

AGENDA ITEM NO: 8/3 (i)

Parish:	Upwell	
Proposal:	Outline Application: Two dwellings	
Location:	Land NE of 6 the Row Main Road Three Holes Norfolk	
Applicant:	Mr D J Forth	
Case No:	15/01399/O (Outline Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 2 November 2015

Reason for Referral to Planning Committee – Norfolk County Council Highways object to the application on the grounds that the application fails to include footways provision.

Case Summary

The application site is located on the north eastern side of Main Road, Three Holes. To the north of the site are residential properties; opposite the site are residential properties and a shop. To the north and south of the site is arable land.

At the time of a site inspection the application site formed part of a larger arable field.

Outline planning consent is sought for the erection of two dwellings. All matters are reserved with the exception of access. An outline planning application has also been submitted by the same applicant on land to the south.

Key Issues

Principle of development;
Form and character;
Neighbour amenity;
Highway safety; and
Other material considerations.

Recommendation

APPROVE

THE APPLICATION

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SUPPORTING CASE

The scheme aims to provide two detached dwellings on part of a site allocated within the Site Allocations and Development Management Policies Plan (SADMP) under policy G.96. There is a recognised demand for residential dwellings within the locality, as identified within the Local Plan (Core Strategy and SADMP). The proposal represents a positive contribution towards achieving sustainable development, with the ability to provide sustainable homes, appropriate to the location.

The site frontage is to Main Road, one of the principle roads through the village, with the benefit of a footway to the opposite side of the carriageway. Close to the frontage of the site is a bus stop. Opposite the site are generally two storey dwellings of mixed age and design. North of the site are a mix of single and two storey dwellings. To the east of the site is the remainder of the existing agricultural field. South of the site is the remainder of the agricultural field with embankment to the Middle Level Main Drain beyond, which is currently cultivated.

The proposed dwellings are anticipated to be of two storey construction with garaging, being of similar scale to dwellings within the vicinity. The proposed site layout provides for street frontage development with individual access to each dwelling via private driveway. Sufficient space is available to provide front and rear garden areas, including private amenity space. Dwellings will be of sufficient distance from neighbouring dwellings so as not to create any adverse impact, nuisance or over-looking. The scale of the proposed dwellings will be able to reflect that of the existing buildings within the vicinity. The density of development is appropriate to the site, taking account of the form and character of the immediate area, local infrastructure and services.

Access will be from Main Road via individual private driveways, each containing sufficient space to accommodate vehicle parking to NCC standards.

A Flood Risk Assessment has been prepared for the site by Geoff Beel Consultancy in September 2015. Concluding that the site is appropriate for residential development and suggesting finished floor levels 300mm above existing ground levels, subject to detail design.

PLANNING HISTORY

Land to the south:

15/01402/O: Current: - Outline application with some matters reserved for two dwellings

RESPONSE TO CONSULTATION

Parish Council: SUPPORT

Highways Authority: OBJECTION - I have great concern that the applicant is not seeking to provide the footway provisions requested. Vehicles travel at speed fronting this site and safe access is needed to reach the bus stop and the river area as well as providing access

between the properties themselves. A lack a footway provision would result in conditions to the detriment of safety in our view and I therefore recommend the following holding objection until such provisions are provided.

Environment Agency: NO OBJECTION we would recommend raising the finished floor levels by 300mm as stated in the Flood Risk Assessment. Due to the location of the development and the mitigation measure proposed within the FRA, we have no objections on flood risk grounds to the proposed development.

Environmental Health & Housing – Environmental Quality: NO COMMENTS to make regarding contaminated land or air quality.

REPRESENTATIONS

No third party representations received.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS09 - Housing Distribution

CS08 - Sustainable Development

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM2 – Development Boundaries

DM8 – Delivering Affordable Housing on Phased Development

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

OTHER GUIDANCE

Upwell Parish Plan 2006

PLANNING CONSIDERATIONS

The key planning considerations relevant to the determination of this application are:

- Principle of development;
- Form and character;
- Neighbour amenity;
- Highway safety; and
- Other material considerations.

Principle of development

Three Holes is identified as a Rural Village by Policy CS02 of the Core Strategy 2011 where sustaining the existing services through the provision of limited growth is seen as a priority. Until the Council's Site Allocations and Development Management Policies Document are adopted, the King's Lynn and West Norfolk Local Plan (1998) Proposals Map is still relevant and the application site is identified as falling within countryside. However in the emerging SADMP the site (together with land to the south and east, amounting to 0.3 hectares for five dwellings) is allocated for residential development (SADMP Policy G.96), and the late stage of this document means that it is a material consideration with significant weight in the decision-making process.

Form and character

All matters are reserved for future consideration with the exception of access. It is not therefore possible to comment fully on design and appearance. It is not considered that a development of this scale and layout would have significant and demonstrable impacts on visual amenity; ultimately it is considered that such issues could be designed out, at the reserved matters stage.

Neighbour amenity

As the full details of the dwellings are not known at this stage a full assessment of the impacts cannot be made, this will need to be considered at the reserved matters stage. With careful design it is considered that poor relationships between units can be successfully addressed.

Highway safety

NCC Highways have confirmed that the amended access is acceptable. They however have concerns that the applicant is not seeking to provide a footway to reach both the bus stop and the river and access between the properties.

Having inspected the site it is noted that there is a footpath on the opposite side of the carriageway, however along this section of the road there is no footpath (the footpath stops at 1 Edina Terrace), with the exception of a section across the bridge, although this does not link to another path for pedestrians.

Whilst it may be desirable to have a footpath, it would not essentially link to existing paths, but be a series of unconnected paths. It is therefore considered that a highway objection could not be sustained on this basis.

Other material considerations

As stated earlier this site forms part of an allocated site for five residential dwellings (SADMP Policy G.96). An application has been submitted for the northern section of the allocation (this application) and a second application submitted for the southern section. The two applications have been separated by a strip of land identified as field access. Both applications are for two dwellings, giving a net total of four. The whole parcel of land formed the allocated site; two application sites, field access and land to the north east.

At the time of the application the Council was of the view that the size of the two sites cumulatively exceed the size threshold for an affordable housing requirement in line with policy G.96 with reference made to emerging policy DM8 and the allocated sites section, this states:

“On sites allocated for residential development through the Local Plan process the requirement to provide affordable housing under Core Strategy CS09 Housing will apply jointly to the whole of a single allocated site that is developed incrementally (through sub-division etc.) and where development of the whole site results in a requirement for a proportion of (or in exceptional circumstances a contribution to) affordable housing.”

However on 15 April 2016, the Government's national policy on affordable housing changed. The impact of these changes in the Borough is that for sites of 5 dwellings or below there will no longer be a requirement to make any contribution to affordable housing, subject to their combined gross internal area (GIA) not exceeding 1000 square metres. This application, and application 15/01402/O, is in outline form for a total of four dwellings; although scale and appearance (and therefore GIA) are unknown. The GIA of the development and the number of units on site can be secured by condition. An affordable housing contribution is therefore no longer required and the decision can be issued without a S106 Agreement.

The site is within Flood Zone 3 of the SFRA. The Environment Agency have confirmed that they have no objection to the scheme, but do recommend that the finished floor levels be raised 300mm, as per the submitted FRA. As this is part of an allocated site there is no requirement for the Local Planning Authority to carry out the sequential and exceptions test.

There are no specific crime and disorder issues arising from the proposed development.

CONCLUSION

This application site forms part of a wider site that has been allocated for housing in the Site Allocations and Development Management Policies and Pre-Submission Document (November 2014). This document details that the site, in totality is capable of accommodating five dwellings. In principle therefore development of the site is acceptable. The allocated site has been artificially sub-divided into three portions, two housing sites (each for two dwellings) separated by a field access to allow access to the land in the applicants ownership to the rear.

Whilst County Highways have recommended refusal it is not considered that this is a sustainable reason for refusal, as the footpath requested will not link into a footpath which leads anywhere, but link into the existing footpath on this side of the road over the bridge to the south of the site.

On this basis it is recommended that the application is APPROVED.

RECOMMENDATION:

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

- 1 Condition Approval of the details of the means of layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.
- 1 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted to the Local Planning Authority in writing and shall be carried out as approved.
- 2 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Condition Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 4 Condition The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 4 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 5 Condition The development shall be built in accordance with the Flood Risk Assessment carried out by Geoff Beale Consultancy and dated September 2016, submitted as part of this application. The scheme shall be implemented as approved before any part of the development hereby permitted is brought into use.
- 5 Reason In order to prevent an increased risk of flooding in accordance with the principles of the NPPF.
- 6 Condition The Gross Internal Area of the development hereby permitted, and in accordance with planning consent 15/01402/O, shall not exceed 1000m2 in total on this allocated site.
- 6 Reason To define the terms of the permission in accordance with the national indicative thresholds as specified in the NPPG.