

**KETTLESTONE - PF/19/1966 - Demolition of light industrial buildings (B1) and erection of 8 dwellings and associated works (C3); Church Farm Barn and East Barn, Kettlestone, Norfolk, NR21 0JH for Mr & Mrs Ross**

**Major Development**

**-Target Date: 01 June 2020**

Case Officer: John Cosgrove  
Full Planning Permission

**SITE CONSTRAINTS**

SFRA - Areas Susceptible to Groundwater Flooding  
Landscape Character Area  
LDF Tourism Asset Zone  
LDF - Countryside  
Building Preservation Notice  
Listed Building Grade II - Consultation Area  
HO 9 - Rural Residential Conversion Area

**RELEVANT PLANNING HISTORY**

IS2/19/0915: Erection of 8 dwellings - Advice given (for pre-apps) 17/09/2019

PU/18/2071: (Church Farm Barn) Prior approval for change of use from light industrial building (B1) to 5 residential dwellings (C3). Prior approval given 07/01/2019

PU/18/2070: (Barn East of Church Farm Barn). Prior approval for change of use from light industrial building (B1) to 3 residential dwellings. Prior approval given 07/01/2019

PU/18/1574: (Church Farm Barn) Prior approval for change of use from light industrial building (B1) to 5 residential dwellings (C3). Refusal of prior notification 19/10/2018

PU/18/1575: (East Barn). Prior approval for change of use from light industrial building (B1) to 3 residential dwellings. Refusal of prior notification 19/10/2018

PU/17/1660: (Church Farm Barn). Prior approval for change of use from light industrial building (B1) to 5 residential dwellings (C3). Refusal of prior notification 06/12/2017

PU/17/1663: (East Barn). Prior approval for change of use from light industrial building (B1) to 3 residential dwellings (C3). Refusal of prior notification 06/12/2017.

**THE APPLICATION**

The application is for the demolition of the existing light Industrial buildings (Class B1) and erection of 8 dwellings and associated works (Class C3)

**REASONS FOR REFERRAL TO COMMITTEE**

The proposed development is contrary to Policies: SS 1 and SS 2 of the North Norfolk Core Strategy and the recommendation is for approval.

## **PARISH COUNCIL**

Kettlestone Parish Council: no objection, but raise concerns re wood burners, availability of high-speed internet, mobile phone signal and the relative isolation of the site.

## **REPRESENTATIONS**

Five objections and six comments received. The issues raised are summarised below:

### Objections:

- Not sustainable development as isolated site.
- Scale of development excessive
- Loss of earth bund trees and hedges
- Air source heat pumps too close to boundary
- Woodburners not sustainable
- Lighting not compliant with Dark Skies
- Lack of direct access to the village
- Overdevelopment
- Loss of hedge during bird breeding season
- Pastoral view beyond Church adversely affected
- Roofs too high

### Comments:

- Sewer capacity
- Gardens too small for larger houses
- Demolition should take account of asbestos on the site
- No guest parking
- Loss of Light

### Support

- Hopes the site is developed for residential use

## **CONSULTATIONS**

County Council (Highway): no objection subject to conditions on visibility splays and parking layout.

Environment Agency: no comment

NCC Flood & Water Management (LLFA): no comment

Conservation and Design Officer: no objection.

Environmental Health: no objection subject to condition on noise levels from, and location of, heat pumps

Planning Policy Manager: objects – proposal is contrary to Policy SS2

Landscape Officer: no objection subject to conditions

Norfolk Fire and Rescue: no objection subject to condition requiring installation of hydrant.

NCC Historic Environment Service: no objection subject to condition requiring archaeological investigation.

## **HUMAN RIGHTS IMPLICATIONS**

It is considered that the proposed development may raise issues relevant to  
Article 8: The Right to respect for private and family life.  
Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

## **CRIME AND DISORDER ACT 1998 - SECTION 17**

The application raises no significant crime and disorder issues.

## **POLICIES**

National Planning Policy Framework (NPPF):

Section 6 – Building a strong, competitive economy  
Section 7 – Ensuring the vitality of town centres  
Section 12 - Achieving well-designed places  
Section 15 - Conserving and enhancing the natural environment  
Section 16 – Conserving and enhancing the historic environment

North Norfolk Core Strategy (Adopted September 2008):

SS 1 - Spatial Strategy for North Norfolk  
SS 2 - Development in the Countryside  
SS 6 - Access and Infrastructure  
HO 1 - Dwelling mix and type  
EN 2 - Protection and enhancement of landscape and settlement character  
EN 4 - Design  
EN 6 - Sustainable construction and energy efficiency  
EN 8 - Protecting and enhancing the historic environment  
EN 9 – Biodiversity and Geology  
EN 13 - Pollution and hazard prevention and minimisation  
CT 5 - The transport impact of new development  
CT 6 - Parking provision

North Norfolk Design Guide, Supplementary Planning Document (SPD) adopted 2008

## **MAIN ISSUES FOR CONSIDERATION**

- Principle
- Design
- Amenity
- Heritage & Historic Environment
- Landscape & Biodiversity
- Highways

## **APPRAISAL**

### Site Location and Description

The application site is located immediately adjacent to the village of Kettlestone and contains two disused light industrial units for which prior approval (PU/18/2070 and PU/18/2071) has been given through two separate applications for their conversion into eight residential units in total. The site is accessed via Snoring Road and does not benefit from a direct pedestrian or vehicular access Kettlestone village.

### Principle of development

The site is located within an area identified Countryside by Policy SS 1 of the North Norfolk Core Strategy. Policy SS 2 limits development in the Countryside to that which requires a rural location and where it is for one of the types of development listed in the policy. New market housing as proposed in this case, is specifically restricted in order to prevent dispersed dwellings that would lead to a dependency on travel by car to reach basic services, to ensure more sustainable patterns of development. Although the North Norfolk Core Strategy predates the National Planning Policy Framework (February 2019), its policies relating to housing have been found to be consistent with it in many recent appeal decisions. The Council can also demonstrate a housing land supply of more than 5 years.

Section 70 of the Town and Country Planning Act 1990 requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Therefore, whilst the proposed development is contrary to policies: SS 1 and SS 2, it is considered that the extant prior approvals referred to above which are for same quantum of development as now proposed i.e. 8 dwellings, are material considerations which carry some weight despite the fact that they only grant planning permission for changes of use and any external alterations to be made would require separate planning permission.

Furthermore, if these approvals were implemented as a 'fall-back' to the proposed scheme in the event that permission was refused, it is considered it would be likely to result in a lower quality development which consequently, would have a greater adverse impact on the character and appearance of the area and would provide a lower standard of amenity for any future occupants. Therefore, while the proposed development would be contrary to policy and therefore unacceptable in principle, it is considered there are specific material considerations that outweigh the policy conflict in this case.

### Design

The application proposes the erection of eight residential units arranged in a linear layout with plots 1 & 2 being semi-detached and link detached to plot 3. Plots 4, 5, & 6 would be semi-detached properties with detached dwellings on plots 7 & 8. Other than Plot 6 which would have a detached garage, all the other plots would have attached garages. The proposed dwellings would have a traditional appearance and would be sufficiently close to the existing settlement to be assimilated into its built form. The dwellings would be constructed from brick with flint detailing to the boundary walls with clay tile roofs and would enhance the character and appearance of the site.

It is considered that the dwellings would provide acceptable living conditions in terms of internal space and would benefit from adequate outdoor amenity space. However, in order to protect the amenity of the future occupants of the site and to ensure that adequate amenity space is retained for their use, it is considered reasonable to impose a condition removing

permitted development rights for enlargements to the dwellings. Having regard to the above, the proposed development is considered acceptable in design terms and complies with Policy EN 4 in this respect.

### Amenity

It is not considered that the proposed development would have an unacceptable impact on the amenity of neighbouring properties by way of overlooking or overshadowing. However, it is noted that a number of the proposed dwellings have shallow gardens and are positioned relatively close to the site boundaries. Therefore, in order to ensure the amenity of the occupants of neighbouring properties it is considered reasonable to impose a condition requiring the submission and approval of details of the noise level from and positioning of the proposed ground source heat pumps. Subject to this, it is not considered that the proposed development would have any unacceptable impacts on the amenity of the occupiers of neighbouring properties and the proposal complies with Policy EN 4 in this respect.

### Heritage & Historic Environment

The site is located within the historic core of Kettlestone close to the medieval parish church, and is located adjacent to Wavertree House, All Saints Church and no's 83 and 85 The Street which are grade II listed buildings. Following amendments, the Council's Conservation & Design Officer has no objections to the proposal and it is not considered that the proposal would have any significant adverse impacts on the setting of any heritage assets.

Archaeological investigations immediately to the north of the site have recovered a wide range of artefacts spanning the prehistoric to post-medieval periods, with a particular emphasis on activity in the Roman and Anglo-Saxon periods. Aerial photographs taken in 1976 show the cropmarks of a field system or settlement enclosure of uncertain, but possibly Roman date. Consequently, there is potential that buried heritage assets with archaeological interest may be present at the site and that their significance may be affected by the proposed development. Therefore, it is considered reasonable and necessary to impose a condition requiring archaeological investigations to take place prior to the commencement of development other than demolition. On that basis the proposal is considered to be acceptable in terms of policy EN8.

### Landscape & Biodiversity

The application includes an Ecological Assessment (EA), along with a scheme for hard and soft landscaping and details of external lighting and proposed bat boxes. The Council's Landscape Section have assessed the proposals and have commented that subject to conditions requiring compliance with the measures contained within the EA, the implementation of the soft landscaping scheme, the replacement of any trees or shrubs lost within five years from the implementation of the landscaping scheme, and that the boundary treatment facilitate commuting corridors for small mammals that there could not be any substantive objection to the proposed development on landscape grounds. Therefore, on that basis the proposal is considered to be acceptable in terms of policies EN 2 and EN 9.

### Highways, Access & Parking

The development would be accessed via a long lane from Snoring Road. The proposed dwellings would have adequate levels of parking, which would accord with the current adopted standards, and manoeuvring space, with cycle storage provided within the proposed garages. While it is recognised that the site does not benefit from a pedestrian footpath linking it to the village of Kettlestone and therefore the pedestrian access to the site is considered substandard, the Highway Authority have raised no objections to the proposed development

subject to conditions requiring visibility spays and the layout of the parking and turning areas. Subject to the above conditions the proposed development is considered acceptable in highways terms and Policies: CT5 and CT6.

### Other Matters

While the Parish Council have raised valid concerns regarding the presence of wood burning stoves within the dwellings this is not a matter subject to planning control, nor is the request that the development be served by high quality internet connections and mobile phone signal.

### **Conclusion**

The proposal is contrary to policies SS 1 and SS 2. However, despite the fact that further permission would be required for any external alterations and the sustainability of the location is not a consideration in the determination of those types of application, the extant approvals for conversion to dwellings are material considerations which carry some weight. Furthermore, the current proposal would be likely to represent a considerable improvement over any scheme to implement the prior approvals and convert the existing buildings, in terms of the appearance of the development and its effect on the character and appearance of the area particularly.

The proposed development would provide acceptable living conditions for the future occupiers and have no material impacts on those of neighbouring occupiers. Subject to conditions it is considered to be acceptable in terms of the effect on landscape, biodiversity, highway safety and parking.

### **RECOMMENDATION:**

It is recommended that the application be APPROVED subject to conditions relating to the matters listed below and any other considered necessary by the Head of Planning:

- Time limit for implementation
- Constructed in accordance with the approved plans
- Materials to be approved
- Contaminated land assessment
- Hard and soft landscaping details to be approved
- Wheel cleaning during construction
- Details of sewage disposal
- Details of surface water drainage
- Removal of permitted development rights for enlargements to the dwellings
- Archaeological investigation
- Fire Hydrant to be installed
- Soft Landscaping
- Compliance with measures within the ecological assessment
- Small mammal access
- Retention and replacement of planting
- Highways visibility splays
- Parking and hard surfaces to be laid out
- Submission of details of noise levels and positioning of heat pumps.

Final wording of conditions to be delegated to the Head of Planning.