

AGENDA ITEM NO: 8/2(a)

Parish:	Docking	
Proposal:	OUTLINE APPLICATION SOME MATTERS RESERVED: Proposals for 33 new dwellings with means of access from the public highway from Pound Lane and a pedestrian route off Well Street with all other matters reserved for approval	
Location:	Land on the North side of High Street Docking Norfolk	
Applicant:	Farm Supplies (East Anglia) Ltd	
Case No:	16/00866/OM (Outline Application - Major Development)	
Case Officer:	Mr C Fry	Date for Determination: 24 August 2016 Extension of Time Expiry Date: 14 March 2017

Reason for Referral to Planning Committee – Financial Contributions exceeds £60,000.

Case Summary

The site is an allocated site for housing in Docking. Policy G30.1 – Land situated off Pound Lane (Manor Pasture) for a minimum of 20 dwellings.

The site lies on the southern side of Pound Lane and slopes away to the south in an undulating manner. The western and eastern boundary contains established trees.

The proposal seeks outline consent for 33 dwellings including improvements in the form of a pedestrian route from Well Street and Pound Lane. Access only is to be determined at this stage.

Key Issues

Principle of Development
Impact upon Visual Amenity
Impact upon Designated Heritages
Impact upon Non-designated Heritages
Trees and Landscape
Impact upon Neighbour Amenity
Highway impacts
Ecology - upon European Designated Sites
Ecology - impact upon protected species
Infrastructure provision
Affordable Housing
Open Space
Flood Risk and Drainage
Contamination
Archaeology
Other Material Considerations

Recommendation

A) APPROVE subject to conditions and completion of a Section 106 agreement within 4 months of the date of decision

B) REFUSE in the event of the s106 agreement not being completed within 4 months of date of the Committee meeting, the application shall be REFUSED due to the failure to secure affordable housing, site specific public open space, financial contribution, county contribution, provision maintenance and management of SUDS and habitats mitigation contribution.

C) Should the S106 be completed before 15th February 2017, then the County contributions will need to be included within the S106; if it is after 15 February, CIL will be liable and County contributions do not need to form part of the S106.

THE APPLICATION

The site lies within an area designated as “Countryside” according to the Development Management Plan Document site boundary for “Docking”. The site is to the south of Pound Lane Docking.

The site is allocated for development for a minimum of 20 dwellings according to the Site Specific Allocation and Development Management Plan Document – Policy G30.1.

The site slopes away in an undulating fashion in a southerly direction towards the rear of the properties in Well Street. The site is mainly grassed with trees forming the western and southern boundaries. Wire and post fencing forms the northern boundary onto Pound Lane and post and rail forms part of the eastern boundary. Other features on the site include a pond and an overground 3 phase electric line, WW2 tect turrets and pill box.

The form and character of Pound Lane is extremely verdant and there is a sense of leaving the village into the wider countryside. The built form on Pound Lane comprises of single storey buildings that are constructed from red brick and flint. A detached chalet dwelling is immediately adjacent to the site and is constructed from red brick.

The properties in Well Street are a mix of detached bungalows, 2 storey dwellings and older flint constructed properties set behind substantial walls.

The Well Street properties are contained within the adjacent Docking Conservation Area.

The application seeks outline consent, with access only being determined at this stage, for 33 dwellings. The proposal retains and develops the pond in the centre of the site. Given the topography of the site and the position of the existing pond, an indicative SUDS basin has been proposed in the south east corner of the site.

The indicative layout identifies two storey terraced dwellings on the roadside frontage with an off-set access point. The access then splits around the pond to serve two storey detached properties within the centre of the site. Access is linked through to the adjacent playing field.

SUPPORTING CASE

The proposal has been accompanied by a suite of documents:-

- Design and Access Statement
- Transport Statement
- Phase 1 Habitat Survey
- Extended Phase 1 Contamination Report.
- Statement of Community Involvement
- Arboricultural Implications Assessment
- Archaeological Desk Based Assessment
- Flood Risk Assessment
- Landscape and Visual Impact Assessment
- Planning Statement

However in the interest of brevity the agent has summarised the application as follows:-

- The application is an outline application for 33 new dwellings
- Details of scale, layout, appearance, landscaping and design of the internal lanes are reserved for later approval.
- The site is currently pasture grazing and formed of one single field and part of a second field. The site measures 3.5ha
- The site slopes from north to south and the change in level is 2.15m
- The land is bounded by the rear of properties to Well Street to the south, the former Manor Farm to the west, Pound Lane and a single property Magnolia Cottage to the north. The woodland strip is subject of a TPO.
- WW2 “tett” turrets and Norcorn pillbox are located on the southern edge of the site
- The southern edge is within the Conservation Area
- A large field pond contains water most of the year and an overhead electricity line also crosses the site.
- The site is allocated for “at least 20” dwellings. It is close to local facilities that are readily accessible on foot and the primary school and nursery close by.
- No protected species on or affecting the site, the land is unlikely to be contaminated. Archaeological Assessment shown no evidence of previous occupation other than some WW2 remains, further surveys are recommended before development.
- The WW2 turrets could be listed (this is currently the subject of a listing/scheduling application with the Historic Environment Service)
- The tree belt to the south of the site will be unaffected by the development, only a few trees will be removed. The proposals offer the ability to manage the woodland properly.
- The pond will be re-positioned marginally to the east to allow for the access but also proposes to significantly enhance its appearance and bio-diversity potential. The pond is also incorporated in to the proposed SUDS scheme which then drains into a second proposed infiltration pond in the south-east corner of the site.
- The illustrative plan submitted with the application envisages detached and terraced dwellings fronting Pound Lane, with 2 courtyard groups. The properties contained within the site front onto the pond.
- The design will follow local character and use of materials.
- Affordable housing is proposed to be 20%

- A 5.5m wide lane is proposed to access the properties along with 2 courtyards and internal “closes”. A new access from Pound Lane is proposed about halfway along the site frontage. The lane and internal access is designed to meet adoptable standards.
- A footpath will be provided on Well Street and a pedestrian route to the adjacent recreation ground.
- Pound Lane will be widened and a footpath provided. The widening of a section to Well Street and the bus stop improvements have been agreed by the applicant’s, although the widening of the highway is not strictly justified.
- The existing tall poplar trees that form the existing boundary to the recreation area are to be removed and replaced with more appropriate boundary planting.
- The residents will manage all of the open spaces areas created by the development themselves, through an open spaces trust and management company. This includes the woodlands, pond areas and the WW2 features.
- The proposals provide for 6 pieces of play equipment or the equivalent with the provision to be agreed between the recreation ground, the planning authority and the applicants.
- S106 contributions will include the improvements to Pound Lane and Well Street, improved bus stop provision, contributions to education provision, affordable housing and preservation and interpretation of the WW2 remains.

PLANNING HISTORY

There is no recent relevant site history

RESPONSE TO CONSULTATION

Parish Council: SUPPORT

Local Highway Authority: NO OBJECTION subject to conditions

Environmental Quality: NO OBJECTION subject to condition

Community Safety Neighbourhood and Nuisance: NO OBJECTION subject to conditions

Conservation Officer; NO OBJECTION

Arboricultural Officer: NO OBJECTION subject to condition

Norfolk Constabulary: the final design will need to incorporate clear lines of sight and the avoidance of providing alcoves, recessed areas or opportunities for offenders to loiter. Active window at ground floor levels will provide levels of guardianship and remove blank windowless elevations. Landscaping will need to be maintained and a carefully designed lighting plan to cover all vulnerable areas should be in place.

Housing Enabling Officer: at present a 20% provision is required on sites capable of accommodating 11 or more dwellings and/or 0.165ha in Docking. This is further split into 70% for rent and 30% shared ownership or any other intermediate product that meets the intermediate definition within the NPPF, meets an identified need in the Borough and is agreed by the Council. In respect of this site 7 units would be required to be provided – 5 for affordable rent and 2 for shared ownership.

1 bed 2 person and 2 bed 4 person units should be provided. We expect the units to provide in groups of no more than 4, to ensure that they integrate into the overall development. If phasing were to be promoted than trigger points would need to be examined

Historic England: The proposed development would build on land to the north east of the Docking Conservation Area and the grade II listed Manor Farm complex. The site is part of an area of open land which plays a role in the setting of both heritage assets. The impact on the farmstead, in particular needs to be considered when weighing up any public benefit from the proposed housing against harm to the heritage assets.

Historic Environment Service: requests a field survey be carried out in respect to the site.

Comments from Historic Environment Service in regards to the latest heritage statement will be reported in late correspondence.

Environment Agency: NO OBJECTION

Open Space Officer: a contribution of £36,537 would be required which would be in the form of 5 pieces of play equipment, but this could be fairly flexible if refurbishment of existing equipment were to be provided.

NCC Infrastructure Provision contributions will be sort in respect to Docking CE primary School for a new self-contained class space, including any remodelling this would be £3,598 in the case of a house, £1800 in the case of a flat.

Representations:

THIRTEEN letters of **OBJECTION** in regards to the following

- No thought in regards to the layout for wheelchair users and those with physical disabilities.
- Increase in traffic on the congested one-way system.
- Disturbance to protected species habitats.
- Pound Lane is unsuitable for extra traffic movement.
- No footpath proposed on Pound Lane for the existing users.
- Increased traffic on Pound Lane could disrupt funeral services.
- Surface Water flooding elsewhere in the village as a result of development.
- WW 2 turrets on the site have not been mentioned in the report.
- Water pressure and electricity supply issues.
- No bus service in Docking.
- Over development of the site affecting the character of the village.
- Overbearing and overlooking issues upon neighbouring properties.
- Ownership and access rights are not correctly conveyed.
- Possible loss of trees.

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

CS09 - Housing Distribution

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

OTHER GUIDANCE

Conservation Area Character Statement.

PLANNING CONSIDERATIONS

The main planning considerations in regards to the application are:-

- Principle of Development
- Impact upon Visual Amenity
- Impact upon Designated Heritage Assets
- Impact upon Assets
- Trees and Landscape
- Impact upon Neighbour Amenity
- Highway impacts
- Ecology - upon European Designated Sites
- Ecology - impact upon protected species
- Infrastructure provision
- Affordable Housing
- Open Space
- Flood Risk and Drainage
- Contamination
- Archaeology
- Other Material Considerations

Principle of Development

Docking is classified as a Key Rural Service Centre in the settlement hierarchy as set out under Policy CS02 of the Borough Council of King's Lynn and West Norfolk Core Strategy 2011.

The site is an allocated site in the Council's Site Allocations and Development Management Policies. This site has been "allocated" for a minimum of 20 dwellings under Policy G30.1 - Docking - Land situated off Pound Lane, Manor Pasture. Development will be subject to compliance with the following:-

1. Suitable provision/improvements to pedestrian links including road widening and links to footways on Pound lane from the site to Station Road and/or Chequers Street.
2. Submission of a Heritage Asset Statement that establishes that there will be no negative impact on Heritage Assets in the locality.
3. Incorporation of a high quality landscaping scheme including the retention of established hedgerow, where possible, to the west and south boundaries to minimise the impact of the development on the Conservation Area.
4. Retention of the existing pond at the centre of the site to form an integral part of the development scheme. Opportunities for ecological enhancement should be implemented, as identified in the Ecological Study.
5. Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system will contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the SUDS should be included with the submission.
6. Submission of an Ecological Study that establishes that either;
 - i) There would be no negative impact on flora and fauna
Or, if any negative impacts are identified, establishes that:
 - ii) These negative impacts could be suitably mitigated against;
7. Provision of affordable housing in line with current standards.

In respect to these provisions, the proposal seeks approval for the means of access only. Accordingly, the provision of pedestrian links and any form of road widening from the site to Station Road and/or Chequers Street has been included in the application. This can be controlled by condition.

A heritage assessment statement has been included in the application, albeit layout, scale and appearance are not being determined at this stage. A landscape strategy has been submitted based on the indicative layout and has incorporated the hedging and trees towards the west and southern boundaries of the site. The pond is detailed to be retained on the indicative layout and enhanced by increasing its surface area.

A SUDS basin has been indicated in the south east corner of the site, but the details cannot be formalised at this stage as this would be dependent on final layout and numbers of dwellings.

Information contained with the accompanying Flood Risk Assessment is therefore indicative at this stage, although this can be conditioned. A phase 1 - ecology study has accompanied the application to inform point 6 above.

The S106 will also secure affordable housing contributions. Other Matters to be secured in the S106 include the final Sustainable Urban Drainage System mechanism, management and maintenance thereof, securing county contributions (assuming the S106 is signed before the Community Infrastructure Levy (CIL) is enacted), open space provision (financial) and habitats regulation mitigation.

In light of the above, it is considered that the proposal could comply with the NPPFs presumption in favour of sustainable development and Policy G30.1

Impact upon Visual Amenity

Third party representations are concerned about the development being contrary to the form and character of development in the locality.

The application site falls away in a southerly direction towards Well Street and is grade 3 agricultural land that has been used for grazing. The site is bound to the north by Pound Lane and to the west by the properties on Well Street and Pound Lane. The eastern boundary is hedged. The southern boundary contains established trees. At present access to the site is via Pound Lane only.

The form and character of the development on Pound Lane and Well Street comprises of single and two storey detached dwellings, that are either infill C20th dwellings constructed from brick or earlier C18 and C19 flint dwellings and farm buildings.

Even though layout, appearance, scale and landscaping are reserved for later consideration it is considered that the indicative layout and street scene elevations shown, demonstrate that 33 dwellings and the enhanced pond/recreation area can be accommodated on the site whilst respecting the form and character of development in the locality.

The proposal has a low density of 9 dwellings to the hectare.

Impact upon Designated Heritage Assets

The site can be said to form the setting of and is in close proximity to Designated Heritage Assets. Docking Conservation Area crosses the south western part of the site that contains a dense wooded area. The nearest listed building is Manor Farm, Grade II listed, which lies to the west of the site on Station Road with its associated buildings on Pound Lane.

The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places statutory duties upon Local Planning Authorities. In determining applications that affect a Listed Building or its setting Section 66(1) states that the Local Planning Authority 'shall have special regard to the desirability of preserving the building or its setting'. Section 72 requires the LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area when determining applications affecting buildings or land within the Conservation Area or its setting.

Docking Conservation Area Character Statement refers to the area in the vicinity of the site, "Finally the north-eastern boundary of the core area (Conservation Area) is formed by the dominant presence of Manor Farm, its outbuildings, walled garden and its mature treed landscape, both in the garden itself and along the eastern boundary. The latter tree belt provides an important visual backdrop and sense of enclosure to this part of the Conservation Area. Modern infill buildings have been inserted to the north-east of Well Street and, whilst architecturally undistinguished, they are of reasonable scale and well hidden behind hedges." "To the south is perhaps the most attractive of the Docking ponds located at the junction of Station Road and Pound Lane. Views both north and south are delightful in this area but there are also attractive views outwards to the east and west".

The application has been accompanied by a Heritage Appraisal which assesses the impact of the proposal upon these designated heritage assets.

In respect to the listed Manor Farmhouse, it is stated that "the single residence to the west of the site blocks the site from the Manor Farmhouse and its garden, whose only view of the site will now be possible from its upper storey". In respect to the Conservation Area, from both the public realm and the back gardens of houses that border the Conservation Area glimpses of the site are stated to be "seen from both the public realm and the back gardens of the houses that border the Conservation Area to the east through the shelter belt of trees that borders the site along High Street and Well Street". However the report goes on to say "this shelter belt is tall and well-established, with both deciduous and evergreen trees and, as the pavement at this point is at a much lower level than the site itself, it is unlikely that any of the proposed new houses would be visible".

Notwithstanding the comments contained within the Heritage Appraisal, Historic England have commented in respect to the impact of the proposal on the Conservation that "whilst the proposed development would introduce modern housing to a previously undeveloped field and affect the experience of approaching the Conservation area from the north east the impact on the historic core of the village contained within the conservation area this will be mediated by the ribbon modern housing already on the streets. The proposed development will have an impact on the setting of the Conservation Area because of the effect of modern development on Well Street and High Street's historic relationship to fields to the north east but we do not feel the development would amount to harm to its historic significance terms of the NPPF so as to merit an objection".

In respect to Manor Farm, "we (Historic England) are more concerned with the effect of further housing and the Council need to consider this carefully to identify any harm to the significance of the grade II listed buildings"

The Conservation Officer comments that there would be little impact upon the Conservation Area and the setting of Manor Farm, given that the site is well screened from the public realm and Manor Farm not being seen in conjunction with the site.

The Conservation Area Advisory Panel comments are in line with the Conservation Officer comments. The Panel considered the proposal to be acceptable subject to details as it would have little or no impact on the Conservation Area if the tree belt were to be retained.

The trees that form the south western boundary of the site are considered to screen the effect of the mass of the development from the Conservation Area. Accordingly in line with the above mentioned comments it is considered there would be little harm to the significance of this Heritage Asset.

Overall, it is considered that the indicative layout is acceptable in terms of its massing and the setting of Manor Farmhouse. The cottages that are shown indicatively are of a scale akin to workers cottages. However the layout is indicative at this stage.

In line with paragraph 134 of the NPPF, where a development will lead to less than substantial harm to the significance of a designated heritage asset this harm should be weighed against the public benefit of the proposal, including its optimum viable use. The public benefit of this scheme would be in providing much needed housing within the borough, on a proposed allocation, and the contribution made to the local economy from the future residents of the development. The benefits are therefore considered to outweigh the amount of harm caused to the significance of the designated assets.

Impact upon non-designated heritage assets

Third party representations are concerned that the World War 2 tett turrets on the site have not been mentioned in the accompanying Heritage Statement.

The site contains 2 World War 2 tett-turrets and pill box on the western boundary of the site. These are very rare heritage assets and survive in a particularly complete condition. At the time of submitting the application, these assets were non-designated, however during the application an application for the assets to become listed has been submitted to Historic England.

The application for their listing or scheduling has not been determined at the time of writing this report.

However it is considered that the impact upon their setting would need to be considered as non-designated heritage assets.

At present the tett turrets are in a wooded area to the west of the properties on Well Street, with no public access afforded of them. The indicative layout has the tett turrets and pill box in this wooded area. The indicative siting of the houses would show an adequate separation from the Turrets and pill box.

The archaeological report has stated that because the tett turrets and pill box are contained within a woodland strip, which is to be retained, the proposal will have minimal impact upon their setting.

It is considered to be reasonable to impose a specific condition in regards to the future management and maintenance of these non-heritage assets as if no condition were imposed safeguarding these assets; they could be removed at any point in time by virtue of them not being listed.

Trees and landscape

Third party representations are concerned about the loss of trees on the site.

An arboricultural assessment has identified that some of the trees to the east of the site will need to be felled/replaced, in order to provide access to the playing fields to the east.

The selective trees within the woodland group W1 will also need to be removed to facilitate the footpath through to Well Street.

From the indicative proposal, the houses fall outside of the root protection areas of the trees on the site.

In order to improve the amenity to the dwelling houses closest the trees, the crowns of the trees will be raised to 4m.

Since the application has been submitted the group of trees in the south west corner of the site has been protected under a group TPO.

The Arboricultural Officer has no principle objection to the removal of the trees as stated in the report, but would require details by way of condition in respect to a method statement and formal tree protection plan and a detailed landscaping scheme.

It is also considered necessary at this juncture to secure the management of the group of Trees in this particular area of this site by way of planning condition.

Impact upon Neighbour Amenity

Third party representations are concerned about the proposal causing overbearing and overlooking issues upon neighbouring properties.

Although the application seeks outline planning permission with all matter except access being reserved, the indicative site layout identifies that 33 dwellings can be satisfactorily accommodated on site without causing principle detrimental neighbour amenity issues.

The neighbours that abut the western boundary of the site can be adequately protected at reserved matters stage.

The Environmental Health CSNN team have no objection to the proposal subject to a detailed construction management plan.

Highways Impact

The application seeks outline planning permission with all matters reserved except for access.

Third Party representations and the Parish Council are concerned about the impact of additional traffic on the village and the suitability of Pound Lane accommodating additional traffic considering its restrictive width. Further issues are raised by 3rd party correspondence in respect to the lack of footpath provision on Pound Lane

A Transport Assessment has been submitted. Pound Lane runs east-west and is the subject of a 30mph speed restriction. The 30mph restriction increases to 60mph just past the eastern edge of the site. There is a narrow verge on the southern side of the carriageway and there is no footway provision on either side of Pound Lane in the vicinity of the site. The nearest footway provision is located on the eastern side of Station Road to the west of the site.

The Transport Assessment states "Traffic surveys indicate that Pound Lane is very lightly trafficked with only 10 two-way movements in the AM peak and 14 in the pm peak. This equates to 1 vehicle movement every 4-6 minutes. It is therefore considered that Pound Lane would be suitable to accommodate pedestrian movements on the carriageway.

Additionally it is considered that cycle movements can take place without the need for cycle paths.”

The nearest bus stop is on the B1454 High Street adjacent to the village hall. In order to achieve access to the bus stop, a new footpath will link the site to Well Street.

Following consultations with NCC Highways the proposal now promotes the provision of a footpath on Pound Lane and the widening of the carriageway. In addition to the provision of a footpath from the site to Well Street, the Highways Officer has requested further off-site highway works. The works involve widening an extent of footway to 1.8m within the existing highway verge and the upgrading of the unmarked bus stop on Well Street. The agent has intimated that the client would be willing to provide such off-site works.

The highways officer’s recommended conditions are to be imposed.

Ecology - Impact upon European Designated Sites

The Borough Council’s Habitats Regulation Assessment, conducted by Wild Frontier Ecology states in relation to this site that “the number of houses proposed (20) is small and the most likely close sites are already well visited, so the increase in usage would be almost imperceptible given the already heavy use of the area the trips may contribute to cumulative impacts on the North Norfolk Coast SPA from recreational disturbance”. The report states there are no likely significant effects and no need for an appropriate assessment in relation to this site.

The application has been supported by a Habitats Survey, which states that the development will have no effect upon any designated site, however the Habitats Survey carried out by the Council states that in combination with other sites, development should be required to provide a programme of publicity aimed at the occupants on the development and other residents highlighting for recreation in the vicinity avoiding the Norfolk North SPA. A condition will be imposed in relation to securing such publicity.

The site should also be the subject of mitigation measures as outlined in Policy DM 19 on-site provision. This has been achieved in the form of providing footpaths to Well Street links through to existing playfields and ecological enhancement has been achieved through the retention and increase of the pond area and its associated informal recreation to reduce the impact upon the SPA.

The developer will also pay the Habitat Mitigation and Monitoring Contribution of £50 per house to the Council. This will be secured in the S106 agreement.

Ecology - protected species

Third Party comments are concerned about the impact upon protected species.

The phase 1 ecological assessment has identified that the site is unlikely to support any flora species of conservation significance. No further surveys are required in regards to plants.

In respect of invertebrates no further surveys are required and through appropriate landscaping, this will provide additional shelter.

There is currently a seasonal pond in a central position on the site. The pond is said to have “average” suitability for great crested newts. Connectivity with other ponds in the village is somewhat limited by roads and no interconnecting habitats, with the exception of a pond located 35m to the south of the site and a further off-site pond. An eDNA survey of all 3 ponds has been carried out by the Ecologist. The eDNA survey concluded that there were no great crested newts presence and no further surveys are required in respect to great crested newts.

Enhancement of boundary hedgerows and log piles in a landscaping scheme will enhance the habitat for reptiles.

If scrub and trees on site are to be removed during the nesting bird season, March-September inclusive, a site visit by a suitably experienced ecologist should be conducted. It is recommended that 4 traditional wooden bird boxes are erected on trees or buildings across the site. These will provide alternative nesting provision and supplement the existing nesting habitat available within retained vegetation.

The woodland would be suitable foraging habitat for a range of bat species. If any tree felling is to occur, then an experienced bat ecologist should inspect the tree prior to felling. Recommendations are to enhance the boundary hedgerow, and incorporate a bio-diversity landscaping scheme. Artificial lighting along the southern boundary should be hooded, cowled or shielded and directed to the ground to avoid light spillage onto potential bat commuting or foraging habitats. Bat boxes are also recommended to be installed.

No further surveys are required in relation to badgers and dormice.

A lot of the guidance in respect to enhancement features can be designed in the layout of the estate, landscaping and design in the dwellings which will be at reserved matters stage. However it would be appropriate to condition the timing of works to the hedgerow and any vegetation clearance at this juncture.

Infrastructure Provision

North County Council are seeking £3039 per multi-bedroom house and £1520 per multi-bed flat towards Docking primary school, which is already at full capacity, to facilitate the need to remodel the classroom space. A development of 33 dwellings would place increased pressure on the existing library service particularly in relation to library stock, such as books and technology. It has been calculated that a development of this scale would require a total contribution of £2,475 - £75 per dwelling.

Norfolk Fire Services require a fire hydrant. This will be conditioned accordingly.

Affordable Housing Contributions

The Planning Design and Access Statement state that 20% of the dwellings will be affordable.

The Housing Enabling Officer comments that the mix of affordable housing can be discussed prior to the submission of reserved matters but essentially if 33 dwellings were to be submitted as part of a reserved matters application, 7 affordable housing units would be required, 5 rent and 2 shared ownership. On a site of more than 33 dwellings clusters of no more than 4 affordable units would be acceptable.

The S106 agreement provides flexibility on final affordable housing numbers in line with Policy CS09, should a reserved matters application be submitted for fewer dwellings.

Open Space

In accordance with Policy DM16 of the Site Allocations and Development Management Policies document development between 20-99 houses, will only be expected to meet the requirements for suitably equipped children's play space only.

In this instance 17m² per dwelling towards formal open space is required – 561m². The planning statement has referred to a financial sum towards off-site provision commensurate to the costings of providing such facilities on site. The agent has been in discussions with the Playing Field Committee for the applicant to contribute towards the maintenance and management and facilitation of children's play space on the adjacent playing field. The playing field committee have identified the following works that are required to be carried out as part of their programme of works:- refurbishment of fencing, cleaning and repairing the tennis court surfaces and the installation of flood lighting. The agent has received a quote for the works involved, which totals approximately £58,000. The Public Open Space Officer has quoted a figure of £36,567.07 which would be commensurate to the provision of providing 5 pieces of children's play equipment on a site of 36 dwellings and 15 years' worth of maintenance.

Whilst the agent has intimated that their client is prepared to foot the cost of the works programme of the playing field committee, the costings of the projects put forward would be in excess of what is considered to be reasonable.

Accordingly it is considered that a contribution of £36,567.97 will be referenced within the S106 linked to, including but not prejudicing, any refurbishment of tennis courts, the provision of fencing and children's play equipment. Any additional funds would need to be agreed separately with the Parish Council.

Flood Risk and Drainage

Third Party representations are concerned about the proposal causing surface water flooding elsewhere in the village.

The site lies within an area designated as Flood Zone 1 according to the Council's Strategic Flood Risk Maps, however being a site in excess of 1ha in size; a flood risk assessment was submitted with the application.

There is no existing surface water drainage located on or in the vicinity of the site. Surface water flows towards a central pond or the southern corner of the site. Following infiltration testing it was determined that the southern corner of the site could support infiltration based means of draining surface water. Calculations have determined that attenuation storage of 890.5m² will be required to attenuate storm water discharges from the site based on the indicative plans. This will be in the form of using the existing pond and the pond in the southern corner of the site. A 10% increase in the storage capacity of the basins has been factored into the calculation to take into account extensions and alterations during the lifetime of the development.

The finalised methodology, management and maintenance of the SUDS will be secured in the S106.

In regards to foul water there is capacity at Heacham Water recycling centre to accept inflows from the proposed development. Connection to foul water drainage will be in Station Road. Detailed information in regards to foul water drainage will be secured by way of condition.

Contamination and air quality management

The application has been supported with a Phase 1 contamination report and a transport statement from which air quality impact can be assessed. The Environmental Quality team have assessed both reports and do not wish to impose any contamination conditions but wish to impose a construction management condition.

Archaeology

An archaeological desk-based assessment produced by University of Leicester states that the Historic Environment Record suggests that there is little potential for prehistoric archaeology. Anglo–Saxon and medieval remains have been found within the village. There is the potential for further deposits associated with the World War 2 tett turrets and pillbox.

An updated archaeological site investigation into the Pill box and Tett turrets has identified an interconnecting tunnel between the Tett turrets. Given the siting of the Tett turrets and the Pill Box, on the outer defensive ring, it is said to be unlikely that there will be any features in the proposed development area.

Historic Environment Service comments that a field evaluation should be carried out prior to the determination of the application, however this is not considered to be necessary. No specific field evaluation was referenced by Historic Environment Service in their consultation response during the site allocation process and through layout, which is determined at reserved matters stage; archaeological implications can be resolved through conditions.

Other Material Considerations

Third party comments raise issues in regards to accessibility for wheelchair users. This is covered under part M of the building regulations.

Anglian Water raises no particular issues in regards to water pressure. Whilst no comment has been received from UK Power networks in regards to supplying the site with electricity, this is a standard issue that would need to be adequately addressed by the developer.

There has been a query raised in regards to access rights for services and drainage. The right of access and services would not be prejudiced by this planning application, as such rights are covered through civil law.

The Parish Council have also raised concerns about the pond and the safety of children. The Council will not take responsibility on the for the maintenance and management of pond and accordingly this will need to be controlled by a 3rd party, the details of this can be secured by way of condition.

CONCLUSION

Whilst the Parish Council have objected to the application on highways grounds and the safety of children around the pond, the site is allocated for development under Policy G30.1 – Land situated off Pound Lane for a minimum of 20 dwellings.

The proposal seeks outline consent with only access being determined at this stage. With off-site highways improvements being secured by way of condition, it is considered that the proposal is satisfactory in highway terms.

The indicative layout has demonstrated that 33 dwellings on the site can be achieved without detrimentally affecting the designated and non-designated heritage assets in the area and adjacent neighbour's amenity. The proposal has been supported with appropriate surveys and studies in respect to ecological, archaeological and geological issues that raise no principle objections from statutory consultees.

It is considered that the proposal put forward through planning conditions, S106 obligations and issues to be dealt with at reserved matters, has or can meet the provisions of Policy G.30.1.

In light of the above, it is considered the proposal complies with the provisions of the NPPF and that planning permission maybe granted subject to the conditions below and the imposition of a S106 agreement.

RECOMMENDATION:

A) APPROVE subject to the completion of a Section 106 agreement within 4 months of the date of decision and subject to the imposition of the following condition(s):

- 1 Condition Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.
- 1 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted to the Local Planning Authority in writing and shall be carried out as approved.
- 2 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Condition Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 4 Condition The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 4 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

5 Condition No development shall commence until full details of the foul water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.

5 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.

6 Condition Prior to commencement of development a detailed construction management plan must be submitted to and approved by the Local Planning Authority; this must include proposed timescales and hours of construction phase. The scheme shall also specify the sound power levels of the equipment, their location, and proposed mitigation methods to protect residents from noise and dust. The scheme shall be implemented as approved.

6 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF. This also needs to be pre-commencement condition as it deals with safeguards associated with the construction period of the development.

7 Condition The development shall not be brought into use until a scheme for the provision of a fire hydrant has been implemented in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority.

7 Reason In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.

8 Condition The development hereby approved shall be carried out in accordance with the recommendations contained within section 5 “conclusions and recommendations” of the Ecological Impact Assessment dated 21st April 2016 and the recommendations contained in DF Clark Ecology’s letter dated 6th May 2016 unless otherwise agreed in writing by the Local Planning Authority.

8 Reason In the interests of safeguarding protected species in accordance with the provisions of the Wildlife Countryside Act 1981.

9 Condition No dwelling shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

9 Reason To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard.

10 Condition No works shall commence on the site until such time as detailed plans of the roads, footways, cycleways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.

- 10 To ensure satisfactory development of the site and a satisfactory standard of highway design and construction.

This also needs to be a pre-commencement condition given the fundamental details linked to drainage and other infrastructure which needs to be planned for at the earliest stage in the development.

- 11 Condition No works shall be carried out on roads, footways, cycleways, foul and surface water sewers otherwise than in accordance with the specifications of the Local Planning Authority.
- 11 Reason To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.
- 12 Condition Before any dwelling is first occupied the road(s), footway(s) and cycleway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.
- 12 Reason To ensure satisfactory development of the site.
- 13 Condition Prior to the first occupation of the development hereby permitted a visibility splay shall be provide in full accordance with the details submitted shall be provided in full accordance with the details indicated on the approved plan drawing no. JNY8948-02 REV F. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- 13 Reason In the interests of highway safety.
- 14 Condition Prior to the commencement of any works on site a Construction Traffic Management Plan, to incorporate details of on-site parking for construction workers, access arrangements for delivery vehicles and temporary wheel washing facilities for the duration of the construction period shall be submitted to and approved in writing with the Local Planning Authority in consultation with Norfolk County Council Highway Authority.
- 14 Reason In the interests of maintaining highway efficiency and safety
- 15 Condition For the duration of the construction period all traffic associated with the construction of the development will comply with the Construction Traffic Management Plan and unless otherwise approved in writing with the Local Planning Authority in consultation with the Highway Authority.
- 15 Reason In the interests of maintaining highway efficiency and safety
- 16 Condition Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works as indicated on drawing numbers JNY8948-02 Rev F and JNY8948-03 Rev A, have been submitted to and approved in writing by the Local Planning Authority.

- 16 Reason To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.
- 17 Condition Prior to the commencement of works on site the carriageway widening to Pound Lane referred to in condition 16 shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.
- 17 Reason To ensure that the highway network is adequate to cater for the development proposed.
- 18 Condition Prior to the first occupation of the development hereby permitted the footway along Pound Lane and the improvement to the bus stop and Well Street as referred to in condition 16 and shown on plan number JNY8948-03 Rev A shall be completed to the written satisfaction of the Local Planning Authority.
- 18 Reason To ensure that the highway network is adequate to cater for the development proposed.
- 19 Condition Notwithstanding details received, Prior to the submission of a reserved matters application pursuant to this outline planning permission, and notwithstanding details received in regards archaeological works that were submitted as part of this application, the results of a programme of informative archaeological investigations (geophysical survey and/or trial trenching) shall be submitted to and approved by the local planning authority in writing. The results of these investigations shall be used to inform the Layout of the development submitted as part of any reserved matters application and any requirements for further archaeological mitigation if necessary. The geophysical survey and/or trial trenching will form the first phase(s) of a programme of archaeological mitigation work that shall be carried out in accordance with a written scheme of investigation which will need to be submitted to and approved by the local planning authority in writing prior to the submission of any reserved matters application. The scheme shall include:
- 1) The programme and methodology of site investigation, recording and/or preservation in situ through the layout of the site
 - 2) The programme for post investigation assessment,
 - 3) Provision to be made for analysis of the site investigation, recording and/or preservation in situ in the layout of the site
 - 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation,
 - 5) Provision to be made for archive deposition of the analysis and records of the site investigation and
 - 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.
- 19 Reason To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
- 20 Condition No development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 19
- 20 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.

- 21 Condition The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 19 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 21 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 22 Condition The development hereby permitted shall for no more than 33 dwellings
- 22 Reason For the avoidance of doubt
- 23 Condition In so far as it relates to access the development hereby permitted shall be carried out in accordance with the following approved plans:-
- Site Plan DOCK001-sk03-C dated 6th July 2016 received 24th October 2016.
 - Proposed Access Arrangements JNY8948-02 Rev F dated 19th August 2016 received 1st September 2016
 - Proposed Off-site footway JNY8948-03 Rev A and bus stop improvements dated 9th August 2016 received 1st September 2016
- 23 Reason For the avoidance of doubt and in the interests of proper planning.
- 24 Condition No building or other operation shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, engineering work, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles) until a tree survey showing the following has been submitted to and approved in writing by the Local Planning Authority:
- a) a plan indicating the location of and allocating a reference number to each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing clearly which trees are to be retained and which trees are to be removed, and the crown spread of each tree;
 - b) details of the species, diameter, approximate height and condition of each tree in accordance with the current version of BS:5837, and of each tree which is on land adjacent to the site where the crown spread of that tree falls over the application site and where any tree is located within 15m in distance from the application site.
- 24 Reason To ensure that the existing trees are properly surveyed and full consideration is made of the need to retain trees in the development of the site in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for trees to be lost during development.
- 25 Condition No development or other operations shall commence on site until the existing trees and/or hedgerows to be retained have been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.

- 25 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to protected trees during the construction phase.
- 26 Condition Prior to the occupation of 25% of the dwellings compromised in the development hereby approved, a landscape management and maintenance plan including long-term design objectives, management and maintenance responsibilities (including the timings of and details relating to any transfer of the landscaped areas to any such body responsible for its management and maintenance), management and maintenance schedules (including the maintenance of such areas for a minimum period of 5 years) for all landscape areas except for small privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority. The landscape management and maintenance plan shall be carried out as approved.
- 26 Reason To ensure that the landscaping is properly managed and maintained in accordance with the NPPF.
- 27 Condition Prior to the occupation of 25% of the dwellings hereby approved, or other such percentage as agreed by the Local Planning Authority, the landscape areas shall be provided in accordance with the landscape details submitted as part of a reserved matters application.
- 27 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 28 Condition Prior to the commencement of the development hereby approved, a scheme detailing the management and maintenance of the WW2 tett turrets shall be submitted to and approved in writing by the Local Planning Authority. The details of the scheme shall include the management and maintenance responsibilities and maintenance schedules of the WW2 tett turrets. The management and maintenance of the WW2 Tett turrets shall be carried out in accordance with the agreed scheme, unless otherwise agreed in writing by the Local Planning Authority.
- 28 Reason In the interests of preserving non-designated heritage assets in accordance with the principles of the NPPF.

B) REFUSE in the event of the s106 agreement not being completed within 4 months of date of the Committee meeting, the application shall be **REFUSED** due to the failure to secure affordable housing, site specific public open space, financial contribution, county contribution, provision maintenance and management of SUDS and habitats mitigation contribution.

C) Should the S106 be completed before 15th February 2017, then the County contributions will need to be included within the S106; if it is after 15 February, CIL will be liable and County contributions do not need to form part of the S106.