

**WEST BECKHAM – PO/23/2643 - Erection of dwelling and car port with ancillary works
(all matters reserved except for access) Land East Of Williams Barn, Church Road,
West Beckham, Norfolk**

Minor Development

Target Date: 27th March 2024

Extension of time:

Case Officer: Ms Jo Medler

Outline Planning Permission (all matters reserved except for access)

RELEVANT SITE CONSTRAINTS:

Countryside LDF

Landscape Character Area - Tributary Farmland

Mineral Safeguarding Area

Advertising Control

NATS

GIRAMS

RELEVANT PLANNING HISTORY:

PF/11/1114

Erection of garden room/double car-port/workshop/garden store with room in roof space, repositioning of gated vehicle access and insertion of window to ground floor west gable - Approved

NMA1/11/1114

Non material amendment request to insert a rooflight, omit a rooflight and insert one high level window in north elevation - Approved

PO/23/1720

Erection of two detached dwellings - outline with all matters reserved - Withdrawn

THE APPLICATION

The application seeks outline planning permission for the erection of a dwelling and car port and associated works. All other matters are reserved apart from access.

The site forms part of the extensive garden area to a property known as William's Barn, to the south of Church Road in West Beckham, which is in the ownership of the applicant. The site is located to the south-east of the existing dwelling, and contains a large number of trees and planting with a grassed clearing towards the southern boundary. William's Barn would continue to retain extensive garden land to the south and east of the property. The existing dwelling has two vehicular access points off Church Road. The eastern access would be solely used by the proposed new dwelling. The western access would be used as it is now by William's Barn and shared with the neighbouring dwelling known as 'Shrublands'.

A Planning Statement has been submitted in support of the application and states that the proposal is for one single storey accessible three-bed self-build home for older people with associated works with all matters reserved except for access. The submitted plans are for illustrative purposes only. A detached car port is also proposed near to the site entrance. In the Planning Statement it confirms the applicant is willing to submit a unilateral undertaking confirming that the dwelling would be self-build or custom built.

There are a mix of types and styles of dwellings in the area, primarily detached with some semi-detached. Whilst there are some traditional brick and flint buildings, including William's Barn itself, there is a variety of use of materials and no single overriding local distinctiveness.

REASONS FOR REFERRAL TO COMMITTEE:

At the request of the Cllr Ringer on the following grounds (summarised):

- A degree of interest within the community has been expressed and indicates a range of viewpoints both in support and against the application.
- There are material considerations that justify a departure from the (in places, out of date) development plan in maintaining the sustainability and vitality of the parish, indicating planning permission should be granted.
- Council has a lack of 5-year land supply.
- There is also a responsibility up on the council to provide a number of self-build dwellings.
- Provision of a new dwelling in this area would help to increase the vitality and sustainability of the parish of West Beckham and be in line with paragraph 79 and 134 of the NPPF.
- Proximity of site to The Wheatsheaf pub, West Beckham's playground and parish church increase the likelihood that this dwelling will make a positive impact on those assets, particularly when as evidenced, there is some vulnerability.
- William's barn has two accesses and so this will not be a new access, but a re-allocation.
- There is little to suggest that there will be any other than a negligible impact on the highway.
- Although there is an acknowledgement that there is likely to be a reliance on the private vehicle, there is some proposed Cycle Parking 1 mile from the site in Bodham where there is a very regular bus service available.
- The applicant has engaged with the process and reduced the plot from two dwellings to one.
- The area of land proposed is not agricultural land but a large but disjointed piece of garden for Williams Barn which appears to not to be being utilized at all by that dwelling.
- It is low density infill rather than genuine development in the countryside.

REPRESENTATIONS:

One representation has been made objecting to this application. The key points raised in **OBJECTION** are as follows (summarised):

- Unsustainable location.
- Lack of facilities.

- Will lead to increased danger to road safety.
- Will encourage use of private car, together with associated pollution, accident potential and road usage.
- Contrary to Policy SS 2.
- West Beckham does not have the facilities for an older market in terms of shops, fuel, health services, banks etc.
- Poor road access.
- Location could lead to isolation of older inhabitants and/or inhabitants with impaired mobility or access issues.
- No medical or social care facilities in the village.
- Will place further pressure on already stretched NHS services in area.
- Public transport very limited, with bus stop approx. half a mile away with poor access on foot.
- Would not add any economic benefits to the village or local rural economy.
- Housing and Economic Land Availability Assessment recently undertaken considered all sites in West Beckham, which failed the suitability assessment and were considered to be “unsuitable as the site is remote from services and facilities”.
- Proposal would have negligible impact on vitality of West Beckham.

In addition, three representations have been made in support of this application. The key points raised in **SUPPORT** are as follows (summarised):

- Will make very little impact to the surrounding area and inhabitants and is carefully sited to make little impact on the surrounding village.
- Promoting homes built of materials that will fit in with the area.
- Reassuring that sustainability has been considered, ask that solar panels and electric vehicle charging points are incorporated into the design.
- Great to see that local landscape and biodiversity net gain have also been considered and that new trees will be planted.
- Management of construction vehicles will be important.
- Will meet the ‘whole life needs’ of the occupiers. These types of houses are much needed in the village.

CONSULTATIONS:

Ward Councillor – Comments provided as above.

West Beckham Parish Council – No objection.

Landscape - Arboriculture (NNDC) – Object. Insufficient information provided in relation to tree removal and visibility splays in order to be able to fully assess the proposal.

Landscape – Ecology (NNDC) – No objection subject to conditions.

Norfolk County Council Highway Authority – Object. The proposal would result in a clear increase of 6 daily movements attributable to a new dwelling. There will therefore be an

increase in the use of the vehicular access, which currently has substandard levels of visibility which cannot be resolved without third party land.

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 2: Development in the Countryside

Policy SS 4: Environment

Policy SS 6: Access and Infrastructure

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

Policy EN 4: Design

Policy EN 6: Sustainable construction and energy efficiency

Policy EN 9: Biodiversity and geology

Policy EN 10: Development and Flood risk

Policy EN 13: Pollution and hazard prevention and minimisation

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)

Conservation of Habitats and Species Regulations 2017 (as amended)

National Planning Policy Framework (NPPF) (December 2023)

Chapter 2: Achieving sustainable development
Chapter 4: Decision-making
Chapter 5: Delivering a sufficient supply of homes
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

OFFICER ASSESSMENT:

Planning Background

The current application has been submitted following the withdrawal of planning application reference: PO/23/1720. That application was submitted in August 2023 for the 'Erection of two detached dwellings – outline with all matters reserved' on the same application site being considered under the current application.

The previous application was withdrawn following concerns raised by Officers in relation to the principle of the proposed development, and objections received from consultees in relation to landscape impacts, trees and ecology, and a holding objection from the Highway Authority regarding highway safety. As a result Officers were minded to refuse the application.

However, the applicant decided to revise the proposal and reduce the number of dwellings from two to one and withdrew application PO/23/1720, hence the current application.

It is clear that whilst it may have been possible to overcome some of the previous concerns in relation to landscape/trees/ecology and highways, subject to acceptable details being submitted, a revised proposal would not overcome the principle objection. However, any material considerations would be taken into account in the determination of the application.

Main issues for consideration:

- 1. Principle of Development**
- 2. Highway Safety**
- 3. Design and layout**
- 4. Energy efficiency**
- 5. Amenity**
- 6. Landscape/Trees**
- 7. Ecology/ Biodiversity/GIRAMS/NN**
- 8. Drainage**
- 9. Other matters**
- 10. Conclusion and recommendation**

1. Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out a statutory

requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) at paragraphs 2 and 12 restates this requirement.

Policy SS 1 of the adopted North Norfolk Core Strategy (NNCS) sets out the spatial strategy for the District and directs development to the areas which have been identified as sustainable locations. West Beckham is not one of those areas and is therefore designated as Countryside under Policy SS 2. Development in the Countryside policy area is limited to that which requires a rural location and falls under one of the categories listed in the policy. The only new build residential development which may be permitted in a countryside location is affordable housing (providing it complies with the rural exception policy), housing where it can be demonstrated that it is required to meet the needs of full-time workers in agriculture, forestry or other essential workers connected with the land or if there are material considerations which would be sufficient to justify a departure from Development Plan policies.

Policy SS 4 of the NNCS requires all developments to contribute to the delivery of sustainable development, ensure protection and enhancement of natural and built environmental assets and geodiversity, and be located and designed so as to reduce carbon emissions and mitigate and adapt to future climate change.

Policy SS 6 of the NNCS requires development to be supported by good access and maximising non-car modes, promoting walking and cycling and the use of public transport.

In the Planning Statement submitted with the application it is acknowledged that the site is located within the Countryside where new residential development is not normally permitted unless there are material considerations which permit otherwise. It is also acknowledged that West Beckham is not well served by public transport and that the proposed dwelling will largely have its transport needs met by the use of private cars. However, the applicant considers there to be material considerations which would outweigh a departure from development plan policies. These material considerations are set out in the Planning Statement as including the emerging Local Plan, the Council's 5 year housing supply, the NPPF, the need for self-build and custom homes, and the North Norfolk Design Guide. The submitted Planning Statement examines what the applicant considers to be two key questions as follows:

1. Whether the application site is in an appropriate location for new development having regard to the development plan and other material considerations; and
2. The effect that the proposed development would have on the character and appearance of the area.

In the supporting Planning Statement reference is made to the Spatial Strategy set out in Policy SS 1, which designates West Beckham as Countryside, and that in such locations development will be restricted to that which supports the rural economy. Although this is correct, it is considered that a single dwelling would have a very limited impact on the rural economy as set out in the 'Sustainability' section of this report.

Reference is also made to Policy SS 2, which limits new residential development in the countryside to that which requires a rural location or for development such as renewables or affordable housing. Whilst under Policy SS 2 'renewable energy projects' are a use permitted

in the countryside this proposal is ultimately seeking permission for a new dwelling. Sustainable construction and energy efficiency methods are indicated in the application, which are addressed under Policy EN 6 of the Core Strategy. With regard to affordable housing and based on the information submitted with this application the proposal is not for an affordable dwelling. Reference has been made in the supporting Planning Statement that “*the scheme provides an opportunity to provide a ‘Discounted market sales’ dwelling in accordance with Annex 2 of the NPPF, under ‘Affordable Homes’. A ‘Discounted market sales housing is sold at a discount of at least 20% below market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households*”. No other information has been provided with the application in relation to this matter.

When assessed against the above policies, the development as proposed is contrary to the aims of Policies SS 1 and SS 2 of the NNCS, which have found to be sound and up to date through numerous appeal decisions in terms of where development should be located in line with sustainable development principles. Policies SS 1 and SS 2 of the Core Strategy are therefore considered to carry significant weight in the determination of applications for new residential development in the Countryside policy area.

The proposal does not therefore comply with the aims and requirements of Policies SS 1, SS 2, nor is it considered to comply with Policy SS 4 and Policy SS 6 of the NNCS.

In terms of material considerations these are taken in turn below:

Housing Land Supply

The NPPF requires Local Planning Authorities to identify a five-year supply of specific deliverable sites to meet housing needs.

However, in accordance with paragraph 226 of the new NPPF, which was published on 19th December 2023, Local Planning Authorities that have an emerging local plan that has been submitted for examination will only be required to demonstrate a minimum of four years supply rather than five years. This applies to any planning applications seeking permission for new residential development that were validated on or after 19th December 2023.

At the current time the council is unable to demonstrate that it has four years’ worth of deliverable sites. Planning applications will therefore be considered in line with paragraph 11(d) of the NPPF, which supports the presumption in favour of sustainable development. The ‘tilted balance’ is therefore applied. Paragraph 11 d) states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission will be granted unless;

- i) The Framework policies that protect areas or assets of particular importance provide a clear reason for refusing the development proposed, or;
- ii) The adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Framework as a whole.

In this case paragraph 11 d) ii) would be applicable, requiring that the starting point in assessing the proposal would be against the adopted policies contained in the Development

Plan. As referred to earlier in this section of the report, given the sites location within West Beckham, which is designated as Countryside under Policy SS 2, it is not considered to be a sustainable location. The proposal would therefore remain contrary to Policies SS 1 and SS 2 of the adopted NNCS.

Emerging Plan Policies (North Norfolk Local Plan Proposed Submission Version (Regulation 19 Publication) January 2022)

In response to the Planning Statement which refers to the emerging local plan as a material consideration, the emerging plan policies carry very limited weight at this time. However, for clarity, Policy SS 1 'Spatial Strategy' of the emerging plan supports sustainable growth, and sets out the overall settlement hierarchy for those areas of growth over the new plan period. West Beckham is not identified as a sustainable growth location under this emerging plan policy, and is therefore proposed to remain designated as Countryside, as under the current plan, should the policy be adopted as submitted.

Emerging plan Policy SS 2 'Development in the Countryside' sets out a list of the types of development for which planning permission would be granted, subject to complying with the policies of the plan in this location, and includes the following:

- *affordable homes, replacement dwellings, sub division of dwellings, essential rural workers accommodation;*
- *small scale residential development adjacent to the defined settlement boundaries of Small Growth Villages in accordance with Policy SS 1 'Spatial Strategy';*

The current proposal does not comply with any of these categories.

Emerging plan Policy HOU 1 'Delivering Sufficient Homes' applies to development which accords with the settlement hierarchy, which this proposal does not as the land is designated as Countryside and is proposed to remain as such under the emerging plan. This policy also states that if during the plan period the Council is unable to demonstrate a Five Year Land Supply it will apply a presumption in favour of sustainable development to development proposals.

Sustainability

Under the NPPF there is a need to consider whether the development is sustainable. Paragraph 7 of the NPPF states that *'the purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner'*.

In doing so there is a need to consider the three overarching objectives set out in paragraph 8 of the NPPF, which need to be met regarding the application of the presumption in favour of sustainable development. The objectives are as follows:

- a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at

the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

- b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy

In terms of addressing the objectives of sustainable development, whilst there would be some economic benefits generated during the construction phase and consumer spending on goods and services by the occupants of the dwelling within the local economy, given the application is for one dwelling, any benefits in this regard would be very limited. In addition, owing to the lack of services and facilities within the immediate vicinity of the site, or nearby villages, it is unlikely that the proposed dwelling would result in any significant level of local support.

The social aspect of sustainable development would be met through the contribution made to the housing stock. However, given the distances to the nearest services, the benefits of the provision of a dwelling in this location are again very limited in this regard.

With regard to the environmental objective of this development the proposals could reasonably be expected to demonstrate a degree of inherent sustainability through compliance with Council supported energy efficiency and Building Regulations standards, and through the carrying out of the low carbon, energy efficiency claims made in the application and biodiversity net gains proposed.

Notwithstanding the environmental benefits that could be achieved through this proposal, this remains a development for a single dwelling, which would have very limited economic and social benefits. These are not considered to be sufficient to outweigh the conflict with the adopted Development Plan which seeks to promote development within identified settlements to promote sustainability.

In addition to the consideration of the above, Chapter 5 of the NPPF (Delivering a sufficient supply of homes) specifically addresses 'Rural Housing' under paragraphs 82, 83, and 84. Paragraph 82 refers to rural exception sites providing affordable housing to meet identified local needs, which is not applicable in this case, and paragraph 84 refers to criteria applicable to isolated homes in the countryside, which this is not. However, Paragraph 83 is considered applicable and is referred to in the submitted Planning Statement.

Paragraph 83 of the NPPF promotes sustainable development in rural areas and states that '*housing should be located where it will enhance or maintain the vitality of rural communities*'. It goes on to say that '*Planning policies should identify opportunities for villages to grow and*

thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

In the supporting Planning Statement paragraph 89 (formerly 85) of the NPPF has been quoted regarding '*Supporting a prosperous rural economy*'. This paragraph states that '*policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport*'. Whilst it could be argued that a dwelling would support the rural economy, is on previously developed land (garden) and is physically well related to the existing settlement, such proposals should only be encouraged where suitable opportunities exist. For the reasons already stated in this report it is not considered that a single dwelling in this location is a suitable opportunity as it would make a minimal contribution to the rural economy which would not be sufficient to outweigh the policy conflict in terms of its unsustainable location.

West Beckham is not considered to be a sustainable location, due to its very limited range and number of services/facilities. There is The Wheatsheaf Public House and St Helens and All Saints Church. Both of which are in close proximity to the application site, and in walking distance. However, given this very limited level of services/facilities it is therefore considered that residents are likely to travel to other settlements for the day-to-day services they require. This application seeks the erection of a single dwelling and it is therefore considered that this proposal would make a very limited contribution to supporting local services either in West Beckham or the surrounding settlements. Whilst there is a bus service from West Beckham to surrounding areas, the timings of this service are considered to be limited. It would therefore be inevitable that the occupiers of the dwelling would rely on the private car to access basic services and facilities.

The nearest large settlement would be Sheringham which is a Secondary Settlement as designated in the Spatial Strategy hierarchy. The A149 Coast Road in Sheringham, where the nearest services can be accessed, is approximately 3 miles from the application site. The roads leading to Sheringham from the application site are unlit country lanes, with no footpaths and would require crossing the A148, which is designated a Principal Route and is heavily trafficked. The nearest Principal Settlement would be Holt, which is approximately 5 miles from the application site, and has similar accessibility issues, although when reaching High Kelling there is a footpath into Holt town centre. Bodham is the nearest area of development, approximately 1 mile away along an unlit, country lane with no footpath. Like West Beckham it is not considered to be a sustainable location and is designated as Countryside with limited services and facilities.

Taking the above into account, it is not considered to accord with the aims of Core Strategy Policies SS1, SS 2, SS 4 and SS 6 of the adopted North Norfolk Core Strategy, nor would it align with the overarching sustainable development objectives of paragraphs 7, 8, 9, 10, 11, 12, 83, 84 and 89 of the NPPF.

Self build and Custom build

The supporting Planning Statement submitted with this application states that the proposed dwelling would be a self-build/custom build property. The Self-build and Custom Housebuilding Act 2015 ('The Act', as amended by the Housing and Planning Act 2016 and

the Levelling-up and Regeneration Act 2023), and the Self build and Custom Housebuilding Regulations 2016, together provide the legislative basis for promoting Self and Custom Build Housing in England.

The Act requires the Council to maintain a register of persons “who are seeking to acquire serviced plots of land in the authority's area for their own self-build and custom housebuilding”.

The Act places a duty on the Council such that the Council “must give development permission for the carrying out of self-build and custom housebuilding on enough serviced plots of land to meet the demand for self-build and custom housebuilding in the authority's area in respect of each base period”.

The Act goes on to set out that:

“(a)the demand for self-build and custom housebuilding in an authority's area in respect of a base period is the aggregate of—

(i)the demand for self-build and custom housebuilding arising in the authority's area in the base period; and

(ii)any demand for self-build and custom housebuilding that arose in the authority's area in an earlier base period and in relation to which—

(A)the time allowed for complying with the duty in subsection (2) expired during the base period in question, and

(B)the duty in subsection (2) has not been met;

(aa)the demand for self-build and custom housebuilding arising in an authority's area in a base period is evidenced by the number of entries added during that period to the register under section 1 kept by the authority;

Irrespective of whether a dwelling is custom or self-built, this does not negate the application of the strategic development plan policies, in particular Core Strategy Policies SS 1 and SS 2 to focus development in sustainable locations and for those types of development which require a rural location and falls under the forms of development listed in Policy SS 2.

The Planning Statement submitted with the application refers to the *‘currently high need for purpose built self build homes for older people both market and affordable’*, and that this proposal *‘would help to address that need’*. It also refers to the *‘unmet need for self build and custom build homes in the district’*. However, it is unclear where this need in the District has been evidenced. There is also no requirement for this dwelling to be for ‘older people’. It has not been defined in the application what is meant by ‘older people’.

North Norfolk may well have an ageing population, but that does not mean it is acceptable to build in unsustainable locations. It could be argued that an ageing population need good access to services, facilities and public transport. These are not available in West Beckham.

The *‘custom and self-build housing’* Register evidences a very modest requirement for custom and self-build plots in North Norfolk, as published on the Council's webpages at [Home | Custom and Self-Build Housing Register \(north-norfolk.gov.uk\)](https://www.norfolk.gov.uk/home/custom-and-self-build-housing-register). The Council's current position is that policies in the emerging Local Plan have been developed in order to address this modest

demand and that, in the interim, officers continue to seek to negotiate provision of self-build plots where appropriate. The Council has been successful in granting suitable development under PO/17/0680 which includes up to 30 serviced custom or self-build plots in Fakenham, secured by S106 agreement. This permission is granted in a sustainable location in accordance with the adopted settlement hierarchy. Emerging plan Policy HOU 2 'Delivering the Right Mix of Homes' includes self-build and custom build homes requirements for at least one plot or 2% of total number of units, whichever is greater for 26 – 150 dwellings, or sites larger than 4 hectares, or for 151 dwellings and above.

The application has been put forward on the basis that the proposed dwelling would be occupied by the applicant and that it should be treated as a self-build proposal. An expression of need for such plots via the self-build register, is a material consideration to which sufficient weight should be attached to justify the policy departure. Very little evidence has been provided with the application to suggest that the proposed plot would be a 'self build' or 'custom build' dwelling, other than in name only, and through the offering of a Unilateral Undertaking to secure this. There is no clear evidence of demand for any other self-build plots in this location or that the Council is failing to meet its duties under the Self Build and Custom Housebuilding Act 2015. Nor is there any evidence of any policy or guidance that suggests that self-build dwellings should be permitted contrary to, or as an exception to, other development plan policies that direct development to suitable, sustainable locations. Whilst Officers recognise the duty placed on the Local Planning Authority under the Act, this does not provide an unqualified basis for allowing development which would otherwise conflict with other relevant policies in the Development Plan or policies within the NPPF. Officers consider that the applicants case does not adequately justify the erection of a new dwelling in an otherwise unsustainable location.

2. Highways

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 to serve the development's needs.

The submitted application is seeking outline permission with all matters reserved apart from access.

Based on the information submitted with the application, the proposed dwelling would be served by one of two existing vehicular accesses that currently serve William's Barn. The existing eastern access would serve the application site, and the existing western access would serve William's Barn and is shared with the neighbouring property known as 'Shrublands'. Despite the proposed site plan referring to a visibility splay report this has not been submitted with the application. The proposed site plan also requires updating as reference is still being made to the eastern access being shared by the two dwellings which were proposed under the previous application now withdrawn. Clarification has been sought on this matter but it remains unresolved.

Norfolk County Council Highway Authority have been consulted on the application, and initially raised a holding objection until such time as a suitable access and visibility arrangement was submitted, in order for a formal response to be provided. This is due to the fact that the site

would be accessed via an unmade access with substandard levels of visibility which cannot be resolved without third party land. This information was provided to the applicant's agent, in order for them to respond and/or address the objection raised.

In response to the Highway Authority's holding objection the applicants agent stated that *'There are currently two existing accesses to the site. It is proposed that access to the new dwelling would be from the existing dedicated eastern access, with Williams Barn continuing to use the western access. The existing drive would be extended southwards to create an access for the new dwelling. Level access would be provided to the front and rear of the dwelling. There will be a negligible impact on highways resulting from one new dwelling'*.

Reference is also made in the agent's response to the Highway Authority objecting on the locational sustainability of the site. The agent states that the same holding objection was raised on the Broadland Housing Association scheme (PF/23/1065), which is located in close proximity of the application site. However, whilst sustainability of the location is referred to in the Highway Authority's holding objection, they have confirmed in that consultation response that this does not form part of their objection and they are leaving that matter for the consideration of the local planning authority.

The agent again refers to application PF/23/1065, and that under that application it was proposed to mitigate the harm arising and provide new cycle parking provision at the village hall to facilitate more travel by bicycle. This was indeed indicated by the applicant for that application. The village hall in question is in Bodham, not West Beckham, but is shared by both communities. This is approximately 1 mile from the application site. The agent goes on to say that *'there is unlikely to be any substantial harm arising from one new dwelling at Williams Barn and therefore it is not suggested that mitigation is provided. However, the cycle parking provision will be available for the future occupiers to utilise. There are many benefits of the proposed scheme that weigh in its favour and demonstrate it to constitute sustainable development (both social, economic and environmental).'* The agent does not therefore agree with the views of the Highway Authority and have not provided any further information to address the concerns raised.

In light of this the Highway Authority have now confirmed that they are objecting to the application. This is on the grounds that there would be a clear increase of 6 daily movements attributable to a new dwelling. There will therefore be an increase in the use of the vehicular access, which currently has substandard levels of visibility which cannot be resolved without third party land.

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'*.

Paragraph 116 of the NPPF states that *'Within this context, applications for development should:*

a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public

transport services, and appropriate facilities that encourage public transport use;

b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;

c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and

e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations'

In light of the comments from the Highway Authority the applicant has failed to demonstrate a safe and acceptable access to the site. The proposal would therefore result in an increase in traffic using an access with restricted visibility which would have an unacceptable impact upon highway safety. The proposal is therefore contrary to Policy CT 5 and SS 6 of the Core Strategy.

In terms of car parking, as this is an outline application, all other matters apart from access are reserved and are not therefore for consideration under this application. However, based on the parking standards in Appendix C of the North Norfolk Core Strategy and Policy CT 6, should the development remain as a 3 bedroom dwelling then a minimum of 2 car parking spaces for the proposed dwelling would be required. Car parking for the proposal cannot therefore currently be fully assessed, but based on the indicative plans it would suggest that two car parking spaces could be accommodated on the site (though indicated to be within a car port which is orientated the wrong way in terms of accessibility, though again indicative only), this is subject to the car parking not having a significant impact upon trees or any highway matters. It is not clear, however, whether sufficient parking space would remain for the existing property which is a 5 bedroom holiday let, noting that the parking for the proposed dwelling would take up some of the parking/turning space serving this existing property.

An Electric vehicle charging pointing is shown on the plans, but these are indicative only. No further details are provided, therefore this matter cannot be taken into consideration at this time. The suggestion of an electric vehicle charging point does not outweigh the objections raised by the Highway Authority or those in relation to the unsustainable location of the site.

3. Design and layout

Policy EN 4 states that all development should be designed to a high quality, reinforcing local distinctiveness. Design which fails to have regard to local context and does not preserve or enhance the character and quality of an area will not be acceptable.

The application is in outline form, with only the access for consideration at this stage. Details in relation to the design and appearance of the dwelling, any sustainable construction

measures, energy efficiency and parking arrangements would be determined at the reserved matters stage should outline planning permission be granted.

Whilst plans of the siting and design of the proposed dwelling have been submitted with the application, they are indicative only, and are not for consideration at this stage. By submitting indicative plans the applicant is providing an indication of what the development of the site may involve. There is no guarantee the development shown on the indicative plans would be built should permission be granted. Ultimately what is being considered under this application is the principle of development of the site for a single dwelling, along with the vehicular access. Any design and siting could be submitted at a reserved matters stage.

Notwithstanding this the Planning Statement refers to a 'modest' dwelling. It is not considered that the indicative plans reflect a modest dwelling. The indicative plans would require further consideration in relation to design, scale, siting, orientation and impacts upon trees. Further consideration in relation to the siting of the car port would also be required as this would be poorly related to the dwelling, and would result in a long walk down the driveway. This raises questions over the practicalities of the siting of the car port and how it may be used.

However, should outline planning permission be granted, it is considered that the site is capable of accommodating a dwelling subject to no objections being received from Landscape in relation to harmful impacts upon trees and the character of the area. The proposal would therefore broadly accord with the aims of Policy EN 4 of the Core Strategy in terms of design. Further details of siting and design would be a consideration at Reserved Matters stage.

4. Energy Efficiency

Whilst matters of energy efficiency are not for consideration under this outline application, the indicative plans show solar PV panels on the roof of the proposed dwelling and an Air Source Heat Pump. The Planning Statement submitted with the application refers to renewable energy uses as part of the proposal, and that the proposed dwelling would be of a low carbon construction, which would provide an energy efficient purpose built home fit for purpose for older people. This may well be the case, but no other details or other information have been provided at this stage, so limited weight can therefore be applied to this matter. In addition, this matter alone does not override the principle objection in terms of the unsustainable location.

Subject to further details being provided at reserved matters stage, the proposed development is capable of complying with Policies EN 6 and SS 4 of the Core Strategy.

5. Amenity

Policy EN 4 requires that proposals should not have a significantly detrimental effect on the residential amenity of nearby occupiers. The design and appearance of any dwelling permitted is for consideration at the reserved matters stage. However, given the enclosed nature of the site, due to trees and vegetation and distance/relationship to the neighbouring dwelling to the east and the applicants dwelling to the west it is considered that a proposed new dwelling could be accommodated on the site in a manner which would not have a significant detrimental impact upon any neighbouring properties by way of overlooking,

overshadowing, loss of amenity or outlook and which would therefore satisfactorily accord with Policy EN 4 of the North Norfolk Core Strategy. This is in relation to amenity only and does not negate any further landscape or highways comments which may conclude that a proposed dwelling is not acceptable in this location.

6. Landscape and Trees

Landscape

Policy EN 2 requires that development proposals should demonstrate that their location, scale, design and materials will protect, conserve and, where possible, enhance the area's special qualities and local distinctiveness (including its historical, biodiversity and cultural character). This policy also highlights that development proposals should protect, conserve and enhance 'gaps between settlements and their landscape setting', whilst ensuring that development is informed by and sympathetic to the distinctive character areas identified in the North Norfolk Landscape Character Assessment (January 2021).

The application site lies within the Tributary Farmland Landscape Type, of which some of the key characteristics are a rural landscape, with hedgerows and mature trees frequent features, settlement is typically rural villages semi-nucleated or nucleated around a church with linear extensions along roadways, a network of quiet lanes. Valued features and qualities include a strong rural character with a sense of remoteness and tranquillity, the woodland cover, hedgerows and hedgerow tress contributing to the visual amenity, rural historic villages and lanes, and long range expansive views. A Force for Change and detractor includes increasing infill development, increases in light pollution associated with new building. The Landscape vision for these landscape character areas requires that new development be successfully integrated within the existing settlements where it reinforces traditional character and vernacular, and the landscape retains a rural character with dark night skies. New planting associated with development should blend with existing features rather than simply trying to screen new development. Layers of vegetation may be more appropriate than one thick screen using species relevant to the local area.

A Landscape and Visual Impact Assessment has been submitted with the application. Having consulted with the Landscape Officer they have confirmed that reduction from two dwellings to one dwelling proportionately reduces the landscape and visual impact that was previously raised as a concern. The proposal for one dwelling allows for the retention of the southern boundary vegetation, which minimises landscape and visual impact from the south.

However, whilst indicative plans have been submitted they cannot be relied upon in terms of what the development of the site may look like. If the plans were to change this could alter Officer opinion. Whilst off-site mitigation planting is proposed, the character of the site will fundamentally alter.

Trees

An Arboricultural Impact Assessment (AIA) has been submitted with the application. This includes tree surveys of the application site, and shows which trees and vegetation is proposed to be removed on the site to make way for a proposed dwelling. However, given that this is an outline application this appears to have been based on the indicative plans.

The Landscape Officer has been consulted on the application and is currently raising an objection in relation to trees. The Landscape Officer advises that the site has good tree cover, and there are important and good quality trees on site and some lower quality trees. However, the AIA submitted with application provides no detail of vegetation removal to facilitate the visibility splays required by Highways. Since this outline application includes consideration of the access, more detailed plans are required accurately setting out the visibility splays and showing exactly the vegetation that will need to be removed to achieve this.

With regards to the remainder of the site should the application be approved, and the indicative plans submitted as part of a reserved matters application, then further consideration of the proposal in relation to trees would be required. This should include further consideration of the siting of the proposed dwelling, to help reduce the number of trees proposed for removal. It is considered that the indicative plans would incur more tree removal than needed to accommodate a modest dwelling within this garden plot. There is a natural clearing on the site, which could be utilised and further minimise tree removal on the site. Whilst this would bring the proposed dwelling closer to the southern boundary of the site, which faces the wider landscape and open countryside, careful consideration in relation to design would be required so as not to increase the visual impact of the proposed dwelling on the character and appearance of the surrounding countryside, including light pollution. That cannot be fully assessed until such time as a reserved matters application is submitted.

Based on the information currently submitted Officers are not able to support the proposal as insufficient information has been provided in which to be able to make a full assessment, particularly in regards to the site access. The proposal would therefore be contrary to Policies EN 2 and EN 4 of the Core Strategy.

7. Ecology/ Biodiversity/ GIRAMS/ NN

Policy EN 9 requires that all development proposals protect the biodiversity value of land and buildings and incorporate biodiversity conservation features where appropriate. Where there is a reason to suspect the presence of protected species, applications must be accompanied by a survey assessing their presence. If present, the proposal must be sensitive to and make provision for their needs.

Ecology

The application is supported by an Ecological Assessment Report. A summary of the findings includes:

- The site is currently garden land comprising lawn, shrubs and trees.
- No unexpected impacts upon designated sites or priority habitats are foreseen, with impacts upon designated sites restricted to cumulative recreational impacts which will be dealt with through payment of the Norfolk GIRAMS tariff.
- Most species of conservation concern are scoped out of the assessment with those scoped in including foraging bats, nesting birds, hedgehogs and widespread moths.
- Avoidance and mitigation measures are recommended, including commencing works outside of the nesting bird season (March to August inclusive) and wildlife-friendly

lighting design.

- Grassland enhancement, hedgerow retention and tree planting (approx. 22 trees) is proposed off-site (on a paddock in the applicant's ownership adjacent to (southwest of) the site) for the loss of habitats at the site.
- Enhancement measures recommended include soft landscaping of benefit to wildlife (tree planting, wildflower sward and native shrubs), and the installation of three bird boxes (small-hole, open-fronted and one for tawny owl) and two bat boxes.

Having consulted with the Landscape Officer, they are satisfied with the assessment and recommendations made within the report. Whilst it is never desirable for significant numbers of trees and vegetation to be removed, the report and associated Biodiversity Net Gain calculations demonstrate a net gain could be achieved, albeit 3.5km south-east of the development site.

Due to the low ecological value of the existing site, the Landscape section hold no objection to the proposed development on ecological grounds subject to a condition to secure the following specified mitigation and enhancements:

- Any clearance of woody vegetation to take place outside of the breeding bird period (March to August inclusive) or following a pre-commencement check by a suitably qualified ecologist.
- Any external lighting must be installed following best practice guidance, e.g. operate using motion sensors on a 1 min or less interval, be mounted horizontally to the ground and not tilted upwards, and in the warm white spectrum (preferably <2700K).
- Installation of three bird boxes
- Installation of at least two bat bricks/tubes integrated into the new dwelling.

Subject to the satisfactory implementation of conditions securing the above requirements, it is considered that the proposal will satisfactorily accord with Policy EN 9 of the Core Strategy.

Biodiversity Net Gain (BNG)

A Biodiversity Net Gain Estimates Report, along with the Statutory Biodiversity Metric calculation tool and Technical Annexe 1 have been submitted with the application. Whilst the planning application was submitted prior to the 10% BNG mandatory requirement coming into effect for small developments (2nd April 2024), this has in any case formed part of the supporting information for this application, and is a material consideration.

The mandatory BNG requirement is an approach to development that aims to leave the natural environment in a measurably better state than before, and requires a commitment by the developer to provide a minimum of 10% BNG for at least 30 years. This is secured through a pre-commencement condition, and planning legal obligations.

There are three ways a developer can achieve 10% BNG:

1. They can enhance and restore biodiversity onsite within the red line boundary of a development site.

2. If developers can only achieve part of their BNG onsite, they can deliver through a mixture of onsite and offsite. Developers can either make offsite biodiversity gains on their land outside the development site or buy offsite biodiversity units on the market.
3. If developers cannot achieve onsite or offsite BNG, they must buy statutory biodiversity credits from the government. It must be a last resort. The government will use the revenue to invest in habitat creation in England.

Developers can combine all three options but must follow the steps to comply with the biodiversity gain hierarchy.

Based on the information submitted with the application it is stated that the minimum 10% requirement can be achieved off-site on a paddock in the applicant's ownership adjacent to (southwest of) the site. The Biodiversity Net Gain Estimate report states that this could be achieved in the form of grassland enhancement, hedgerow retention and tree planting (approx. 22 trees).

Having consulted with the Landscape Officer they have advised that the off-site mitigation is integral to the proposed development minimising biodiversity loss and achieving a net gain in accordance with paragraph 180 of the NPPF and Policy EN 9 of the Council's adopted Core Strategy. Therefore, in order to ensure implementation of the off-site compensatory habitats and ongoing management for the next 30 years, a planning obligation (e.g. S106 agreement) or condition will need to be agreed as part of an approval of this application prior to the issuing of a decision.

The Committee should note that the mandatory 10% BNG requirements do not apply to this application and an increase of 0.1% is the bare minimum required to be achieved. The applicant is therefore proposing a biodiversity net gain above and beyond that required to be achieved. Nonetheless, the offer of 10% BNG would need to be weighed in the planning balance.

GIRAMS

The site lies within the Zone of Influence of a number of European sites. The proposed net increase of one dwelling would trigger the requirement for a financial contribution towards the strategic mitigation package in accordance with the Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS). The developer contribution is currently set at £221.17 per dwelling and is index linked with inflation. The Planning Statement submitted with the application states that the GIRAMS payment will be made. However, at the time of writing this report no payment had been received. Should this application be approved then payment will be required prior to issuing the decision.

Subject to securing payment of the fee, should the application be approved, then the proposal would comply with Policy EN 9 of the Core Strategy. If refused, the non-payment of the tariff should be included as a refusal reason (as recommended).

Nutrient Neutrality

The application has been assessed against the conservation objectives for the protected habitats of the River Wensum Special Area of Conservation and the Broads Special Area of Conservation and Ramsar site concerning nutrient pollution in accordance with the

Conservation of Species and Habitats Regulations 2017 (as amended) (Habitats Regulations). The proposal will result in additional overnight accommodation; and it is located within the surface water catchment for the River Bure. The Drainage Strategy submitted as part of the planning application confirms that the foul water sewer discharges to the catchment for Cromer Water Recycling Centre (WRC), and then out to sea. Foul water therefore is discharged outside of the nutrient catchments. On this basis, provided these drainage arrangements remain in place, the proposal is not likely to have a significant effect on the conservation objectives either alone or in combination with other projects and there is no requirement for additional information to be submitted to further assess the effects. The application can, with regards nutrient neutrality, be safely determined with regards the Conservation of Species Habitats Regulations 2017 (as amended). For the reasons provided above, it is considered the proposal complies with the requirements of Policy EN 9, and Chapter 15 of the Framework.

In terms of an overall conclusion, subject to the GIRAMS payment being made prior to the determination of the application, should it be approved then the proposal would be acceptable and comply with Policy EN 9 of the Core Strategy.

8. Drainage

A Drainage Strategy has been submitted with the application in respect of both the foul and surface water drainage for the site. Based on the information submitted it is proposed that the site would connect to the existing foul water public sewer in Church Street and use sustainable drainage systems to manage surface water drainage, such as soakaways and permeable surfaces.

It is therefore considered that the proposal is acceptable in terms of drainage and flooding and complies with Policy EN 10 of the Core Strategy and meets the foul and surface drainage hierarchy of the NPPF.

9. Other matters

Members may recall that there have been two recent applications for housing in West Beckham. One along Church Street, in close proximity to the application site, and one along Sheringham Road. However, these applications were for affordable housing through the Council's exception policy, with a Social Registered Landlord on board. The policies for determining such applications for affordable housing under the exceptions policy differ to those for market housing in the countryside. These applications do not alter the fact that market housing in this location is contrary to Policies SS 1 and SS 2 of the adopted North Norfolk Core Strategy, further supported by the policies contained in the emerging local plan subject to adoption of those policies, as outlined above.

Conclusion and 'planning balance'

The site which is the subject of this application is located outside of the established growth locations identified in Policy SS 1 Spatial Strategy and is not in line with the adopted or emerging local plan spatial hierarchy and distribution of growth. Policy SS 2 lists the types of development that can be acceptable in principle in the countryside and the acceptable forms of development listed under Policy SS 2 do not include market dwellings or allow for the

erection of Custom and Self Build dwellings in unsustainable locations. The development would result in a dwelling in a poorly accessible and remote location which would result in a high reliance on the private car for most journeys and provide limited opportunities for future occupiers to access services and facilities by modes of sustainable transport.

Whilst the demand for a serviced self-build plot may be established by the Register, the proliferation of development in an unsustainable location and in clear conflict with the Development Plan weighs very heavily against the grant of planning permission.

A recent appeal decision at Great Snoring (School Farm – the proposed development being for 1 dwelling) was dismissed on 10th June 2024 which raised similar planning issues. This followed another appeal decision at Hempstead (Land to the Rear of the Knoll – the proposed development being for 2 dwellings) which was similarly dismissed on 06th June 2024. A copy of these decisions is attached at **Appendix A** of this report.

In relation to the assessment against paragraph 11 (d) of the National Planning Policy Framework, in the light of the Council's lack of a 4-year or 5-year housing land supply, the application has been assessed against the overarching social, economic and environmental objectives of achieving sustainable development. The social and economic benefits of a single dwelling would be limited owing to the lack of services and facilities within the immediate vicinity of the site, or nearby villages. It is therefore considered that the adverse impacts of approving this development would significantly and demonstrably outweigh the benefits which would in this case be limited.

In addition, at the time of writing this report insufficient information has been submitted in relation to tree removal at the site, including the visibility splay.

With regard to highway safety the applicant has failed to demonstrate that the access would be acceptable and not detrimental to highway safety given the increase in the use of the eastern access that would be generated as a result of the proposal and that an acceptable level of visibility has not been demonstrated without third party land without detriment to existing trees.

As such, the proposal is considered to be contrary to Policies SS 1, SS 2, SS 4, SS 6, EN 2, EN 4 and CT 5 of the adopted North Norfolk Core Strategy and paragraph 7, 8, 9, 10, 11, 12, 83, 84 and 89 of the National Planning Policy Framework.

RECOMMENDATION:

REFUSE on the following grounds:

The District Council adopted the North Norfolk Core Strategy on 24 September 2008, and subsequently adopted Policy HO 9 on 23 February 2011, for all planning purposes. The following policy statements are considered relevant to the proposed development:

Policy SS 1: Spatial Strategy for North Norfolk

Policy SS 2: Development in the Countryside

Policy SS 4: Environment

Policy SS 6: Access and Infrastructure

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

Policy EN 4: Design

Policy CT 5: The transport impact of new development

National Planning Policy Framework (NPPF) (2023): Paragraphs 7, 8, 9, 10, 11, 12, 83, 84 and 89

1. In the opinion of the Local Planning Authority, the proposed development site lies within the Countryside where proposals for new build market dwellings and custom and self-build dwellings are not permitted in principle. Whilst the demand for a serviced self-build plot may be established by the Council's self-build register, the location is remote, lacking in day-to-day services and facilities, and suffers from poor accessibility including limited public transport options, which would result in a high reliance on the private car to access an adequate level of services and facilities. It is not considered that there are any sufficient material considerations, taking account of the very limited social, economic and environmental benefits, along with the proposed self-build nature of the development, and current land supply, which would outweigh the principle policy conflict in this instance. The proposal would therefore be contrary to Policies SS 1, SS 2, SS 4 and SS 6 of the adopted North Norfolk Core Strategy and Paragraphs 7, 8, 9, 10, 11, 12, 83, 84 and 89 of the National Planning Policy Framework.
2. The proposed development would result in an increase in use of an existing access point that suffers from an unacceptable level of visibility, to the detriment of highway safety. The applicant has failed to demonstrate that the access visibility can be improved, without the use of third party land, and without detriment to existing trees which, if removed, would be visually detrimental to the character and appearance of the locality. Accordingly, the proposed development is contrary to Policies CT 5, EN 2 and EN 4 of the adopted North Norfolk Core Strategy.
3. The Local Planning Authority considers that the proposed development falls within Group Area Zones of Influence and affects European Designations as set out in the Norfolk Green Infrastructure and Recreational Impact Avoidance Mitigation Strategy.

The applicant has failed to demonstrate that the proposed development would not result in adverse effects, either alone or in combination on the integrity of European Sites arising as a result of the development including in relation to recreational disturbance.

In the absence of evidence to rule out likely significant effects and in the absence of suitable mitigation measures to address likely significant effects, the proposal is contrary to the requirements of policies SS 4 and EN 9 of the North Norfolk Core Strategy and approval of the application would conflict with the legal requirements placed on the Local Planning Authority as competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended).