

AGENDA ITEM NO: 8/2(f)

Parish:	Northwold	
Proposal:	OUTLINE APPLICATION: Proposed residential development	
Location:	Woodlands 11 Little London Road Northwold Norfolk	
Applicant:	Mr & Mrs M Leet	
Case No:	17/00170/O (Outline Application)	
Case Officer:	Mrs N Osler	Date for Determination: 29 March 2017 Extension of Time Expiry Date: 7 April 2017

Reason for Referral to Planning Committee – The application has been referred to committee by Councillor Peake and the views of Northwold Parish Council are contrary to the Officer recommendation.

Case Summary

Outline consent with all matters except access is sought for residential development. The site lays outside of the development boundary for Northwold and is designated countryside. The site is heavily treed, with the frontage trees benefiting from a group Tree Preservation Order.

Key Issues

Principle of Development
Form and Character
Highway Safety
Residential Amenity
Ecology
Other Material Considerations

Recommendation

REFUSE

THE APPLICATION

The site measures approximately 2.6ha, although heavily constrained by trees, and is largely rectangular in shape. Two accesses are proposed, one utilising the existing access that serves the donor property and the other a new shared access off of Little London Road.

Indicative plans show three detached dwellings with detached garages in linear formation to the rear of the existing protected, frontage trees.

The site is greenfield and designated as countryside.

SUPPORTING CASE

No supporting statement accompanied the application

PLANNING HISTORY

16/00566/O: OUTLINE APPLICATION SOME MATTERS RESERVED: Proposed residential development – withdrawn May 2016

RESPONSE TO CONSULTATION

Parish Council: NO OBJECTION

Highways Authority: Recommends that the application be refused on the grounds of highway safety

Amended plan – relocated access and subsequent visibility would be acceptable and thus could be conditioned accordingly (visibility splays, access details, gradients, parking and turning areas). However, the LHA remains of the opinion that the site conflicts with the aims of sustainable development by reason of its remote location and lack of footpath provision.

Arboricultural Officer: NO OBJECTION in principle, but should the access / layout change an updated method statement and tree protection plan will be required

Amended plan – **NO OBJECTION** to relocation of access subject to the development being implemented in accordance with amended Arboricultural Report.

Environmental Health & Housing – Environmental Quality: No comments to make in relation to contaminated land or air quality

REPRESENTATIONS

Eight letters of objection have been received. The issues raised include:

- Highway safety
- The dense tree canopy would heavily shade the proposed houses and put pressure on their removal
- There is a septic tank serving a neighbouring property within the site
- Loss of trees
- Impact on wildlife
- The development would be out of keeping with the locality
- Houses are not affordable
- Overdevelopment of the site
- Set a precedent for further ribbon development outside of the development boundary
- Housing need can be accommodated via infill development within the village envelope
- The absence of footpaths, street lighting and speed limit is potentially dangerous
- Some site clearance has already taken place
- Disruption during construction works

NATIONAL GUIDANCE

National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

The main issues for consideration in the determination of this application are:

- Principle of Development
- Form and Character
- Highway Safety
- Residential Amenity
- Ecology
- Other Material Considerations

Principle of Development

The site lays outside of the development boundary for Northwold in land designated as countryside.

The site is therefore subject to countryside protection policies and advice contained in the NPPF and NPPG. Further Policy CS06 of the Core Strategy 2011 states ‘Beyond the villages and in the countryside, the strategy will be to protect the countryside’ and ‘The development of greenfield sites will be resisted unless essential for agricultural or forestry needs’. Policy DM2 (Development Boundaries) is also relevant and states: The areas

outside development boundaries (excepting specific allocations for development) will be treated as countryside where new development will be more restricted and will be limited to that identified as suitable in rural areas by other policies of the local plan, including:

- farm diversification (under Core Strategy Policy CS06);
- small scale employment (under Core Strategy Policy CS10);
- tourism facilities (under Core Strategy Policy CS10);
- community facilities, development in support (under Core Strategy Policy CS13);
- renewable energy generation (under Policy DM20 of the rural economy or to this Plan);
- rural workers' housing (under Policy DM6 of this Plan); and
- affordable housing (under Core Strategy Policy CS09)

From your officers' perspective, the policy position on this site is quite clear, and that is that the proposed development does not represent one of the enabling developments listed above. The applicant has not provided any special justification why countryside protection policies should be relaxed.

The proposed dwelling is therefore contrary to the provisions of the NPPF paragraph 55, Policy CS06 of the Core Strategy 2011 and Policy DM2 of the Site Allocations and Development Management Policies Plan 2016.

Form and Character

The northern side of Little London Road, as it leads away from the settlement proper in an easterly direction, is characterised by substantial trees fronting the road. The site is no exception to this and the trees on the site fronting the road benefit from protection via a group TPO.

This is substantially different to the southern side of Little London Road where there are only sporadic trees and a cluster of dwellings occupy land opposite the site.

If the northern side of the road were to be developed this would result in built form on both sides of the road. Whilst the new dwellings would be screened to some degree by the trees that are to be retained, it is considered that any built form in this location would be of significant detriment to the form and character of this part of Northwold.

The Arboricultural Officer has no objection to the proposed development because the physical works could be undertaken without damaging these trees. However, your officers believe there would be significant pressure from future occupiers of the new dwellings to have the trees, which would cause considerable shade, to be removed.

In summary your officers consider that the proposed development would cause significant harm to the form and character of the locality, a harm that would be worsened if the trees that front the road had to be removed at a later date.

It is therefore considered that the proposed development is contrary to the provisions of the NPPF in particular paragraphs 17, 58 and 64 and Development Plan Policies CS08, CS12 and DM15.

Highway Safety

Original plans indicated that the visibility splays for plots 1 and 2 to the west of the point of access (trafficked direction) would encroach into the 3rd party land of the adjoining site and would therefore not be achievable at the distance indicated. As a result, the LHA objected to

the scheme on the basis that the development would lead to conditions detrimental to highway safety. Further it was considered that the site is without safe access for pedestrians as the verges are steep and un-walkable. There is no footway link and pedestrians would therefore be required to compete for space with vehicles within the live carriageway.

Amended plans have been submitted which address the visibility issue and thus the LHA no longer object on this basis. However, it is still considered that the site is unsustainable as a result of the location and lack of safe footway link. Notwithstanding the above, the conditions are not considered so severe to warrant a recommendation of refusal. Therefore, conditions regarding access, visibility splays, parking and turning etc. are recommended in the event that the application is approved.

Residential Amenity

All matters are reserved and therefore the impact on neighbours cannot be fully considered. Notwithstanding this, a layout as indicatively shown is unlikely to result in any material overlooking, overbearing or overshadowing issues. Any disruption issues would be minimal given the limited number of units proposed.

Ecology

A Preliminary Ecological Appraisal has been submitted with the application. It concludes that:

Protected sites – no impact on the SPA and SSSIs located in the vicinity of the site;

Habitats - no impact on the value of woodland on the site or the TPOs. Mitigation measures including construction work/tree protection to be to British Standard;

Bats – the landscape surrounding the site is considered of high value for bats and the site provides some high value foraging and community habitats within the woodland, along the scattered trees and within the area of scrub. However there are no buildings on site. Several trees provide potential for bat roosting (assessed as low roosting suitability) but none of the trees are proposed to be felled. Recommendations include low level lighting, provision of bat boxes and native species hedge planting to provide commuter routes within the site but no further surveys are required.

Birds – no suitable breeding sites for barn owls or ground nesting species such as stone curlew. Removal of some scrub vegetation will result in then loss of breeding habitats for scrub nesting birds. However as mitigation, any works on site should be planned outside the main nesting season (March to August). Compensation includes the provision of bird boxes and enhancements include the provision of swift boxes.

Great Crested Newt (GCN) – Whilst no ponds are on the site, there are two ponds located within 250m of the site, one of which is assessed as excellent suitability for GCN. There are also suitable terrestrial habitats within and around the site. A data search indicates 10 absence records from recent eDNA surveys undertaken for GCN, the closest of which is 1km from the site. However, the Ecologist considers that the absence records, combined with the fact that the site is not on a commuting route between ponds indicates that it is unlikely that GCN would be present on site during construction works. Notwithstanding the above, it is recommended that a method statement of Reasonable Avoidance Measures is produced as a safeguard.

Water voles, otters and white-clawed crayfish – no water features present on site and no mitigation required.

Reptiles – The habitats on and surrounding the site are suitable for reptiles. However, data searches only indicate one record of grass snake from 2003. Whilst the Ecologist considers it unlikely that reptiles will be found, a method statement of Reasonable Avoidance measures would be required.

Badgers – no signs of badger presence or data records and therefore no mitigation required.

On the basis of the above, suitable mitigation measures could be conditioned in accordance with the NPPF, NPPG and Policy CS12 of the Core Strategy 2011.

Other material considerations

Third Party comments have been covered in the main body of the report.

No issues are raised by Environmental Quality regarding contaminated land or air quality.

Crime and Disorder

There are no specific crime and disorder issues.

CONCLUSION

The site is designated as countryside and no material reasons have been given to suggest countryside protection policies should be set aside. The development is therefore contrary to paragraph 55 of the NPPF and to Development Plan Policies CS06 and DM2.

The proposed development would result in significant harm to the visual amenity of the locality and to the intrinsic beauty of this particular area of countryside. This impact would be worsened if there is pressure from future occupiers of the dwellings to remove the trees. It is therefore considered that the proposed development would not add to the overall quality of the area and represents poor design. The development is therefore contrary to paragraph 58 and 64 of the NPPF and Development Plan Policies CS08 and DM15.

The proposal is therefore recommended for refusal.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The site lies outside the development boundary for Northwold as defined by Inset G59 Northwold and Policy DM2 of the Site Allocations and Development Management Plan 2016 and is therefore countryside where countryside protection policies apply. The applicant has not provided any special justification why countryside protection policies should be relaxed. The proposed development is therefore contrary to the provisions of Paragraphs 17 and 55 of the NPPF, Policy CS06 of the Core Strategy 2011 and Policy DM2 of the Site Allocations and Development Management Policies Plan 2016.
- 2 The proposed development would result in significant harm to the visual amenity of the locality and to the intrinsic beauty of this particular area of countryside. This impact would be worsened if there is pressure from future occupiers of the dwellings to remove the trees. It is therefore considered that the proposed development would not add to the overall quality of the area and represents poor design. The development is therefore contrary to paragraph 58 and 64 of the NPPF and Policy CS08 of the Core

Strategy 2011 and Policy DM15 of the Site Allocations and Development Management Policies Plan 2016.