

AGENDA ITEM NO: 8/2(h)

Parish:	Terrington St John	
Proposal:	Proposed construction of 7 number new dwellings	
Location:	Land South of Cowslip Barn School Road Terrington St John Wisbech	
Applicant:	Client of Holt Architectural Ltd.	
Case No:	17/00197/F (Full Application)	
Case Officer:	Mr K Wilkinson	Date for Determination: 7 April 2017 Extension of Time: 12 May 2017

Reason for Referral to Planning Committee – The views of Terrington St John Parish Council is contrary to the Officer recommendation.

Case Summary

Seven detached dwellings are proposed on a green field site (0.58 Ha) on the western side of School Road, Terrington St John (a Joint Key Rural Service Centre) approx. 500m south of the primary school. The site has the benefit of an extant outline permission for 5 dwellings, approved at the time when the Council could not demonstrate a 5 year supply of housing land. This was approved under application ref: 15/01660/O after reference to the Planning Committee on 08.02.16.

The site was part of an agricultural field with an open road frontage, but has recently been fenced off. A barn conversion lies to the north, a bungalow to the south beyond a field and a cluster of 3 houses and agricultural style buildings on the opposite side of the road.

The site lies within Flood Zone 3 as defined in the Council-adopted Strategic Flood Risk Assessment.

Key Issues

Principle of development
Impact on countryside
Flood risk
Other material considerations

Recommendation

REFUSE

THE APPLICATION

Seven detached dwellings are proposed on a green field site (0.58 Ha) on the western side of School Road, Terrington St John (a Joint Key Rural Service Centre) approx. 500m south of the primary school.

The site was part of an agricultural field with an open road frontage, but has recently been fenced off in preparation for development. A barn conversion lies to the north, a bungalow to the south beyond a field and a cluster of 3 houses and agricultural style buildings on the opposite side of the road.

The effect of the proposal would be to infill a gap on the western frontage of School Road, presently identified as countryside. The site has the benefit of an extant outline permission for 5 dwellings, approved at the time when the Council could not demonstrate a 5 year supply of housing land. This was approved under application ref: 15/01660/O after reference to the Planning Committee on 08.02.16.

The previous application was in outline form, with all matters reserved for future consideration. An indicative site layout plan showed a central access point serving 5 equally sized plots. An accompanying Statement of Justification indicated that the dwellings would have the capacity to be workplace homes, and include highly sustainable construction techniques and qualities.

This current application shows a single access point approx. 35m south of the common boundary with Cowslip Barn, serving seven similar sized plots (approx. 18m wide x 46m deep). The houses are all substantial 4 bedrooomed units with effectively two designs/housetypes, but mixed and handed to present some visual variety. Full details of the facing materials have not been specified, however the plans indicate a mix of facing bricks and timber cladding to walls, and pantiled roofs.

The site lies within Flood Zone 3 as defined in the Council-adopted Strategic Flood Risk Assessment. The application is accompanied by a Flood Risk Consideration statement.

SUPPORTING CASE

The agent raises the following matters in support of this application:

The site is one of the windfall sites from the historic LDF situation and was approved originally as an outline application for 5 dwellings

Since the sale of the site by the farmer land owners, the current owners, a local development company, it is now sought to construct 7 dwellings on the site.

Each plot will have a frontage in the region of 18m, which are substantial widths, which combined with lowered roof lines to garages, provides an open and spacious feel even with the increased plot numbers for the site, and reflects the street scene in and around the area and along School Road.

The footprints of the buildings are set back from the road with a private driveway, with fencing and planting to reflect the rural setting of the site. The plots are all allocated with more than sufficient parking and turning provision, to remove any need for on road parking and achieve the visibility splays required for the road type and speed.

Furthermore the scheme now has the backing of the Parish Council, who at the initial outline stage were against this site. The current form of the site and its 7 dwellings have now been given the support of the parish council

Even with the 7 dwellings it does not present an overdevelopment of the site and will bring much needed family homes on suitable sized plots developed in a sympathetic way to the rural setting.

PLANNING HISTORY

15/01660/O: Application Permitted: 08/06/16 - Outline Application: Construction of 5 x 4/5 bedroom executive style houses including homeworking facilities and sustainable build considerations

RESPONSE TO CONSULTATION

Parish Council: SUPPORT – The members of Terrington St John Parish Council are able to support this application only with the revised site plan, as supplied to the Parish Council by Mr Brown on 2/3/17. This shows the moving of the entrance 30m north, which is essential to the support of this application.

The Parish Council, parishioners, and indeed a number of School Road residents are very concerned that any construction traffic to this development should have a condition attached for access the site, so as to off-load and turn around construction/delivery vehicles within the site constraints, so as to minimize the safety risks to other traffic along the busy School Road, and indeed make the construction entrance away from residential accesses opposite.

Highways Authority: NO OBJECTION subject to conditions relating to footpath widening, visibility splays, access constructed to specifications, parking and turning facilities.

King's Lynn Drainage Board: NO OBJECTION comments made relating to consent to discharge into existing watercourse and recommend a pre-commencement condition regarding surface water disposal

Environmental Health & Housing – Environmental Quality: NO COMMENTS

Environmental Health & Housing – CSNN: NO OBJECTION subject to conditions relating to: foul and surface water drainage and informative notes relating to construction management, soakaways & private foul water drainage

Environment Agency: NO OBJECTION on the basis that sequential testing is passed and subject to the development being carried out in accordance with the mitigation proposed in the Flood Risk Assessment that accompanied the application

District Emergency Planning Officer: NO OBJECTION subject to conditions

Housing Officer: NO OBJECTION subject to affordable housing contribution secured by Section 106 agreement

Historic Environment Service: NO OBJECTION subject to condition relating to archaeological investigations

REPRESENTATIONS

NINE letters of **OBJECTION** received raising the following grounds:

- Site lies outside the village development area;
- Not sustainable development;
- Out of character – too dense;
- Loss of agricultural land;
- School Road not suitable to serve additional housing – already too much speeding traffic, HGVs and on-street parking;

- Lack of services and amenities;
- Poor drainage;
- No mains sewerage;
- Increased flood risk building on agricultural land;
- Footpath too narrow and for part of the road there is no footpath;
- Construction impacts;
- Loss of views; and
- Noise and light pollution.

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

PLANNING CONSIDERATIONS

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

- Principle of development
- Impact on countryside
- Flood risk
- Other material considerations

Principle of Development

Terrington St John is defined as a Joint Key Rural Service Centre (JKRSC) in the settlement hierarchy set out under Policy CS02 of the Core Strategy (2011). The Site Allocations and Development Management Policies Plan (2016) defines the village development area which lies over 100m to the north of the application site. The site is therefore subject to countryside protection policies and advice contained in the National Planning Policy Framework 2012 (NPPF). 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'.

Whilst there is an extant outline permission for 5 houses and this is a material consideration, any new planning proposal must be assessed against the current planning policies. The earlier permission was granted at a time when the Council could not demonstrate a 5 year supply of housing land and this is no longer the case. The current proposed development is not so exceptional as to outweigh the policies of the Development Plan.

In light of the above and the current policy position, it is considered that the principle of developing the site with additional houses is not acceptable. Other matters will be addressed later in this report.

Impact on countryside

Whilst five plots have been permitted on this site, they are generous in size and it is expected that spaces between dwellings/buildings would create and maintain an open feel to the development comparative to the existing sporadic dwellings along this road frontage. The GIA of all the dwellings was restricted via condition to not exceed a total of 1,000m² to negate the requirement for on-site affordable housing provision.

The development now proposed shows buildings with little gaps between, limiting views through to the open land to the rear, and would create a consolidated built form which would adversely affect the countryside setting contrary to paragraph 17 of the NPPF.

Notwithstanding the aim to optimise the effective use of land promoted in paragraph 58 the NPPF, this has to be balanced against the other requirements of responding to local character and other planning policies.

Flood Risk

The site lies in Flood Zone 3a of the Council's Strategic Flood Risk Assessment (SFRA). Under the NPPF paragraph 100 - 101 and supporting Technical Guidance, the SFRA forms the basis of the sequential test, which seeks to steer development to areas of low (or lowest) risk. In this instance the combined villages of Terrington St John, St John's Highway & Tilney St Lawrence is considered the appropriate area of search for reasonably available potential alternative sites. Whilst some of this urban area lies within Flood Zone 2, there are no comparable sites available to accommodate this development and therefore the sequential test is passed.

Following the sequential test, an exception test is required to demonstrate the development provides wider sustainability benefits that outweigh the flood risk, and with the previous outline application a site specific flood risk assessment demonstrated that the development would be safe for its lifetime given the risk.

However in light of the principle of development not being acceptable as stated above, the proposal does not represent development where the sustainability benefits outweigh the flood risk. The proposed development is therefore contrary to paragraph 102 of the NPPF & Core Strategy Policy CS08 of the Local Development Framework 2011.

Other material considerations

Whilst there are local concerns expressed by the Parish Council and objectors with regards to traffic and highway issues, the Highways Officer raises no objections to the proposal subject to the provision of visibility splays, on-site parking and turning facilities implemented, access constructed to certain specifications and off site highway improvement works (footpath widening). It may be noted from the earlier approval that County Highways' request to widen the footpath was considered to be disproportionate and onerous; it was not therefore supported by your officers and that remains the case.

Land drainage is not considered to be a matter of concern. There is a private ditch along the southern boundary of the site but no drain alongside the road; levels suggest that the land drains westwards. Our CSNN team and the IDB have however requested that surface water drainage is covered via condition.

Mains sewerage is not available to serve the development but this may also be covered via condition.

There would be a need to secure affordable housing given the GIA of the development exceeding 1,000m². This would equate to one on-site affordable dwelling for rent and a financial contribution of £24,000 towards off-site provision. Whilst a 4 bedroomed house for rent would not match the current local housing demand (a 2 bedroomed unit preferred as identified in the Strategic Housing Market Assessment), it does not however constitute a grounds for refusal in this instance as there could be a demand for such a dwelling within the overall borough.

There are no significant crime and disorder issues raised by this proposal.

Noise and general disturbance may occur during the construction phase of any development, but would be relatively short-lived, subject to usual construction site working practices and any significant problems would be addressed under Environmental Health legislation.

There would be some impact with regards to domestic illumination, but that would not cause unreasonable light pollution.

The site comprises part of an arable field which has little value in terms of wildlife habitat.

The loss of private of views is not a material planning consideration and likewise the effect upon the value of properties (either increased or decreased).

CONCLUSION

Whilst it is acknowledged that there are 5 dwellings approved on this site and it is a material consideration, there is no special justification or indeed need (given the 5 year land supply has been met) for the additional two dwellings proposed as part of this scheme.

The proposed new development would be located within an area defined as countryside and would constitute a consolidated form which would be contrary to the appearance of its rural

setting. It also fails the exceptions test, as the location means there are no sustainability benefits to the proposal which would outweigh the flood risk. Consequently the proposal is contrary to the National Planning Policy Framework, Core Strategy Policies CS01, CS06 and CS08 of the Local Development Framework (2011) and Policies DM1, DM2 & DM15 of the Site Allocations and Development Management Policies Plan (2016).

In light of National Guidance, Development Plan Policies and other material considerations, it is recommended that Planning Permission for the development as proposed should be refused.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 Whilst there is an extant outline permission for 5 houses and this is a material consideration, any new planning proposal must be assessed against the current planning policies. The earlier permission was granted at a time when the Council could not demonstrate a 5 year supply of housing land and this is no longer the case. The current proposed development for an additional two units is not so exceptional as to outweigh the policies of the Development Plan. It is therefore concluded that the proposal fails to accord with the provisions of paragraphs 17 & 55 of the NPPF, Core Strategy Policies CS01 & CS06 of the LDF, and Policies DM1 & DM2 of the SADMPP.
- 2 Whilst five plots have been permitted on this site, they are generous in size and it is expected that spaces between dwellings/buildings would create and maintain an open feel to the development comparative to the existing sporadic dwellings along this road frontage. The development proposed shows buildings with little gaps between, limiting views through to the open land to the rear, and would create a consolidated built form which would adversely affect the countryside setting contrary to paragraph 17 of the NPPF, Core Strategy Policy CS08 of the LDF (2011), and Policy DM15 of the SADMPP (2016).
- 3 The application site falls within Flood Zone 3 as defined in the Council-adopted Strategic Flood Risk Assessment and passes the sequential test; however the exception test must also be applied. In light of the principle of development not being acceptable as stated above, the proposal does not represent development where the sustainability benefits outweigh the flood risk. The proposed development is therefore contrary to paragraph 102 of the NPPF & Core Strategy Policy CS08 of the Local Development Framework (2011).