

Parish:	Terrington St Clement	
Proposal:	Reserved Matters Application for 43 dwellings	
Location:	Land W of 23 To 37 And N And W of 52 Benns Lane Terrington St Clement Norfolk PE34 4JY	
Applicant:	FGSPV3 Ltd	
Case No:	21/00589/RMM (Reserved Matters - Major Development)	
Case Officer:	Mr K Wilkinson	Date for Determination: 25 June 2021 Extension of Time Expiry Date: 14 January 2022

Reason for Referral to Planning Committee – The views of the Parish Council are contrary to the Officer recommendation and at the discretion of the Assistant Director.

Neighbourhood Plan: No

Case Summary

The application site comprises 2.34ha of redundant brownfield land to the western side of Benn’s Lane in the NE part of Terrington St Clement which is a Key Rural Service Centre in the settlement hierarchy. This site is allocated for residential development under Policy G93.3 of the Site Allocations & Development Management Policies Plan (SADMPP).

The principle of developing this site has already been established by the granting of outline planning permission under application 16/02230/OM for up to 44 dwellings.

This application seeks reserved matters (RM) approval for 43 dwellings.

Access to the site was approved at outline stage, so this RM application seeks approval of the layout, appearance, scale and landscaping.

Key Issues

- Condition/S106 Compliance
- Form and Character
- Highway Safety
- Residential Amenity
- Landscaping
- Impact upon setting of the Church and Conservation Area
- Other Considerations

Recommendation

APPROVE

THE APPLICATION

The application is for reserved matters on 2.34ha which is slightly larger than the allocation site area as it includes the buffer area to the land north-west of the site in employment use.

The outline permission was accompanied by a S106 Agreement that secured the following:

- on-site affordable housing contribution (20% of total number of dwellings – 70% of which to be rented and 30% shared ownership)
- open space provision of not less than 17m² per dwelling and management and maintenance thereof and
- SuDS provision and management and maintenance thereof.

Conditions on the outline application relate to access provision and visibility splays at its junction with Benn's Lane, and off-site highway improvement works (widening carriageway of Benn's Lane to 5.5m and provision of a 1.8m wide footway along the site frontage and beyond linking to Northgate Way); also specification of roads and services within the site and their management and maintenance.

Conditions on the outline application also cover:

- commencement of development that must be undertaken in accordance with any permission granted under this specific RM application
- ecology – water vole survey and mitigation measures plus no clearance works during March - August (unless agreed with LPA)
- flood risk mitigation – finished floor levels no lower than 3.7m aOD
- surface water drainage scheme
- provision of an attenuation pond
- gapping up of hedgerows and provision of native trees and shrubs
- tree and hedgerow protection in accordance with Arboricultural Impact Assessment
- contamination/remediation
- archaeological investigation
- provision of a fire hydrant
- construction traffic management plan and
- no more than 44 residential units.

Issues covered by the S106 and conditions on the outline permission do not need consideration under the current application other than to ensure compliance where necessary.

The proposal is for 43 two-storey dwellings comprising 11 pairs of semi-detached houses and 21 detached houses. In terms of bedrooms there would be 11 x 2-bed units, 20 x 3-bed units and 12 x 4-bed units. Nine units are required to be affordable under Policy CS09 and to accord with the S106 agreement (i.e. 20%). These units are shown to be: Plots 2, 3, 16, 17, 28, 29, 34, 37 & 38 (6 x 2-bed and 3 x 3-bed with a 70/30 percent split of affordable rented to shared ownership) which accord with the Housing Team's requirements. The units are also spread throughout the estate to meet our standards.

The exact materials are to be confirmed by condition due to supply/availability issues, but the palette submitted indicates walls of red multi facing bricks under a mix of dark red and dark grey concrete double pantiled roofs with off-white wood grain effect uPVC windows and doorframes, plus composite doors. Rainwater goods are to be black uPVC. Contrary to the

views of the Parish Council, this palette is considered to be acceptable in this locality. Officers are keen to ensure that a 'quality build' is achieved and the agreement of facing materials via condition will aim to meet the Parish Council's aspirations.

Under the terms of the S106 agreement 17m² of public open space/dwelling is required. A Local Area of Play (LAP) (with 6 items of equipment) measuring some 754m² is proposed towards the western side of the site. There are additional amenity areas around the drainage features and pockets within the estate. Notably there is an amenity space around an existing mature Willow tree midway along the southern boundary which is to be retained and protected during construction as agreed at the outline stage. The verdant edge on the western side of Benn's Lane is also to be maintained and enhanced.

The equipped playspace is slightly in excess of what is actually required (17 x 43 = 731m²). This therefore complies with Policy DM16 and S106 requirements.

An existing land drain presently bisects the site, but this is to be repositioned parallel and close to the NW boundary of the site to enable comprehensive development. This accords with the indicative layout considered at the outline stage and will require separate consent from the IDB under their powers (Land Drainage Act).

SUPPORTING CASE

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

"This reserved matters application seeks approval for the erection of 43 no. dwellings following the grant of outline approval reference 16/02230/OM which was for the demolition of existing structures and for the erection of up to 44 dwellings (Use Class C3) with means of site access from Benn's Lane. The scheme has been the subject of detailed negotiation which has led to various amendments being incorporated to the scheme, including reducing the proposed no. of dwellings from 44 to 43 dwellings to ensure that this development integrates well into its surroundings. The proposed dwellings will be of no more than two storeys, using a local palette of materials and will incorporate detailing that accords with the local vernacular and creates an open and generously spaced housing scheme that respects and reflects surrounding character.

In terms of house types and tenure, the scheme proposes 34 open market dwellings and 9 affordable dwellings, and therefore includes a policy compliant level of affordable housing, with 3x 3-bedroom houses & 6x 2-bedroom houses. The affordable units will be dispersed throughout the site to provide a tenure blind scheme with full integration throughout the development.

In terms of layout, the scheme proposes one main access from Benns Lane with a primary access road with private roads feeding this 'spine' road to serve clusters of dwellings. The site is fully permeable from a pedestrian perspective with links to connect with existing development and facilities within Terrington St Clement, including public transport links. In addition to this the scheme, facilitates connections to the proposed play area to the west of the site, which provides a high quality communal open space and play area for existing and future residents to benefit from.

The proposed house types are sympathetic to the prevailing pattern of development in the area but incorporate a mix of design to suit the needs of a variety of occupiers. This provides visual interest throughout the scheme. There has been a focus on opportunities for improved landscaping and tree planting and the reconfiguration of car dominated frontages to provide a more aesthetically pleasing environment. This has been created by off-street parking being

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provided for each dwelling, predominantly along the sides of the properties set back from the frontage, with off-road visitor parking also incorporated within the development. This ensures parking is sensitively integrated into the built form and provides an attractive environment for all users.

The proposed landscaping is considered to enhance the defined settlement edge in this location, retaining its semi-rural appearance whilst contributing to the positive character and identity of the village. In terms of biodiversity, and in accordance with the outline consent, the scheme includes appropriate mitigation, which includes the provision of an attenuation pond, gapping up of hedgerows, improvements to existing ditch habitats and the provision of areas of new native trees and shrubs. These have been incorporated into the proposed development as shown on the accompanying plans to create a biodiversity net gain as part of the development as well as providing vital open spaces for users to enjoy and experience. The proposed development is considered to represent an attractive and distinctive place to live that would maintain a good relationship with existing surrounding development and one that protects the amenity of existing properties and future occupiers of the development.

In conclusion, the scheme represents a carefully thought-out scheme that is well-designed and will create a beautiful and sustainable place to live whilst making efficient and effective use of the site that is in keeping with the existing character of Terrington St Clement. The scheme is therefore considered to accord with the NPPF, local planning policies as well as respond positively to the National Design Guide and the National model Design Code.”

PLANNING HISTORY (Relevant)

16/02230/DISC_B: Discharge of Condition final letter: 12/08/21 - DISCHARGE OF CONDITION 19 of Planning Permission 16/02230/OM: OUTLINE APPLICATION SOME MATTERS RESERVED: Demolition of existing structures and for the erection of up to 44 dwellings (Use Class C3) with means of site access from Benn’s Lane (Delegated decision)

16/02230/DISC_A: Pending decision: DISCHARGE OF CONDITIONS 5, 8, 9, 12, 13, 16, 21, 23 and 27 of Planning Permission 16/02230/OM: Demolition of existing structures and for the erection of up to 44 dwellings (Use Class C3) with means of site access from Benn’s Lane

16/02230/OM: Application Permitted: 04/04/18 - OUTLINE APPLICATION SOME MATTERS RESERVED: Demolition of existing structures and for the erection of up to 44 dwellings (Use Class C3) with means of site access from Benn’s Lane (Committee decision)

Adjoining site to NW & W:

18/00940/OM: Decision pending: Outline Application: Erection of 76 dwellings with means of site access following demolition of existing structures

RESPONSE TO CONSULTATION

Parish Council: (Initial submission) OBJECTS - The Parish Council wish to raise the following matters in relation to the above application.

- The Council again object to the lack of provision for the increase of traffic that the development will create. Though it states there will be a “turn left” sign it is human nature to take the shortest route and this will be in Benn’s Lane. The Council re-iterate their objections and concerns in relation to the Highways issues.

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- During road works carried out in 2019 in Churchgate Way the Council's observations in relation to Benn's Lane were proven to be correct when Benn's Lane was used as a rat run with HGV's and vehicles causing a bottleneck and pedestrians were put at risk along the narrow lane and blind bends.
- Benn's Lane is the route for the Fire Brigade to access the Fire Station and in emergencies any disruption in Benn's Lane could affect the outcome of any incident the Fire Brigade are called out to.
- The Parish Council have asked Norfolk CC Highways on more than one occasion to apply a "No HGV's" policy in Benn's Lane but without success so far.
- The residents of the village were vociferously against the development and remain so and were disappointed with the approval of the application.
- The Council would not wish to take over any responsibility for the play area.
- The ponds do create a safety hazard and measures should be taken to secure the areas around the pond and it would be welcome if there is also habitat on the development and around the pond for the benefit of local wildlife and to enhance the development area.
- There have been requests for the provision of footpaths/cycle paths within the development to link in with existing footpaths in order to encourage people to walk/cycle in the village rather than use their vehicles which could alleviate some of the traffic along Benn's Lane.
- The Council do not wish to adopt any street lighting.
- The appearance of the development is not in keeping with the village setting.
- The chosen materials will allow the developer to build the houses cheaply and at minimal cost without taking into account the aesthetics of the development or the requirement of maintenance within 5 years of construction.
- The materials board is very vague which the Council consider to be a way for the developer to use low quality materials which is unacceptable.
- The timber cladding should be cedar or some form of hardwood and not soft wood which would fail in a matter of years if not maintained.
- The imitation slate tile and a rendered system to the exterior walls of the dwellings will not stay clean or be easily maintained which would mean the development would deteriorate within a short time. Other materials should be considered.
- The Council request that the developers should re-think materials used and upgrade the specifications. The Council feel that the developer's material choices are not acceptable and need to be upgraded.

(Revised scheme) OBJECTS - The Council re-iterate their previous objections in relation to highways concerns, use of Benn's Lane, standard of materials and habitat concerns.

Highways Authority (NCC): NO OBJECTION - Norfolk County Council would not wish to raise an objection to the proposed layout. However, I would make the following comments for information.

1. Whilst the layout does appear to provide a well-connected proposal with pedestrian links within the scheme and to the wide network. They are reliant on use of the private drives serving plots 6-11, 13-16 and 30-35. These routes will therefore only be available to residents of these private drives and not the wider public.
2. Whilst the allocated parking provision across the development is acceptable. There is a general lack of visitor parking provision across the development. The only spaces being adjacent to the POS and on the private drive serving plots 30-35.

Notwithstanding the above, should the Borough Council deem the proposed layout to be acceptable, I would not wish to raise a highway related objection to the granting of planning permission

King's Lynn Drainage Board: (Initial submission) NO OBJECTION - In order to avoid conflict between the planning process and the Board's regulatory regime and consenting process please be aware of the following:

- I note that the applicant intends to discharge surface water to a watercourse, with no other means of draining the site readily available or discussed. The proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3). Any consent granted will likely be conditional, pending the payment of a Surface Water Development Contribution fee, calculated in line with the Board's charging policy.
- I note that the applicant has not indicated how treated foul water from their site will be disposed of. If the applicant wishes to discharge foul water to a watercourse this proposal will require land drainage consent in line with the Board's byelaws (specifically byelaw 3).
- I note the presence of a Board Adopted watercourse within the site boundary. Whilst not currently clear, should the applicant's proposals include works within 9 metres of the watercourse, consent would be required to relax Byelaw 10 (no works within 9 metres of the edge of drainage or flood risk management infrastructure).
- Whilst not currently clear, should the applicant's proposals include works to alter the Board Adopted watercourse, consent will be required under the Land Drainage Act 1991 (and byelaw 4).
- I note the presence of a watercourse which has not been adopted by the Board (a riparian watercourse) within the site boundary. Whilst not currently proposed, should the applicant's proposals change to include works to alter the riparian watercourse, consent will be required under the Land Drainage Act 1991 (and byelaw 4).

Whilst the consenting process as set out under the Land Drainage Act 1991 and the aforementioned Byelaws are separate from planning, the ability to implement a planning permission may be dependent on the granting of these consents. As such I strongly recommend that the required consent is sought prior to determination of the planning application.

(Amended scheme): Comments awaited at time of writing this report

Lead Local Flood Authority (NCC): (Initial submission) OBJECTION - we object to this planning application in the absence of an acceptable Drainage Strategy and/or supporting information relating to:

* The functionality, capacity and performance of the surface water drainage system as a whole. From the details supplied it is unclear, in particular, with regard to water levels how the proposed system performs. While appropriate attenuation volume appears to be provided, it remains unknown how the proposed system performs in the 3.33% and the 1% critical rainfall event (plus climate change allowance).

(Amended scheme/additional information): NO OBJECTION - The documents submitted illustrate that the proposed layout has been appropriately designed to accommodate the approved surface water drainage strategy under outline planning application 16/02230/OM. Therefore, we have no objection to this application subject to condition being attached to any consent regarding implementation in accordance with those agreed details.

Environmental Health & Housing – Environmental Quality (BCKLWN): NO OBJECTION
Land contamination and air quality are covered on the outline permission.

We have previously provided comment on the Outline Application (16/02230/OM) and assessed the submitted information in line with EPUK and IAQM Planning for Air Quality

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Guidance, with no objection in principle regarding the impact on air quality from additional traffic movements in the operational phase. We did however recommend that a Construction Environmental Management Plan be required by condition as the development has the potential to create a short-term impact on air quality due to dust from construction.

Regarding this Reserved Matters application, 106 vehicular parking spaces are included. This could result in an estimated AADT of 212, which is not deemed a significant change in line with EPUK and IAQM Planning for Air Quality Guidance. Moreover, the proposed footpath along the front of the site will provide a safe pedestrian route for future residents to reach village services. Space for cycle parking is provided within the curtilage of each dwelling, with a post office, village hall, pub, and schools accessible from the site. There are also bus stops approximately 0.3 miles from the site, that are serviced by the number 505 bus which travels to King's Lynn and Spalding.

Annual mean background concentrations of particulate matter ($15.44 \mu\text{gm}^{-3}$) and nitrogen dioxide ($8.34 \mu\text{gm}^{-3}$) are both well below the annual mean objective of $40 \mu\text{gm}^{-3}$.

Norfolk Constabulary ALO: NO OBJECTION - no further comments or concerns with these plans.

Norfolk Fire & Rescue Services: NO OBJECTION providing the proposal meets the necessary requirements of the Building Regulations 2010 – Approved Document B (volume 1 – current edition, or as revised) including any requirements in relation to B5 access, facilities and arrangements for emergency service vehicles, as administered by the Building Control Authority.

Housing Development Officer (BCKLWN): NO OBJECTION I have reviewed the revised affordable housing mix and confirm I am content with the proposals.

CSNN (BCKLWN): No comments received at time of writing

Open Space Team (BCKLWN): NO OBJECTION Following on from comments made in previous response to consultation, I can see that efforts have been made to increase the size of the open space to meet the policy requirement of 17m^2 per dwelling.

The positioning of the open space, however, is not ideal, as it should be central to the development, to ensure it is well overlooked and accessible to the majority of the development. Its position on the periphery of the development, as well as being flanked with trees along its eastern edge, will mean that the open space will likely become quite obscured as the trees become established. Its placement next to an attenuation pond is also a point of concern. The adjacent private driveway, by linking with the adopted road to the south and footpath to the north, is likely to become an unofficial thoroughfare, which may become a point of contention for those occupiers of the properties which it serves.

Clarity as to which areas are proposed to be managed by individual purchasers/occupiers and which areas are intended to be vested in the management company would also be appreciated.

Any proposed tree planting needs to be with careful consideration to the final height and spread of the species chosen, particularly where close to dwellings.

Soft landscaping next to/adjacent to parking bays can also be difficult to access and maintain without risking damage to parked vehicles – for this reason, it may be advisable to replace with hard landscaping, or utilise a slow-growing, ground-covering species selection which require minimal maintenance.

Retained trees should be subject to an arboricultural assessment with all action points addressed prior to the development becoming occupied. Routine maintenance that is anticipated for trees and other areas of soft landscaping which are proposed to be transferred to individual purchasers/occupiers should reasonably be expected to be maintained with standard domestic tooling.

Waste and Recycling (BCKLWN): NO OBJECTION based upon revised drawing (minor adjustment to bin collection points)

Conservation Officer: NO OBJECTION - This site was formerly used as a nursery complete with extensive glass houses and is between 270m and 350m distance away from both the listed church and the Terrington St Clement Conservation Area.

Within this section of Benn's Lane, the key views to and from the church lie further to the south marked by the arable field boundary adjacent to 54 Benn's Lane and the entrance to the public footpath which itself links back to the church. At this point, the church and the conservation area command impressive views across the fields which contribute strongly to their setting. The current disused nursery forms a scrubby edge to these views and does currently contribute to the setting. If the proposed edge of the new development could be landscaped carefully, and materials carefully selected, harm caused by the new houses will certainly be less than substantial. On this basis the public benefits would outweigh the less than substantial harm caused, according with the provisions of the NPPF.

Historic England: NO OBJECTION - On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

Anglian Water: NO OBJECTION

Arboricultural Officer: NO OBJECTION:

REPRESENTATIONS

A total of **52** items of correspondence received (**36** initial scheme and **16** amended scheme), including from KLWNBUG The Norfolk & Fens Cycling Campaign, raising **OBJECTION** on the following grounds:

- Grade 1 agricultural land and should not be developed
- Benn's Lane not suitable to take increased traffic from this development – village centre already congested with vehicles;
- Access directly opposite home which will devalue my property;
- Increased noise and light pollution
- Increased pollution from traffic
- Impact upon route/accessibility to Fire Station
- Impact on services – schools, doctors, shops and QEH
- No employment opportunities locally
- Existing drainage problems and low water pressure
- Impact upon ecology/wildlife
- Traffic will still use Benn's Lane to access Lynn Road which is single width and has a dangerous junction
- 340 residents objected to outline application
- Density not appropriate
- Low amount of Affordable Housing

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- Too near to church and conservation area
- No need for additional housing – already too much in the village
- Drainage channel details and maintenance
- Prefer access onto Northgate Way
- Design still exceeds the limits on car parking provision set out in the Parking Standards for Norfolk
- Design of roads and junctions are not cycle orientated/friendly
- Nothing seems to be done to improve cycling connectivity to Clenchwarton and the King's Lynn Cycling and Walking Network beyond
- Plans fail to support Travel Choice and Access to Town Centres, so would result in an excessive car-commuting impact on the local highway network, contrary to several county and borough planning policies.

One item of correspondence received in **SUPPORT** of the proposal for the following reasons:

- Benn's Lane has been an eyesore for at least 25 years
- Allowing the build would improve the roads and footpaths in the area, and remove the rubbish that is dumped
- Northgate Way can handle the traffic as it does not have enough traffic to warrant white lines
- The end of Benn's Lane going onto Lynn Road is used as a rat run, when it should only be for access to homes
- Build the homes and secure the schools, the education authority will expand the schools as the numbers grow, people need somewhere to live and the land is idle, better to use the land there rather than between the village and the bypass
- The doctors is underused, and local businesses will welcome the new people and that will help them to thrive - there was a butchers years ago but it closed , now a new butchers has opened this will help all businesses in the village.

LDF CORE STRATEGY POLICIES

CS02 - The Settlement Hierarchy

CS01 - Spatial Strategy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 – Transport

CS12 - Environmental Assets

CS13 - Community and Culture

CS14 - Infrastructure Provision

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

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DM15 – Environment, Design and Amenity

DM16 – Provision of Recreational Open Space for Residential Developments

DM17 - Parking Provision in New Development

NEIGHBOURHOOD PLAN POLICIES

G93.3 Terrington St. Clement - Land West of Benn's Lane

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

PLANNING CONSIDERATIONS

The principle of residential development of the site along with access has already been established by outline planning permission granted under application ref: 16/02230/OM. This is a commitment and not therefore open for review.

This application is solely for the determination of Layout, Scale, Appearance and Landscaping (Reserved Matters). The main issues for consideration in the determination of this application are therefore:

Condition / S106 Compliance

Form and Character

Highway Safety

Residential Amenity

Landscaping

Impact upon setting of the Church and Conservation Area

Other Considerations

Condition / S106 Compliance

Conditions and S106 requirements on the outline permission that are pertinent to this reserved matters application (i.e. that could affect the layout, scale and landscaping), are: flood risk (finished floor levels), drainage and attenuation pond, tree/hedge protection, amount of open space and affordable housing. The layout, scale and landscaping of the current RM application is in accordance with conditions and S106 requirements.

Form and Character

Paragraph 124 of the NPPF states that planning policies and decision should support development that makes efficient use of land, with para 125 suggesting that design guides and codes be used to ensure that land is used efficiently while also creating beautiful and sustainable places. One such guide is *Building for a Healthy Life* (BHL) which can be used in conjunction with the National Design Guide (NDG) and National Model Design Code (NMDC).

BHL is a design assessment tool (with a traffic light scoring system to aid the design process) based on a set of 12 key questions (macro to micro.)

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GREEN - A positive / high quality design solution. The scheme needs to achieve a majority of greens to be considered good design.

AMBER - Indicates that this aspect of a scheme currently fails to meet national policy and further amendments will be required to improve design quality (turn ambers to green where possible)

RED - Poor design quality / proposal that must be addressed – reds must be avoided where possible

Where an element of design is considered to fall between a green and a red light, an amber light can be assigned. In principle, the more green lights a proposed scheme secures the better the design outcome. The overall objective with a BHL assessment is to minimise the number of amber lights and avoid red lights where possible.

A BHL assessment has been carried out on this proposal to assess design and place-making qualities and compliance with the NPPF, NDG and NMDC.

The assessment was broken down into 24 questions under the 12 key question headings of:

- natural connections
- walking
- cycling and public transport
- facilities and services
- homes for everyone
- making the most of what is there
- memorable character
- well defined streets and spaces
- easy to find your way around
- healthy streets
- cycle and car parking
- green and blue infrastructure and
- back of pavement front of home.

The outcome of the assessment was 19 green and 5 amber which suggests an overall acceptable development that would meet the overarching aims of BHL and therefore the NPPF and NDG.

Density / Efficient use of Land (Layout): The number of dwellings has been reduced from the originally submitted 44 dwellings to 43. This change is in response to the raised FFLs and inter-relationships between existing and proposed dwellings plus an existing tree.

This gives a density of development of 18.4 dwellings/ha which accords with a minimum of 16 d/ha indicated in Policy G93.3. Officers consider this is an acceptable density given the fairly central village location of the site and its designation as a housing allocation. It is also similar that of Alma Chase.

Given the shape of the site, existing landscape and proposed drainage features, plus the agreed access point, this proposed layout is realistically the only one achievable. Additionally, it broadly accords with the indicative plan submitted as part of the outline application.

The proposed layout is therefore considered to be acceptable in this locality.

Scale and Appearance: The proposed dwellings are two-storey houses with eaves height of 5.1m and main ridges ranging from 8.2 – 9.4m. These heights and introduction of chimneys give variety to the roofscape and relate favourably to those in the vicinity.

Detached and semi-detached dwellings are common forms of development in Benn's Lane and are therefore considered appropriate for the site and its wider setting.

As stated above, the exact materials are to be confirmed by condition due to supply/availability issues. In response to the Parish Council's concerns the earlier rendered elements have been removed. The indicative palette submission now shows red multi facing bricks under a mix of dark red and dark grey concrete double pantiled roofs, with off-white wood grain effect uPVC windows and doorframes, plus composite doors. Rainwater goods are to be black uPVC. This palette is considered to be acceptable in this locality. Officers are keen to ensure that a 'quality build' is achieved and the agreement of facing materials via condition will aim to meet the Parish Council's aspirations.

The proposal is therefore considered to comply with the NPPF and Development Plan Policies CS01, CS08, CS12 and DM15.

Highway Safety

As stated above, the impact of the development on the local road network along with access via Benn's Lane have already been established at outline stage and is not a consideration in assessing the current application.

Parking provision, road types and turning heads are all in accordance with required standards / policy and no objection is raised by the Local Highway Authority.

Comments have been made in regards to pedestrian connectivity to Benn's Lane via private drives and not public, however this is to accommodate bin collection to Plots 9-11, and the link adjoining Plot 32 has been removed. Visitor parking has also been commented upon. There is no specific requirement for this, however three spaces are shown adjacent to the LAP and now three also on the private drive serving Plots 30-35. Additional spaces could have been sought/created elsewhere but to the detriment of the planted areas. This balance has been made appropriately.

Notwithstanding their comments related above, the Local Highway Authority raises no objections on the grounds of highway safety.

Criticism has been raised regarding pedestrian/cycle connectivity. It is accepted that the nature of the development means that the site is presently a 'destination' rather than a through route and therefore that it is currently constrained in terms of wider connectivity. However, there is a prospect that the adjoining site which is currently the subject of an undetermined outline application (ref: 18/00940/OM) could come forward for future development in the Local Plan Review. This would create the potential for pedestrian/cycle links to the school and doctors on Northgate Way to the west, thus avoiding the main road network. The pedestrian/cycle routes within this layout end at the NW and W edges of the application site and would afford the potential for future connectivity if further development arises.

Off-site highway improvement works will also lead to the prospect of safer cycling and pedestrian routes to school etc. in the interim.

The proposal is therefore considered to comply with the NPPF and Development Plan Policies CS11, DM15 and DM17.

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Residential Amenity

Para 130 f) of the NPPF state that: *Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.* This is reiterated in Development Plan Policy DM15.

There are only two dwellings directly adjoining the site – Nos. 52 & 54 Benn's Lane, being a bungalow and house respectively. The common boundary between Plot 33 and No.52 is proposed to be a 2.5m high close boarded fence to negate the raised FFL. The separation distance (22m) and angle of first floor bedroom window ensures that there are no serious overlooking implications. The houses on Plots 33 & 34 are to the NW of No.52 so there are no overshadowing effects and they replace the substantial agricultural stores/workshops that are presently located there.

No.54 is set some 37m away from Plot33, so there are no concerns regarding impacts upon their amenities.

The properties on the eastern side of Benn's Lane are some considerable distance away from the new dwellings with a substantial hedge/tree line maintained in between.

The layout is therefore considered to offer acceptable separation distances between new and existing residential development and between proposed dwellings in terms of overlooking and overbearing impacts. Careful consideration has been given to common and peripheral boundary treatments where increased FFLs could have created issues.

Spaces for sheds and bin storage are afforded to every dwelling. Bin collection points to serve the properties off private drives have been provided in response to earlier concerns from our Waste & Recycling Manager. The layout is now satisfactory in this respect.

The development raises no specific crime or disorder issues although the Open Space Team have raised concerns regarding surveillance of the LAP and access via the adjacent private drive. Adequate surveillance is created by the adjoining houses and a footpath added to give a dedicated route avoiding the driveway. Norfolk Constabulary ALO raises no comments or objection to this scheme.

The proposal is therefore considered to comply with the NPPF and Development Plan Policies CS08 and DM15.

Landscaping

Detailed landscaping and boundary treatment plans have been submitted with the application. The soft element includes the supplementation of the existing hedge line along Benn's Lane with native species and western edges of the site; primary and secondary trees (Field Maple and Hornbeam respectively) supplemented with shrubs, to give structured planting in pockets of POS and road frontages throughout the estate; and Laurel hedging bordering plots and wild flower mix grassed areas for biodiversity enhancement.

The hard landscaping includes the use of close boarded fencing between dwellings and brick walling giving enclosure to prominent sites/spaces.

These schemes will be conditioned if permission is granted.

The future management and maintenance of these areas plus the attenuation pond will be covered by the S106 Agreement. In relation to this aspect, it is noted that the Local Authority's Open Space team have stated that they would not adopt such a layout and the Parish Council have indicated that they would not wish to adopt the play area (or street lighting, but none are proposed). These are likely to be dealt with via a Management Company.

The proposal is therefore considered to comply with the NPPF, National Design Guide and Development Plan Policies CS08, DM15, DM16 and G93.3.

Impact upon setting of the Church and Conservation Area

The Council has a duty under the provisions of the Planning (Listed Buildings & Conservation Areas) Act 1990 to assess such impact. In this instance the site is set some 325m away from the grade 1 listed St Clement's Church itself, and 270m from the Conservation Area which surrounds it, with open land in between. The housing would be seen in context with other development to the east and be contained within landscaped boundaries. It is considered that the proposal would have a less than substantial harm on the setting of the aforementioned heritage assets and the public benefits of fulfilling the housing allocation would vastly outweigh any impact.

This is also the opinion of our Conservation Officer. Historic England have no comments to make on the proposed development.

The proposal accords with the provisions of the NPPF and Policy CS12 of the Development Plan.

Other Considerations

In relation to third party comments not covered above, the LPA comments as follows:

- Grade 1 agricultural land and should not be developed – this allocated site already benefits from outline planning permission
- The village does not have the facilities to support this number of additional houses, and the doctors, schools, shops and QEH will not cope – this allocated site already benefits from outline planning permission
- Existing off site drainage issues and water pressure - will be dealt with by the appropriate bodies/authorities; it is unreasonable for the developers of this site to be expected to resolve these matters, and providing the site can cater for the drainage requirements of the new scheme without impacting upon existing development, this is acceptable
- Increased traffic and highway safety – this allocated site already benefits from outline planning permission and this was considered at that time
- Impact on wildlife/ecology – this allocated site already benefits from outline planning permission and this was considered at that time
- Increased light pollution – there are no exceptional sources of illumination (e.g. street lighting) proposed for this development
- Increased air pollution – outline issue/please refer to Environmental Quality comments in consultation section above
- Devaluation of property - effect upon value of adjoining property (either up or down) is not a material planning consideration

Drainage is not a reserved matter and will be dealt with via discharge of conditions attached to the outline permission; the only consideration with regards to layout is the inclusion of the attenuation pond with adequate capacity. The LLFA have agreed the specifications of the

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attenuation pond under the discharge of condition application, but are seeking confirmation of consent to discharge into the IDB network. That consent, and the realignment of the drainage channel, is covered by separate legislation (Land Drainage Act 1991) and does not prevent the determination of this RM application. However discussions with both bodies indicate that this is near completion and the LLFA have withdrawn their earlier holding objection. Confirmation from the IDB is expected and will be reported as late correspondence.

Details of the footbridge over the realigned drainage channel may be secured via condition which accords with the IDB's requirements received verbally.

It is noted that there is a foul water pumping station located within the site which indicates connection to the mains sewer. There is usually a 'cordon sanitaire' or exclusion zone around such facilities of 15m between the centre of the wet well and adjoining residences. The agent has produced a plan to show that this is the case and Anglian Water have confirmed that they have no objection to this proposed layout.

CONCLUSION

Local concerns remain regarding the principle of this residential development, however that was dealt with at the outline stage. This development would provide 43 dwellings on a housing allocation that will support the local economy and address housing need in an area considered highly sustainable.

Many of the issues raised by third parties and the Parish Council were fully considered at the outline stage e.g. highway safety, congestion, drainage, etc. or could be suitably conditioned.

It is therefore considered that the proposal complies with the overarching aims of the NPPF and Development Plan Policies CS01, CS02, CS03, CS08, CS09, CS11, CS12, CS13, CS14, DM1, DM2, DM15, DM16, DM17 and G93.3. It is therefore recommended that permission be granted subject to the conditions stated below.

RECOMMENDATION:

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

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

- 2021-01 0200 K Development Plan
- 2021-01 0250 R House Type Plan
- 2021-01 0450 D External Works - Soft Landscaping, Landscape Spec & Details
- 2021-01 0451 E External Works - Hard Landscaping
- 2021-01 0460 B Playground Layout
- 2021-01 2101 F House Type A [Plot 1]
- 2021-01 2101.1 House Type A [Plots 39 & 40]
- 2021-01 2102 D House Type B [Plot 43]
- 2021-01 2103 F House Type C [Plots 20, 27 & 35]
- 2021-01 2103.1 House Type C1 [Plot 36]
- 2021-01 2104 E House Type D [Plot 13]
- 2021-01 2105 G House Type E [Plot 07]
- 2021-01 2106 G House Type F [Plots 06 & 12]

2021-01 2106.1 A House Type F1 [Plot 22]
2021-01 2106.2 House Type F [Plot 24]
2021-01 2106.3 House Type F [Plot 32]
2021-01 2107 F House Type G [Plots 02 & 03]
2021-01 2107.1 House Type G [Plots 14, 15, 33 & 34]
2021-01 2108 G House Type H [Plots 37 & 38]
2021-01 2108.1 House Type H [Plots 04 & 05]
2021-01 2109 F House Type J [Plots 10, 11, 25, 26, 30 & 31]
2021-01 2109.1 House Type J [Plots 18, 19, 28 & 29]
2021-01 2110 A Garages
2021-01 2111 E House Type K [Plot 08]
2021-01 2111.1 House Type K [Plots 21, 23 & 41]
2021-01 2111.2 House Type K [Plots 09 & 42]
2021-01 2112 E House Type L [Plots 16 & 17]

- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: Prior to any development on any external surface of the development hereby permitted full details of the type, colour and texture of all materials to be used for the external surfaces of the buildings shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 2 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 3 Condition: Prior to the first occupation of any dwelling hereby permitted all hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 3 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 4 Condition: Prior to the first occupation of each dwelling hereby permitted the proposed car parking / turning area for that specific dwelling shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans and shall after be retained available for that specific use.
- 4 Reason: To ensure the permanent availability of the car / cycle parking / manoeuvring areas in the interests of highway safety in accordance with the NPPF and Development Plan.
- 5 Condition: Prior to the occupation of the 40th dwelling all works shall be carried out on roads, footways/cycleways, foul and surface water sewers in accordance with the approved specification to the satisfaction of the Local Planning Authority.
- 5 Reason: To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.

- 6 Condition: Prior to construction work above Finished Floor Levels, details of the foot/cycleway bridging point over the land drain shall have been submitted to, and agreed in writing by, the Local Planning Authority. It shall be implemented as agreed and all foot/cycleways constructed to the edges of the site (as per approved plan Drawing No.2021-01 0200 K) prior to occupation of the 40th dwelling.
- 6 Reason: In order to secure appropriate foot/cycleway provision and connectivity of the development in accordance with the provisions of the NPPF and Development Plan Policies CS11 & DM15.
- 7 Condition: Notwithstanding the plans already submitted, prior to the first occupation of any dwelling hereby permitted the attenuation pond shall be enclosed with a boundary treatment and have safety measures installed, the details of which shall be submitted to and agreed in writing by the Local Planning Authority. The boundary treatment and safety measures, shall be erected prior to the first occupation of any dwelling hereby permitted and shall thereafter be retained and maintained in accordance with the agreed details.
- 7 Reason: In the interests of safety in accordance with the NPPF and Development Plan.