

AGENDA ITEM NO: 8/3(g)

Parish:	Hunstanton	
Proposal:	Variation of condition 14, 18 and 23 of planning permission 16/00082/OM to revise drawings for additional vehicular accesses (private drives) onto Cromer Road	
Location:	Land E of Cromer Road Hunstanton Norfolk	
Applicant:	Bennett Homes	
Case No:	17/01465/F (Full Application)	
Case Officer:	Mr C Fry	Date for Determination: 22 September 2017

Reasons for Referral to Planning Committee – The views of Hunstanton Town Council are contrary to the Officer recommendation.

Case Summary

The application site lies on the eastern side of the A149 Cromer Road, Hunstanton and is allocated site F2.2 Hunstanton – Land to the East of Cromer Road.

Some Members will recall that this site benefits from an outline planning permission 16/00082/OM for 120 dwellings with associated S106 agreement which was granted by the Planning Committee on the 8th September 2016 with only access being determined at that stage.

This application seeks revisions to the access arrangements for the site by proposing an additional 3 vehicular accesses from Cromer Road to serve the development

Key Issues

Planning History
Highway Safety Impacts
Impact upon Amenity
Other Material Considerations

Recommendation

A) APPROVE subject to the deed of variation to the S106 agreement being agreed within 4 months of the date of decision

B) REFUSE if the deed of variation to the S106 agreement has not been agreed within 4 months of the date of decision.

THE APPLICATION

The application site lies on the eastern side of Cromer Road, Hunstanton contained within an area designated as Countryside according to Local Plan Proposals Maps for Hunstanton.

The site forms the setting of but is not contained within, the Hunstanton and Old Hunstanton Conservation Areas and the Area of Outstanding Natural Beauty. Additionally Hunstanton Hall's grade II listed gardens lie to the east of the site.

The site is also 700m to the east of The Wash SPA and Norfolk North Coast SPA.

The site is contained behind a built up grass verge and can be accessed via a public right of way to the south of the site. The site gently slopes away in a northerly direction towards Old Hunstanton.

There are no particular features on the site and the land is of grade 3 agricultural quality.

Residential development is evident to the west and south of the site, with distant views of the properties and buildings in Old Hunstanton to the North. Agricultural fields lie to the east. The form and character of the development in the locality comprises mainly of single and two storey detached properties.

Members will recall that an outline planning application for 120 dwellings has recently been permitted (16/00082/OM) with a S106 legal agreement securing planning obligations in respect to affordable housing, open space, habitats space, sustainable urban drainage systems and habitat mitigation payment.

The outline consent was granted for one access to serve the 120 dwellings with access only determined at outline stage. This application seeks to amend the access arrangements only, by providing 3 additional accesses to serve up to 8 dwellings each.

SUPPORTING CASE

The agent's transport consultants have submitted a brief supporting statement to the application:-

- *Access to frontage properties via the proposed drives, and proximity of frontage properties to Cromer Road will improve the sense of this being an urban street as opposed to a highway. This will have positive benefits on reductions in vehicle speeds as vehicle drivers have a sense of entering an urban area.
- Street frontages and vehicle accesses to Cromer Road will visually connect the development to properties on the opposite side of Cromer Road enhancing the sense of a street.
- NCC Highways has no objection to the additional access points direct to Cromer Road and are satisfied that these will not compromise highway safety or traffic flows
- By separating access to frontage properties from the internal estate road layout will avoid the need for inefficient lengths of driveway and allow for better use of internal space.

PLANNING HISTORY

16/00082/OM Outline Application: residential development of up to 120 dwellings with associated landscaping, open space, car parking and vehicular access from Cromer Road and Chapel Bank – permitted 08.09.16

RESPONSE TO CONSULTATION

Hunstanton Town Council: Comments that if Bennett Homes want to make variations to the original outline planning permission then HTC (Hunstanton Town Council) would like to see a complete re-think about the access to this new estate. We would have preferred the main access road to have a turn off Chapel Bank with improvements to the lane to make it suitable; it already has a good splay.

So, to have 6 roads turning off the A149 in such a short space is completely unacceptable. (i.e. 4 for the new estate plus Chapel Bank to the North and the Allotments road in the South and Glebe House School entrance. These are all on the East side of the A149. We consider the 3 extra driveways to be unsafe as they would not only be for 8 houses at each point but also delivery vehicles and refuse collectors would add to the hazard.

We are disappointed that Highways have no objection and wonder if they have made a site visit. There are few driveways onto the A149 between the Redgate Roundabout in the South and Lighthouse Lane in the North and traffic usually flows quite well. Collingwood Road, Old Town Way and Cyprus Close all make parallel inner roads and many of the older houses have garage entrances from side roads. We would like to see Bennet Homes also using an inner road to protect the A149 particularly as it is not very wide along this stretch

NCC Highways: NO OBJECTION - The Local Highways Authority has previously outlined that, subject to suitable visibility being provided, it would welcome frontage development at this location to complement the proposed change in speed limit associated with the development.

Having considered the submitted documents namely 3134.104 rev P2, I can confirm that I would have no objection to the revised proposals subject to conditions being varied.

Conservation NO OBJECTION this is a highways issue

Arboricultural Officer: Comments to be forwarded on in late correspondence.

REPRESENTATIONS

5 letters of objection to the proposal on the following grounds:-

- Light shining into bedroom windows into Old Town Way.
- The proposed two entrances would be accidents waiting to happen
- The extra entrances are to reduce cost of the road structure in the site to a cost of people's safety
- Conflict of traffic movements
- People's welfare and safety before profits.
- There will be 7 junctions' points in just over a quarter of mile between Clearance Road and Chapel Lane junction. The distance between estate junctions at 57m, 42m and 59m means there will be 3 crossover points within a distance of 158 m.
- The Design Manual for Roads and Bridges refers to the limiting of the number of direct access to trunk roads this is whether it involves new access or increased use of existing accesses.
- The new accesses and egress points are quite small being far as can be ascertained.
- The landscaping proposals could restrict the safety splay of 90m in each direction.
- The junction of the estate road as shown could/would cause a bottle next.
- The variation drawing is incomplete as it only shows a small section of the estate, missing the overall roads layout.

- If the layout is as shown on 015-003-006 the private driveways could be used as rat runs through the estate.
- Confusion for the emergency services/ deliveries trying to gain access for these houses
- Account must be taken for a good landscaping scheme
- If highways were aware of the landscaping scheme they would demand alterations to what is now suggested.
- Air pollution
- Urbanise the area
- A roundabout would at the junction with Clarence Road provide the only entrance to the new estate, and a service road running parallel to the A149 would be better.
- The proposal will result in all current trees and hedgerows having to be removed.

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

CS05 - Hunstanton

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

DM8 – Delivering Affordable Housing on Phased Development

DM12 - Strategic Road Network

DM15 – Environment, Design and Amenity

DM16 – Provision of Recreational Open Space for Residential Developments

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

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

- Planning History of the Site
- Highway Safety Implications
- Residential Amenity
- Other material considerations.

Planning History

Members will recall that the site benefits from an Outline Planning Permission for 120 houses (16/00082/OM) with only access being determined at that time.

This application seeks 3 additional accesses but still serves only 120 houses.

Highway Safety Implications

Third Party comments and the Town Council raise concerns in regards to the extra accesses from Cromer Road in terms of highway safety and whether there are other alternatives to serve the development that may be better suited in terms of both safety and the free flow of traffic.

The current permitted scheme has consent for a single vehicular estate road access from Cromer Road and a single access from Chapel Bank.

The proposal is to retain the type 2 estate road from Cromer road but include the provision for 3 other accesses from Cromer road to serve private drives. No further vehicular accesses are proposed from Chapel Bank. One access will be to the north of the permitted access opposite Peddars Drive. To use this access, vehicles will enter a right hand turn lane provided on the A149. Two private accesses to the south of the estate road, opposite those on Old Town Way are also proposed. The private driveways will be 4.8m wide and hard paved but this forms part of the layout of the site which is a reserved matters consideration. Further traffic calming measures, in the form of a Toucan Crossing near the junction of Clarence Road and Cromer Road, relocation of speed limit signs and a pedestrian refuge island are still proposed.

In support of the proposal, an addendum to the traffic assessment that accompanied 16/00082/OM has been submitted.

The essence of the application is to provide a more efficient road layout and to avoid unnecessary sections of estate road. However it must be noted that layout is a reserved matter application and the layout beyond the proposed access points as shown on drawing no. 3134.104 P2 is for indicative purposes only.

The transport assessment states that by providing frontage development vehicle drivers on Cromer Road will experience an increased sense of travelling through an urban area as opposed to a rural area, which in terms acts as a form of traffic calming measure.

Policy F2.2 states that the proposal will need to be served by a “safe vehicular and pedestrian access to be from the A149 including a new crossing point and access to sustainable transport links” and Policy DM12 – Strategic Road Network restricts only new accesses onto the Strategic Road network outside of the settlements

NCC highways have no objection to the additional access arrangements as shown on drawing no. 3134.104 P2 with conditions 14, 18 and 23 which relate to highway safety provision and access arrangements being revised.

Impact upon Residential Amenity.

It is noted that the additional accesses to the south of the main estate road are directly opposite properties on Old Town Way, however it is considered that the disturbance in terms of vehicular activity from these access would not detrimentally affect their amenity to a degree to warrant a refusal of the application, especially considering that the driveways are approximately 20m from the front boundary treatments of those on Town Way.

Other Material Considerations

Policy F2.2 point 5 refers to the incorporation of a high quality landscaping scheme, including the retention and enhancement of established hedgerow and the planting of new shelter belts and woodland to the north and east boundaries to minimise the impact of the development on the setting of Old Hunstanton Conservation Area, the Grade I listed Hunstanton Hall as well as the Hall's park and gardens which are listed as Grade II and the Norfolk Coast Area of Outstanding Natural Beauty (AONB).

The northern access drive does not affect any hedgerow or trees however the proposal for the two southern most accesses will result in the loss of a group of trees near the current estate road and a group of trees near the position of the southern most private drive. However these trees were required to be removed to facilitate the permitted estate access in any case.

The reserved matters application will have a detailed landscape scheme that provides for replacement trees.

The application has been accompanied with a legal agreement which varies the current legal agreement to take into account this new permission.

The third party comment raising concerns in regards to air quality issues as a result of the application has been addressed in the Outline Planning Application.

The LPA has taken this opportunity to revise the wording of condition 8 in conjunction with the applicant to be more specific in terms of the mitigation proposals outlined in the mitigation section of the Ecology statement.

CONCLUSION

Members are being asked to consider the suitability of providing additional accesses to the allocated site for 120 houses at land east of Cromer Road.

The additional accesses will be only suitable for up to 8 dwellings, meaning a total of 24 dwellings will be served directly from the A149. Policy F2.2 (site allocation policy) and Policy DM12 of the Site Allocations document does not principally restrict accesses onto the A149.

The proposed accesses are deemed to be satisfactory to the highways department and there will be no loss of trees over and above that permitted to be removed under the permitted outline planning permission 16/00082/OM.

whilst there will be the loss of some trees on the roadside frontage a suitable landscape scheme as submitted with the reserved matters application will ensure that these trees will be replaced.

The proposal is therefore recommended for approval subject to the following conditions.

RECOMMENDATION:

A) APPROVE subject to the deed of variation to the S106 agreement being agreed 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 the 8th September 2019.
- 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 section 6.1-6.1.11 "mitigation" of the Ecological Impact Assessment dated December 2015 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 The development shall be carried out in accordance with the revised version of the Flood Risk Assessment and Surface Water Management Statement dated January 2016 namely finished floor levels shall be set no lower than 150mm above adjacent ground level.
- 9 Reason To reduce the risk of flooding to the proposed development and future occupants in extreme circumstances.
- 10 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).
- 10 Reason To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard.
- 11 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.
- 11 Reason 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.

- 12 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.
- 12 Reason To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.
- 13 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.
- 13 Reason To ensure satisfactory development of the site.
- 14 Condition Prior to the first occupation of the development hereby permitted visibility splay (measuring 4.5m x 90m to each side of the access & 2.4m x 90m to each side of the private drive access(es) where they meet the highway) shall be provided in full accordance with the details submitted shall be provided in full accordance with the details indicated on the approved plan (Drawing no.3134.104 P3) 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.
- 14 Reason In the interests of highway safety.
- 15 Condition Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.
- 15 Reason To ensure adequate off street parking during construction in the interests of highway safety.
- This also needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.
- 16 Condition No works shall commence on site until the details of Wheel Cleaning facilities for construction vehicles have been submitted to and approved in writing by the Local Planning Authority.
- 16 Reason To prevent extraneous material being deposited on the highway.
- These needs to be a pre-commencement condition given the facilities are associated with the construction process.
- 17 Condition For the duration of the construction period all traffic associated with the construction of the development permitted will use the approved wheel cleaning facilities provided referred to in condition 16.
- 17 Reason To prevent extraneous material being deposited on the highway.
- 18 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 shown indicatively on Drawing No. 3134.104 P3 have been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be in the form of a shared use cycleway

/footway along the eastern side of A149 Cromer Road (from Chapel Break southwards to a new toucan crossing of the A149); new crossings of the A149; a new section of shared use footway / cycleway along the western side of A149 Cromer Road (from the new toucan crossing southwards to the existing section of shared use) and a pair of new bus stops along the site frontage.

- 18 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.

This also needs to be pre-commencement conditions as these fundamental details need to be properly designed at the front end of the process.

- 19 Condition Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in condition 18 shall be completed to the written satisfaction of the Local Planning Authority

- 19 Reason To ensure that the highway network is adequate to cater for the development proposed.

- 20 Condition No works shall commence on the site until the Traffic Regulation Order for extension (northwards) of the existing 30 mph speed limit has been promoted by the Highway Authority.

- 20 Reason In the interests of highway safety. This also needs to be a pre-commencement condition as this issue needs to start to be resolved at an early stage in the process.

- 21 Condition A landscape management plan including long-term design objectives, management responsibilities, management and maintenance schedules for all informally identified landscape areas on plan 004 Rev C, other than small privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of any part of the buildings or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

- 21 Reason To ensure that the landscaping is properly maintained in accordance with the NPPF.

- 22 Condition The development hereby permitted shall for no more than 120 dwellings

- 22 Reason For the avoidance of doubt

- 23 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:-

- Site Location plan 9th September 2016
- Highway junction plan 2956/2/SK06 P3 received 11th September 2017

- 23 Reason For the avoidance of doubt and in the interests of proper planning.

- 24 Condition The development hereby approved shall be carried out in accordance with the Written Scheme of Investigation as agreed under 16/00082/DISC_A

- 24 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.
- 25 Condition No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under 16/00082/DISC_A
- 25 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 26 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 16/00082/OM and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 26 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.

B) REFUSE if the deed of variation to the S106 agreement has not been agreed within 4 months of the date of decision.