

AGENDA ITEM NO: 8/1(f)

Parish:	Terrington St John	
Proposal:	Erection of 3 x 4 bedroom dwellings	
Location:	Surgery House Mill Road Terrington St John Wisbech	
Applicant:	Hereward Services Ltd	
Case No:	18/00024/F (Full Application)	
Case Officer:	Mr K Wilkinson	Date for Determination: 4 April 2018 Extension of Time Expiry Date: 13 April 2018

Reason for Referral to Planning Committee – Called in by Councillor Barry Ayres and the views of the Parish Council are contrary to the Officer recommendation.

Neighbourhood Plan: No

Case Summary

The site is that of the Surgery House which lies off a private drive on the northern side of Mill Road, within the defined village development area of Terrington St John. It contains a traditional farmhouse style dwelling and associated outbuildings, and lies in approx. 0.2Ha of unkempt garden and grounds. It is surrounded by residential development with a pair of cottages fronting the shared driveway, bungalows fronting Mill Road, houses to the east beyond a small play area, bungalows to the immediate north and a residential care home (Burman House) to the west.

This application seeks full permission for the erection of three 4 bedroomed dwellings and garages.

The application has been brought before the Planning Committee for decision at the request of Cllr Barry Ayres.

Key Issues

Principle of development
Impact upon form and character
Impact upon neighbouring properties
Highway issues
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The site is that of the Surgery House which lies off a private drive on the northern side of Mill Road, within the defined village development area of Terrington St John. It contains a traditional farmhouse style dwelling and associated outbuildings, and lies in approx. 0.2Ha of unkempt garden and grounds. It is surrounded by residential development with a pair of cottages fronting the shared driveway, bungalows fronting Mill Road, houses to the east beyond a small play area, bungalows to the immediate north with houses beyond and a residential care home (Burman House) to the west.

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SUPPORTING CASE

The applicant's agent has submitted the following comments in support of this proposed development:

"The original application for this site was withdrawn after consultation with the Planning Department. This new proposal coming forwards as a result of further officer consultation, with reduced numbers and significant design amendment; viewed as it was to greater reflect the locality.

Concerns have been raised by the Community Safety & Neighbourhood Nuisance Team in respect of the following principal points:

- Mains foul drainage, and its capacity within the network to accommodate the additional demand.
- A suspected historic underlying foul water flooding issue.
- Required foundation type, and the potential effect on neighbouring properties
- Proposals for surface water drainage.

These concerns have now been addressed, and it is hoped that the CSNN Team will now be in a position to remove their objection once the supplied information has been reviewed. There is a structural engineer's report to follow confirming that piled foundations will not be necessary [Planning Officer note: Now received].

The members of Terrington St John Parish Council have objected to this application principally for the following reasons not covered by the CSNN Team:

- Highways and access concerns.
- The existence of a 'well' on site
- The existence of bats in the area, although not on the site.
- Noise and light pollution during construction.

With regards to highways and access matters, the proposal has been examined and reported on by Norfolk County Council Highways, who will have considered matters such as those raised, and there is no objection to this development proposal.

There is a cesspit on site and both by way of footprint layout and the reporting of a Structural Engineer this has been accommodated within the site design.

There is no suggestion or evidence of bats on site, as has been borne out by the officer's position.

There is inevitably a degree of noise during particular phases of construction, and this is standard wherever new homes are built adjacent to the build form. As none of the proposed dwellings will be of a 'self-build' nature works will be undertaken within usual construction working hours. Surrounded by residences as the proposal site is it is not considered that there can possibly be any great increase in light pollution from 3 modest dwellings."

PLANNING HISTORY

17/00946/F: Application Withdrawn: 06/10/17 - Erection of 3 x 4 Bedroom Houses and 1 x 2 Bedroom Chalet Bungalow on land associated with Surgery House

RESPONSE TO CONSULTATION

Parish Council: OBJECT for the following reasons:

- The ingress and egress to the site is going across a pavement.
- The site can only be accessed by a single track road and this will not allow passing of 2 cars. This could potentially result in vehicles having to reverse unsighted back into Mill Road creating a further safety hazard.
- We feel the number of properties planned is still too many and too dense for the size of the piece of land.
- The road to the site is boarded by 3 other junctions/access points and so will be too congested at the point of entrance to the development.
- We understand there is a 'Well' on the site that is not shown on the plan and feel that it is a major issue that should be considered from the point of integrity of the building land i.e. because there must be a water course connected to the 'Well'. Could this be confirmed or is it a cesspit.
- We understand there is a dyke on the eastern edge of the proposed building plot that is not currently being maintained and we believe could therefore cause additional surface water flooding.
- There are currently issues relating to over flowing sewage in the local area, we believe that previous planning applications were refused because of this around 10 years ago. This was an application made by the surgery house. We have concern about the capability of the existing sewage system to cope with the current requirements. The additional proposed properties could well add an unacceptable burden to the system.
- There are concerns about rain and surface water drainage in the whole of this area. As previously advised to Highways who have had to take remedial action in the past.
- Several areas bounding the site do not have foundations. Any construction on this site using building machinery and in particular pile driving may well negatively affect the structural integrity of the adjacent and surrounding properties.
- We understand there is evidence to show there are bats in the area that will be disturbed by the development. Up to 500 movements of bats have been detected per night.
- There will be increased noise and light pollution for surrounding properties during any proposed building and subsequent occupations of the properties.
- We have concerns about the process of collection of refuse bins.
- We have concern about the access to the proposed properties for emergency vehicles if there are vehicles blocking the single track road.
- There are issues with the measurements of traffic along Mill Road, which we understand were not instigated by Highways and should therefore not be taken into consideration.

Highways Authority (NCC): NO OBJECTION subject to conditions relating to access specification, no gates, visibility splays and parking and turning within the site.

King's Lynn Internal Drainage Board: No response at time of compiling report, but commented on previous application that byelaw approval would be required where proposed development is within 9m of IDB maintained drain.

Environment Agency: NO OBJECTION subject to sequential test passed and condition developed in accordance with Flood Risk Assessment accompanying application.

Emergency Planning Officer: NO OBJECTION subject to signing up to EA's flood warning system and use of an evacuation plan.

Anglian Water Services: NO OBJECTION verbally – confirmation sought

Environmental Health & Housing – Environmental Quality: NO COMMENTS

Environmental Health & Housing – Community Safety & Neighbourhood Nuisance: OBJECTION – details required regarding foul & surface water disposal, ground suitability with regards to piling foundations.

REPRESENTATIONS 10 OBJECTIONS received raising the following grounds:

- Over-development of site
- Inadequate visibility at junction with Mill Road cutting back hedge to Somme Cottage will not be done
- Not complementary to the village
- Large dwellings not required – shortage of starter/affordable homes
- Traffic congestion during construction
- Impact on village facilities – doctors, school etc.
- Overlooking
- Noise and disturbance plus light pollution
- Tree impact assessment relates to 4 dwellings – not consistent
- Foul and surface water – concerns about flooding and historic problems
- Piling close to buildings without foundations
- Well on site?
- Impact on boundary hedge
- Refuse bin collection problems
- FRA states 4 dwellings but only three proposed and outside EA's limit of 6 months from production.

Cllr Barry Ayres: I am requested by Terrington St. John Parish Council to ask that this application be determined by Committee. As you will see they have a considerable number of concerns several of which I am in agreement with. I have confirmed that they will send a representative to the meeting to speak.

LDF CORE STRATEGY POLICIES

CS12 - Environmental Assets

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS11 - Transport

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

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 in assessing this proposal are considered to be as follows:

- Principle of development
- Impact upon form and character
- Impact upon neighbouring properties
- Highway issues
- Other material considerations

Principle of development

Terrington St John, combined with St John’s Highway and Tilney St Lawrence, is defined as a Key Rural Service Centre (KRSC) in the settlement hierarchy set out under Core Strategy Policy CS02 of the Local Development Framework (2011). The Site Allocations and Development Management Policies Plan (2016) defines the village development area within which the application site lies. As stated above, the site is surrounded by residential development and the principle of further residential development accords with planning policy, subject to meeting other criteria to be addressed below.

Impact upon form and character

Core Strategy Policy CS08 infers that new development should be of high quality design and respond to the context and character of the locality. In this instance there is a new house/cottage proposed fronting the access driveway and in line with the existing pair of cottages to the south of the site and Surgery House; at the head of the drive in the eastern

half of the site there are two further dwellings proposed with L-shaped footprints creating a turning head and courtyard area separated by walling and gates. The design and appearance of these two units are of rustic/outbuilding proportion which could have been associated with the existing and proposed houses on the site. The north-eastern-most unit has a garage block included to serve the existing house.

The scheme presents an enclave of development which is mostly surrounded by 1960/70s bungalows and houses with little architectural merit. Whilst two storey in scale, public views will be limited by the existing peripheral development. The cottages facing the access drive are more traditional and indeed as is Surgery House, but to the west lies Burman House which is a substantial flat roofed single and two storey building.

It will be noted from the History section above that an earlier application for 4 dwellings was withdrawn, and the design of the current scheme has been the subject of negotiation with the case officer (also during its processing). When seen in context with the wider setting, the proposal is relatively low density and the style is considered to be compatible. The choice of facing materials and detailing is also considered to be acceptable and complement the existing palette in this locality. The requirements of Core Strategy Policy CS08 have been met.

Impact upon neighbouring properties

The siting of the proposed dwellings on Plots 1 & 2 is such that their two storey blank gables are set off the common boundaries to the north and south by some 2.7m and windows are orientated in east and west facing elevations; Plot 3 is sited 1m from the southern boundary and once again has east and west facing windows. Given the separation distances and existing plus proposed boundary treatments, there are no significant overlooking issues and overshadowing/overbearing implications which would merit grounds for refusal.

Highway issues

The application is accompanied by a Highways Statement and the submitted plans show a repositioning and widening of the existing driveway leading off Mill Road to 4.5m for a distance of 10m, in order to allow two vehicles to pass and create appropriate visibility. The private drive then reduces in width to 4.1m and has a turning facility at the head of the drive and in front of Plot 3. The plots and existing house have individual on-curtilage parking areas to meet Local Highway Authority (LHA) standards.

In response to consultation raising no objection, the LHA comments as follows:

“Having previously visited the site, in relation to the access considerations I found that traffic levels are low, there was some highway encroachment, visibility splays would accord with the recorded 85th percentile traffic speeds, and the width of the access will accord with the adopted standards.

The access as indicated would therefore conform to the requirements of the adopted standards and parking provisions would also accord with the Norfolk parking standards.”

Notwithstanding the local concerns raised, the proposed plans with regards to access and highway issues are considered to be acceptable and meet the adopted standards. Certain conditions are sought by the LHA which may be included in any permission granted.

Other material considerations

Flood risk – The site lies within Flood Zones 2 & 3 of the Environment Agency's flood mapping. The Sequential Test is passed as there are no other sites within the village that could accommodate the development within a lower flood zone. A site-specific Flood Risk Assessment indicates that both parts of the Exception Test are passed as the development may be made safe for its lifetime (raising Finished Floor Levels to 2.3m aOD – i.e. between 300-500mm above existing ground levels with remaining land levels maintained) without increasing flood risk elsewhere or adversely affect any other property; and the development provides wider sustainable economic benefits that outweigh flood risk. The Environment Agency raises no objections to the proposed development subject to the mitigation measures being secured by condition, and likewise the Internal Drainage Board.

The suggested conditions by the Emergency Planning Officer relating to signing up to EA's flood warning system and use of an evacuation plan, fail the tests applied to the use of conditions with regards to enforceability; this may however be covered by an informative note on any decision notice.

Foul water - is proposed to be disposed of via mains sewerage (link already exists to Mill Road) and Anglian Water has indicated verbally that there is adequate capacity to take the increase created by three additional dwellings. Confirmation has been sought and is expected to be reported in late correspondence.

Surface water – This has been the subject of investigation which indicates that soakaways will not be fully effective, so a combination of attenuation and permeable surfaces are to be used with a piped connection to a culverted riparian drain alongside Mill Road at greenfield run-off rate. Additional details are required but the matter is likely to be resolved and can be controlled via condition.

Trees - There are some peripheral trees adjoining the access drive some of which are beyond the site. The application is accompanied by a Tree Constraints & Impact Assessment, which was prepared for the earlier submission for 4 new dwellings, but may be applied in conjunction with the new layout. Indeed there is less impact upon the trees to be retained than the earlier proposal. This matter may be controlled via condition.

Bats - The Parish Council suggest that there are bats which may be affected by the proposed development. Clarification of this claim has been sought and this indicates that there were bat movements in the locality some 2 years ago; however the site does not appear to contain any features suited to bat roosting that would be damaged due to the intended development. Indeed this same issue was raised when the development at Mill House on Mill Road was considered in 2116. It is most likely that the site lies within a foraging area and the restriction on lighting may be secured via condition.

Well - The agent confirms that there is no well on the site – reference may be to a cesspit. However the presence of a well would not prevent the granting of planning permission as it could be capped off appropriately.

Noise and disturbance – This may be experienced during the construction phase, however a Construction Management Plan is not considered to be necessary on a scheme of this limited size. Excessive disturbance/nuisance would be controlled via Environmental Health legislation.

Soil type and damage from piling – This is a civil rather than a planning matter. However a soil investigation has been undertaken in response to concerns raised, which concludes that

the ground comprises clays therefore strip foundations may be used and piling will not be necessary.

Impact of proposed fencing on boundary hedge – This is a civil rather than a planning matter. The submitted plans show a close boarded fence along the common boundary to the south of the site. Currently the leylandii hedge has been cut back and close boarded fencing erected by the objector maintaining the hedge. The fence is permitted development but either way the privacy will be maintained and it does not interfere with the siting of the proposed dwelling on Plot 3.

Refuse bin storage – Bins will normally be retained within the plots; however on collection days may be temporarily positioned close to the access point to Mill Road. There appears to be adequate room (1m verge) to accommodate the bins without encroaching onto the driveway or highway.

Crime and disorder – There are no significant crime and disorder issues raised by this proposed development.

CONCLUSION

Whilst the concerns of the Parish Council and local residents are noted, for the reasons stated above it is concluded that this proposal constitutes a highly sustainable form of development, which is an efficient and effective use of land within the defined development area of a Key Rural Service Centre. The design and appearance of the proposed dwellings would create an enclave of development that would respect and be in harmony with its built-up setting. All other matters of planning importance may be secured via conditions.

The application is therefore duly recommended for approval subject to certain conditions stated below.

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: 5715/01H, 5715/02F, 5715/03E & 5715/04F.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition The development shall be implemented in accordance with the recommendations of the site-specific Flood Risk Assessment submitted with the application produced by Geoff Beel Consultancy and dated March 2017, including the following measures:
 - Finished floor levels to be set no lower than 2.3m aOD; and
 - Flood resilient measures incorporated up to 300mm above Finished Floor Level.

- 3 Reason In order to safeguard the properties and future residents in times of high flood risk, and to accord with the provisions of the NPPF, NPPG & Core Strategy Policy CS08 of the LDF.
- 4 Condition The development shall be implemented in accordance with the recommendations of the Tree Constraints & Impact Assessment submitted with the application, produced by Ravencroft Arboricultural Services and dated 2nd May 2017.
- 4 Reason In order to safeguard trees within and adjoining the application site and to accord with the provisions of the NPPF & Core Strategy Policy CS12 of the LDF.
- 5 Condition Notwithstanding the information submitted as part of this application, no development shall commence on site until full details of the surface water drainage arrangements 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 the first occupation of the new dwellings hereby permitted, the vehicular access shall be provided and thereafter retained at the position shown on the approved plan (Drawing No. 5715/01H) in accordance with the highway specification drawing No: TRAD 1. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 6 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 7 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.
- 7 Reason In the interests of highway safety.
- 8 Condition Prior to the first occupation of the new dwellings hereby permitted, a visibility splay 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 0.225 metres above the level of the adjacent highway carriageway.
- 8 Reason In the interests of highway safety.
- 9 Condition Prior to the first occupation of the new dwellings hereby permitted, the proposed access, associated 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.
- 9 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

- 10 Condition Prior to the first occupation of the development hereby approved, details of the method of lighting and extent of illumination to the access roads, footpaths, parking, and circulation areas shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be implemented as approved prior to the occupation of the development or any phase of the development to which it relates and thereafter maintained and retained as agreed.

- 10 Reason In the interests of minimising light pollution, potential impact upon ecology and to safeguard the amenities of the locality in accordance with the NPPF and Core Strategy Policy CS12 of the LDF.