

HOLT – PF/24/0246 – Erection of 3 no. detached dwellings on land on the east side of Garden House, Peacock Lane, Holt, NR25 6HD

Minor Development

Target Date: 27 March 2024

Extension of time: 4th June 2024

Case Officer: Mark Brands

Full Planning Permission

CONSTRAINTS:

Within Holt settlement boundary

Within Glaven Valley Conservation Area

Landscape Character Assessment - Wooded Glacial Ridge

Open Land Area

Residential Area

Mineral Safeguarding Area

Public Right of Way FP4

Holt Neighbourhood Plan area

EA Risk Surface Water Flooding

Tree Preservation Order

GIRAMS Zones of Influence (various)

Property History:

Reference **PF/23/0776**

Description Erection of 4no. detached dwellings

Outcome Application Withdrawn 08.06.2023

Reference **PF/22/1363**

Description Demolition of existing dwelling, garage and store and erection of replacement two-storey dwelling, detached cart lodge and garden room/store.

Outcome Approved 02.09.2022

Reference **PF/19/1094**

Description Demolition of existing dwelling, garage and store, and replacement with a two and a half storey dwelling with detached double garage, including new entrance wall/gates, alterations to the access and driveway and associated works

Outcome Approved 11.09.2019

Reference **PF/18/0939**

Description Erection of replacement two and a half storey dwelling with integral double garage, including new entrance wall / gates and alterations to the access and driveway

Outcome Refused 04.01.2019

Reference **PF/04/1823**

Description Erection of replacement conservatory

Outcome Approved 18.11.2004

Reference **HR/75/0389**
Description Erection of two bungalows
Outcome Refused 05.08.1975

THE APPLICATION

Full planning permission is sought for the erection of 3 no. 3 bed detached dwellings. Composition of the dwellings would be as follows:

Plot 1 - 1.5 storey 3 bedroom dwelling (185sqm GIA)

Plot 2 - predominantly single storey with small first floor level 3 bedroom dwelling (209sqm GIA)

Plot 3 - single storey 3 bedroom dwelling (177sqm GIA)

The site lies to the rear of Three Gables and Greenbanks, with a track in between leading to the site and providing access for The Garden House (large recent replacement dwelling) to the west of the application site (formerly the land was in the same ownership), with mature trees covered by Tree Preservation Order on the site.

To the south, adjacent to the site is the King George V playing field and to the north lies a public right of way (Holt FP4) going east to west accessible at the end of Peacocks Lane. Further north of the footpath, development is underway on a new housing estate for 83 dwellings (road access from Cley and Woodfield Road), with a pedestrian link providing access to the footpath and Peacocks Lane.

The north of Peacocks Lane, (including where the access to the site is) is private and not maintained by the County Highway Authority. The streetscene is mixed with properties from various periods and densities etc.

Peacocks Lane is single width where it meets Cromer Road.

Further details received during the course of the application

24th April – correspondence received from the agent on advice from their planning lawyer Marcus Galey for the public file on the comments from the Highways Authority.

16th May – further correspondence received regarding previous HELAA considerations.

REASONS FOR REFERRAL TO COMMITTEE:

This application has been referred to the Development Committee as requested by Cllr Martin Batey given the public interest in this proposal.

CONSULTATIONS:

Parish/Town Council

Holt Town Council – **Supports** – recommends Construction Management Plan and consideration to re-surfacing the unmade road at the bottom of Peacock Lane

Conservation and Design (NNDC) – **No objection**, subject to material condition

Landscape (NNDC) – **No objection**, subject to conditions

Norfolk County Council Highways – Refuse on highway safety grounds

Representations:

10 public comments received, main comments summarised below (full comments available on public site);

7 Objecting comments:

- Highways safety concerns at junction with Cromer Road (insufficient visibility, only wide enough for single car at junction)
- Building projects in vicinity have caused noise and access problems and damaged road
- Peacock Lane used as a walkthrough to get to town and playground – conflict between pedestrians and vehicular traffic, in the absence of a continuous pavement
- Detriment to pedestrian safety particular children and elderly
- Insufficient capacity down Peacock Lane to accommodate additional vehicular movements
- Overdevelopment of new housing in the Holt area
- Loss of trees / wildlife / open space
- Lack of need for new housing
- Peacock Lane particularly narrow by the application site, concerns over construction vehicles parking and accessing the site
- Poor / damaged surfacing at the end of Peacock Lane likely to get worse which is used as a footpath
- Concerns over drainage and road disruptions
- Absence of affordable housing and dwellings oversized
- Concerns cartlodges would be used for additional living accommodation
- Height of cart lodge for plot 1 could affect neighbouring amenity and be overbearing
- Issues with quality and detail of the plans and reports
- Inaccuracies in the Transport Assessment - projected vehicular movements underestimated, traffic count not representative
- Concerns over boundary

3 Supporting comments:

- Appropriate to character of area
- Makes good use of the land, and enhances the site
- Good visual design appropriate to the area
- Make a positive contribution to the local housing stock to address local need
- Sustainable location, close proximity to shops and facilities
- Highways response does not appear to take into account the transport study, and comments inconsistent with other applications in town
- Projected vehicular movements exaggerated
- Precedent with recent approvals on Peacock Lane

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.

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 3: Housing

Policy SS 9: Holt

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

CT5: The Transport Impact of New Development

CT6: Parking Provision

Holt Neighbourhood Plan 2016-2036 (August 2023)

Holt1: Design

Holt2: Housing Types and Standards

Holt3: Green Infrastructure

Material Considerations:

Supplementary Planning Documents and Guidance:

Design Guide Supplementary Planning Document (December 2008)

Holt Conservation Area Character Appraisal and Management Proposals (February 2010)

National Planning Policy Framework (2023):

Chapter 2: Achieving sustainable development

Chapter 4: Decision-making

Chapter 6: Building a strong, competitive economy

Chapter 12: Achieving well-designed and beautiful places

Chapter 15: Conserving and enhancing the natural environment

Chapter 16: Conserving and enhancing the historic environment

OFFICER ASSESSMENT:

MAIN ISSUES FOR CONSIDERATION

- 1. Principle of Development**
- 2. Design and landscape impacts**
- 3. Residential Amenity**
- 4. Highways and parking**
- 5. Ecology**
- 6. Recreational Impacts (GIRAMS)**
- 7. Planning Balance and Conclusion**

1. Principle of Development

The site is located within the settlement boundary for Holt, in a residential area to the north of the town centre, to the west of Peacock Lane. Within the settlement boundary the principle of residential development is considered to be acceptable in relation to Development Plan Policies, SS 1, SS 3 and SS 9 of the adopted Core Strategy and Section 2 of the NPPF.

Therefore, subject to compliance with other Core Strategy policies, a development comprising housing is considered acceptable in principle.

2. Design and landscape impacts

Peacock Lane has a varied streetscene, with a mix of dwellings varying in size, scale, styles and materials. The site is located to the rear of dwellings fronting Peacocks Lane, with existing hedging and trees also providing some screening from wider viewpoints, with more visibility from the adjacent playing field and footpath.

The dwellings are designed as a rural cluster of buildings, with simple profile forms, framed spaces and courtyards, brick and pantile external facing materials with some facades with natural cladding with differing scales, and open cartlodes. The design includes a more modern larger extent of glazing and rooflights and solar panels, the overall design, form and composition of the dwellings are considered appropriate and of a good visual design, with scales ranging from single and one and a half storey dwellings. The architecture would include traditional features and include modern detailing. The scale and grain of development is compatible with the local vicinity. The roofs would be formed in clay pantiles; the external walls would be a combination of soft red brick and natural timber boarding. This palette runs through the whole development to provide consistency and reinforce a strong sense of place.

A previous application on the site for 4 dwellings was withdrawn, amendments have been made to the scheme, to address the comments previously raised by the landscape section, and also provided some assistance prior to the current application. Of particular concerns was the extent of tree loss, proximity of houses to the trees, which has been taken into account and addressed by retaining more trees and amending the layout, footprint and positioning of dwellings. The amended layout of the plots makes for an overall improvement on the previous scheme in terms of spatial pressure on the trees and improved amenity space, and there are no objections from the landscape section over the proposed development (subject to conditions more details, protections and details of the enhancements).

It is recognised these are larger dwellings but are of an appropriate scale and layout given the constraints (notably the protected trees present on the site). Additionally, the larger units ensures adaptability to suit all future occupants. Officers consider the overall design and layout is of good quality, and would not result in visual harm to wider area nor adversely impact the designated Conservation Area. The proposal is considered to comply with Policies EN 4 and

EN 8 of the adopted Core Strategy, HOLT1, HOLT2, HOLT3 of the Holt Neighbourhood Plan and Chapters 12 and 16 of the NPPF.

3. Residential Amenity

The development would be reasonably distanced from existing properties, with intervening features and boundary treatments. The dwellings would be primarily single storey (albeit with some rooms in the roof space), and proposed boundary treatments and orientation ensure overlooking concerns are mitigated.

The layout, scale, siting and orientation of the proposed dwellings are considered appropriate, to ensure existing neighbouring amenity, and future occupiers of the site would not be adversely affected by reasons of overlooking, overbearing or loss of daylight or sunlight.

The proposed dwellings do have large footprints within their respective plots, and Officers consider that the private rear amenity space is a limited by comparison to the overall property footprints but, on balance, given the location of the site, and design layout with large spaces (notably for plots 1 and 3) to the front of the dwellings there is considered to be an appropriate extent of garden space and private amenity space for the dwellings.

The proposal is considered to have acceptable residential amenity for existing and proposed residential properties and would comply with Core Strategy Policy EN 4 and Chapter 12 of the NPPF.

4. Highways and parking

Policy CT 5 requires development to provide safe and convenient access for all modes of transport, including access to the highway network. Policy CT 6 requires new development to have sufficient parking facilities. 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. See excerpts from the highway officer comments below (full comments available on the public site);

According to TRICS database (Trip Rate Information Computer Services) a residential dwelling will typically generate 6 vehicular trips per day, therefore it is evident that the proposed development of 3 dwellings ($6 \times 3 = 18$) would engender an increase of that magnitude, over the narrow Peacock Lane

In relation to increased vehicular use of Peacock Lane, the Highway Authority have raised concerns about what they regard as a poorly arranged junction with the busy Cromer Road (C488), which has, in part, a restricted carriageway width and limited pedestrian facilities.

The carriageway width close to the junction with Cromer Road narrows to less than 4.5m, restricting two-way movement and making vehicular 'stacking back' onto Cromer Road a likelihood (should a vehicle be leaving Peacock Lane whilst another is entering from the classified Cromer Road).

In proximity to the site lies King Georges Field, with pedestrian access taken south of the site access whereby it is likely that vulnerable road users would emerge directly onto the narrow Peacock Lane.

The Highway Authority have raised concerns that by permitting additional vehicular traffic originating in close proximity to King George's Field would increase the likelihood of conflict between pedestrians and motor vehicles.

With consideration of the shortcomings and limitations of Peacock Lane itself and particularly its substandard junction with Cromer Road, the Highway Authority would seek to resist any intensification of vehicular use of this road.

Norfolk County Highways have recommended the application be refused on highway safety grounds, in accordance with provisions within the NPPF and local policy. This is due to the substandard junction arrangement where Peacock Lane joins Cromer Road (C488), where Peacock Lane which is of restricted width, is only able to accommodate single file traffic, which impacts traffic flow on Cromer Road where vehicles come out of Peacock Lane. Additionally, the Lane is narrow, particularly towards the junction section before the section of pavement on the west side is available, this extends for only a limited section of the Lane, ends south of the King George V playing field. Peacock Lane also receives notable pedestrian movements to access the playing field and town centre given accessibility to the public rights of way network further north, residents living along and off Peacocks Lane and increased footfall that would be associated with the completion of the housing estate in the future.

Regarding parking, Officers consider there is sufficient parking provision and manoeuvrability provided on site, utilising the existing access from Peacock Lane. There are no concerns around the parking provision being proposed and the proposal would accord with Core Strategy Policy CT 6.

5. Ecology

The application has been supported with an ecological assessment, setting out the site is considered of low ecological value in terms of habitat. The content of the report considered acceptable, and the Landscape Officer has raised no objections with the proposals acceptable in terms of ecological impacts and complies with Core Strategy Policy EN 9 and Chapter 15 of the NPPF. Subject to the works being carried out in accordance with the mitigation and enhancement measures set out, as per the below;

- a. Site clearance and demolition of the shed to take place outside of the breeding bird period (March to August inclusive) or following a pre-commencement check by a suitably qualified ecologist,
- b. Installation of at least two mammal access points measuring 13cm x 13cm within any impermeable boundary features within gardens,
- c. Installation of at least one bat box integrated into each new dwelling,
- d. Installation of at least one sparrow terrace installed on each new outbuilding,
- e. Installation of at least four bird boxes (small hole box or open fronted box) on retained trees.

6. Recreational Impacts (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.

Increased recreation without mitigation is likely to affect the integrity of these Habitat Sites across Norfolk. It would result in the significant features of the sites being degraded or lost, and these internationally important areas losing significant important areas for birds, plants and wildlife generally and, therefore, their designations. All net new residential and tourism development are required to mitigate the effects of the development.

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 (£221.17) 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 3 net new dwellings, and the required contribution of **£663.51** has been made. 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. As this has been received, the proposed scheme would comply with Policy EN 9 of the adopted Core Strategy and Chapter 15 of the NPPF.

7. Planning Balance and Conclusion

The proposal lies within the development boundary of Holt and the principle of residential development is considered to be acceptable under Policy SS 1.

The proposed development is considered to be acceptable in terms of matters of design, residential amenity, ecology, recreational impacts and vehicle parking and would accord with the requirements of Core Strategy Policies SS 1, EN 2, EN 4, EN 8, EN 9 and CT 6. Compliance with these policies would weigh heavily in favour of the grant of planning permission.

However, the proposal has been found to be deficient in relation to provision of safe access for existing and proposed users including pedestrians /people with disabilities (those confined to a wheelchair or others with mobility difficulties). In addition, the unclassified road serving the site is considered to be inadequate to serve the development proposed, by reason of its restricted width at adjacent road junctions. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety. The development would therefore conflict with the aims of Core Strategy Policy CT 5 and this would weigh against the grant of planning permission.

When exercising the planning balance, the Committee will need to take account of the Council's current position in relation to housing delivery. At this time the Council is unable to demonstrate either a five year housing land supply or a four year housing land supply (the latter applies where, under specific circumstances, a Local Planning Authority has a Local Plan submitted for examination). Planning applications must therefore be considered in line with paragraph 11(d) of the NPPF which states that where relevant policies are considered out of date permission will be granted unless the application of policies in the Framework 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 this Framework taken as a whole.

In undertaking the planning balance, Officers recognise that the site is within the settlement boundary for Holt, which is amongst the most sustainable settlements in the district to accommodate new development.

The addition of 3 dwellings would make a positive contribution towards addressing the housing shortfall and support the local economy both during the construction phase and supporting local services and facilities.

However, the proposed scheme is considered to raise highway safety concerns due to the shortcomings and limitations of Peacock Lane and the substandard junction with Cromer Road. The detriment to highway safety that would result from additional vehicular movements is considered, on balance, to marginally outweigh the benefits of the scheme.

RECOMMENDATION:

REFUSE for the following reasons:

- 1. The proposed development does not adequately provide for pedestrians /people with disabilities (those confined to a wheelchair or others with mobility difficulties) – contrary to Policy CT 5 of the adopted Core Strategy and paragraphs 114-116 of the NPPF.**
- 2. The unclassified road serving the site is considered to be inadequate to serve the development proposed, by reason of its restricted width at adjacent road junctions. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety. Contrary to Policy CT5 and paragraphs 114-116 of the NPPF.**

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