Marsh Cottage to allow for domestic garage and storage area at ground level and a two-bed apartment at first floor; construction of a new access/driveway off of Pockthorpe Loke and hardstanding around part of the outbuilding Marsh Cottage, Pockthorpe Loke, Hickling, Norwich NR12 0BX For Mr S Lambard
FAST TRACK HOUSEHOLDER
APPEAL DISMISSED

TATTERSETT – PF/20/1529 - Construction of two storey side and single storey rear extensions 7A Blenheim Road, Sculthorpe, Fakenham NR21 7PTf For Mr & Mrs Connolly
FAST TRACK HOUSEHOLDER
APPEAL ALLOWED

(e) **COURT CASES – PROGRESS AND RESULTS**

No change since previous report.

This page is intentionally left blank