

WALCOTT – PF/23/2259 - Development of 23 dwellings with associated access, parking and landscaping, Land On Ostend Road, Ostend Road, Walcott for Flagship Homes

Major Development

Target Date: 17.01.2024

Case Officer: Bruno Fraga da Costa

Major Application

RELEVANT SITE CONSTRAINTS

Within the Countryside as designated within the North Norfolk Core Strategy

Within Coastal Plain Landscape Character Area as designated within the North Norfolk Landscape Character Assessment

Within Undeveloped Coast as designated within the North Norfolk Core Strategy

Within Coastal Erosion Risk Area 100 years

Risk of Flooding from Surface Water with Climate Change

Within multiple Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS) Zones of Influence

RELEVANT PLANNING HISTORY

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

Approved 14.02.2022

THE APPLICATION

The village of Walcott is situated close to the coast and Ostend Gap is 110 metres from the coast at its nearest point from the application site. The application site is located on land to the north of Ostend Road. Vehicular access would be gained from the west of the site on to Ostend Road.

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 semi-detached, and some detached private houses. The site is a small agricultural field which adjoins other agricultural fields.

This application is for the construction of 23 homes, all of which are to be affordable rent.

REASONS FOR REFERRAL TO COMMITTEE

The application is being reported to Committee as requested by the Assistant Director of Planning.

CONSULTATIONS

Walcott Parish Council – Neither objects nor supports the application

North Norfolk District Council Conservation and Design – Has provided advice

North Norfolk District Council Landscape – Has provided advice

North Norfolk District Council Coastal Management – Has provided advice

North Norfolk District Council Strategic Housing – Supports the application

Norfolk County Council Highways Authority – Objects

Norfolk County Council Lead Local Flood Authority – Falls below LLFA threshold for providing detailed comments

Norfolk County Council Planning Obligations Co-Ordinator – Has provided advice

Environment Agency – No comments

Natural England – Has provided advice

REPRESENTATIONS

Public consultation of the application took place for a period of 21 days between 07.11.2023 and 28.11.2023. One letter of **objection** has been received as summarised below:

- The proposed development would impact on the house martins who nest on the houses of coast village;
- The proposal fails to comply with Policy EN 9 as it affects a European designated Site;
- The proposal is 230% larger than what is deemed acceptable by Policy HO 3;
- The proposal would not comply with Policy HOU 3 as there are no facilities within the local area and as such dependence on private vehicles which is not sustainable would be required;
- The proposal would not address concerns raised by Norfolk County Council therefore permission should not be granted;
- The proposal would not address Anglian Water and as such permission should not be granted;
- Objections to the installation of a boundary fence between the gardens of Coastline Village properties and the development.

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.

LOCAL FINANCE CONSIDERATIONS

Under section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are not considered to be material to this case.

RELEVANT POLICIES

North Norfolk Core Strategy (September 2008)

Policy SS 1: Spatial Strategy for North Norfolk
Policy SS 2: Development in the Countryside
Policy SS 4: Environment
Policy SS 6: Access and Infrastructure
Policy HO 1: Dwelling Mix and Type
Policy HO 3: Affordable Housing in the Countryside
Policy HO 7: Making the Most Efficient Use of Land (Housing Density)
Policy EN 2: Protection and Enhancement of Landscape and Settlement Character
Policy EN 3: Undeveloped Coast
Policy EN 4: Design
Policy EN 6: Sustainable Construction and Energy Efficiency
Policy EN 8: Protecting and Enhancing the Historic Environment
Policy EN 9: Biodiversity and Geology
Policy EN 10: Development and Flood Risk
Policy EN 11: Coastal Erosion
Policy EN 13: Pollution and Hazard Prevention and Minimisation
Policy CT 1: Open Space Designations
Policy CT 2: Development Contributions
Policy CT 5: The Transport Impact of New Development
Policy CT 6: Parking Provision

Material Considerations

Supplementary Planning Documents and Guidance

North Norfolk Design Guide (December 2008)
North Norfolk Landscape Character Assessment (January 2021)
North Norfolk Landscape Sensitivity Assessment (January 2021)
Coastal Adaptation (September 2023)

National Planning Policy Framework (September 2023)

Chapter 2: Achieving sustainable development
Chapter 4: Decision-making
Chapter 5: Delivering a sufficient supply of homes
Chapter 8: Promoting healthy and safe communities
Chapter 9: Promoting sustainable transport

Chapter 11: Making effective use of land
Chapter 12: Achieving well-designed places
Chapter 14: Meeting the challenge of climate change, flooding, and coastal change
Chapter 15: Conserving and enhancing the natural environment
Chapter 16: Conserving and enhancing the historic environment

Other material documents and guidance

Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS) (2021)

Other Documents

EMERGING NORTH NORFOLK LOCAL PLAN 2016-2036

Paragraph 48 of the National Planning Policy Framework (NPPF) sets out that Local Planning Authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)

The Emerging North Norfolk Local Plan 2016-2036 is at Regulation 22. At present, it has been submitted to the Planning Inspector to determine whether the plan is 'sound' and 'legally compliant.' At present, Officers are applying limited weight to the policies contained within the Emerging North Norfolk Local Plan. The North Norfolk Core Strategy is still the relevant development plan document that planning decisions are assessed and determined against.

OFFICER ASSESSMENT

MAIN ISSUES FOR CONSIDERATION

- 1. Principle**
- 2. Housing Mix and Type**
- 3. Landscape**
- 4. Coastal Erosion**
- 5. Design and Layout**
- 6. Amenity**
- 7. Energy Efficiency**
- 8. Heritage**
- 9. Biodiversity**
- 10. Flood Risk**
- 11. Environmental Considerations**
- 12. Planning Obligations**
- 13. Highways**
- 14. Planning Balance/Conclusion**

1. Principle (Policies SS 1, SS 2, HO 3)

Planning law requires that applications for planning permission must have regard to Section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case the Development Plan for the area consists of the North Norfolk Core Strategy (September 2008), the Site Allocations Development Plan Document (February 2011) and the Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010- 2026 (September 2011). At a national level, the National Planning Policy Framework (NPPF) constitutes guidance which the Local Planning Authority (LPA) must have regard to. The NPPF does not change the statutory status of the Development Plan as the starting point for decision making, but it is a material consideration in any subsequent determination.

National Planning Policy Framework and Housing Land Supply

Paragraph 82 of the National Planning Policy Framework (NPPF Dec 2023) sets out that in rural areas, Local Planning Authorities should support opportunities to bring forward rural exception sites that would provide affordable housing to meet identified local needs.

The NPPF is a material consideration in the decision-taking process. The NPPF sets out the Government's planning policy for England and places sustainable development at the heart of the decision-taking process incorporating objectives for economic, social and environmental protection. These objectives seek to balance growth and local community needs against protection of the natural, built and historic environment.

In providing for sustainable development, the NPPF requires Local Planning Authorities to identify a five year supply of specific deliverable sites to meet housing needs. At the current time, the council is unable to demonstrate that it has 5 years' worth of deliverable sites. Planning applications would therefore be considered in line with paragraph 11d) of the NPPF which states that where there are no relevant development plan policies, or where relevant policies are considered out of date, permission would be granted unless the application of policies in the NPPF that protect areas (e.g. Conservation Area's, Habitat sites) or assets of particular importance provides a clear reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this NPPF taken as a whole.

This application would be assessed in light of this position, with further consideration given to the requirements of paragraph 11 set out within the planning balance section below.

Planning permission ref. PF/20/1582 was granted in February 2022 for the development of 18 dwellings, comprising 16 two-storey dwellings for affordable rent (4no. 3-bed houses, 8no. 2-bed houses, and 4no.1-bed flats), and 2no. 4-bed detached houses for market sale with associated access, parking and landscaping. This permission remains extant and was considered under the same policy backdrop. It is therefore a material consideration in the determination of the planning application to which significant weight should be attached.

The proposed development comprises of erection of 23 dwelling for affordable rent, associated access, parking and landscaping.

Policy SS 1 sets out that most of the new development in North Norfolk would take place in the towns and larger villages as defined as Principal and Secondary Settlements and a small amount of new development would be focused on several designated Service and Coastal Service Villages. The rest of North Norfolk, including all settlements that do not fall under the above criteria, would be designated as Countryside. Policy SS 2 limits development in areas designated as Countryside to that, which requires a rural location and accords with a list of particular uses, which includes affordable housing in accordance with the Council's 'rural exception site policy'

The site lies in Walcott, within an area designated as Countryside under Policies SS 1 and SS 2 of the adopted North Norfolk Core Strategy. The proposal falls under the category of affordable housing in accordance with the Council's 'rural exception site policy,' which is a type of development that is acceptable in principle in this location under Policies SS 1 and SS 2, subject to assessment against other relevant policy considerations.

Policy HO 3 permits proposals for affordable housing within the countryside providing that:

- 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 would 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 housing within Walcott as per the Council's housing list with 71 households with a local connection.

The site is situated 1.3 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, and the scheme would consist of more than 9 dwellings, the proposal is not fully compliant with Policy HO 3.

Regarding criterion 3 of Policy HO 3, it is considered that subject to the tenure of the proposed housing being secured through a Section 106 Agreement it is considered the proposal would comply the requirements of criterion 3 of Policy HO 3.

Whilst the scheme is not fully compliant with criterion 2 of Policy HO 3, it is considered that planning permission PF/20/1582 which is still extant and could be implemented is a material consideration in the determination of the application.

In light of the above, the proposal would be considered contrary to Policy HO 3, and as such, it would represent a departure from the Development Plan. Consideration would need to be given to the existence of material considerations in 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.

Notwithstanding the above, the proposed development would comply with the remaining Policies SS 1 and SS 2 of the adopted North Norfolk Core Strategy.

2. Housing Mix and Type (Policies HO 1)

Policy HO 1 states that on schemes of five or more dwellings at least 40% of the total number of dwellings shall comprise not more than 70sqm internal floor space and incorporate two bedrooms or fewer and at least 20% of dwellings shall be suitable or easily adaptable for occupation by the elderly, infirm or disabled.

On a scheme of 23 dwellings, Policy HO 1 would require a minimum of 9 dwellings of two bedrooms or less, and 5 dwellings which would be either suitable or easily adaptable for occupation by the elderly, infirm or disabled.

The proposed development comprises of 57% (10) of dwellings that have 50sqm of internal floor space and incorporate one bedroom. Equally, it also comprises of 26% (6) of dwellings that are suitable or easily adaptable for occupation by the elderly, infirm or disabled.

Notwithstanding the above, the scheme comprises of 100% of dwellings for affordable rent and the housing mix and type is as follows:

- 8 – 1 bedroom, 2 people flats (34.8%)
- 2 – 1 bedroom, 2 people bungalows (8.7%)
- 8 – 2 bedroom, 4 people houses (34.8%)
- 4 – 3 bedroom, 5 people houses (17.4%)
- 1 – 3 bedroom, 6 people house (4.3%)

There are 71 households on the Council's housing list with a local connection (by residence, work or close family) to Walcott and the adjoining parishes. Of these, 63 households have the strongest bands A – C local connection. The size of properties required are 1 bedroom (54%), 2 bedrooms (27%), 3 bedrooms (14.3%) and 4 or more bedrooms (4.7%).

The Strategic Housing Team supports the application given that mix of property sizes broadly reflect the mix of local housing need.

In light of the above, it is considered that the proposal would comply with Policy HO 1.

3. Landscape (Policies SS 4, EN 2 and EN 3)

Protection and Enhancement of Landscape and Settlement Character

Policy EN 2 requires that proposals for development should be informed by, and be sympathetic to, the distinctive character areas identified in the North Norfolk Landscape Character Assessment. Development proposals should demonstrate that their location, scale, design, and materials would protect, conserve, and enhance the special qualities and local distinctiveness of the area.

The site is situated within the Coastal Plain Landscape Character Area, which is characterised by an open, rural, flat landscape with low woodland cover with dispersed rural villages with fringe inter and post war holiday development. The landscape appears 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 scheme's boundary treatments comprise of 1.8m high close board timber fencing that define garden areas. Previous landscape comments under planning permission PF/20/1582 stated that "the use of close board fencing should be avoided and mixed native hedging (instant hedging for immediate effect) used as much as possible to assist in reinstatement of lost hedgerows within this Landscape Character Area. As such, it is required that the boundary treatments be secured through condition to incorporate hedging into the designs, particularly on boundaries in public view. The soft landscape plan submitted by GDC Ltd sets out an acceptable species mix, all of which are suited to the coastal location.

The Landscape section consider that 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, and the proposed materials, incorporating a mixture of dark grey and red pantiles on roofs and red brick with clad elements for some plots, would provide visual interest and allow the development to be readily assimilated with nearby dwellings.

Trees

The site is located between Ostend Gap to the east and Ostend Road to the south and west, in Walcott. It is bounded to the north and south by residential properties. Tree cover is very limited; only the southern boundary has trees located on it, which are under the ownership of the neighbouring properties. All trees can be retained and protected as set out in BS5837:2012 throughout the works. All buildings, garages, hard standing surfaces and drives have been positioned outside the Root Protection Area (RPA) of adjacent trees. Therefore, there are no tree constraints relating to this aspect of the development.

The Landscape Team considered that there would be minimal impacts on the trees within the site given no trees would need to be removed for development purposes.

Therefore, in light of the above, given that the proposal would not have significant effects on the landscape or trees, it is considered it would comply with Policy EN 2 of the adopted North Norfolk Core Strategy.

Undeveloped Coast

Policy EN 3 sets out that in the Undeveloped Coast only development that can be demonstrated to require a rural location and that would not be significantly detrimental to the open coastal character would 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, along with the proposed materials.

In light of the above, it is considered that the proposal would comply with the requirements of Policy EN 3 of the adopted North Norfolk Core Strategy.

4. Coastal Erosion (Policy EN 11)

Policy EN 11 restricts new development, or the intensification of existing development or land uses unless it can be demonstrated that it would result in no increased risk to life or significant increase in risk to property. In any location, development proposals that are likely to increase coastal erosion because of changes in surface water run-off would not be permitted.

The proposed development predominantly falls outside Epoch 3 (indicative erosion up to 2105 as taken from the Shoreline Management Plan 6) of the Coastal Erosion Constraints Area (CECA) with only the car parking spaces of dwelling no. 18 situated within Epoch 3.

The Coastal Partnership Team have raised no objection to the proposal on the basis that the dwellings fall outside of Epoch 3.

Therefore, for the reasons provided above, it is considered the proposal would not result in increased risk to life or significant increase in risk to property and as such, it would comply with the requirements of Policy EN 11 of the adopted North Norfolk Core Strategy.

5. Design (Policy EN 4)

Policy EN 4 states that development would be designed to a high quality, reinforcing local distinctiveness. Development proposals would be expected to have regard to the North Norfolk Design Guide; incorporate sustainable construction principles contained in Policy EN 6; make efficient use of land while respecting the density, character, landscape, and biodiversity of the surrounding area; be suitably designed for the context within which they are set; ensure that any car parking is discreet and accessible; and where appropriate, contain a variety and mix of uses, buildings, and landscaping.

The site has been split into two sections (North & South) access to the North section would be from Ostend road to the West. All plots are designed to have required parking spaces relative to the size dwelling and are within the curtilage of the properties. There is also a large area of Public Open Space which breaks the built form. The five units to the south would have individual access from Ostend road to the south and have been positioned to continue the building line from the existing dwellings on Ostend road. The windows would be dark grey aluminium throughout the development. The dwellings would have combinations of red brickwork and dark grey fibre cement cladding to the first floor and roof tiles in red or black to maintain a variety. Properties within the northern section have rear garden distances of approximately 10 metres, while southern dwellings on Ostend Road have distances of 25 metres.

The Conservation and Design Officer neither objects to nor supports the application on the basis that they consider the proposal would not enhance the overall character and appearance of the area.

The proposed dwellings are all relatively modest in scale and each property has a garden which would be the same size as the footprint of the dwellings, which is considered adequate, with Plots 19-23 having larger rear gardens.

Officers consider that due to their lack of architectural interest and plain materials and curtilage treatments that comprise of hard boarders, it is considered that the proposal would result in a suburban form of development. Whilst the proposal would not enhance the character of the area, on balance it would not give rise to significant design concerns. Therefore, subject to conditions that secure the material detailing the proposed development would comply with Policy EN 4.

6. Amenity (Policy EN 4)

Policy EN 4 states that proposals should not have a significantly detrimental effect on the residential amenity of nearby occupiers. Paragraph 3.3.10 of the Design Guide states that residents have the right to adequate privacy levels, nor should new development lead to any overbearing impacts upon existing dwellings. Existing residents should also be kept free from excessive noise and unwanted social contact. The location of the dwellings should take consideration of neighbouring amenity. The separation distances set out in paragraph 3.3.10 of the Design Guide should be taken into consideration in the design of the layout of the dwellings and its position within the masterplan in order to achieve satisfactory standards of amenity. The position of dwellings, and the arrangement of their rooms and windows, should not create significant overlooking of other dwelling windows or private garden areas, nor should they lead to any overbearing impacts upon existing dwellings.

The proposed dwellings are situated in excess of 30m from existing dwellings. Therefore, they comply with the recommended distances set out in the Design Guide that ensure a degree of privacy between adjacent properties. On that basis, it is considered that the proposal would not give rise to significant detrimental effects to the residential amenity of nearby occupiers. In respect to the relationship between the proposed dwellings, only the windows that serve the bathroom of 2b4p semi-detached houses of plots 2 and 3 that fall short of the recommended distances of the requirements of the North Norfolk Design Guide, which is 3m (whereas 2.7m is proposed). However, in this instance, obscure glazing could be installed to address these concerns.

In light of the above and subject to appropriate mitigation measures, it is considered the proposed development would not give rise to significant amenity concerns.

Future occupiers

Policy EN 4 states that new dwellings should provide acceptable residential amenity.

Paragraph 3.3.9 of the Design Guide states that dwellings should include refuse disposal and recycling storage facilities, drying areas and access to outdoor amenity space. Paragraph 3.3.10 states that private garden areas should be of adequate size and shape to serve their intended purpose. They should be free from shading and are recommended to be of an area equal or greater than the footprint of the dwelling they serve. This includes sufficient space for bin storage, washing lines as well as pleasant space for recreation purposes.

Drawing no. 0302, Revision P1 demonstrates the location of the refuse and storage points. Moreover, the proposed amenity areas of the dwelling are of generous sizes and are larger than the footprint of the dwellings. As such, it is considered that the proposal would afford acceptable amenity for the future occupiers of the proposed dwellings.

For the reasons provided above, it is considered the proposed development complies with Policy EN 4.

Open space requirements

Policy CT 2 states that on schemes of 10 or more dwellings where there is not sufficient capacity in infrastructure, services, community facilities or open space improvements which are necessary to make that development acceptable would be secured by planning conditions or obligations, and these must be provided within appropriate timescales.

In August 2020, the Council adopted the North Norfolk Open Space Assessment, a detailed study which provides the most up to date evidence of need, updated standards regarding the future provision of open space through developer contributions, and associated costs in line with the requirements of the NPPF. It provides the justified evidence to support the requirement for open space contributions in Policy CT 2. Table 21 of this assessment set out the type of open space and whether the provision of this would be sought on or off-site, based on the number of dwellings in each proposal.

Based upon the 'cost calculator' which sits behind Table 21, and which is based upon the findings of the assessment, this development should provide for onsite Amenity Green Space equivalent of 10sq.m. per person and Play Space (Children) equivalent of 1sq.m. per person. Off-site financial contributions should be provided for Allotments, Parks & Recreation Grounds, Play Space (Youth) and Natural Green Space. The off-site financial contribution required should be calculated in accordance with the Open Space Calculator set out below:

Number of dwellings	Enter number	Equivalent people	Open Space requirement	Required msq per person	Cost per msq	Total requirement (msq)	Cost of provision (£)	On site required?	Required quantity on site (msq)	Enter actual provision on site (msq)	% of requirement provided	Value of provision	Contribution required
1 bed	10	13	Allotments	6	25.22	242.40	£6,113	0	None		N/A	0	£6,113
2 bed	8	14.4	Amenity Green Space	10	22.85	404.00	£9,231	Y	404.00	1100	272.28	25,135	£0
3 bed	5	13	Parks & Recreation Grounds	11	104.91	444.40	£46,622	0	None		N/A	0	£46,622
4 bed		0	Play Space (Children)	1	190.49	40.40	£7,696	Y	40.40		0.00	0	£7,696
5 bed		0	Play Space (Youth)	0.6	129.06	24.24	£3,128	0	None		N/A	0	£3,128
TOTAL	23	40.4	Natural Green Space	15	22.84	606.00	£13,841	0	None		N/A	0	£13,841
				43.60		1,761	£86,632		444.40			25,135	£77,401

It is considered the proposal provides approximately 1100sqm of amenity green space which is sufficient to comply with the Open Space requirements of 404sqm. In accordance with the Open Space requirements, the proposed development should provide for 40.40sqm of On-Site Play Space (Children). No On-Site Play Space (Children) provision has been accommodated within the site. As such, it would have to be secured through Section 106 Legal Agreement. Regarding off-site financial contributions towards the other types of open space, these would be required and secured via a Section 106 Legal Agreement.

7. Energy Efficiency (Policy EN 6)

Policy EN 6 states that new development would be required to demonstrate how it minimises resource consumption, minimises energy consumption, and how it is located and designed to withstand the longer term impacts of climate change. All developments are encouraged to incorporate on site renewable and/or decentralised renewable or low carbon energy sources, and subchapter 11.5 of the Design Guide should be taken into consideration in this respect.

The proposed development has dwellings facing north-south with habitable rooms facing south to benefit from solar gains. The use of Air Source Heat Pumps and Roof Mounted Solar Photovoltaic Panels would also be installed to reduce energy consumption.

It is considered that the proposed development is required to include onsite renewable energy technology to provide for at least 10% of predicted total energy usage. No Energy Consumption Statement has been submitted with the application and therefore the development has not demonstrated that at least 10% of predicted total energy usage would be generated on-site via renewable energy technologies. These details however could be secured by condition in this instance as the proposed use of Air Source Heat Pumps and Roof Mounted Solar Photovoltaic Panels should enable this policy requirement to be achieved.

Notwithstanding the above, subject to conditions that secure the appropriate 10% renewable technologies required for this type of development, it is considered the scheme would comply with Policy EN 6.

8. Heritage (Policy EN 8)

Policy EN 8 requires that development proposals should preserve or enhance the character and appearance of conservation areas, and their settings through high quality, sensitive design.

It should be noted that the strict 'no harm permissible' clause in Policy EN 8 is not in full conformity with the guidance contained in the latest version of the NPPF (September 2023). As a result, in considering the proposal for this site, the Local Planning Authority would need to take into consideration the guidance contained within Chapter 16 of the NPPF as a material consideration.

The heritage assets closest to the application site are the Grade II listed, The Malthouse Farm which is situated 380m to the west and Grade I Listed All Saints Church which is located 650 to the southwest. By virtue of the separation distance of the application site to the listed buildings, it is considered that the proposal would not give rise to significant heritage concerns. Therefore, the proposal would comply with Policy EN 8 and the guidance contained within Chapter 16 of the NPPF.

9. Biodiversity (Policy EN 9)

Policy EN 9 of the Core Strategy states that all development proposals should protect the biodiversity value of land and buildings and minimise fragmentation of habitats; maximise opportunities for restoration, enhancement, and connection of natural habitats, and incorporate beneficial biodiversity conservation features where appropriate.

NPPF Paragraph 180 states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity value, minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

A Preliminary Ecological Appraisal (BiOME Consulting, 21 April 2023)(PEA) which provides an update to the Preliminary Ecological Appraisal (BiOME Consulting, 10 July 2020) has been submitted with the application. The site formed part of an arable field, ploughed bare earth at the time of the survey. No potential issues in relation to protected species were identified. However, if vegetation is left to develop or crops are planted the site would then have the potential to support common species of nesting bird. If this occurs then site clearance works should ideally be completed outside the bird nesting season (1 March to 31 August), or, if works are required during the breeding season this must only be completed following checks by an appropriately experienced ecologist. Should an occupied bird nest or a nest in the process of being constructed be encountered during works, clearance must cease in this area and should only recommence once the birds have fledged, or the nest is abandoned.

The Landscape Section as assessed the information provided with the application and considered the results of the PEA acceptable, with the exception that no biodiversity enhancement is recommended. The proposal should demonstrate how it would achieve a net gain for biodiversity in accordance with Policy EN 9 and paragraph 174 of the NPPF.

In addition the Landscape Section considers that at least 1No. integrated swift box/brick per dwelling(e.g. 23 in total) would be expected as part of the overall enhancement package and should be installed in groups of 3-5. Additionally, integrated bat bricks/tubes should be included in 20%-25% of dwellings (e.g. at least 5no. in total).

Officers consider that in relation to matters concerning biodiversity, these would have to be secured through planning conditions along with the enhancement measures set out by the Landscape Section. On that basis, it is considered the proposal would comply with the requirements of Policy EN 9 in this regard.

GIRAMS

The Norfolk wide Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS) is a strategy agreed between the Norfolk planning authorities and Natural England. The Strategy enables growth in the district by implementing the required mitigation to address adverse effects on the integrity of Habitats Sites arising from recreational disturbance caused by an increased level of recreational use on internationally designated Habitat Sites, particularly European sites, through growth from all qualifying development.

The GIRAM Strategy is a strategic approach to ensure no adverse effects are caused to European sites across Norfolk, either alone or in-combination from qualifying developments. Taking a coordinated approach to mitigation has benefits and efficiencies and ensures that developers and the Local Planning Authorities meet the Conservation of Habitats and Species Regulations 2017 (as amended).

This Strategy recommends a tariff approach to ensure funds are collected and pulled together to deliver the Recreational Impact Avoidance and Mitigation (RAMS) package

proposed. This reflects the entirety of Norfolk including all partner Local Planning Authorities and would see a common tariff amount for all net new dwellings in the county of £210.84 (Index Linked) alongside a 6:1 ratio for tourism development. This has been calculated from the RAMS mitigation package to cover the lifetime of the Local Plans.

The proposed development would create 23 net new dwelling, requiring a financial contribution amounting to £4,849.32 which would have to be secured through a Section 106 Legal Agreement. The Local Planning Authority as the 'competent authority' has completed an Appropriate Assessment and concluded that subject to securing the GIRAMS financial contribution, the planning application would not have an adverse effect on the integrity of the European Sites identified above from recreational disturbance, when considered alone and 'in combination' with other development. Consultation with Natural England is not considered to be necessary as the proposed development would be subject to the GIRAMS payment to offset potential impacts of an increase in recreational disturbance to nearby Habitat Sites.

For the reasons provided, it is considered the proposal would comply with Policy EN 9.

10. Flood Risk (Policy EN 10)

Flood Risk

Policy EN 10 states that the sequential test would be applied rigorously across North Norfolk and most new development should be located in Flood Risk Zone 1.

Whilst the site lies in Flood Zone 1, it exceeds one hectare in area and therefore a Flood Risk Assessment has to be submitted with the application. The Flood Risk Assessment provided with the application states that the site layout has been designed to minimise the impact of a flood if it were to occur. Most of the dwellings (Plots 1-18) are located within a higher part of the site. No dwellings have been proposed adjacent to the surface water ponding within the rear garden of 8 Ostend Road, which floods in the low risk scenario, though does not pose a risk to the development. All proposed Finished Floor Levels (FFLs) are a minimum of 300mm above that of the expected water level for the 1.0% AEP plus 45% climate change event within the nearby network/storage.

The surface water drainage system which comprises of the attenuation basin is designed to fully accommodate up to the 1.0% AEP plus 45% CC event and would be safely stored within the attenuation on-site. The detention basin and swale are designed for the eastern and western parts of the site respectively in accordance with the CIRIA SuDS Manual requirements for health and safety of residents. Suitable maintenance provision has been provided. The maximum water depth for any storm event has been designed to be 1.3m.

The Lead Local Flood Authority has been consulted and given the proposal falls below their thresholds of 100 dwellings or 2 hectares in size no comments have been provided. Equally, the Environment Agency, has been consulted and by virtue that the application does not have any constraints that fall within the EA remit no formal comments have been provided.

In light of the above, Officers consider that the proposed development complies with Policy EN 10 in this respect.

Surface water drainage

Policy EN 10 states that appropriate surface water drainage arrangements for dealing with surface water runoff from new development would be required. The use of Sustainable Drainage Systems would be the preference unless, following an adequate assessment, soil conditions and/or engineering feasibility dictates otherwise.

Paragraph 175 of the Framework states that major developments should incorporate sustainable drainage systems unless there is evidence that this would be inappropriate. The systems should take account of advice from the lead local flood authority; have appropriate proposed minimum operational standards; have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and where possible, provide multifunctional benefits.

The Planning Practice Guidance provides advice regarding sustainable drainage systems. The aim should be to discharge surface run-off as high up the following hierarchy of drainage options as reasonably practicable:

- 1) Into the ground (infiltration)
- 2) To a surface water body
- 3) To a surface water sewer, highway drain or another drainage system
- 4) To a combined sewer

This hierarchy follows the same order of priority of Approved Document H3 of the Building Regulations.

The proposed development provides a sustainable drainage system through an attenuation basin designed with an impermeable geomembrane base. Moreover, upstream flooding of the site would be directed towards the roads and permeable drives and into the detention basin for storage. Excess of water from the site are proposed to be directed away from the dwellings and into the on-site ditch. An exception has been made for the exceedance flows nearby Plots 19-23 which demonstrate the conveyance of water away from Ostend Road and towards the proposed permeable paving since the ground levels and permeable paving within this area form part of the drainage system.

In light of the above, it is considered that the proposal would comply with the requirements of Policy EN 10 in this respect.

Foul Water

The local sewer network is operated by Anglian Water (AW) and records indicate no AW surface water sewers present along Ostend Road or within the vicinity of the site. A 180mm foul sewer is present near the southern site boundary within Ostend Road from 8 Ostend Road and travels west to the western verge of Ostend Road. From this point it continues north along the site's western boundary and further connects to a nearby pumping station on the Coast Road some 580m from the development site.

The nearest foul points of connection are to AW manholes 4201 (located at 8 Ostend Road) and 3300 (located within the western verge of Ostend Road). The proposed gravity foul sewer connection from the site is to manhole 3300 as a gravity connection to manhole 4201 is considered unachievable without significant land raising of the site. Manhole 3300 has a cover level of 8.95m AOD and an invert level of 6.32m AOD.

Drawing no. 61783-PP-002, Revision A, Surface Water and Foul Drainage Strategy which is part of the Site Specific Flood Risk Assessment submitted with the application on the 17th October 2023 shows that a foul sewer connection is proposed to the existing Anglian Water network. Anglian Water have indicated that a gravity connection to manhole 3300 would be suitable and could accommodate the site's discharge flows. Construction of the sewer connection across Ostend Road has been made to minimise disruption to traffic with potential for thrust bore techniques.

Anglian Water confirmed that the development is within the catchment area of the Mundesley Water Recycling Centre and has the capacity to serve the needs of the proposed development. Moreover, given the foul water would connect to Mundesley, which discharges outside of the catchment of the River Bure, this development would not be caught by the Nutrient Neutrality advice. In light of the above, it is therefore considered that the proposal would comply with Policy EN 10.

11. Environmental Considerations

Policy EN 13 of the Core Strategy sets out that all development proposals should minimise, and where possible reduce, all emissions and other forms of pollution, including light and noise pollution, and ensure no deterioration in water quality.

Contamination

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, subject to a condition that secures the investigation and remediation of potentially contaminated land, the proposed development would be considered acceptable.

Lighting

External lighting in new development should be limited to that necessary for security and consideration should also be given to ways of minimising light pollution using sensitive design details, for example, to avoid large, glazed areas. Subject to the imposition of a condition that secures external lighting, the proposed development would be considered acceptable.

In light of the above and subject to conditions, the proposal would comply with Policy EN 13.

12. Highways (Policies CT 5 and CT 6)

Policy CT 5 sets out that proposals should provide for safe and convenient access on foot, cycle, public, and private transport addressing the needs of all without detriment to the amenity or character of the surrounding area or highway safety.

Paragraph 115 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Pedestrian and vehicle access through Ostend Road

The site is split into two sections. Access to the North section would be from Ostend Road to the west. Each unit in the South section would have individual access from Ostend Road to the south. In order to achieve the access off Ostend Road, the road width is proposed to widen to 4.8m along with a 1.8m footway. Access for units within the south section of the site has been designed to continue the pattern of the existing street scene of 1-8 Ostend Road. This road width would also increase to 4.8m.

Norfolk County Council Highways Authority objected to the proposed development on the grounds that the proposal would result in an unsustainable development reliant on the use of the private car to access services in neighbouring villages. Moreover, the Highways Authority would also object to the provision of direct vehicle access from the 5 dwellings from Ostend Road to the south of the site as, whilst the localised carriageway widening has been proposed, the remainder of the section of Ostend Road is narrow and has no safe provisions for pedestrians. Furthermore, no provision for visibility splays from these plots have been provided and is likely to require third party land, and the provision of a 2m wide highway verge has also not been provided. Equally, there is no indication of the off-site footway.

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 is acknowledged that there are approximately 11 existing dwellings adjacent the application site and occupiers of these dwellings must walk along Ostend Road when they need to or would be reliant on travel by motor vehicle. The proposal would add a further five dwellings accessing directly onto Ostend Road.

It may therefore not be considered safe for existing pedestrians and pedestrians as part of this proposal 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, it is understood that local residents 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 Officers consider, on balance, would not likely result in an unacceptable impact upon highway safety and nor would the residual cumulative impacts on the road network would be considered severe as set out in paragraph 115 of the NPPF.

Pedestrian and vehicle access through Ostend Road to the west

The proposed access to the 18 dwellings is accessed through a narrow part of Ostend Road to the west. The access is proposed to be widened to 4.8m along with a 1.8m footway.

Norfolk County Council Highways considers that visibility splays of 2.4m x 43m are required along the access onto Ostend Road to the west. Moreover the access road is long and straight which would not support the implementation of a 20mph zone or provide a safe environment for pedestrians. Furthermore, the turning head at the end of the estate road does not appear to meet the required dimensions and has not been tracked by a large refuse vehicle. Finally, the shared private drive serving plots 16-18 should have a size 5 turning area.

The average width of a vehicle is 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 common on roads within the wider network and, although an inconvenience, would not cause an unacceptable impact upon highway safety.

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.

In light of the above, Officers consider that whilst there is a departure from Policy CT 5 of the adopted North Norfolk Core Strategy, the proposal is not considered to be contrary to paragraph 115 of the NPPF which is a material consideration on the determination of this application. Moreover, consideration should also be given to application ref. PF/20/1582 which has been approved and resulted in similar highway concerns, albeit for a lesser number of dwellings.

Policy CT 6 sets out that adequate vehicle parking facilities would be provided by the developer to serve the needs of the proposed development. Development proposals should make provision for vehicle and cycle parking in accordance with the Council's parking standards.

The Council's car parking standards requires the following average in car and cycle parking spaces:

- 1 bedroom flats – 1 car parking space and 1 car parking space for each 4 units of flats
- 1 bedroom unit – 1.5. car parking spaces;
- 2 bedroom units – 2 car parking spaces;
- 3 bedroom units – 2 car parking spaces;
- None for individual houses with garages or rear gardens for a garden shed
- 1 resident cycle space per unit and 1 visitor cycle space per 4 units for flats and developments with communal parking.

The proposed development proposes the following car parking provision:

- 1 bedroom 2 people flats – 1 car parking space;
- 1 bedroom 2 people bungalows – 2 car parking spaces;
- 2 bedroom 4 people houses – 2 car parking spaces;
- 3 bedroom 5 people houses – 2 car parking spaces;
- 3 bedroom 6 people house – 2 car parking spaces;
- No dedicated cycling parking is provided within the development but each property has garden areas within which to park cycles

Whilst the proposal would not provide for 2 car parking spaces for visitors of the 1 bedroom flats, not does it provide for the required 10 cycle spaces, on balance, it broadly complies with the Council's car parking standards as a whole, and as such, it is considered it complies with Policy CT 6.

13. Developer Contributions (Policy CT 2)

Policy CT 2 requires that on schemes of ten or more dwellings, improvements which are necessary to make that development acceptable would be secured by planning conditions or obligations, and these must be phased so as to be in place in accordance with an agreed period or prior to the occupation of an agreed number of units. Planning obligations may also be required for maintenance payments, to meet the initial running costs of services and facilities and to compensate for loss or damage caused by development.

Section 106

Norfolk County Council Planning Obligations Co-Ordinator have set out a set of requirements that would need to be addressed in order to make the development acceptable in sustainable terms through the delivery of necessary infrastructure. The funding of this infrastructure would be through planning obligations/condition. The financial requirements (Index linked with inflation) below would need to be addressed in order to make the development acceptable in sustainable terms through the delivery of necessary infrastructure. A summary of Norfolk County Council infrastructure requirements can be found below:

i. Education

There is currently spare capacity within all Education sectors, therefore Norfolk County Council would not be claiming education contributions in this instance.

ii. Fire Service

The minimum requirement would be 1 fire hydrant on a minimum 90mm main, and hydrant(s) shall conform to BS750. However, the final number of hydrants required would need to be assessed when the mix and type of housing proposed for the development area and layout is made clear. Please note that the onus would be on the developer to install the hydrants during construction to the satisfaction of Norfolk Fire and Rescue Service at the developer's cost.

iii. Library Service

A development of this scale would require a total contribution of £2,300 (i.e., £100 per dwelling). This contribution would be spent on increasing the capacity of the library serving the development.

iv. Monitoring Fee

Norfolk County Council would seek a charge towards the administration of any S106 agreements. The charge would be levied at a rate of £500 per obligation. The monitoring charge would normally be payable on commencement of the development.

GIRAMS

GIRAMS tariff is expected to be £210.84 (Index linked) per dwelling. Therefore, a total contribution of £4,849.32 would be expected for this scale of development.

Open Space requirements

As stated above on Section 6 (Amenity) of the report, off-site financial contributions of approximately £77,401.00 (+ indexation) and on-site requirements of 40.40sqm of Play Space (Children) and 404sqm of Amenity Green Space would have to be provided through a Section 106 Agreement.

Affordable housing

An appropriate proportion of the affordable housing would have to be built to M4(2) and M4(3) standards. Moreover, 100% of the dwellings are affordable and would have an affordable rent tenure. Compliance with these requirements would also have to be secured through a Section 106 Agreement.

14. Planning Balance/Conclusion

Planning law requires that applications for planning permission must have regard to Section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise.

North Norfolk District Council is currently unable to demonstrate a 5 year housing land supply. Paragraph 11(d) of the National Planning Policy Framework (NPPF) states that where relevant policies are out of date, permission would be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Officers have found that there is no conflict with the NPPF protection of areas or assets of particular importance which provide a clear reason for refusal. The tilted balance as identified in paragraph 11(d)(ii) of the NPPF is likely to be engaged in this case.

Notwithstanding the above, the proposed development would represent a departure from Policies HO 3 (Affordable Housing in the Countryside) and CT 5 (The Transport Impact of New Development) of the adopted North Norfolk Core Strategy for the following reasons:

- The site is not located within 100 metres of the boundary of a Principal or Secondary Settlement, defined Service or Coastal Service Village;
- The proposed development would impact on the highway network by virtue of the unsuitable width of the southern section of Ostend Road to which access would be provided to plots 19 to 23 and lack of visibility splays to access and egress those plots with a motor vehicle;
- Moreover, the proposal would not provide for satisfactory visibility splays of 2.4m x 43m on the access off Ostend Road to the west of the site and given that that access road is long and strait a 20mph zone would not be able to be implemented. Furthermore, a turning head at the end of the road has not been tracked by a refuse

vehicle. Finally, the shared private drive that serves plots 16 to 18 would not have a size 5 turning area.

In considering the benefits of the proposal, the proposed development would have economic benefits through the generation of jobs, during both the construction, but also once the development has been completed through increased spending by residents helping to support local services.

The scheme would also provide social benefits. 100% of dwellings would be secured as affordable housing which would help to address the significant need for such housing in the area and wider district. The North Norfolk District Council Housing Strategy 2021-2025 considers that the district needs 100 new affordable homes each year. The proposal would contribute to these targets and the requirements of paragraph 60 of the NPPF which aims to significantly boost the supply of homes, and to meet the needs of groups with specific housing requirements.

The proposal would provide environmental benefits. It would accommodate open space along with the planting of trees. The open space provision would be above the Open Space requirements set out by the Council. Moreover, the concept masterplan submitted shows landscape planting and creation of habitats (SuDS, planting of trees) across the site.

Whilst Norfolk County Council Highways objects to the proposed development, officers are of the opinion that the scheme would not have an impact on both the highway safety and the wider road network nor this it results in unacceptable impacts on the highway safety or a severe impact upon the wider road network as required by paragraph 115 of the NPPF.

In this instance, having regard to the matters above, the adverse impacts of the proposal would not significantly and demonstrably outweigh the benefits of the proposal.

Officers have also afforded weight to the extant planning permission (ref: PF/20/1582) which has already secured permission for 18 dwellings on this site.

RECOMMENDATION

It is recommended that the application be APPROVED subject to:

1. Securing S106 Obligations for the following;;

- Affordable Housing (all affordable rent)
- GIRAMS tariff of £4,849.32 (Index Linked)
- Off-site financial contributions of approximately £77,401.00 (Index Linked) for Allotments, Parks & Recreation Grounds, Play Space (Youth) and Natural Green Space
- On-site requirements of 40.40sqm of Play Space (Children) and 404sqm of Amenity Green Space along with Management Plans for Open Space
- At least 1 fire hydrant on a minimum 90mm main, and hydrant(s) conforming to BS750 to be installed on the site
- Library contribution of £2,300 to increase the capacity of the library serving the development

2. **Imposition of the following conditions listed below and/or any considered necessary by the Assistant Director - Planning (Final wording of conditions to be delegated to the Assistant Director – Planning; and**
3. **That the application be refused if a suitable section 106 agreement is not completed within 4 months of the date of resolution to approve, and in the opinion of the Assistant Director - Planning, there is no realistic prospect of a suitable section 106 agreement being completed within a reasonable timescale.**

Suggested Conditions:

1. The development hereby permitted shall begin no later than 3 years from the date of this decision.

Reason:

As required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans and documents, except as may be required by specific condition(s) and as listed below:

- Design and Access Statement (R1000_P1, 3 October 2023), dated 17 October 2023
- Planning Statement (Flagship Homes, 4th October), dated 17 October 2023
- Drawing no. 0200, Revision P2, Accommodation Plan, dated 17 October 2023
- Drawing no. 0250, Revision P6, Proposed Development Plan, dated 17 October 2023
- Drawing no. 0302, Revision P1, Refuse Strategy, dated 17 October 2023
- Drawing no. 0350, Revision P1, Site Location Plan, dated 17 October 2023
- Drawing no. 3100, Revision P1, 1b2p Semi-Detached Bungalow Proposed Floor Plan, dated 17 October 2023
- Drawing no. 3101, Revision P1, 1b2p Semi-Detached Bungalow Proposed Elevations, dated 17 October 2023
- Drawing no. 3110, Revision P1, 1b2p Maisonette Flat Proposed Floor Plan, dated 17 October 2023
- Drawing no. 3111, Revision P1, 1b2p Maisonette Flat Block Proposed Elevations, dated 17 October 2023
- Drawing no. 3120, Revision P1, 2b4p Semi-Detached House Proposed Floor Plan, dated 17 October 2023
- Drawing no. 3121, Revision P1, 2b4p Semi-Detached House Proposed Elevations, dated 17 October 2023
- Drawing no. 3130, Revision P1, 3b5p Semi-Detached House Proposed Floor Plan, dated 17 October 2023
- Drawing no. 3131, Revision P1, 3b5p Semi-Detached House Proposed Elevations, dated 17 October 2023
- Drawing no. 3140, Revision P1, 3b6p Detached House Proposed Floor Plan, dated 17 October 2023

- Drawing no. 3141, Revision P1, 3b6p Detached House Proposed Elevations, dated 17 October 2023
- Site Specific Flood Risk Assessment (RichardJackson, Engineering Consultants, June 2023), dated 17 October 2023

Reason:

For the avoidance of doubt and to ensure the satisfactory appearance of the development in accordance with Policy EN 4 of the adopted North Norfolk Core Strategy.

3. Before their first use on site, details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details. This condition shall apply notwithstanding any indication as to these matters that have been given in the current application.

Reason:

To ensure the satisfactory appearance of the development in accordance with Policy EN 4 of the adopted North Norfolk Core Strategy.

4. Prior to the commencement of development, an investigation and assessment into the presence of 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.

Reason:

In the interests of public health and safety and in accordance with the requirements of Policy EN 13 of the adopted North Norfolk Core Strategy.

5. There shall be no commencement of the development hereby permitted until a Construction Traffic Management Plan has first been submitted to and agreed in writing by the Local Planning Authority in consultation with Norfolk County Council Highway Authority.

The Construction Management plan shall include details of:

- i) On-site parking for construction workers;
- ii) access arrangements for delivery vehicles;
- iii) temporary wheel washing facilities and;
- iv) a suitable access route

For the duration of the construction period all traffic associated with the construction of the development hereby permitted shall comply with the approved Construction Traffic Management Plan.

Reason:

In the interests of maintaining highway efficiency and safety, in accordance with Policy CT 5 of the adopted North Norfolk Core Strategy.

6. There shall be no commencement of the development hereby permitted until the necessary details for promoting or securing any necessary Traffic Regulation Order as may be needed for provision of the highways amendments hereby approved, along Ostend Road, Walcott and the proposed access road into the development have first been submitted to the Highway Authority.

Reason:

In the interests of highway safety, in accordance with Policy CT 5 of the adopted North Norfolk Core Strategy.

7. A) There shall be no commencement of the development hereby permitted until such time as detailed plans of the roads, footways, street lighting, foul and surface water drainage have first been submitted to and approved in writing by the Local Planning Authority.

Plans should include full details of the connection of the access road, hereby approved, with Ostend Road, Walcott.

B) Prior to the construction of the final dwelling all works related to the development hereby permitted shall be carried out on roads, footways, foul and surface water sewers in accordance with the approved specification to the satisfaction of the Local Planning Authority.

Reason:

For highway safety, to ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway in accordance with Policy CT 5 of the adopted North Norfolk Core Strategy.

8. The development hereby approved shall be carried out in strict accordance with the recommendations as set out in Section 4 of the Preliminary Ecological Appraisal prepared by BiOME Consulting (10 July 2020) and the updated Preliminary Ecological Appraisal (BiOME Consulting, 21 April 2023) received by the Local Planning Authority on 17 October 2023. The mitigation and enhancement measures shall include the provision of:

- a) Site clearance and removal of any woody vegetation to take place outside of the breeding bird period (March to August inclusive) or following a pre-commencement check for active nests by a suitably qualified ecologist,
- b) Any excavations to be filled in or covered at the end of each working day,
- c) Any temporarily exposed open pipe systems to be capped overnight,
- d) Installation of at least 5 No. bat bricks/tubes integrated into the new dwellings,
- e) Installation of at least 23 No. swift boxes integrated into the new dwellings,

The specific details of items d) and e) aforementioned, including dimensions, location and construction methodology together with a scaled plan or drawing illustrating the requirements, shall be submitted to and approved in writing by the local planning authority prior to installation. The mitigation and enhancement measures shall be

carried out prior to the first use of the development hereby permitted and thereafter retained in a suitable condition to serve the intended purpose.

Reason

In accordance with the requirements of Policy EN 9 of the adopted North Norfolk Core Strategy and paragraph 174 of the National Planning Policy Framework, and for the undertaking of the council's statutory function under the Natural Environment and Rural Communities Act (2006).

- 9.** There shall be no occupation of the development hereby permitted until the proposed access has been installed and the on-site car parking and turning areas have first been laid out in accordance with the approved plan and retained thereafter available for that specific use.

Reason:

To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with Policy CT 5 of the adopted North Norfolk Core Strategy.

- 10.** There shall be no occupation of the development hereby until the road and footways have first been constructed to binder course surfacing level from the dwellings to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.

Reason:

To ensure satisfactory development of the site and to ensure safe and convenient access for all users in accordance with Policy CT 5 of the adopted North Norfolk Core Strategy.

- 11.** Each dwelling shall not be first occupied until the bathroom window(s) for that dwelling has/have been installed with obscured glazing with a degree of obscurity equivalent to Pilkington Level 5. The glazing shall thereafter be retained in accordance with this detail for each dwelling.

Reason:

To prevent undue loss of privacy to the properties in order to provide a sufficient level of residential amenity in accordance with Policy EN 4 of the adopted North Norfolk Core Strategy and the guidance set out within the North Norfolk Design Guide SPD.

- 13.** Development shall not begin until a revised scheme including a plan indicating the positions, design, materials, planting and type of boundary treatment to be planted shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the building(s) are first occupied. Development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason:

To protect and enhance the visual amenities of the area, in accordance with the requirements of Policy EN 4 of the adopted North Norfolk Core Strategy.

- 14.** There shall be no erection, installation or construction of boundary treatments of the development hereby permitted unless they include provision for a 13cm x 13cm gap at ground level at intervals of 6 to 10 meters to facilitate commuting corridors for small

mammals including hedgehogs. This includes making gaps in the wire fencing which is proposed to be located between hedgerows.

Reason:

To improve and enhance biodiversity in accordance with the requirements of Policy EN 9 of the adopted North Norfolk Core Strategy and paragraphs 179 of the National Planning Policy Framework, and for the undertaking of the council's statutory function under the Natural Environment and Rural Communities Act (2006).

- 15.** There shall be no commencement of the development hereby permitted until the details of a scheme for providing at least 10 percent of the energy supply of the development secured from decentralised and renewable or low-carbon energy sources has first been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include details of a Noise Impact Assessment and appropriate noise mitigation measures in the event that air source heat pumps are proposed to satisfy this condition. The approved details and any necessary noise mitigation measures shall be provided and made ready for use within the relevant dwellings prior to the first occupation of such dwellings and shall be retained and operated as such thereafter.

The provision of at least 10 percent of energy supply through decentralised and renewable or low-carbon energy sources shall be implemented prior to first occupation of the development hereby permitted.

Reason:

In the interests of achieving the required level of renewable energy supply in accordance with Policy EN 6 of the North Norfolk Core Strategy.

- 16.** There shall be no external lighting on the site unless appropriate measures have been put in place to minimise intrusion into the night sky, protect residential amenity, reduce impact upon bats and minimise impact upon the landscape incorporating the following measures:

- 1) fully shielded (enclosed in full cut-off flat glass fittings)
- 2) directed downwards (mounted horizontally to the ground and not tilted upwards)
- 3) switched on only when needed (no dusk to dawn lamps)
- 4) white light low-energy lamps (LED, metal halide or fluorescent) and not orange or pink sodium sources

The lighting shall thereafter be installed in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason:

In the interests of the visual amenities/residential amenities of the area and in the interests of highway safety and convenience, and to avoid light pollution in relation to wildlife, including bats, and the wider landscape, in accordance with Policies EN2, EN 9 and EN 13 of the adopted North Norfolk Core Strategy, as amplified by paragraphs 3.3.48 and 3.3.70 of the explanatory text.

- 17.** All proposed hedge planting shall be of mixed native species in a double row, staggered, with 45cm between rows at a density of 5 plants per metre. All hedge

plants shall be 30-45cm in height at the time of their planting and shall be suitably protected, each with a stake and guard.

Reason:

To assist in ensuring a successful planting scheme, in accordance with the requirements of Policy EN 4 of the adopted North Norfolk Core Strategy.

- 18.** Development including any demolition and site clearance or preparatory work, shall not commence until the scheme for the protection of the retained trees and hedges has been implemented in full in accordance with the approved Tree Protection Plan and Arboricultural Method Statement: Appendix 4 Tree Protection Plan by A T Coombes dated 19 September 2023 and received by the Local Planning Authority on 17 October 2023.

The protection measures shall be retained and maintained during the period of construction works/building operations on the site.

Within the fenced area(s) the following shall not occur:

- i) no soil, fuel, chemicals or materials shall be stored, or;
- ii) temporary buildings erected, or;
- iii) plant or vehicles parked, or;
- iv) fires lit, or;
- v) cement or other contaminating materials or substances mixed, or;
- vi) no equipment, machinery or structures shall be attached to or supported by a retained tree, or;
- vii) no alterations to ground levels or excavations made.

Any works to [trees/hedges] as approved shall be carried out in strict accordance with British Standard 3998:2010 Tree Work – Recommendations.

(In this condition, “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars).

Reason:

To protect trees and hedges on the site in the interest of the visual amenity, and the character and appearance of the area, in accordance with Policy EN 4 of the adopted North Norfolk Core Strategy. Failure to provide adequate protection could result in harm/damage to the trees/hedges identified to be retained on site.

- 19.** The protection measures shall be retained and maintained during the period of construction works/building operations on the site. Within the fenced area(s) the following shall not occur:

- i) no soil, fuel, chemicals or materials shall be stored, or;
- ii) temporary buildings erected, or;
- iii) plant or vehicles parked, or;
- iv) fires lit, or;
- v) cement or other contaminating materials or substances mixed, or;
- vi) no equipment, machinery or structures shall be attached to or supported by a retained tree, or;
- vii) no alterations to ground levels or excavations made.

Any works to trees/hedges as approved shall be carried out in strict accordance with British Standard 3998:2010 Tree Work Standard 3998:2010 Tree Work - Recommendations.

(In this condition, "retained tree" means an existing tree which is to be retained in (In this condition, "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars). accordance with the approved plans and particulars).

Reason:

To protect trees on the site in the interest of the visual amenity, and the character and appearance of the area, in accordance with Policy EN 4 of the adopted North Norfolk Core appearance of the area, in accordance with Policy EN 4 of the adopted North Norfolk Core Strategy.

- 20.** The soft landscape scheme as indicated on approved Soft Landscape plan 2782-23 dated 17/08/23 shall be fully implemented no later than the next available planting season following first occupation of the development or in accordance with an implementation programme which has first been submitted to and approved in writing by the Local Planning Authority.

The scheme shall thereafter be retained in accordance with the approved details.

Reason:

To protect and enhance the visual amenities of the area, in accordance with the requirements of Policy EN 4 of the adopted North Norfolk Core Strategy.

- 21.** Any new tree or shrub forming part of the approved landscape scheme which within a period of five years from the date of planting dies, is removed or become seriously damaged or diseased, shall be replaced during the next planting season with another of a similar size and species to the Local Planning Authority's satisfaction, unless prior written approval is given to any variation.

Reason:

To protect and enhance the visual amenities of the area, in accordance with the requirements of Policy EN 4 of the adopted North Norfolk Core Strategy.

- 22.** Notwithstanding the provisions of Classes A or B or E of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking, amending or re-enacting that Order with or without modification), there shall be no roof or first floor enlargement, no rear extensions, and no building erected within the curtilage of any of the terraced dwellings within the development hereby permitted, unless express planning permission has been first granted by the Local Planning Authority.

Reason:

The development of the site in the manner approved will necessarily result in a close knit group of dwellings where the siting, design and extent of any extensions/alterations must be controlled for the benefit of the residential and the visual amenities of the locality, and in accordance with Policy EN 4 of the adopted North Norfolk Core Strategy.

- 23.** The applicant/developer shall notify the Local Planning Authority in writing of the date of commencement of the development hereby permitted. Such notification shall be provided within 14 days of the date of commencement.

Reason:

To ensure the GI RAMS tariff payments secured in relation to this development are made available and can be used towards the county wide strategic mitigation measures identified in the Norfolk Green Infrastructure and Recreational Impact Avoidance Mitigation Strategy, or successive strategy, which is aimed at delivering the necessary mitigation to avoid adverse effects on the integrity of European Sites arising as a result of the development.

This Decision refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, bylaw, order or regulation.

- 24. A)** There shall be no commencement of the development hereby permitted until a surface water Management Strategy has first been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority and Anglian Water. The submitted details shall:

- i) Include details regarding the materials and construction of the permeable paved driveways
- ii) Include details of drainage infrastructure to be used i.e., specification details of drainage diffusers, position of manhole covers, pipe work diameters, etc
- iii) provide information about the measures taken to prevent pollution of the receiving groundwater and/or surface waters
- iv) Incorporate installation of water efficiency and water saving devices such as rain saver systems where possible
- v) Include details of the area to be used and the methodology to create terraced gardens to retain and infiltrate surface water flooding
- vi) Include a timetable for implementation; and
- vii) Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The development shall be carried out in accordance with the agreed details

B) There shall be no use of the development hereby permitted until the drainage scheme has been constructed in accordance with the approved details, as set out in Part (a) of this condition and has first been brought into use.

The system shall be retained and maintained and managed as such thereafter.

Reason:

To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding in accordance with Policy EN 10 of the adopted North Norfolk Core Strategy and national guidance contained in Chapter 14 of the National Planning Policy Framework.

- 25.** No works shall commence until such time as detailed plans and elevations of the cycle storage have been submitted to and approved in writing by the Local Planning

Authority. The construction works shall then be carried out in accordance with the approved plans.

Reason:

To ensure fundamental elements of the development that cannot be retrospectively designed and built are planned for at the earliest possible stage in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the development.

- 26.** The development hereby permitted shall not be occupied until such time as adequate facilities for the storage and collection of refuse and recycling have been provided in full accordance with detail which have been first submitted to and approved in writing by the Local Planning Authority.

The details submitted shall include details of the refuse collection vehicle access.

The scheme shall be provided and retained thereafter in full accordance with the approved details.

Reason:

To ensure the development has suitable storage facilities and access for refuse vehicle collection in accordance with Policies EN 4 and EN 13 of the adopted North Norfolk Core Strategy.

- 27.** At least 20 percent of the affordable housing would have to be built to in accordance with Building Regulations 2010 (as amended) – Access to and use of buildings Approved Document M in particular category 2 M4(2) and category M4(3).

Reason:

To ensure that the proposed development provides for the required proportion of dwellings that are suitable or easily adaptable for occupation by the elderly, infirm or disabled in accordance with Policy HO 1 of the adopted North Norfolk Core Strategy.

NOTES TO APPLICANT:

- 1.** The Local Planning Authority considers that it has worked positively and proactively with the applicant to address any arising issues in relation to determining this planning application, to secure a policy compliant proposal that has been determined in the wider public interest at the earliest reasonable opportunity, in accordance with the requirements of the National Planning Policy Framework.
- 2.** The application site is the subject of an Obligation under Section 106 of the Town and Country Planning Act 1990.
- 3.** Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent would be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
- 4.** Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals would affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building

over existing public sewers would not be permitted (without agreement) from Anglian Water.

5. Building near to a public sewer - No building would be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.
6. The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.
7. The applicant/agent is advised that failure to comply with the pre-commencement conditions on this notice could result in the permission/consent being invalid.