

<b>Parish:</b>	<b>Walpole Cross Keys</b>	
<b>Proposal:</b>	<b>Development of 4No. 2 bedroom terraced houses with associated parking</b>	
<b>Location:</b>	<b>Land At Sutton Road Walpole Cross Keys Norfolk PE34 4HD</b>	
<b>Applicant:</b>	<b>Stinders Developments Co Ltd</b>	
<b>Case No:</b>	<b>17/01068/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr K Wilkinson</b>	<b>Date for Determination: 4 August 2017</b>

**Reason for Referral to Planning Committee** – The views of the Parish Council are contrary to officer recommendation

**Neighbourhood Plan:** Yes

### Case Summary

The application site is located on the southern side of Sutton Road, approx. 120m west of the junction with Station Road North. The site comprises part of an existing agricultural field. It has open boundaries to the south and west and the site abuts two pairs of recently built semi-detached houses to the east; frontage residential development lies on the opposite/northern side of Sutton Road.

Full permission is sought for the construction of a terrace of 4 No. two bedroomed houses and associated parking, with two access points off Sutton Road.

### Key Issues

Principle of development  
 Form and character  
 Highway issues  
 Flood risk and drainage  
 Relationship with adjoining property  
 Affordable housing  
 Other material considerations

### Recommendation

**A) APPROVE** subject to completion of a Section 106 agreement, within 4 months of the date of this decision, to secure a financial contribution towards off-site affordable housing provision.

**B) REFUSE** if the Section 106 agreement is not completed within 4 months of the date of this decision, on the grounds of no mechanism in place to secure a financial contribution towards off-site affordable housing provision and therefore contrary to Policy CS09 of the LDF.

## **THE APPLICATION**

The application site is located on the southern side of Sutton Road, approx. 120m west of the junction with Station Road North. The site comprises part of an existing agricultural field. It has open boundaries to the south and west and the site abuts two pairs of recently built semi-detached houses to the east; frontage residential development lies on the opposite/northern side of Sutton Road.

Full permission is sought for the construction of a terrace of 4 No. two bedroomed houses and associated parking. The design and materials are comparable to the two pairs of semi-detached houses built to the immediate east of the site. There are two sets of 4 parking spaces with vehicular access off Sutton Road.

## **SUPPORTING CASE**

The agent has submitted the following statement in support of this proposal:

“1: Small scale first-home housing are encouraged, particularly in locations where necessary amenities can be met such as within safe walking distance to a bus stop; the proposed development comprises 2 bedroom dwellings providing opportunities for younger adults and first time buyers looking for their own home to move into or stay in the village, also the development provides Extensions to current dwellings and are sympathetic to the neighbouring properties in terms of their shape, size, and material, this takes into consideration the visual impact on the immediate area.

2: The development proposal meets all criteria relating to design, drainage and highways with no objection from the IDB/Highways/EA.

3: The proposal comprises ribbon development, is close to the existing building line and is in keeping with the form and character of surrounding buildings and landscape; it is adjacent to, and well related to, the development boundary which the Walpole Cross Keys development plan supports as highlighted by the examiner report.

4: There are no less than 7 schools within the area and the primary school is virtually opposite the site and buses operate daily to take older children to St Clement's school or even Spalding.

5: A farm shop is located within 1 minute walk of the site selling local produce and no less than 2 supermarkets/chemist/hairdresser/petrol station less than a mile away all accessible via the bus service.

6: There are two bus stops adjacent to the site one with frequent service to Sutton Bridge and on to Spalding and another with a twice hourly service to Terrington St Clement and on to King's Lynn, with connections to Norwich and Peterborough providing access to employment opportunities and city shopping centres.”

## **PLANNING HISTORY**

None on this application site

Adjoining land to east:

16/01342/NMA\_1: Application Permitted: 31/03/17 - NON-MATERIAL AMENDMENT TO PLANNING CONSENT 16/01342/F: Reserved Matters Application: 2 new dwellings

Planning Committee  
6 November 2017

16/01342/RM: Application Permitted: 28/10/16 - Reserved Matters Application: 2 new dwellings

17/00243/RM: Application Permitted: 27/04/17 - Reserved Matters Application: Residential development

15/01390/O: Application Permitted: 09/12/15 - Outline application for residential development

## **RESPONSE TO CONSULTATION**

**Parish Council: OBJECT** for the following reasons:

two spaces per dwelling is still insufficient parking as it is likely to have an impact on the road as visitors would park on the side of the road and there is already vehicles parked on the other side of the road; ground and surface water drainage is already an issue in the area and this would have a further impact; speeding vehicles is an issue on this road and the police have established that this area met their criteria for speed checks due to the number of motorists breaking the 30mph speed limit; there is no street lighting at this point on the road.

**Local Highway Authority (NCC): NO OBJECTION** subject to conditions relating to visibility splays, no gates, layout of access, parking & turning areas plus off-site highway improvement works (footpath provision).

**Environment Agency: NO OBJECTION** subject to mitigation measures contained in site-specific FRA being secured by condition.

**King's Lynn Internal Drainage Board: NO OBJECTION** - The proposals include the piping and infilling of a section of watercourse alongside Sutton Road, continuing the piping works already undertaken by the developers to the east. Byelaw approval for alterations to the watercourse, culverting and drainage from highway and dwellings will be required.

**Lead Local Flood Authority (NCC): NO OBJECTION** - it seems that there is now a drainage strategy for the development. No detail is provided and so our preference is for surface water to be attenuated on site and discharged at greenfield rates. However the IDB may agree a higher rate. It is noted that the developer has not put forward an alternative option. Therefore their entire strategy is reliant on the developer formalising this permission with the IDB.

**Environmental Health & Housing – Environmental Quality:** No comments to make regarding contaminated land, however a short term impact on air quality may occur due to dust from construction therefore recommend that a Construction Environmental Management Plan is required by condition.

**Environmental Health & Housing - CSNN: NO OBJECTION** subject to condition.

**Emergency Planning Officer: NO OBJECTION** - conditions suggested regarding signing on to EA's Floodline and production of an evacuation plan.

**Housing Enabling Officer: NO OBJECTION** subject to a contribution towards off-site affordable housing provision, to be secured via Section 106 agreement.

**Planning Policy:** The proposal has been amended to reduce the number of dwellings (from 10 to 4) and the size of the properties (now all 2 bedroomed); these would appear to be

Planning Committee  
6 November 2017

consistent with some of the policies contained within the Neighbourhood Plan. However, the development proposal lies outside the development boundary, is not within an area identified as suitable for growth and is therefore classed as countryside where development is more restricted.

## **REPRESENTATIONS**

At time of writing report a total of **24** items of **OBJECTION** received on the following grounds:

- Drainage – site prone to flooding, filling in dyke
- Lack of parking
- Traffic congestion resulting from parking on Sutton Road
- Impact on character of locality
- Impact on local services – school & GP surgery are full to capacity
- Loss of agricultural land
- Construction impact – noise, dust and disturbance
- Houses are not affordable to local average incomes
- Outside development area/boundary

At time of writing report a total of **37** items of **SUPPORT** raising the following points:

- Affordable housing much needed
- Drainage is not a problem
- Services available

**One** item of **SUPPORT** received but raises concerns relating to parking provision and potential on-street parking.

## **LDF CORE STRATEGY POLICIES**

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** – Transport

**CS01** - Spatial Strategy

## **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**

### **NEIGHBOURHOOD PLAN POLICIES**

**Policy 1** - New Residential Development in the Neighbourhood Plan Area

**Policy 3** - Housing Mix

**Policy 4** - Rural Exceptions: Affordable Housing for Local People

**Policy 5** - Development Design (all developments)

**Policy 6** - Managing and Reducing Flood Risk

### **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

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

### **PLANNING CONSIDERATIONS**

The key issues relevant to the determination of this application are:

- Principle of development
- Form and character
- Highway issues
- Flood risk and drainage
- Relationship with adjoining property
- Affordable housing
- Other material considerations

#### **Principle of development**

Walpole Cross Keys is defined as a Rural Village in the settlement hierarchy, set out under Policy CS02 of the Core Strategy (2011), capable of accommodating modest growth to support essential rural services. The adopted Site Allocations and Development Management Policies Plan (SADMPP) shows the application site lying outside the village development area and therefore falling within ‘countryside’. The SADMPP did not allocate a housing site for the village as it was the Parish Council’s intention to progress a Neighbourhood Plan. That Neighbourhood Plan has recently been the subject of a local referendum and has been formally adopted. As the most up-to-date planning policy this application must be judged against the provisions of the Neighbourhood Plan (NP). This contains the following relevant policies:

#### **“Policy 1 – New Residential Development in the Neighbourhood Plan Area**

Proposals for new residential development in the NP area will be approved where they score positively when assessed against the following criteria:

- a. it is adjacent or well related to the existing pattern of development and is within the boundaries shown on map 1 and explained further in Table 5.1
- b. it takes account of “Development Considerations” set out under Table 5.1 and other relevant policies in the Neighbourhood Plan
- c. it comprises a form of ribbon development close to the existing building line
- d. it complies with policies in the Local Plan and the National Planning Policy Framework

Small scale first-home housing is encouraged, particularly in locations where necessary amenities can be met such as within safe walking distance to a bus stop.

For the purposes of this policy small scale first-time housing is defined as developments of less than five in number of 1 and 2 bedroom dwellings.

### **Policy 3 - Housing Mix**

- a. Residential proposals comprising three or more homes will be expected to include smaller (1 – 3 bedroom) properties unless otherwise justified on site specific grounds or demonstration of a different need
- b. The development of small scale ‘starter’ homes will be encouraged, in order to retain and increase the proportion of young people in the parish.

**Policy 4 - Rural Exceptions: Affordable Housing for Local People** Where necessary to meet local affordable housing needs, development schemes for affordable housing may be permitted on small sites which would not otherwise be appropriate for housing within the Neighbourhood Plan area.

The tenure split and housing mix must be reflective of the most up to date housing needs information. Schemes will only be permitted where it can be demonstrated that the properties will remain affordable for people with a local connection in perpetuity. Affordable housing for local people will be secured as such for its longevity through a Section 106 Agreement.

Schemes must:

- Comprise development that respects the pattern, form and character of development in the site’s context and ribbon development close to the existing building line or otherwise be in keeping with the form and character of surrounding buildings and landscape; and
- ensure ancillary works such as access, outbuildings, curtilage boundaries also should not have an unacceptable impact on the visual and landscape amenity of the area; and
- be supported by an up to date housing needs assessment.

### **Policy 5 - Development Design (all developments)**

- a. All developments will be sympathetic to neighbouring properties in terms of size, general design features, and materials. These sympathies will be greater depending on their proximity.
- b. Where an area is already a mix of building styles there can be more leeway for further variety.
- c. Where one building style predominates, this should inform the size, material, and design of newer properties.
- d. Development will ensure maintenance of a good standard of residential amenity for nearby occupiers.
- e. Developments will be carried out in such a way that is mindful of the safety of road users.

### **Policy 6 – Managing and Reducing Flood Risk**

All development proposals will be expected to contribute towards effectively managing flood risk in the Neighbourhood Plan area. This means (but may not be limited to):

- a. the development being designed and constructed so as not to increase, and wherever possible to reduce, the overall level of flood risk both to site and elsewhere when compared to the current situation
- b. rates and volumes of surface water run-off being discharged from a site will be minimised, and wherever possible will be no greater than the appropriate greenfield rates and volumes
- c. proposals that would create new culverts or result in the loss of an open watercourse will not be permitted unless the culvert is essential to the provision of an access and it can be demonstrated that the culvert will have no adverse impact on the ability to manage and maintain surface water drainage in the Neighbourhood Plan area

Planning applications designed specifically to improve surface water drainage such as works to reinstate an effective drainage scheme are encouraged.”

Taking the housing policies in terms of the principle of development, the site lies on the southern side of, and is technically adjacent to, the development boundary which follows and includes Sutton Road as shown on Map 1 of the NP; Table 5.1 identifies Sutton Road North as ribbon development made up of a mixture of bungalows, semi-detached, detached and terraced houses – this is a block of 4 terraced houses; it comprises a form of ribbon development close to the existing building line of dwellings to the east; whilst the site lies outside the village development area defined in the SADMPP, the development comprises ‘small-scale first-time housing’ (as defined in the NP) close to existing facilities that the village has to offer. The housing mix is considered to be compatible to the requirements of Policy 3 of the NP – 2 bedroomed ‘starter’ homes.

Affordable housing and flood risk implications will be addressed later in this report.

In this instance the site is immediately adjacent to, and opposite, existing residential development. As such the extension to the village in this manner is considered to score positively when judged against the policies of the Neighbourhood Plan.

### **Form and character**

This part of the village is defined by linear development fronting directly onto Sutton Road. There is a mix of both detached, semi-detached and terrace properties and varying styles.

The plans indicate a terraced block of 4no. two bedroomed houses, set back approx. 12m back from the highway, with a similar ‘building line’ to the adjoining residences on this side of the road. Parking and turning areas are proposed on the frontage with two access points off the road. The dwellings have rear gardens of approx. 10m in depth.

The design is similar to the adjoining semis to the east and, whilst the exact facing bricks have not been defined due to availability concerns, the rooftiles are to match those on the semis. It is expected that the bricks will be compatible to the mixed palette that exists on this road frontage and may be secured via condition.

In terms of form and character the proposed development is considered to be acceptable and complies with Policy 5 of the NP and Core Strategy Policy CS08 of the LDF.

### **Highway issues**

The site layout plan shows two 5m wide vehicular access points off Sutton Road with visibility splays of 2.4m x 59m, which are to the standard required within this 30 mph zone.

A total of 8 No. parking spaces are shown (with turning areas) which equates to 2 spaces per dwelling - once again meeting the County Highways adopted standards.

The Local Highway Authority therefore has no objections to this proposal subject to certain conditions including the provision of a further section of footpath across the site frontage to link in with the existing provision which leads to the bus stop to the east of the site; officers consider this aspect to be reasonable.

### **Flood risk and drainage**

The site is located in Flood Zone 2 of the Council's Strategic Flood Risk Assessment (Flood Zones 2 & 3 in Environment Agency mapping) where more vulnerable development may be acceptable subject to there being a safe refuge (two storey dwellings proposed). There are no other areas within the established village development boundary that are in a lesser flood zone. As a result, the proposal passes the sequential test in accordance with the NPPG and Policy CS08 of the Core Strategy.

Walpole Cross Keys has experienced localised foul and surface water flooding issues over recent years and Policy 6 of the NP applies as stated above.

In support of this proposal a drainage assessment has been produced which involves the culverting of a land drain which abuts the highway across the whole frontage of the site, to be designed with a capacity to take all drainage from this development and surface water from the road (450mm diameter pipe). This is an extension to that implemented in front of the pairs of semis to the east of the site (including footpath provision). Whilst privately owned not an IDB maintained drain, plans to alter/culvert this watercourse will require the consent of the IDB under the terms of their byelaws and the Land Drainage Act 1991, as the drain falls within their catchment area. There were no problems associated with the implementation of the works on the adjoining site to the immediate east and the IDB raise no objection to the principle of these works. Run-off rates will need to be attenuated as necessary to not exceed greenfield rate to meet IDB requirements. Full details and implementation may be secured via conditions.

The Lead Local Flooding Authority note that there would not appear to be an alternative if this drainage strategy is not successful, however in light of the development already undertaken on the adjoining site, it is expected that the consent of the IDB will be forthcoming and agreement of the Local Highway Authority to drain the road and footpath into the culvert which flows to the west away from the village.

The Environment Agency raises no objection on flood risk grounds, but recommends a condition regarding finished floors levels (500mm above existing ground level and resilient measures 500mm above FFL). These are the same measures as applied to the pairs of semis adjoining this site.

Assessing the development against the criteria of Policy 6 of the NP:

- This proposal has the ability to be designed and constructed so as not to increase the overall level of flood risk both to the site and elsewhere when compared to the current situation;
- rates and volumes of surface water run-off being discharged from the site will be minimised, and prospectively will be no greater than the appropriate greenfield rates and volumes; and
- whilst the proposed new culverting continues across the whole of the site frontage, the inclusion of small sections either side of the access points with inspection chambers included for maintenance would have no adverse impact on the ability to manage and



maintain surface water drainage in the Neighbourhood Plan area, and continues the treatment of this frontage along Sutton Road.

Overall this proposal is therefore considered to be acceptable.

### **Relationship with adjoining property**

The plans show the terraced block sited parallel to the road with no windows in the first floor gables and fenestration facing the front and rear. There are no detrimental overlooking or overshadowing implications produced by this proposal. The development would not result in material harm to neighbouring occupiers and accords with Policy DM15 of the SADMPP.

The Council's CSNN team have requested a condition relating to a construction management plan to protect residents from noise and dust during construction; however this is not considered necessary on this scale of development.

### **Affordable housing**

Taking this site alone, the area and number of dwellings proposed does not trigger the thresholds of the Council's affordable housing policy as per Policy CS09 of the Council's adopted Core Strategy.

However, it is considered that this is part of a phased development when seen in context with the two pairs of semi-detached houses to the east of the site also developed by the applicants. In accordance with Policy DM8 of the SADMPP, when considered together this would trigger affordable housing provision as it would total 8no. units, and therefore would require 20% affordable housing totalling 1.6 units. The Gross Internal Area of the dwellings in total (approx. 700m<sup>2</sup>) does not exceed the 1,000m<sup>2</sup> threshold for on-site provision of units and therefore a financial contribution is required. In this instance the proposal attracts the sum of £96,000 (i.e. 1.6 x £60,000).

This will be covered via a Section 106 agreement of which the applicants are aware.

### **Other material considerations**

No contamination issues have been raised and thus the Environmental Quality Team makes no comment.

The application raises no significant issues regarding crime and disorder. The central pair of houses gain access to the rear gardens via a passageway through the building which may be secured, opposed to convoluted footpaths around the periphery of the site/gardens. The parking areas are at the front of the dwellings and have good natural surveillance.

### **CONCLUSION**

The Neighbourhood Plan is the most up-to-date planning policy. This proposed development scores positively when assessed against the policies of the NP as dealt with above. It is adjacent and well related to the existing pattern of development; it comprises a form of ribbon development close to the existing building line; it comprises small scale first-home housing in a location where necessary amenities can be met such as within safe walking distance to a bus stop; the dwellings are sympathetic to neighbouring properties in terms of size, general design features, and materials; and the development may be designed and

constructed so as not to increase the overall level of flood risk both to the site and elsewhere when compared to the current situation.

The proposal is considered to be acceptable, subject to certain conditions stated below, and the commitment to off-site affordable housing contribution to be secured via a Section 106 agreement.

## **RECOMMENDATION:**

**APPROVE** subject to the imposition of the following condition(s):

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans: Site Layout Plan/Roof Plan received 14.10.2017, Elevations received 14.10.2017 & Floor Plans received 14.10.2017.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Notwithstanding the details submitted as part of this application, no development shall commence until full details of the land, foul and surface 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.
- 3 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.

- 4 Condition: The development shall be completed in accordance with the recommendations of the Flood Risk Assessment produced by HA Architectural Services submitted as part of this application including the following measures:  
  
Finished floor levels shall be 500mm above existing ground level;  
Flood resilient construction up to 500mm above finished floor level; and  
No sleeping accommodation at ground floor level.
- 4 Reason: To reduce the risk of flooding to the proposed development and future users in accordance with the provisions of the NPPF, NPPG and Core Strategy Policy CS08 of the LDF.
- 5 Condition: Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 5 Reason: In the interests of highway safety.

Planning Committee  
6 November 2017

- 6 Condition: Prior to the first occupation of the development hereby permitted, the proposed associated access, on-site car parking and turning areas shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 6 Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 7 Condition: Prior to the first occupation of the development hereby permitted, a visibility splay to the associated vehicular access shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- 7 Reason: In the interests of highway safety.
- 8 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 (footway with vehicle accesses) as indicated on the approved plans, have been submitted to, and approved in writing by, the Local Planning Authority.
- 8 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 a pre-commencement condition as these fundamental details need to be properly designed at the front end of the process.
- 9 Condition: Prior to the first occupation of the development hereby permitted, the off-site highway improvement works referred to in condition 8, shall be completed to the written satisfaction of the Local Planning Authority.
- 9 Reason: To ensure that the highway network is adequate to cater for the development proposed.