

**AGENDA ITEM NO 8/2(d)**

<b>Parish:</b>	<b>Northwold</b>	
<b>Proposal:</b>	<b>Construction of a new dwelling</b>	
<b>Location:</b>	<b>Plot 3 Northwold Hall 3 Little London Road Northwold IP26 5NQ</b>	
<b>Applicant:</b>	<b>Ms Natasha Milne</b>	
<b>Case No:</b>	<b>21/01983/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Lucy Smith</b>	<b>Date for Determination: 6 December 2021</b>

**Reason for Referral to Planning Committee** – Called in by Cllr Ryves

**Neighbourhood Plan:** No

**Case Summary**

The application seeks consent for the construction of a new dwelling on parkland to the immediate east of the Northwold Conservation Area at Little London Lane, Northwold.

This application has been submitted alongside applications ref 21/01981/F and 21/01984/F which relate to Plots 1 & 2 on the wider application site.

**Key Issues**

Principle of Development  
Planning History  
Design and Impact on Heritage Assets  
Highway Safety  
Impact on Trees  
Other material considerations

**Recommendation**

**REFUSE**

**THE APPLICATION**

The application seeks consent for the construction of a new dwelling on land adjacent to Northwold Hall, Little London Road, Northwold. The application site is wholly outside of the development boundary outlined within the SADMPP and adjacent to the Northwold Conservation Area boundary, which runs along Riverside to the West of the site.

## **SUPPORTING CASE**

The plots are within an area of land adjoining Northwold Hall. This has been used for paddocks for well over 20 years and within the Northwold Hall are stables and the stable manager's bungalow, sand menage etc. You can see on Google Earth the paddock fencing is visible and is shown on OS maps.

The land is still used as horse paddocks.

This land has been cared for by the family since early 2000's and the delightful setting is also due to his stewardship. With regard to any previous arboricultural work, this has been carried out as part of the owner's risk management 'duty of care', and mainly in relation to the trees nearest the Highways frontage.

The applicant cherishes the setting, which is why the family wish to stay in Northwold. They wish to preserve the beautiful setting and enhance the flora and fauna within it.

The sites chosen for the plots are surrounded by a belt of trees, obscuring the proposed homes when viewed from the public highway, in summer obscuring them totally.

The site has two entrances in addition to the one to Northwold Hall, it is one of these existing entrances which has been chosen to serve the three plots, giving good visibility. The traffic movements would be 6 per house per day on Little London Road, and investigation has failed to find and recorded accidents over the last 20 years or more.

The design of the houses in each case was the applicant's preference and needs.

The form of the application in each case, was to look at Flora and Fauna first, starting with an Arboricultural Survey (AS), and a Preliminary Ecological Assessment (PEA). The reason for this was the first considerations in all of this to do the right thing. As regards the AS, the care of the trees is paramount, and the siting of the buildings is not regimented along an imaginary building line but organic to fit between the trees and follow the best contour. Alongside the PEA has highlighted the opportunities and considerations needed to be take into account when the houses are built.

There are sites in the locality where planning permission has been granted for areas within the curtilage of listed and settings buildings, within conservation areas and involving the removal of trees. This happens and there are good reasons why these events have taken place. These three applications are on the applicants' own land, they are hidden/ obscured from view, using an existing access onto a relatively quiet road. The applicants have made sure that the setting of the land will not be spoiled and the natural environment cared for in the future. They have given assurances to the Parish Council that they will legally prevent future infill development.

There is a new policy to support the development of small groups of houses on the edge of settlement boundaries, and to encourage custom and self-build homes too.

There will be continued use of paddocks to the west.

These buildings should be regarded as paragraph 80, in the context of all the factors including the lovely setting and of paragraph 80 of exceptional quality and design.

Given that the design, and this by law has to include practical Building Regulation compliance the features of these designs are considered to be outstanding, the setting too is distant and on entering the sites, the three will be seen clearly together with the trees and new plantings in front.

The applicants are pleased that this application will come forward to the planning committee, members with their knowledge and local experience, will be able to listen to their views and debate the issues in context of a bigger understanding.

## **PLANNING HISTORY**

21/01984/F: PENDING CONSIDERATION : - The construction of a dwelling (Plot 1) - Land W of 3 Little London Road

21/01981/F: PENDING CONSIDERATION: - New two storey dwelling with rendered walls and high insulation with efficient heating (Plot 2) - Land W of 3

21/01288/F: Application Withdrawn: 06/08/21 - Construction of a new dwelling - Plot 3 Northwold Hall

21/01178/F: Application Withdrawn: 06/08/21 - Construction of a new dwelling. - Plot 2 Northwold Hall

21/01177/F: Application Withdrawn: 06/08/21 - Construction of new dwelling - Plot 1 Northwold Hall

19/00007/O: Application Withdrawn: 21/02/19 - OUTLINE APPLICATION: Proposed Residential Development of 3no. Self-Build Plots - Land

19/00348/O: Application Refused: 05/06/19 - Outline Application: proposed residential development of 3no. self-build plots - Land W of 3 Little London Road - COMMITTEE DECISION

## **RESPONSE TO CONSULTATION**

**Parish Council: OBJECTION**, with the following comments:

This application contains only two material changes to the withdrawn application 21/01288/F, namely a revised access layout and a reed bed incorporated into the drainage system

1. The application should be considered alongside application 21/01984/F, and 21/01981/F.
2. This is an application for three large houses to be occupied by family members. The Parish Council has concerns in respect of the long term future development of the site in the event of family members not occupying some or all of the properties. Any agreed covenants would apply to individual plots, not the whole site, resulting in the potential for further development.
3. The criteria within the 2011 Core Strategy and 2016 SADMPP applied to an earlier application for three houses (19/00348/O) still apply. It should be noted that this outline application was rejected.
4. The application is for a development in open countryside and outside the village development boundary, and therefore appears to contradict policies CS06 and DM2. It includes a driveway system for three large luxury houses spread across the Western half of historic parkland.

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5. The development does not fulfil the requirements of the KL&WNBC emerging Local Plan, LP31(2), which states. "In exceptional circumstances the development of small groups of dwellings....may be considered appropriate where the development is of a particularly high quality and would provide significant benefits to the local community".

6. The development sets a precedent for infilling the open countryside between Northwold and Little London. This area is one of the major heritage sites of Northwold with an ancestry of at least a thousand years. It deserves to be protected.

7. The application does not fulfil the requirements of NPPF paragraph 80 (July 2021) regarding development of new isolated homes in the countryside.

8. The houses will be seen from the road in autumn/winter when the leaves have fallen.

9. The development land borders Northwold Conservation Area at Riverside and High Street. Therefore, there will be an impact on the Conservation Area and a listed building.

10. Plot 3 is very close to the Little Wissey and in 2020/21 was only centimetres above the prolonged high water levels caused by breaches in the main Wissey bank upstream, together with downstream blockages. If high water levels in the Little Wissey recur in future the plot will be vulnerable to flooding.

11. Storm water will discharge into the Northwold Stream, potentially adding - even if by a minor degree - to the water level. There is also a risk of foul water and waste discharging into the river if the local treatment plants fail. It is recognised that the revised drainage system includes a reed bed, but this is too close to the river and the plans do not show any pumping system

12. The planned single access point (assuming for three large houses) is on a narrow single carriageway road with a 60mph limit, creating a further road safety issue within the Parish due to increased traffic entering and exiting the development on this stretch of road, including heavy vehicles during the construction stage. This area was under flood water for a significant period of time early in 2021, creating a further potential hazard. This was not merely due to blockage of carriageway drainage grilles by leaves.

13. Widening the existing access and creating the required visibility splay makes the entrance more obtrusive and damages and/or removes trees and a section of the frontage hedge.

14. The development of three large houses will significantly increase vehicular movement and safety issues on a single carriageway road with a current speed limit of 60mph. The likely route for vehicles to and from the site to the main A134 is Hovell's lane. A significant section of this is a single track road with no passing places. The other section contains residential properties which are within the conservation area. Its junction with High Street is narrow and on a "blind spot" bend.

On the basis of the above points, Northwold and Whittington Parish Council formally objects to planning application 21/01983/F. If, however, the application is agreed, the Parish Council requests that;

1. major restrictions on future development on the site are imposed,

2. that the applicant agrees to fund the implementation of a 30mph speed limit from the village sign on the Eastern end of Little London Road (near Little London Farm House) up to the current 30mph sign near Riverside.

**Highways Authority: NO OBJECTION**, subject to conditions relating to the laying out of access/parking area and retention of visibility splays.

**Natural England: NO OBJECTION** - the proposed development will not have significant adverse impacts on designated sites

**Environment Agency: NO COMMENT**

**Environmental Quality: NO OBJECTION** with respect to contaminated land

**CPRE Norfolk: OBJECTION**, the comments summarised as follows:

- Outside Development Boundary and unjustified impact on countryside
- Not isolated or innovative as per Para.80(e) of the NPPF (2021)
- Impact on Conservation Area
- Loss of important hedgerows
- No need for new dwellings in line with sufficient housing supply figure
- Unsustainable location
- Does not overcome reasons for refusal on 19/00348/O

**Arboricultural Officer: NO OBJECTION IN PRINCIPLE**, however noting the following comments:

'A TPO has been served, numbered 2/TPO/00626, to protect the trees on, and around, the entire site. Whilst the proposals don't appear to have a detrimental effect on the trees, I am concerned that increased pressure on the trees, for either removal or severe pruning, would occur after first occupancy of the proposed dwellings. I also have concerns regarding the access onto the site, this would create a large opening onto, what is essentially, a country lane, extra vehicle movements could lead to the removal of further stretches of hedgerow'

**CAAP OBJECTION**, on the following grounds:

The Panel were united in their views against any development on the three sites in principle, due to the harm it would cause to both designated heritage assets in terms of the setting of the Northwold Conservation Area and the listed buildings at the edge of Northwold Conservation Area. Additionally, it was considered that the parkland could be viewed as a non-designated heritage asset, as it clearly was historic parkland and the impact of the proposed development on that parkland would cause harm.

The Panel also expressed concern that any consent in these locations could set a precedent for further erosion of the setting of the Northwold Conservation Area emphasising the positive contribution the approach along Little London Road into Northwold provided to the significance of the Conservation Area.

Even though the Panel was against the three applications in principle, the design was also considered to be inappropriate.

**Conservation Officer: OBJECTION**, with the following comments summarised in relation to this application only:

The three applications (21/01981/F, 21/01983/F and 21/01984/F) seek consent for three substantial houses in parkland/agricultural land to the southeast of the village. The site is immediately adjacent to the Northwold Conservation Area, and diagonally opposite the

Grade II listed Waterloo House and therefore the impact upon these designated heritage assets will need to be considered.

The Northwold Conservation Area Character Statement highlights that the character of the conservation area is firmly linked to the “mature historic landscape of trees grass verges, rough tracks, hedgerows and paddocks which are located between, around and behind the buildings. The association of buildings and landscape both within the village and also when seen from outside which gives Northwold Conservation Area its essential quality” Moreover the statement emphasises specific importance to the landscape to the east of the conservation area: the application site “Views out of the conservation area are delightful and give glimpses of farmland and water meadows to the north and surrounding agriculture to the southeast and west. Finally there are also attractive views of the conservation area from the Little London Road to the east.” The statement goes on to reaffirm the importance of the application site, highlighting the “eastern node..... is also very attractive.....to the north east a mature treed landscape which provides a definite visual stop to the conservation area”.

The Planning (Listed Buildings and Conservation Areas) Act 1990 highlights the statutory duty to preserve and enhance the character and appearance of a conservation area. At heart of the NPPF is the conservation of the historic environment (para8 (c)). The historic environment section sets out the desirability of preserving and enhancing heritage assets and of new development making a positive contribution to local character and distinctiveness. (Para 190). Great weight should be given to the conservation of heritage assets and any harm requires clear and convincing justification (paragraph 200). Where an application would result in harm this should be weighed against public benefits of the proposal (Para 202).

The construction of three substantial houses in this sensitive location will substantially erode this mature historic landscape, detract from important views in and out of the conservation area and destroy the definite visual stop to the conservation area created by the mature treed landscape. This development will cause harm to the setting and therefore significance of the Northwold Conservation area and on this basis should be refused. Such a proposal is contrary to the NPPF as outlined above, and is not outweighed in any way by public benefits.

The setting above also provides the setting for the listed Waterloo house which looks diagonally out to the mature treed landscape described above. The development of three houses will detract from this setting causing harm to the significance of this heritage asset and on this basis should also be refused.

The proposed location of the three houses, causes substantial harm through the erosion of this landscape setting to the village. The proposed houses compete and seriously erode the parkland landscape setting to the conservation area. The proposed three houses however are also alien in their physical appearance/design and therefore their relationship with the rest of the village and conservation area.

The design of Plot 3 replicates the key characteristics of Plot 1 and the dominant protruding central bay is again a prominent feature which further exacerbates the dominance of the house within the landscape. Grandiose quoins to corners along with egg and dart detail or large consoles to eaves ensure the proposed dwelling competes with the restrained established architectural hierarchy and balance the rest of the village and conservation area display. This causes harm and detracts from the Conservation Area as a whole.

**Housing Enabling Officer NO OBJECTION IN PRINCIPLE**, affordable housing contribution required, stating the following comments (summarised):

Under policy DM8 – Delivering Affordable Housing on Phased Development, I consider these three sites to be linked.

As this site is over 0.5ha it is deemed as major development Policy CS09 applies. In this instance a financial contribution of £36,000 is required. This is calculated as 3no units times 20% affordable housing – 0.6 units, times £60,000 per unit. A S.106 Agreement will be required to secure the affordable housing contribution.

## **REPRESENTATIONS**

**TWENTY THREE** letters raising **OBJECTIONS** to the scheme, the comments summarised as follows:

- Previous history on site has not been overcome
- Outside Development Boundary and in the wider countryside
- Does not constitute a rural exception site as defined in the NPPF
- Not isolated or outstanding design as per Para.80 of the NPPF
- Visibility splays would require cutting back and removal of historic hedgerows to the detriment of the visual amenities of Little London Road and the Conservation Area
- Impact on Greenfield site
- Impact on Conservation Area and Listed Buildings
- Impact of views from Little Wissey and the PROW
- Not outstanding design and out of keeping with local vernacular
- Impact of continued ribbon development on character of area and wildlife and setting a precedent for additional development along Little London Road
- Flooding and drainage concerns surrounding flooding of site in 2020
- Impact on ecology/habitats both on site and directly adjacent at the Little Wissey
- Impact of proposed treated foul water drainage to a ditch which is often dry and associated impacts on residents and use of PROW,

**ONE NEUTRAL** Letter was received from the landowner, which related primarily to the serving of the TPO and the impact on this.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS12** - Environmental Assets

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM1** – Presumption in Favour of Sustainable Development

**DM2** – Development Boundaries

**DM8** – Delivering Affordable Housing on Phased Development

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## **DM15 – Environment, Design and Amenity**

### **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)  
National Design Guide 2019

### **PLANNING CONSIDERATIONS**

The key issues are:

Planning History  
Principle of Development  
Design and Impact on Heritage Assets  
Highway Safety  
Impact on Trees  
Other Material Considerations

#### **The Site and Application**

The application is for the construction of a new dwelling proposed on parkland surrounding Northwold Hall, accessed via Little London Road, Northwold. Two other houses are proposed under individual applications, ref 21/01981/F and 21/01984/F.

The application site comprises part of a total of approximately 4ha of Parkland to the west of Northwold Hall which is currently used for the keeping of horses. The south boundary is formed by Little London Road, the west by Riverside and the associated track/Public Right of Way and to the north by a river known as the Little Wissey, a tributary to the River Wissey. The PROW to the west of the site allows long views of the site from this direction, through established tree cover along this boundary.

With boundaries comprising primarily mature deciduous vegetation, the site is a prominent part of the street scene throughout the year, with increased openness and longer views provided in the winter months as a result of sparse vegetation on the boundary trees and hedgerows.

#### **Planning History**

An outline application in the west corner of the site, adjacent to the junction of Hovells Lane and High Street was refused under application ref 19/00348/O at Planning Committee in June 2019. Whilst of a different scale and nature, the material planning considerations and local plan policy context remains the same as this application.

In accordance with the Scheme of Delegation, the current application is required to address the reasons for refusal of the previous application, which are:

1. The site lies outside of the development boundary for Northwold where development is restricted to that identified as sustainable in rural area. No justification has been provided that outweighs the policies of the local plan and the development is therefore considered contrary to policies CS06 of the Core Strategy (2011) and DM2 of the Site Allocations and Development Management Policies Plan (2016).



2. It is considered that the proposed development by virtue of its siting would cause harm to the setting of designated heritage assets (the Northwold Conservation Area and Grade II Listed Waterloo House). In accordance with paragraph 196 of the NPPF, the harm created by the proposed development must be weighed against the public benefits of the proposal. Given the proposal's positioning outside the development boundary for Northwold, it is considered that the harm created by the proposed development would not be outweighed by the limited public benefit of a net gain of three dwellings. The proposal therefore fails to accord with paragraphs 190, 193, 194 & 196 of the NPPF and Core Strategy Policy CS12 of the LDF.

## **Principle of Development**

Plot 3 is the western most of the site, with Plots 1 and 2 to the east and is sited approximately 110m from the development boundary outlined on inset map G59 of the Site Allocations and Development Management Policies Plan (2016).

In line with Policy DM2 of the SADMPP (2016), proposed new dwellings outside of the development boundary are considered to be within the wider countryside where additional justification is required.

The Agent has put forward Paragraph 80 of the National Planning Policy Framework (2021) as justification for the construction of the new dwelling(s) – specifically in regard to 'exceptional design'. It should be noted that this paragraph of the NPPF relates solely to the development of isolated homes and, given the site's proximity to houses along High Street and Hovell's Lane and to Northwold Hall and Little London Lane to the east, the application site is not isolated as per the definition provided by the Braintree Court of Appeal decision.

Paragraph 134b of the NPPF (2021) states that significant weight should be given to outstanding or innovative designs which promote high levels of sustainability and help to raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of the surroundings. Conversely – Para134 also states that development that is not well designed should be refused.

The Borough Council can currently demonstrate a Housing Supply of 7.96 years and decisions should be made in accordance with the Development Plan unless material considerations indicate otherwise. The site's impact on its surroundings, namely the setting of the Conservation Area and nearby Listed Buildings, as well as the non-designated parkland setting of Northwold Hall to the east is discussed in more detail in the relevant section of this report - However, the proposed design, which includes the development of a greenfield site in the wider countryside, is not considered to be innovative or outstanding to any extent and the design is therefore not considered to warrant approval of a new dwelling in the countryside which is contrary to the provisions of the Local Plan.

## **Design and Impact on Heritage Assets**

The eastern node of the Conservation Area which is directly adjacent to the site, is described in the Northwold Character Statement, which states that this part of the Conservation Area is attractive, and that the mature 'treed' landscape (referring to the parkland setting) provides a definite visual stop to the conservation area. Riverside, the track which runs north between the dwellings facing the site and the west boundary of the site itself, is considered to form an important edge to the conservation area and the open verdant nature of the wider application site adds greatly to this edge of settlement setting. This existing parkland also provides part of the viewpoint from Waterloo House, the listed building to the southwest of the site and the site therefore contributes to the setting of this listed building as well as to the setting of the Conservation Area as a whole.

Plot 3 is the sited the furthest west of three total proposed (See applications 21/01981/F and 21/01984/F for plots 1 & 2) and therefore closest to the existing dwellings around the junction of Little London Road, High Street, Hovells Lane and Riverside. The dwelling is large with a significant footprint and an integral garage. A two-storey porch/entryway is centred on the front elevation, with feature glazing and stone detailing. Feature eaves detailing, and stone quoins are also indicated on the proposed plans however no material details are shown for the proposed brick and/or stonework. Whilst the agent notes that, as a whole, the dwelling is not intended to be 'faux Georgian' in appearance and instead represent an 'interpretation of symmetrical modern design', the dwelling does make use of some traditional Georgian features as shown in the fenestration and detailing proposed.

As with the other dwellings proposed on the wider site, the front elevation is large and imposing, with centralised front door below pediment detailing, with stone quoins and brick detailing along the eaves and a hipped roof with a central area containing Solar PV panels.

The total ridge height measures approximately 7.5m with eaves to approximately 6.2m.

Proposed side elevations have less consistency, symmetry, or pattern provided in terms of the positioning of windows/fenestration as well as less detailing of any stonework/render. The west and north elevations in particular show little respect to the traditional layout and appearance of Georgian style dwellings.

The dwelling (as well as those proposed under 21/01981/F and 21/01984/F) is proposed in established parkland which surrounds Northwold Hall, currently used for 'horsiculture'. According to historic data and mapping, this land has remained free of any development since the publication of the original first edition Ordnance Survey Maps in the mid-1800s.

Part of Northwold's identity and character revolves around consistency in the design and form of the historic buildings, with dwellings typically comprising a simple two or three storey design and often incorporating boundary walls and groups of outbuildings which create a sense of enclosure and relate back to the village's agricultural past. There is a unity of architectural character through the use of repeated materials and the vast majority of dwellings benefit from simple and balanced elevations with symmetry and consistent fenestration.

Within the Northwold Conservation Area certain larger properties display the grandeur of their historic position within the village history and hierarchy, and reflect this through more polite architectural detail in addition to their scale and mass. All such buildings in the village however overwhelmingly reflect use of local materials and are characterised by a restrained application of the architectural detail of the period. Even where extravagant details such as porticos are used, the scale and detail of these features reflect and respect the village, its development and rural location. Variety is added through simple brick dentil courses and brick detailing as well as window treatments which are typical to the 18th and 19th Century. Scale and mass of the properties are varied, reflecting the use of different parts of each property.

The design of Plot 3 replicates the key characteristics of Plot 1 and the dominant protruding central bay is again a prominent feature which further exacerbates the dominance of the house within the landscape. Grandiose quoins to corners along with egg and dart detail or large consoles to eaves ensure the proposed dwelling competes with the restrained established architectural hierarchy and balance the rest of the village and conservation area display. This causes harm and detracts from the Conservation Area as a whole.

The Conservation Area Character Statement refers to the settlement of Northwold being formed on a bed of cretaceous chalk and part of the character of the settlement is derived from the use of this stone for building (known as Chalk Clunch). Precise details of proposed materials could be conditioned as part of any approval on site, however it is apparent that the scale and opposing nature of the dwelling and the detailing proposed, as well as the extent of associated garden land will permanently and irrevocably impact on the openness of the site and the verdant setting of the Conservation Area.

This part of Little London Road contributes significantly to the setting of this end of the Conservation Area. Views out of the Conservation Area typically give glimpses of the mature landscapes beyond the village. The views provided from the junction of Hovell's Lane and Little London Road to the east of the site, combined with the views provided from the line of the PROW which runs along the west boundary of the site will be significantly altered as a result of the construction of new dwellings and their respective garden land.

Paragraph 199 of the NPPF states that when assessing the impact of a proposal on the significance of a heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 200 goes on to state that any harm to the significance of a designated heritage asset (from its alteration or destruction, or from development in its setting), should require clear and convincing justification. In accordance with paragraph 202 of the NPPF, the limited public benefits provided by the proposed scheme, which is also contrary to established policy on the location of development, are not considered to outweigh the harm to the significance of the heritage assets.

Whilst only one dwelling is proposed under this application and each application should be considered on its own merits, it is important to note that a total of three dwellings are proposed and that the material considerations are duplicated for each plot. The construction of three new dwellings in this Mock-Georgian manor house style, each in a row, is not a typical or standard sight in the countryside, where historic manor houses of this scale would each be set in substantial grounds – as per Northwold Hall to the immediate east. A small group of such dwellings is not representative of the time period the design imitates and further detracts from the scheme as a whole.

It is noted that existing mature hedgerows and trees along site boundaries are shown to be retained post-development however the construction of residential properties on this land, when considered in association with the scale and design of the dwelling, the size of proposed curtilage and the extent of hard surfacing proposed to allow access to each plot, will lead to significant and substantial harm to the setting of the adjacent Conservation Area and Grade II Listed Buildings to the detriment of the form and character of the street scene as a whole. The benefits of the construction of a new dwelling outside of the development boundary and in a location that is therefore fundamentally contrary to the provisions of the Local Plan does not outweigh the harm caused, and the application is therefore considered contrary to Section 16 Of the NPPF (2021) and Policies CS08, CS12 and DM15 of the Local Plan.

### **Highway Safety**

Following receipt of amended plans received during the course of this application, visibility splays can be demonstrated to accord with the required standard from the shared access point proposed approximately 150m south west of the junction of Hovell's Lane. Whilst this is an existing access point, the access will need to be significantly altered and widened to allow suitable access to the houses. The hard surfacing of this access road would further degrade the currently open and natural edge to the settlement and lead to adverse impacts on the character of the countryside.

Visibility splays are required to stretch for 2.4 x 120 metres and given the line of the adjacent highway, this will require the cutting back and trimming of existing hedgerows and trees in order to meet the required standard. The impact of this loss of trees/hedges and the overall impact on the street scene is a material planning consideration that bears weight in any decision.

The proposal can therefore illustrate highway access, turning areas and parking areas in accordance with the required standard and the proposal is considered to comply with Policies CS08, CS11 and DM15 of the Local Plan from a technical highway safety point of view.

### **Impact on Trees**

The subject site is the subject of an area TPO and therefore all trees on site are protected. A TPO order prevents the cutting down, uprooting, topping, lopping, wilful damage, or wilful destruction of any tree on site without the Local Planning Authority's prior consent.

Whilst the majority of the trees on site are outside of the red line area, the construction and consistent maintenance of the visibility splays required adjacent to the access will have an adverse impact on the current verdant nature of the street scene to the detriment of the character of the area as a whole. The construction of new dwellings and change of use of the surrounding land to residential will also lead to increased pressure on these trees with regard to removal or severe pruning upon first occupation of the dwelling and residential use of the land.

Whilst the Arboricultural Officer has not objected to the proposal, and the existing TPO allows some protection of the trees on site, the impact on trees contributes and adds to the overall impact on form and character of the area and on the surrounding street scene. The hard surfacing required to provide access to the dwelling, the removal of trees and trimming of hedges required will further harm to the setting of the Conservation Area which is contrary to policies CS08 and CS12 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).

### **Impact on Neighbours**

The nearest existing dwellings are located to the West of the site with frontages facing Riverside. Northwold Hall is located further to the East. Given the separation distances involved, the proposed dwellings are not considered likely to lead to adverse impacts on these dwellings with regard to overlooking, overshadowing, overbearing or loss of privacy.

Plot 3 is sufficiently distanced from Plots 1 and 2 for there to be no likely impact on the amenity of the proposed dwellings either side.

The application therefore complies with Policy CS08 of Core Strategy and Policy DM15 of the SADMPP (2016) in regard to protecting residential amenity.

### **Other material considerations**

#### **Affordable Housing**

This application, when combined with applications 21/01981/F and 21/01984/F comprises an area in excess of the threshold set out by Policy CS09 and therefore, as the overall site is capable of accommodating more than 5 dwellings, a financial contribution is required. The Agent has confirmed agreement to the principle of a S106 agreement being put in place to

secure this contribution (£36,000). The Housing Enabling Officer raised no objection on this basis.

### **Self-Build**

Information provided within the application states an intention for the proposed dwellings to be Self-Build homes for the applicant and his extended family. Paragraph 61 of the revised NPPF (2018) states, in regard to delivering a sufficient supply of homes, that: 'the size, type, tenure of housing needed for different groups in the community should be assessed and reflected in planning policies... including but not limited to, those whose require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes.' The LPA must 'have regard' to self-build opportunities and give enough suitable development permissions to meet the identified demand. However, given the information and justification provided as part of this application, it is not considered that the benefits of the intended self-build status of the proposed development outweigh the lack of justification for development in the countryside and the harm caused to designated heritage assets. Whilst the NPPF is a material consideration in planning decisions, it does not alter the statutory status of the development plan as the starting point for decision making. The lack of justification for the development leads to the development being considered contrary to the current policies of the Local Plan, more specifically Policy DM2 of the Site Allocations and Development Management Policies Plan (2016), and the harm caused to the Heritage Assets discussed above further deteriorates any community benefits.

### **Ecology**

An ecological survey has been provided as part of this application which lists several mitigation measures including the following in relation to protecting habitats:

- Soft landscaping scheme including the planting of native hedgerows around the site
- A new pond is proposed to the north of the site which should be managed for wildlife
- Remaining land left as wildflower meadows
- Hedgerows and trees retained 'where possible'
- Construction in accordance with British Standards in regard to both Trees and Biodiversity and waterway protection

It should be noted that despite these features being noted within this report, only very limited information has come forward to show these additional mitigation measures on the approved plan. It is also of note that, given the extent of red line proposed, a number of these features, including any additional hedgerows and planting on the wider boundary and the construction of a pond to the north of the site are outside of the red line/applicant's ownership and therefore could not be controlled or conditioned as part of this application.

In regards to bats, the ecology report states that the development will result in low scale loss of potential roosting, foraging and commuting habitats through the clearance of vegetation and the increase in noise and light levels associated with the residential use of the land and construction of the dwelling however does not indicate any known presence of bat roosts within the two trees indicated to be removed. The tests of derogation are therefore not required in this instance. Conditions are required to ensure that construction and any felling of trees takes place only in accordance with the ecological survey recommendations which includes measures to be taken for any felled trees and lighting scheme guidance. Again, mention is made to new trees planted around the boundary of the site (referring to the parcel as a whole) however this could not be controlled as it is outside of the red line boundary.

Bat and bird boxes are proposed as enhancement measures on site and details of this could be conditioned as part of any application. These would need to be placed within the confines of the red line.

Pre-cautionary measures are also proposed to prevent any adverse impacts on Great Crested Newts – this includes the cutting of any vegetation on site, site clearance outside of hibernating season and other construction management techniques.

The tributary to the north of the site is suitable for white-clawed crayfish and the proposed works have the potential to pollute the waterways if the best working practices are not adhered to. To avoid a negative impact on the tributary to the north of the site, the ecological report proposes a protective buffer zone is implemented and construction works are carried out in accordance with the British Standards. Amended site plan received during the course of this application removed proposed drainage lines and replaced them with indicative lines to Riverside to the west of the site which maintains this buffer.

It should be noted that other legislation protects against harm to designated site and species however due to the potential impacts discussed above, conditions would be recommended as part of any approval to ensure that the proposed development is undertaken in accordance with the submitted survey. Natural England raises no objection.

### **Drainage**

The application site is in Flood Zone 1 and therefore the sequential and exceptions tests are not required. Neighbour consultation responses regarding foul and surface water drainage are noted however it is considered that suitable detail could come forward via conditions in the event this application is approved. Proposed plans indicate treatment of water and discharge via pipework to the west of the site and, if consent is granted, conditions would be recommended to ensure that full drainage are provided.

A neighbour representation noted the need for permits from the Environment Agency. The Environment Agency raised no objection to the scheme. Permits are a separate requirement un-associated with the planning consent.

The Parish Council raised concerns of standing water on the site during Winter 2020/2021. These comments are noted and it is considered that proposed conditions to require full details and testing of proposed drainage are sufficient to address these concerns.

Subject to conditions, the application is therefore considered to comply with Paragraph 167 of the NPPF (2021) and Policy CS08 of the Core Strategy (2011).

### **Crime and Disorder**

There are no known crime and disorder impacts associated with this application.

### **Other comments**

In response to comments received from the Parish Council, concerns have been raised surrounding the possibility of future development if this application is granted and the potential for the scheme to set a precedent for further development which would further consolidate and erode the character of this part of Northwold and Little London. These comments are noted however cannot be considered as part of this application. Any future applications on or near the site would be assessed on their own merits and where relevant, would need to overcome the issues discussed above.

CPRE Norfolk object to the application based on the impact on the countryside, the principle of development being contrary to policy and the lack of justification for the construction of new dwellings in this position. These comments are noted and the points raised discussed above.

CAAP Panel provided objections to each of the three applications in principle and stated concern over the design of the dwellings as well as their impact on the designated heritage assets discussed above.

The Parish Council and the Agent both refer to the Emerging Local Plan. This is not currently considered to have weight in planning decisions; however, it should be noted that drafted policies continue to give significant weight to the protection of the countryside and the preservation of heritage assets.

The Agent also considers the site to meet the definition of Brownfield Land within the NPPF (2021). Whilst these comments are noted, the Local Planning Authority does not agree in this instance. The site has very limited built structures, with the majority of the site comprising solely open land and informal post and rail fencing. No significant areas of hardstanding are extant on site and the proposal therefore would not meet the definition of Brownfield Land outlined in Annex 2 of the NPPF.

The Agent also refers to the sustainable construction methods and the site exceeding building regulations requirements. Whilst these comments are noted, as discussed above, the design of the dwelling is not considered to be truly outstanding or innovating to an extent which would overcome the harm caused to the intrinsic character and beauty of the countryside or the harm caused to nearby heritage assets. The planting of additional trees/vegetation on site and the potential for the site's 'health and wellbeing' to be maintained in perpetuity as a result of the construction of a total of three dwellings in this location also does not provide justification for development of this nature.

## **CONCLUSION**

All planning applications should be determined in accordance with the Current Local Plan unless material considerations indicate otherwise. There is a legal duty to consider the impact on the conservation area and the setting of Listed Buildings as Heritage Assets.

The application site is a greenfield site which is currently verdant in character and provides a soft setting for the Northwold Conservation Area and surrounding listed buildings. No justification has been provided as part of this application which is considered to outweigh the adverse impact on the countryside associated with the construction of a new dwelling outside of the development boundary and the application is therefore considered contrary to Policy DM2 of the SADMPP (2016).

In addition to being located outside of the development boundary and the principle of development being contrary to Policy DM2 of the SADMPP (2016), the scale, design, materials, and overall appearance of the dwelling does not respect the form and character of the area and is an inappropriate addition to this edge of settlement location which will lead to harm to the setting of the Northwold Conservation Area, nearby Listed Buildings and the unlisted parkland setting of Northwold Hall. The impact on the TPO trees which span across the entire site will further harm the setting of these heritage assets, the character and beauty of the countryside and the appearance of the street scene as a whole.

For the reasons discussed above, the proposal is considered contrary to the NPPF, Policies CS06, CS08 and CS12 of the Core strategy (2011) and Policies DM2 and DM15 of the SADMPP (2016).

## **RECOMMENDATION:**

**REFUSE** for the following reason(s):

- 1 The site lies outside of the development boundary for Northwold where development is restricted to that identified as sustainable in rural areas. The Borough Council can currently demonstrate a Housing Land Supply of in excess of the required figure and no justification has been provided that outweighs the policies of the local plan. The proposal constitutes the inappropriate development of a greenfield site in the wider countryside for the purposes of Policy DM2 of the SADMPP (2016) and the provision of an additional dwelling in this location will not promote sustainable development or enhance or maintain the vitality of the rural community in accordance with Paragraph 79 of the NPPF (2021). The development is therefore considered contrary to the overarching aims of the NPPF (2021), Policies CS01, CS02, CS06 and CS08 of the Core Strategy (2011) and Policies DM1 and DM2 of the Site Allocations and Development Management Policies Plan (2016).
- 2 It is considered that the proposed development by virtue of its siting, scale and design as well as the associated works required to create necessary access and visibility splays along currently verdant Little London Lane would cause harm to the setting of designated heritage assets the Northwold Conservation Area and Grade II Listed Waterloo House and the parkland setting of non-designated Heritage Asset Northwold Hall. In accordance with paragraphs 200 and 203 of the NPPF, the harm created by the proposed development must be weighed against the public benefits of the proposal. Given the proposal's positioning outside the development boundary for Northwold, it is considered that the harm created by the proposed development would not be outweighed by the limited public benefit of a new dwelling. The proposal therefore fails to accord with paragraphs 194, 197, 200 & 203 of the NPPF, Core Strategy Policy CS12 and Policy DM15 of the SADMPP 2016.