

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

**Major Development**

**- Target Date: 22 January 2019**

**- Extension of Time agreed till 31 Jan 2020**

Case Officer: Mr G Lyon

Outline Planning Permission

**THE APPLICATION**

The application is in outline form with all matters of detail reserved for later approval, except for means of access. The principle of accommodating up to 110 dwellings on the site, together with the associated infrastructure to service 2 hectares of land for a new primary school, public open space, landscaping and sustainable drainage system (SuDS) is also for consideration.

**BACKGROUND**

The Development Committee previously considered this application on 10 October 2019 at which it was resolved:

**That consideration of this application be deferred:**

- 1. to seek proof of the need for primary school places and greater financial commitment to the school by the Education Authority; and**
- 2. to seek an independent report in respect of the highway and access issues.**

A copy of the previous Committee Report is attached at **Appendix 1** and relevant Minutes attached at **Appendix 2**. The previous Committee report should be read in conjunction with this addendum report for a complete assessment of all aspects of the proposal.

Since the item was deferred, Officers have held discussions with the applicant and Education Authority (Norfolk County Council) in respect of the primary school and have appointed independent highway consultants to review the highway and access issues raised by Committee.

Other matters have also arisen during further consideration of the application including the status of the school within the outline application and the applicant's position in responding to a climate emergency.

Set out below are the latest positions in respect of the matters previously deferred together with consideration of these further matters.

**1) Primary School - to seek proof of the need for primary school places and greater financial commitment to the school by the Education Authority**

Following the Development Committee meeting on 10 October 2019 a meeting took place between the representatives of the District Council, Norfolk County Council Education

Authority (Place Planning Manager and Sufficiency Delivery Manager) and Gladman to discuss the further supporting evidence that would need to be provided by the Education Authority so as to assist the considerations of the Development Committee. Discussions included:

- the education context for Holt and the pressure for school places;
- consideration of existing and planned housing developments in the Town;
- the Norfolk County Council pupil yield multiplier;
- sustainability;
- funding for the new school building;
- what would happen to the vacant school site (if a new school is built) and
- the site identification/assessment process in finding a new site for a school.

A further written response from the Education Authority was provided on 09 January 2020, a copy of which is available at **Appendix 3**. The following issues are drawn from the response of the Education Authority.

#### Education context for Holt and the pressure for school places

The Education Authority have acknowledged that ‘...some families who live in Holt do choose other schools in the area. Historically over the past few years only around 75% of the local catchment have chosen Holt Primary. There are various reasons for this preference; parents prefer a smaller village school, families live closer to local village schools, the consideration that other schools are better than Holt’.

In terms of pressure for places the Education Authority note that ‘...in 2012, 34 children applied for a place at Holt Primary for 30 places. In 2013 this figure was 32, in 2014 – 38 and in 2015 – 34. ...There has been pressure on school places in the Town for some years...[but] it is correct to say that since 2015, numbers have dropped slightly but still very close to the Admission number of 30. With the addition of many planned new properties in Holt, as Place Planners...[the Education Authority] aim to provide a local school place for all local children so...[considered]...it was the right time to begin the process to secure a new school site for Holt Primary School as this can take some time’.

#### Consideration of existing and planned housing developments in the Town

The Education Authority ‘...are aware of sites in Holt that have planning permission for housing or are allocated in the current development plan for housing development. The main sites to consider (not including small sites) are:

- 3 x sites at Greshams total of 150 dwellings with around 80 built out.
- Site at Hempstead Road for 213 dwellings with around 60 built out.
- Site at Woodfield Road / Peacock Lane for 85 dwellings – not started but included in Council’s 5 year supply.
- Site at Hempstead Road (remaining part of allocation H09) for 51 dwellings – application not yet determined and development not started but site is included in Council’s 5 year supply.

On this basis, [the Education Authority are making their assumption that] there are at least 359 additional dwellings that are yet to be built that have planning permission or an existing development plan allocation’.

The Education Authority also note that ‘In addition to existing housing development commitments...some more housing will be allocated to Holt, as part of the emerging Local Plan, currently being prepared. [The Education Authority note] that the First Draft Local Plan

proposes to allocate land for 330 additional dwellings (over and above existing development commitments). This includes the current application site on land south of Beresford Road’.

On this basis, the Education Authority are making their Place Planning assumptions on the basis of existing (unbuilt commitments) and proposed future housing growth in Holt amounting to 689 dwellings. These assumptions on housing numbers are generally concurred with by Officers and form a sound basis against which to consider future primary school place need over the ten-year land option period.

#### Norfolk County Council pupil yield multiplier

The Education Authority have again confirmed that, in Place Planning for schools they ‘use a pupil yield multiplier of 28.1 primary age children per 100 new homes [across Norfolk]. This is a standard multiplier used for NCC pupil forecasting’. The Education Authority have confirmed that ‘...his multiplier is reviewed annually and calculated from the number of children now living on new housing developments across the County. NCC school place planners are aware that some areas of the County are likely to generate in excess of the multiplier (A11 corridor/Norwich outskirts) and some less than the multiplier (rural villages in North Norfolk and coastal villages).

Officers fully recognise the concerns raised by the Development Committee on 10 Oct 2019 in respect of predicting the number of children likely needing primary school education which could be affected by the age demographic and sales profile of purchasers of the new dwellings in Holt. The Committee were concerned that house sales in Holt from occupiers without younger children would reduce the need for primary school places and thus reduce the likelihood of the Education Authority from taking up the option to acquire the land for a new school.

The Education Authority recognise that ‘The size of houses, the number of affordable homes, the cost of the properties and the proximity to local services can all have an impact on the number of families choosing these homes’.

Whilst the Education Authority do not consider their pupil yield multiplier of 28.1 is too high, even if a lower figure of 20 primary age children per 100 homes were used ‘the pupil generation from 689 new homes would give an additional 138 primary age children which equates to an additional 20 children per year group. The same calculation based on the LA Norfolk multiplier of 28.1 primary age children per 100 new homes gives 194 additional primary age children – 28 per year group. **Using either of these scenarios, the additional pupil numbers for Holt would justify the building of a new school** and to future proof a new school, 420 places appears sensible’. (emphasis added).

#### Sustainability

The Education Authority have indicated that eight primary schools have a catchment that borders the catchment of Holt Primary School. These schools range from 3.3 miles away from the centre of Holt (Kelling Primary School) up to 10.1 miles away from the centre of Holt (Aldborough) with most in the region of 5-6 miles from the centre of Holt. Whilst parental choice means some residents in Holt do currently send their children to rural schools outside of the town, the Education Authority has indicated that it ‘...does not consider it sustainably appropriate for children of this age to travel these distances from their homes to school unless completely unavoidable. This is one reason why Children’s Services do not plan school places by ‘Districts’, [but] plan by school catchment and each school has its own catchment’.

Officers consider that one of the key sustainability benefits of a larger primary school that can accommodate the primary school needs of the town is a likely reduction in longer car journeys to other catchment areas and the ability to encourage modal shift including walking and cycling

as part of a wider travel plan for the school when then the future planning application is submitted.

#### Funding for the new school building

Officers note the concerns of the Development Committee expressed during the 10 Oct 2019 meeting and the expressed wish to see proof of a greater financial commitment to the school by the Education Authority.

The Education Authority have set out in their 09 Jan 2020 response that 'the responsibility for capital funding for the new [two form entry primary school] sits with Norfolk County Council. It will be [funded from] a combination of growth (Basic Need grant and S106 developer contributions) and condition funding. The existing school was built in the mid-19th Century and the condition funding acknowledges the need to invest in the fabric of the building and re-provide existing school places'.

Whilst the Education Authority have not expressed that specific money is allocated, ready and waiting to be spent on a new 2FE primary school for Holt, the factors set out above all point to the need for a larger primary school within the ten-year time period of the proposed land option agreement. Furthermore, the Education Authority have a duty to ensure that there are sufficient school places in their area and capital funding streams are available from various sources to enable the Local Education Authority to provide sufficient school places for those that want one.

The issue of need and a financial commitment to fund the school are therefore very much interlinked.

#### What would happen to the vacant school site (if a new school is built)

The Education Authority have indicated that, 'When a school site becomes available for any reason,...[the] first consideration is reuse for educational purposes.... If it does not meet any education need, a site and building can then be offered up for wider County Council use. An example of this could be the 'Housing with Care Strategy' which is looking to support the housing needs of older people across the County. If there is no identified need across the County Council it is only then that a site might then be considered for disposal and put up for sale.

The Education Authority have also indicated that 'In parallel to the process set out above, the Secretary of State reserves the right to take a site off the Local Authority and directly commission a 'free school' where there is either a pupil need or standards issue in existing schools in the area. It is not currently anticipated this would be the case in Holt'.

Whilst it is recognised that the provision of land for a new school in Holt would result in the existing school site needing to be re-used or redeveloped and which could be put towards addressing the affordable housing deficit associated with this proposal on Beresford Road Officers consider that very limited weight, if any, could be given to the proposed re-use of the existing school site in the assessment of this application particularly as the existing school site does not form part of this application.

#### The site identification/assessment process in finding a new site for a school

The Education Authority have set out in their response of 09 January 2020 the process they have gone through in identifying a site for a new school which has been ongoing since 2015. It was reported to the Development Committee on 10 Oct 2019 that an allocation of £500,000 has been made by the County Council to support the development of the school site at Beresford Road through the design development stage. A masterplan produced for Norfolk County Council demonstrates that a 420 place primary school, nursery, associated external areas including staff and visitor parking can be successfully achieved on the proposed site.

### Primary School conclusion

The Education Authority's response of 09 Jan 2020 provides further information explaining the need for primary school places in Holt and some further evidence that there is an overall commitment to the school by the Education Authority. Whilst Officers understand that there is no specific budget commitment by the County Council to fully fund a two form entry primary school in Holt at this moment in time, the fact that an allocation of £500,000 has been made by the County Council to support the development of the school site at Beresford Road through the design development stage provides a reasonable indication of commitment which can be taken forward and accelerated once the option to take on the two hectares of land has been signed and agreed by the Education Authority.

Officers consider that the available evidence points towards a need for an enlarged primary school to meet the needs of Holt well within the next ten years and this need, coupled with the duty placed on the Education Authority to ensure that there are sufficient school places in their area, will drive the final funding commitments necessary to deliver the school.

## **2) Highway Matters - to seek an independent report in respect of the highway and access issues**

In considering the application on 10 Oct 2019, the Development Committee raised a number of concerns about matters of highways safety including concerns about the single point of vehicular access to the site from Beresford Road, associated increase in traffic on nearby roads and associated road safety implications as well as concerns about detrimental effect on quality of life for local residents associated with inconsiderate driving and parking and the impact of the proposal on the wider network including Hempstead Road.

Whilst Norfolk County Council Highways had raised no objection to the proposal subject to S106 funding towards the local hopper bus and imposition of a range of conditions, on the basis of local knowledge and concerns, the Development Committee considered it necessary to seek an independent review of the highway and access issues raised.

Following a competitive tendering process, the Council appointed Edwards and Edwards Consultancy (EAE) to act as independent highway consultants (IHC). Steve Clarke (Dip TP MRTPI) is the Senior Transport Consultant at Edwards & Edwards Consultancy Ltd (EAE) who undertook the highway review work for the Council.

The work undertaken comprised of:

- Reviewing the application proposal in terms of all related aspects of highway design, capacity and highway safety (including Junction Capacity Assessments, the Adequacy of Beresford Road and Lodge Close and On Street Parking);
- Reviewing correspondence in relation to highway matters received for this application;
- Providing a written report/assessment of the proposal;
- Updates as necessary following receipt of any further information from the applicant

A copy of the initial IHC report (minus the appendices) is attached at **Appendix 4**.

In summary the IHC note the context of the NPPF advice 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.”***

The IHC report contends that, having regard to all of the relevant issues, development would be acceptable, in principle, but there were some further questions/issues to consider/validate including:

- i) That the 2018 base junction capacity assessment predictions [by the applicant] can be validated.
- ii) Provided that a Parking and Travel Plan for the primary school is submitted and agreed by the local planning authority in consultation with the highway authority.
- iii) That the Parking and Travel Plan for the primary school is secured through the planning process in a way that enables a broad range of remedies to be called upon in the event that future annual monitoring reveals that its outcomes are not being realised.
- iv) Auto track analysis is submitted to demonstrate that Beresford Road and Lodge Close can function for their intended purpose.

The IHC report and conclusions were forwarded to the applicant on 17 Dec 2019 and a subsequent response from the applicant was received on 23 Dec 2019 including a 22 page technical note produced by Stirling Maynard which responds to the initial IHC report (copy (minus appendices) attached at **Appendix 5**).

This technical note was reviewed by the IHC and a specific issue impacting upon the assessment of highway related matters had been identified, that being the status of the School within the Outline planning application. The applicant has subsequently confirmed that the school does not form part of the outline application and further information about the status of the school is set out in more detail in the **section 3**) below.

In considering the issues raised by the Independent Highway Consultant, Officers can advise as follows:

- i) That the 2018 base junction capacity assessment predictions [by the applicant] can be validated.

In putting together their application submission in September 2018, the applicant's highway consultant (Stirling Maynard) set out the base junction capacity predictions using software modelling known as 'PICADY' (Priority Intersection Capacity and Delay) and 'ARCADY' (Assessment of Roundabout Capacity and Delay). As with any modelling it is important to understand that these predictions offer a reasonable reflection of actual traffic conditions in terms of predicted queues, delays and ratio of flow to capacity.

The Highway Authority have confirmed that 'it is our professional opinion, based on local knowledge, that the Stirling Maynard assessment provides a reasonable reflection of the current traffic conditions'.

With the base data assessment predictions validated by the local Highway Authority, the Council's independent highway consultant has indicated that, in his professional opinion, the junctions assessed could accommodate the development traffic and there would therefore be no junction capacity issues to address.

- ii) Provided that a Parking and Travel Plan for the primary school is submitted and agreed by the local planning authority in consultation with the highway authority; and

iii) That the Parking and Travel Plan for the primary school is secured through the planning process in a way that enables a broad range of remedies to be called upon in the event that future annual monitoring reveals that its outcomes are not being realised.

With the applicant now clearly confirming that consideration of the principle of a school is **not** part of the outline application, this means that further detailed highway consideration in relation to the school is not strictly necessary in order to enable the Development Committee to make a decision.

It should however be noted that notwithstanding the planning status of the school in the application, the Traffic Assessment submitted by the applicant does take into account the trip generation associated with a 2FE primary school. This is provided by the applicant in order to seek to demonstrate that the local highway network can accommodate the level of movements without any need to upgrade junctions or undertake any significant off site highway improvement works. Furthermore, this information is provided by the applicant to seek to demonstrate that the means of access to the site (that is specifically being applied for) is appropriate and safe to support a development of up to 110 dwellings and a 2FE primary school.

The need for a Parking and Travel Plan can be secured as part of the future consideration of an application for the two-form entry primary school. Further consideration is set out below in the section titled 'Highway Impact of the Primary School'

iv) Auto track analysis is submitted to demonstrate that Beresford Road and Lodge Close can function for their intended purpose.

The applicant has provided tracking plans requested by the Council's Independent Highway Consultant. These were requested to show that larger vehicles such as coaches and refuse collection vehicles could access the site via Beresford Road and fire tenders could access via Lodge Close in an emergency, even when there are cars parked along the roads. Whilst such matters would form part of the consideration of the future school proposal application(s), the Council's independent highway consultant has noted that coach access along a 5.5m wide road would be 'extremely tight' and that the 'coach tracking envelope encroaches very close to the footway edge and parked cars'. Ideally a 500mm margin should be achieved.

#### Highway Impact of the Primary School

Whilst the Council's independent highway consultant considers that 'increased on-street parking demand is likely to arise from the primary school', the extent to which this might occur is not clear as 'no consideration has been given, in detail, to how parking associated with the primary school will be managed through a Parking and Travel Plan'.

In respect of larger vehicles associated with a school, the applicant has indicated that the number of coaches accessing the site would be limited to the 'occasional coach for school trips' and has sought to paint a more optimistic picture regarding access for larger vehicles once a school is built and operational. However, the submitted tracking detail for coaches suggest to the Council's independent highway consultant that coach access to the site from Beresford Road could be 'extremely tight' if parked cars are present. There is therefore a slight difference of opinion regarding the impact of parked cars associated with the school on access to the site.

Officers fully recognise the concerns previously expressed by the Development Committee about the traffic implications associated with the primary school. Whilst the primary school

itself is not for determination today by this Committee and therefore any proposition for refusal based on the traffic impact concerns of the school traffic alone would not be supported by Officers, the very nature of this application means that, if the Development Committee are minded to approve the proposal, it would set in train the assumption that a school could be built on the site at some point in the future if the Education Authority take up the land option being offered by the applicant. The delivery of a school is clearly a key component of the 'material planning considerations' being put forward by the applicant to justify approval and it would be right for the Committee to reasonably expect its delivery off the back of approval of this proposal (assuming the Education Authority take up the land option).

If a school is to be built, there would be a further opportunity for the decision maker of a future school application to consider the traffic impact of the school on the local area including securing potential mitigation measures and a Travel Plan.

Given that approval of this application would set in train the presumption of a school being eventually built on the Beresford Road site, Officers asked the applicant to consider the sort of measures and controls that could potentially be put in place (secured by conditions or planning obligation on any subsequent school permission, if justified) to ensure the school operates successfully in highways terms

The applicants position remains that, 'based on the highways and transportation work undertaken as part of the current application (which takes into account the vehicle movements that would be generated by a 2FE school), there is nothing to suggest that any insurmountable highways issues would arise from a detailed school proposal. Notwithstanding this, [the applicant asked their] transportation consultants to comment on the sort of controls that could potentially be linked to a subsequent school permission'.

The applicant then goes on to set out that 'It should be noted that the measures suggested, have been done so on a hypothetical basis. It is not our position that these measures are necessarily justified or required to be attached to any future permission for a school'.

'Notwithstanding this, some suggested measures are:

1. Timing

Any conditions where relevant should be "prior to commencement of development" so that it is plain any issues are sorted out before work starts.

2. Travel Plan

The easiest way to avoid parking problems is to make sure the number of cars is as low as possible in the first place. This is especially relevant here where a significant population is within easy walking distance of the school. A robust Travel Plan would be required with regular monitoring and reports to the Council. No doubt an initial Plan would be submitted as part of the school application but agreement on the full Travel Plan needs to be conditioned to ensure it is taken forward and implemented.

3. Parking Management Plan

Given this appears to be the key area of concern, the details of this could be considered at the school application stage so the matter can be discussed and successfully concluded before permission is granted. There are a range of measures that could be put in place such as:



- A) Yellow markings prohibiting parking in inappropriate areas, with a time element so it covers school start and finish times. (This is quite common for on-street parking near schools.)
- B) Regular monitoring of car parking outside the school to ensure antisocial parking is not taking place.
- C) If any problems do occur liaison with the Local Police Community Officer can often quickly address this.
- D) Liaison with parents if any problems occur reminding them of their responsibilities.
- E) The plan should also address management of staff and visitor parking making sure that staff do not park off-site.

The agreed Plan can be subject to a condition / undertaking to ensure that it is implemented and regularly monitored.

#### 4. Servicing

A condition could be imposed requiring servicing and refuse collection is controlled to take place outside school start and finish times. In practice this is usually the case anyway.

#### 5. Coaches

There could be a requirement for the school to have a protocol for managing coaches coming to the school. This would control the time that larger coaches arrive at the school.'

Officers consider that these are all sensible suggestions for measures to control the impact of traffic associated with the primary school. These measures, if implemented, would go a long way to addressing local concerns previously expressed by local residents and should give some comfort to the Development Committee to be able to make a positive recommendation.

#### Summary of Highway Matters

On the basis of the development proposed and having reviewed the available evidence, the Council's independent highway consultant has confirmed that the junctions assessed could accommodate the development traffic (including the school traffic).

The independent highway assessment has found no evidence to suggest that the application would give rise to an unacceptable impact on highway safety or that the residual cumulative impacts on the road network would be severe.

Officers note the previous concerns raised by Development Committee, particularly in relation to the traffic and parking impacts of the proposed school, but these are matters that would need to be the subject of mitigation at the time when the principle and detailed design of the school are for determination. However, the available evidence suggests that mitigation control options are possible in order to ensure the school operates successfully in highways terms and Officers consider this should give some comfort to the Development Committee to be able to make a positive recommendation.

### **3) Status of the School within the Outline Application**

For the avoidance of any doubt, it is important for the Development Committee to be clear as to the exact status of the school within this outline planning application. This is necessary so

that the Development Committee can, if necessary, apply appropriate weight to any material planning considerations and conversely to understand when matters are not material planning considerations when making the planning balance.

During the assessment of highway matters, there was some confusion as to whether the principle of a two-form entry primary school formed part of the Outline application. This was relevant to highway matters because means of access is being agreed at this stage. Whether the school is in or out of the outline proposal affects the information needed at this stage prior to making a decision and also whether, if minded to approve, any conditions or S106 obligations need to have regard to the highway impact of the school.

In clarifying this situation, the applicant has confirmed that:

‘The school does not form part of the outline application and the proposal is not seeking outline planning permission for a specified quantity of Use Class D1 floorspace. The application forms...make clear that the proposal does not involve the provision of non-residential floorspace. What would be secured through the development package is the transfer of 2 ha of fully serviced land to the [Local Education Authority] for use as a school. The [Local Education Authority] would be able to call on this land for use as a school for a period of 10 years’.

The applicant then goes on to confirm that:

‘The school proposal would need to be subject to a separate future planning application (not a reserved matters application). This approach is entirely appropriate in procedural terms and is particularly appropriate for the purposes of this proposal as the [Local Education Authority] is not currently in a position where it can categorically confirm that it would be in a position to make a reserved matters submission within 3 years of an outline permission (as would be required by standard condition).’

In addition to the principle of up to 110 dwellings and the means of access thereto, the Development Committee are also being asked to consider whether the proposed ten-year option to transfer 2 hectares of land to the Education Authority is acceptable or not (with the necessary associated on site infrastructure – e.g. means of access from Beresford Road and the provision of other infrastructure to the site including water, sewage, electricity, broadband) on to which a two form-entry primary school could be built, and whether the offer of land is a material planning consideration to which sufficient weight can be afforded to justify a departure from the Development Plan.

If Development Committee were minded to grant outline planning permission, the two hectares of land identified for a primary school would have ‘null’ planning use, albeit that such land would be provided to the Education Authority with necessary services should they be minded to take up the option to acquire the land within ten years.

A school which can be built would only be secured once a Full planning application is submitted and approved for the school and, depending on the type of school, this application could be made either to the County Council or North Norfolk District Council at which point all relevant matters can be considered including the possible need for a Travel Plan to, amongst other things, address any potential future off-site highway concerns associated with the impact of school drop-off and pick-up.

Whilst the status of the school has not changed since Development Committee last considered the application, a further refinement to the description of development has been suggested by Officers following legal advice. Proposed new description set out below (additional text highlighted in bold). The applicant has confirmed their agreement to this description change.

‘Outline planning application for the erection of up to 110 dwellings with **associated infrastructure to service** 2 hectares of land **potentially** for a new **Two Form Entry (2FE)** primary school, public open space, landscaping and sustainable drainage system (SuDS) with main vehicular access point from Beresford Road and secondary pedestrian, cycle and emergency access from Lodge Close. All matters reserved except for means of access’

In summary, whilst the principle of approving a school does not form part of this outline proposal and would need to be the subject of a separate permission, the future delivery of a new primary school is clearly a key component of the ‘material planning considerations’ / public benefits associated with the transfer of land to the Education Authority leading to school (assuming the Education Authority take up the land option).

The very nature of this application means that, if the Development Committee are minded to approve the proposal, it would set in train the assumption that a school could be built on the site at some point in the future if the Education Authority take up the land option being offered by the applicant. In light of the evidence set out in Section 1 of this report it would be right for the Committee to have the confidence so as to reasonably expect delivery of a new school off the back of approval of this proposal.

#### **4) Responding to a Climate Emergency**

During consideration of the application on 10 October 2019, Development Committee expressed ‘disappointed that there was no reference to climate emergency in the report’. The applicant subsequently prepared a four-page letter setting out how they consider the ‘proposal will result in a sustainable pattern of development and identifies some of the measures that are committed to by the applicant to help tackle the climate change emergency, which go significantly beyond any measures set out in the statutory development plan and have been informed by draft measures in the emerging Local Plan’. A copy of the letter dated 04 Dec 2019 is attached at **Appendix 6**.

The applicant has set out how the proposal responds to a climate emergency in relation to:

- Location of the Site;
- Electric Vehicle Charging Points
- Transportation – Influencing Modal Shift;
- Ecology and Biodiversity Net Gains;
- Sustainable Urban Drainage Systems;
- Water Efficiency;
- Fibre to the Premises Broadband;
- Sustainable Construction, Energy Efficiency and Carbon Reduction; and
- New School Buildings

The applicant has also indicated a range of measures over and above those required in the current Core Strategy which they are prepared to sign up to either through a S106 Obligation or specific planning conditions. Officers welcome the approach set out by the applicant and, subject to these matters being secured as part of the outline application, these are matters which could attract significant weight in favour of the grant of planning permission.

## 5) Other matters

A letter of support dated 01 November 2019 has been submitted on behalf of Holt CP School by the Deputy Chair Governors. This letter sets out the background to the issues facing Holt School including those resulting from its current split site; provides observations on the issues raised by Development Committee on 10 Oct 2019 (including the demand for school places) and makes observations about the preferred site. The letter sets out that:

'Holt Community Primary School can confirm its strong support for the Beresford Road site, as a location for the new school. A school in this locality would be very well placed to serve the school catchment area and would support opportunities for children to walk or cycle to school. Furthermore, the whereabouts of the proposed school site, adjacent to Holt Country Park, would enable easy access to this facility for children and sustain increased opportunities for Forest Schooling – an opportunity which our children should not be denied'.

The letter concludes:

'Overall, Holt Community Primary School is supportive of the application proposals at Beresford Road. The transfer of land to the County Council (on a site that is supported by the education authority and the school as the preferred site for a new primary school) will be an important step forward in realising the joint aspiration for a new school facility and in meeting the current and future primary school age needs of the town.'

A letter of support dated 26 Nov 2019 has also been received from the Director of Victory Housing Trust, now part of the Flagship Group. Victory manages properties on the adjacent site at Lodge Close. The letter sets out the severe shortage of affordable homes in Holt and North Norfolk more generally and Victory set out that they would welcome the opportunity to acquire and manage the affordable stock delivered as part of the application proposal.

A letter received 20 Jan 2020 from a local resident in Holt has also been submitted which indicates that, in their opinion, following correspondence the support from Victory/Flagship Housing is limited to the provision of affordable housing and not support as to the general suitability of the scheme in regards to all other matters.

## 6) Conclusions on Reasons for Deferral

Development Committee deferred the application on 10 Oct 2019 in order:

- 1. to seek proof of the need for primary school places and greater financial commitment to the school by the Education Authority; and**
- 2. to seek an independent report in respect of the highway and access issues.**

Officers have undertaken further work to seek clarification from the Education Authority in regard to need for primary school places and the financial commitment towards provision of a new primary school in Holt. Officers consider that the Development Committee have been provided with sufficient information in order to positively address the need and financial commitment concerns previously expressed.

In respect of highway matters, an independent assessment has been carried out by Edwards and Edwards Consultancy (EAE) and this has concluded that there is no evidence to suggest that the application would give rise to an unacceptable impact on highway safety or that the residual cumulative impacts on the road network would be severe.

In respect of the status of proposed school within the application, the applicant has confirmed that the school is not included in the outline application therefore meaning that the Development Committee are not being asked to grant the principle of a school today. This affects the level of information reasonably necessary to determine the proposal (particularly in relation to highway matters).

The very nature of this application means that, if the Development Committee are minded to approve the proposal, it would set in train the assumption that a school could be built on the site at some point in the future if the Education Authority take up the land option being offered by the applicant.

The applicant has set out a range of possible measures and controls that could potentially be put in place (secured by conditions or planning obligation on any subsequent school permission, if justified) to ensure the school operates successfully in highways terms and this should give some comfort to the Development Committee to be able to make a positive recommendation.

The applicant has also set out a range of positive measures/actions regarding how the proposal responds positively to a climate emergency. These are all matters which attract weight in favour of the proposal.

## **7) Overall Planning Balance and Conclusions**

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The principle of housing development on this site does not accord with the development plan. Due to the sites 'Countryside' designation the proposed development conflicts with Policy SS 1 Spatial Strategy for North Norfolk and SS2 - Development in the Countryside and this is not a site currently allocated for development. The development plan is operating effectively, delivering the necessary level of homes as part of its overall approach and for this reason substantial weight should be attached to the identified conflict with the development plan.

The identified conflict with development plan should be considered alongside any other material planning considerations relevant to this application.

One such material consideration is the community benefit of providing land for future delivery of a 2FE primary school. This land has been assessed at a high level as being fit for its intended purpose and is available to Norfolk County Council as Local Education Authority for this use. The weight to be applied to this benefit should be moderated as it includes the gift of land only and not the provision of a school. However, even though there is currently no budget or formal commitment from Norfolk County Council members to provide a new school, the further evidence within this report sets out a likely need in the short term for such provision as the existing constrained primary school in Holt is forecast to be at capacity and new dwellings will become occupied which already have the benefit of planning permission. The provision of land to allow a new school to be constructed is a significant first step in securing a new primary school for Holt to meet current commitments and future growth needs.

It is officer opinion that the application, through an appropriately worded legal agreement, would secure sufficient certainty through offering the land for a period in which it should be realistically possible for the Local Education Authority to secure real progress in the construction of a new school. Officers consider that the public benefit of land to deliver a new school is a material consideration in favour to which substantial weight may be afforded. Beyond this period in the event that a primary school is not provided a fall back of a financial contribution to mitigate impacts of the development on primary education provision will be

provided, ensuring that the impact of the development on primary education is at least properly mitigated.

The environmental and social benefits that the development will secure in terms of the location of the development directly adjacent to Holt Country Park and the opportunity that this brings to secure improved pedestrian access for existing residents through the site to access the green space which is Holt Country Park and the physical health and overall wellbeing benefits that this brings to new and existing Holt residents are not to be underestimated. This improved accessibility to green infrastructure should attract moderate weight.

Increasing the available supply of land for both market and affordable housing, supporting the economic dimension of sustainable development is another material consideration. In the context of the NPPFs objective in paragraph 59 to significantly boost the supply of homes, the delivery of market and affordable housing weighs in favour of the proposal, providing greater certainty that needs would be met and contributing to the delivery of affordable housing in the area. However, given that the Council can already demonstrate a supply of both market and affordable housing sufficient for the next five years of need, this benefit would attract no more than moderate weight.

With regard to the economic role of sustainable development, the proposed development would bring direct and indirect economic benefits to the local area including Council Tax receipts, additional trade for local shops and businesses by virtue of people living in the houses, and the economic benefits during the construction phase including jobs in construction and economic benefits to the construction industry supply chain. These benefits would be realised from any policy compliant residential development but would nonetheless be a benefit to the local area attracting only limited weight in the planning balance.

Finally, the previous appeal decision from 2015 is material to the consideration of this application and should be afforded some weight. The proposed development is however materially different from the proposals which were considered at appeal, as the amount of housing proposed has been reduced from 'up to 170 dwellings' to 'up to 110 dwellings' and the current proposals include land to accommodate a new 2FE Primary School, whereas the previous development proposed for the site made no such provision.

Caution should be taken in the unquestioning application of the Inspector's conclusions. The relevance of the appeal decision is advised to be drawn from its constituent parts. The differences in the development proposals could reasonably give rise to different conclusions. Contextually, housing land availability is not a matter of contention here; the County Council's position regarding existing school capacity concerns and new school requirements has not fundamentally changed, however this application is set apart by to provide a school site. The Inspector's conclusions relating to the openness of the site contributing to the protection and enhancement of the natural environment, has been addressed, at least in part, by the introduction of a site to accommodate a school centrally in the development. Further amelioration is provided by significant areas of green space, which act as a buffer between the proposed built residential form and Holt Country Park. The planning balance considerations will therefore differ greatly from that undertaken previously. Officers are persuaded that only limited weight should be given to the appeal conclusions when applied to the revised proposals.

It is the view of officers that taking the entirety of the identified benefits into account along with all other material considerations, subject to the securing of a S106 Obligation and the imposition of appropriate conditions, cumulatively these benefits are considered to outweigh the identified conflict with development plan policy.

## **RECOMMENDATION:**

### **Part 1:**

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

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

- Not less than 36% affordable housing,
- Emergency access to the site from Lodge Close,
- On site open space scheme (including equipped children's play area) detailing provision and management details (including 3 access points to Holt Country Park),
- Provision and transfer of 2 hectares of serviced land for provision of a primary school to the Local Education Authority (in a location in accordance with the Development Framework plan and in accordance with the details contained within the schedule of costs within Appendix 13.0 of the Affordable Housing Viability Assessment – Supplemental Report 15 August 2019) – exact terms to be agreed with Norfolk County Council,
- Payment of £337,676 [index linked] to Norfolk County Council in the event that the land for the provision of a school is released from its obligations,
- Financial contribution towards mitigating healthcare impacts - £38,167,
- Financial contribution towards libraries - £75 per dwelling (£8,250),
- Financial contribution towards Norfolk Coast European Sites Mitigation - £50 per dwelling (£5,500),
- Financial contribution towards Holt Country Park access management (Norfolk Valley Fens European Site Mitigation) - £127,300,
- Financial contribution towards a Hopper Bus Service - £353 per dwelling (£38,830)

#### **2) The imposition of appropriate conditions to include:**

1. The submission of reserved matters within three years and two year commencement upon approval of reserved matter(s),
2. Reserved matters to relate to appearance, landscaping, layout and scale

#### Prior to submission of reserved matters

3. Archaeological mitigatory work

#### As part of submission of reserved matters

4. Provision of detailed surface water drainage scheme, incorporating measures as required by the Appropriate Assessment.
5. Minerals Management Plan to be informed by the Mineral Resource Assessment October 2018.

6. A layout plan which provides at least 3 pedestrian access points into Holt Country Park (in accordance with the locations shown on the Development Framework Plan).
7. A layout plan providing for drop off pick-up parking for the primary school for at least 10 vehicles to be provided in a dedicated area within the public highway, in close proximity to the main point of access to the school site.
8. A layout plan providing a landscaping buffer along southern and eastern boundaries, amount in accordance with parameters plan.
9. Provision of interpretation signage within the application site at access points to Holt Country Park
10. Landscape and Ecological Management Plan to be agreed.
11. Ecological Design Strategy to be agreed.
12. Arboricultural Method Statement and Tree Works Plan to be agreed.
13. Land contamination investigation report to be submitted
14. Electric Vehicle Charging Scheme to be agreed
15. Commitment to deliver all housing development that complies with the optional 110 litres per person per day water efficiency standard.
16. Each dwelling to be provided with Fibre to the Premises Broadband

#### Prior to Commencement of Development

17. Highways, details of roads, footways, cycleways, drainage etc. to be submitted for approval.
18. Details of on-site construction worker parking to be submitted for approval.
19. Interim Travel plan to be submitted for approval.
20. Construction Environment Management Plan to be agreed.
21. Details of noise from plant (heating or ventilation) if proposed to be installed in dwellings.
22. External lighting details to be agreed.
23. Details of refuse storage areas and refuse collection vehicle access to be submitted
24. Details of the provision of 2 fire hydrants

#### Prior to Occupation

25. Prior to first occupation construction of road, footways etc. to binder course surfacing level from each dwelling to the County road
26. Prior to first occupation the Interim Travel plan shall be implemented in accordance with details approved



27. Prior to occupation of the final dwelling completion of roads, footways, cycleways, drainage to agreed specification

**and any other conditions considered to be necessary by the Head of Planning**

**Part 2:**

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