

Parish:	Walpole Cross Keys	
Proposal:	OUTLINE APPLICATION: Residential development	
Location:	Land W of Copperfield Market Lane Walpole St Andrew Norfolk	
Applicant:	Mrs Powell	
Case No:	19/00450/O (Outline Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 7 May 2019 Extension of Time Expiry Date: 5 July 2019

Reason for Referral to Planning Committee – At the discretion of the Assistant Director

Neighbourhood Plan: No

Case Summary

This is an outline application with all matters reserved for residential development on land to the south of Market Lane, close to the junction with Station Road South, within the parish of Walpole Cross Keys. It is a frontage site which is currently in use as part of a larger parcel of agricultural land. An indicative plan has been submitted indicating 4 detached dwellings and associated garages.

There is an adopted Neighbourhood Plan, Walpole Cross Keys Neighbourhood Plan (June 2017) which identifies the site as being outside of the development boundary.

Key Issues

- Principle of Development
- Highways/ Access
- Flood risk / Drainage
- Other material considerations

Recommendation

REFUSE

THE APPLICATION

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agricultural land. An indicative plan has been submitted indicating 4 detached dwellings and associated garages.

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SUPPORTING CASE

None submitted

PLANNING HISTORY

18/01510/O: Application Withdrawn: 05/10/18 - Residential development - Land W of Copperfield, Market Lane, Walpole St Andrew.

14/00794/F: Application Permitted: 21/07/14 - Change of use of land for the keeping of horses and construction of stables - Cherry Tree Farm Market Lane Walpole St Andrew (Delegated decision)

RESPONSE TO CONSULTATION

Parish Council: OBJECT

The Parish Council considered the above application at their meeting on 20th March and made a decision to OBJECT to the application as it is not within the Neighbourhood Plan development boundary and concerns about the dangerousness of Market Lane.

Highways Authority: OBJECT

Having examined the information submitted, accesses for the proposal could be safe, and parking and turning for vehicles would accord with the parking standards for Norfolk.

However the site is remote from schooling; town centres shopping; health provision and has restricted employment opportunities with limited scope for improving access by foot and public transport. The distance from service provision precludes any realistic opportunity of encouraging a modal shift away from the private car towards public transport.

It is the view of the Local Highway Authority that the proposed development is likely to conflict with the aims of sustainable development and the Council may wish to consider this point within your overall assessment of the site.

Internal Drainage Board: None submitted to date

Environment Agency: NO OBJECTION

Natural England: NO OBJECTION

Environmental Quality: NO OBJECTION

Contaminated Land - The application includes a planning statement and pre-determination questionnaire. The pre-determination questionnaire states that the previous land use is agricultural and this is confirmed by reference to historic maps. The planning statement includes some historic maps as part of the flooding information and discusses the infilling of

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the ditch to the south of Market Lane. Due to the length of time since the infilling the fill materials are not known. However it is understood that the ditch is being re-instated. If the fill materials are to be removed we would have no further concerns regarding potential land contamination. Can the applicant confirm that the fill materials in the former ditch will be removed?

Air Quality - No comments

REPRESENTATIONS: THREE letters of **OBJECTION** received. These raise issues such as-

- Market Lane is a dangerous road, with speeding cars.
- Already dangerous for pedestrians without adding additional driveways when lighting is bad and not sufficient footpaths.
- Creates extra driveways onto Market Lane, increasing traffic volume.
- Houses not in keeping with Neighbourhood Plan. Needs more single and double housed dwellings rather than family homes.
- Bus service is poor.
- Site is outside the Neighbourhood Plan.
- Destroy an existing hedgerow and build on agricultural land.
- May impact on local bat population.
- Water pressure issues along Market Lane, which Anglian Water have confirmed will not be improved.
- Excessive new development.

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS11 – Transport

CS02 - The Settlement Hierarchy

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

NEIGHBOURHOOD PLAN POLICIES

Policy 1 - New Residential Development in the Neighbourhood Plan Area
Policy 6 - Managing and Reducing Flood Risk

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

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National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

PLANNING CONSIDERATIONS

The issues for consideration for this application are as follows:

Principle of Development
Highways / Access
Flood risk / Drainage
Other material considerations

Principle of Development

The application site lies within the parish of Walpole Cross Keys which is categorised as a Rural Village in the Site Allocations and Development Management Policies Plan (SADMP) 2016, and the site is located outside the development boundary identified in this Plan. Indeed Walpole Cross Keys is restricted to the heart of the settlement north of the A17 (containing Low Road, Sutton Road, Littleholme Road and Station Road North); nothing is included to the south of that major route.

Walpole Cross Keys is also subject to a Neighbourhood Plan - Walpole Cross Keys Neighbourhood Plan (2017) and as such the policies in the Neighbourhood Plan form part of the adopted Local Plan. This is the most up-to-date plan and takes precedence in decision-making. This plan includes a larger development area compared to the SADMP in that pockets of land to the south of the A17 are incorporated, along Station Road South, Hankinson’s Estate and Market Lane.

The Neighbourhood Plan states-

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-time 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.

In this instance, the site is immediately adjacent to existing residential development, and does comprise a form of ribbon development close to the existing building line. However whilst the site is adjacent to the development boundary as defined by the Neighbourhood Plan, it is not within it. Thus the proposal fails Policy 1 criteria (a).

The 'development considerations' in table 5.1 (referred to in part (a) & (b) of Policy 1) state that 'some infill could be considered but should be restricted to the north near the junction with Station Road South'. In this case the application site is almost opposite this junction not to the north of it as required by Table 1.

To summarise, the proposal fails to meet the requirements of Policy 1 (a) & (b), as set out above, because the site is not within the development boundary. The Parish Council has also objected to the application on these grounds.

Highways / Access

The Local Highway Authority considers that accesses for the proposal could be safe, and that parking and turning for vehicles would accord with the parking standards for Norfolk, based on the indicative plan provided. However, this is an outline application with all matters reserved and therefore this information will be considered at the reserved matters stage.

The Local Highway Authority has objected to the site on the grounds that the proposed development conflicts with the aims of sustainable development; namely the location of the site is sufficiently remote from service centre provision that it precludes any realistic opportunity of encouraging a modal shift away from the private car towards public transport, foot etc.

While this point is noted, given the proximity to Walpole Cross Keys and Walpole St Andrew which are both characterised as Rural Villages within the settlement hierarchy the concerns raised are not sufficient to refuse the application.

Flood risk / Drainage

The site is located in Flood Zones 2 & 3 of the Council's adopted SFRA 2018, 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 NPPF and NPPG, and Policy CS08 of the Core Strategy.

Walpole Cross Keys Neighbourhood Plan Area has experienced localised foul and surface water flooding issues over recent years. Policy 6 of the NP addresses this issue-

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.

A site specific Flood Risk Assessment has been carried out together with a surface water drainage strategy. The FRA concludes that land levels are generally at 2.00m aOD. Proposed finished floor levels will be at a minimum of existing Market Lane road level at 2.3m aOD, with an additional 300mm of flood resilient construction above this finished floor level.

The surface water drainage strategy submitted states that the surface water drainage proposals will have no adverse impact on any existing land and properties and with the reinstatement of this historic drainage route to the site frontage provide betterment to the surrounding land and proposed dwellings.

The applicant proposes to excavate a new ditch immediately south of Market Lane within the northern boundary of the site, to accommodate the increase in surface water run-off from the proposed development, which will link in to the exiting IDB drain east of Copperfell. Access to the properties would be via individual accesses which would be culverted over the proposed re-creation of the frontage ditch.

The comments of the IDB will be reported in Late Correspondence.

Other material considerations

The Environmental Quality officer raised a query regarding whether the fill materials from the ditch are to be removed. The applicant has confirmed this is the case and therefore they have no further concerns regarding land contamination.

CONCLUSION

It is concluded that the site lies outside of the development boundary for Walpole Cross Keys, where development is restricted to that identified as sustainable in this rural area. The site is also located outside the development boundary identified by Map 1 in the Walpole Cross Keys Neighbourhood Plan 2017, and no justification has been provided that outweighs the policies of the Neighbourhood Plan and Local Plan.

The development is therefore considered to be contrary to the provisions of the NPPF, Policies CS02 and CS06 of the Core Strategy (2011), Policy DM2 of the Site Allocations and Development Management Policies Plan (2016), and Policy 1 of the Walpole Cross Keys Neighbourhood Plan (2017).

Members are invited to refuse this application accordingly.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The site lies outside of the development boundary for Walpole Cross Keys where development is restricted to that identified as sustainable in this rural area. The site is also located outside the development boundary identified by Map 1 in the Walpole Cross Keys Neighbourhood Plan 2017. No justification has been provided that outweighs the policies of the Neighbourhood Plan and Local Plan. Therefore the

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