

Parish:	Gayton	
Proposal:	Major reserved matters: Construction of 19 dwellings (phase 3)	
Location:	Land NE of Downely Lynn Road Gayton Norfolk	
Applicant:	KMH Builders Ltd	
Case No:	19/01325/RMM (Reserved Matters - Major Development)	
Case Officer:	Mrs K Lawty	Date for Determination: 29 October 2019 Extension of Time Expiry Date: 9 November 2020

Reason for Referral to Planning Committee – Parish Council objection and called in by Cllr de Whalley – deferred at Planning Committee of 7 December 2020

Neighbourhood Plan: No

Case Summary

Outline planning permission was approved on this site in 2016 when the borough did not have a 5 year housing land supply (lpa ref: 15/01776/OM). Outline consent was granted for up to 29 dwellings, with access being the only matter determined at this stage. The approved access is via a single access point onto Lynn Road to the south, known as Howard’s Way. These 29 dwellings are now known as Phases 2 and 3 of the Howard’s Way development.

All other matters, including layout, appearance, scale and landscaping were reserved for later consideration and form the subject of this reserved matters application.

Phase 1 of the Howard’s Way development for 6 dwellings was approved under a separate permission and has been completed and Phase 2 is nearing completion. Phase 2 related to 10 of the 29 dwellings approved under the outline consent referred to above.

This current application therefore seeks reserved matters for the remaining 19 dwellings of the outline consent approved under ref: 15/01776/OM and is referred to as Phase 3.

Gayton, combined with Grimston and Pott Row, is classified as a Key Rural Service Centre according to Policy CS02 of the Local Development Framework Core Strategy.

The application site lies on the northern side of Lynn Road, Gayton and is approximately 1.01 hectares of the original outline site of 1.63 hectares. The land levels are generally flat.

The outline application was subject to a S106 Agreement to secure an affordable housing contribution, county contributions, open space and SUDS management and maintenance.

Members will recall the determination of this application was deferred at the 7 December 2020 Planning Committee meeting after concerns were raised relating to pepper-potting and design of the affordable housing units, boundary treatments and service roads.

Since this committee meeting a set of amended plans has been submitted, addressing these issues.

Key Issues

- Principle of Development
- Appearance, layout and scale
- Neighbour Amenity
- Affordable Housing
- Highway Safety
- Archaeology and Heritage Assets
- Flood Risk and Drainage
- Landscaping and open space
- Other matters

Recommendation

APPROVE

THE APPLICATION

Outline planning permission was approved on this site in 2016 when the borough did not have a 5 year housing land supply (lpa ref: 15/01776/OM). Outline consent was granted for up to 29 dwellings, with access being the only matter determined at this stage. The approved access is via a single access point onto Lynn Road to the south, known as Howard's Way. These 29 dwellings are now known as Phases 2 and 3 of the Howard's Way development.

All other matters, including layout, appearance, scale and landscaping were reserved for later consideration and form the subject of this reserved matters application.

Phase 1 of the Howard's Way development for 6 dwellings has been completed under planning permission ref: 15/00499/F and Phase 2 is nearing completion (ref: 17/02355/F). Phase 2 is 10 of the 29 dwellings approved under the outline consent referred to above.

This current application therefore seeks reserved matters for the remaining 19 dwellings of the outline consent approved under ref: 15/01776/OM and is referred to as Phase 3. In total the 3 Phases would provide 35 dwellings.

Gayton, combined with Grimston and Pott Row, is classified as a Key Rural Service Centre according to Policy CS02 of the Local Development Framework Core Strategy.

The application site lies on the northern side of Lynn Road, Gayton and is approximately 1.01 hectares of the original outline site of 1.63 hectares. The land levels are generally flat.

The outline application was subject to a S106 Agreement to secure an affordable housing contribution, county contributions, open space and SUDS management and maintenance.

The site layout provides for 19 dwellings. This would result in a density of 19 dwellings per hectare.

Since the 7 December 2020 Planning Committee meeting a set of amended plans has been submitted, addressing the issues raised by Members.

Planning Committee
12 April 2021

The following amendments have been made:-

- The terrace of 3 affordable housing units have been changed to a pair of 2 bedroom semi-detached dwellings with car port (Plots 16 & 17) and a single detached 3 bedroom dwelling with garage (Plot 29)
- Provision of car port and separate drive to plots 16 and 17
- Plots 12, 15, 18, 20 & 28 amended too Type 3A house design
- Refuse collection points added at entrance to private drives
- Additional trees added
- Hedging shown to fronts of Plots 11-14, 22, 28 & 29
- Verge planting to frontages of Plots 15 – 18, 21 with post and rail fencing
- Mixed native hedging along northern boundary with post and rail timber fence.

The amendments show some changes to the overall house types resulting in the following list of :

12 No. x 4 beds,
4 No. x 3 beds,
3 No. x 2 beds

SUPPORTING CASE

The applicant has submitted the following supporting text:

The application site is located to the north east of Downley, Lynn Road, Gayton in a central location to the village. The application seeks approval of Reserved Matters following the granting of Outline Approval by the Planning Committee in March 2016 (Decision dated August 2016). The first phase of this Outline Approval received Reserved Matters approval in August 2018 and this phase is now 85% complete.

The submitted scheme has developed through the application process and is a result of working closely with the planning officers and NCC Highway Authority to improve the special separation with the existing surrounding properties and minimise overlooking and impact on private amenity. The properties are a continuation of the density, style and high standards of quality already being provided in the first phase and the previous developments at the entrance to the site.

The proposal is considered to be compliant with material planning policy at both local and national level.

The site will be the natural progression of the overall development with the utility framework in place and is therefore suitable and available to deliver quality family homes without harm to policy, landscape or amenity.

It is therefore requested that planning permission be granted.

In answer to concerns raised by the previous Planning Committee and Parish Council:-

The frontages of the properties are open and generous with grass seeded areas in addition to the parking /drive areas which can be planted to the preferences of the future residents. The affordable housing requirement for the overall site is for six properties which is provided by a pair of semi detached units (constructed on the previous approved phase), a detached 3 bedroom house & garage, a detached 2 bedroom bungalow and a pair of 2 bedroom semi-

Planning Committee
12 April 2021

detached houses with carports shown throughout the scheme as can be seen on drawing no.720C/15-3000H. This shows a reasonable spread of the units interspersed into the development and storage sheds now provided to the units. The detailing and materials used on the units are the same as all the other properties on the development.

The following amendments to the scheme have been made to address the points raised at the Planning Committee:

- The terrace of 3 AHS changed to a pair of 2 bedroom semi-detached dwellings with carports (Plots 16 & 17) and a single detached 3 bedroom dwelling with garage (Plot 29).
- Provision of carport and separate drive to plots 16 & 17 increases plot width and allows properties to be brought forward and increase rear private amenity depth.
- Plot 18 changed to a Type 3A design
- Plots 12,15,18, 20 & 28 changed to a Type 3A design.
- Refuse collection points added at entrances to private drives.
- Additional trees added.
- Hedging shown to frontages of Plots 11-14, 22, 28 & 29.
- Verge planting shown to frontages of Plots 15-18, & 21 with post and rail fencing to allow free movement of wildlife
- Mixed native hedging provide along northern boundary with post and rail timber fence.

Density of the development is similar to the existing density at the entrance of the site and the approved scheme of the first phase and in line with the outline approval for the site.

MG 29.03.21
720C/15

PLANNING HISTORY

15/01776/DISC_B: Under consideration: - Discharge of conditions 6, 13 and 21 of planning permission 15/01776/OM: OUTLINE APPLICATION WITH SOME MATTERS RESERVED: Residential development

15/01776/DISC_A: Discharge of Condition final letter: 08/02/19 - DISCHARGE OF CONDITIONS 7, 8, 10, 17 AND 19: OUTLINE APPLICATION WITH SOME MATTERS RESERVED: Residential development

15/01776/VAR1A: Application Permitted: 05/09/18 - Modification of Planning Obligation, reference LC/S106/16/58 relating to Planning Application reference 15/01776/OM

15/01776/OM: Application Permitted: 03/08/16 - OUTLINE APPLICATION WITH SOME MATTERS RESERVED: Residential development

RESPONSE TO CONSULTATION

Parish Council: OBJECTION - Gayton Parish Council wishes to recommend refusal on the above application. For the following reasons:

There are no boundary treatments, no hedges, no green verges though there is one tree in the property's front gardens. This is not in keeping with a rural village. The affordable houses are all together not interspersed throughout the development and look very different. The affordable houses also do not access to any storage facilities e.g. no garages or storage sheds. The density of the site is not in keeping with the surrounding area, with a density of 18 neighbouring areas of Grimston Road being 14 and Lynn Road being 8 properties per hectare. The Council have asked Cllr de-Whalley to call this application in to allow for the Parish Council and Parishioners to make their comments known.

Highways Authority: NO OBJECTION – no further conditions required

Environment Agency: NO COMMENTS to make on this application.

Water Management Alliance: NO OBJECTION - The site is near to the Internal Drainage District (IDD) of the Kings Lynn Internal Drainage Board (IDB) and is within the Board's Watershed Catchment (meaning water from the site will eventually enter the IDD). Maps are available on the Board's webpages showing the Internal Drainage District (https://www.wlma.org.uk/uploads/128-KLIDB_index.pdf) as well as the wider watershed catchment (https://www.wlma.org.uk/uploads/KLIDB_Watershed.pdf).

I am pleased to see that initial testing shows that a drainage strategy reliant on infiltration is likely to be achievable on the proposed development. If for any reason a strategy wholly reliant on infiltration does not prove viable and a surface water discharge is proposed to a watercourse within the watershed catchment of the Board's IDD then we request that this be in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), specifically S2 and S4. Resultantly we recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible. The reason for our recommendation is to promote sustainable development within the Board's Watershed Catchment therefore ensuring that flood risk is not increased within the Internal Drainage District (required as per paragraph 163 of the National Planning Policy Framework). For further information regarding the Board's involvement in the planning process please see our Planning and Byelaw Strategy, available online.

Lead Local Flood Authority: No further comments regarding latest amended plans

No objection - We previously objected to this reserved matters application in the absence of any specific drainage information to support the application. The applicant has now provided a Surface Water Drainage report (Plandescil ref: 24595 Rev 0 dated July 2020). We welcome that Sustainable Drainage Systems (SuDS) had been proposed in the development (via infiltration).

The drainage strategy document submitted states that the surface water runoff from the proposed hardstanding (0.510ha including roofs, drives, and access) will discharge into an infiltration system, which will comprise of the following;

- Surface water runoff from the roofs will be collected in plot/shared soakaways
- Surface water runoff from the highway will discharge into a highway soakaway located in the POS, to the south of the highway.
- The private access and drives will be constructed using pervious techniques.
- Water butts should be provided to each plot.

Planning Committee
12 April 2021

It is noticed that the half drain times are in excess of 24 hours, therefore to demonstrate that the capacity of the crate system are appropriate, Micro Drainage Design Simulations have been produced, demonstrating that the system has sufficient storage to contain consecutive 1% AEP and 10% AEP rainfall events. A preliminary maintenance and management plan has been provided detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development. The Local Planning Authority should note that there are long term practicality issues for maintaining soakaways which potentially could be within the back gardens of properties and not within public open space to allow easy access. They may also wish to consider if permitted development rights are removed to prevent accidental damage to the structures or building over them. The documentation provided now demonstrates that the proposed SuDS features can be accommodated within the development layout. We therefore can remove our objection to this reserved matters application.

Environmental Health & Housing – Environmental Quality: NO OBJECTION - We assessed the outline application 15/01776/OM for potential air quality and contaminated land concerns. I have reviewed the proposed layout and have no further comments regarding contaminated land.

The proposed dwelling floor plans for house types 1A, 1B and 2A (making up 6 of the 19 dwellings) include a chimney and provision for a solid fuel burner. We therefore recommend the applicant should be aware of our advice on burning wood and coal at www.west-norfolk.gov.uk/solid-fuel in order to minimise potential pollution or nuisance for the solid fuel appliances.

Housing Development Officer: NO OBJECTION – confirm the proposed affordable units plots 16, 17, 27 & 29 meet the s106 requirements. They are adequately pepper potted throughout the site and the units meet our space standards. I note plot 16, a 2 bed 4 person house is proposed as shared ownership which I am content with. Please note plot 27 the 2 bed bungalow should be wheelchair accessible and should be fitted with a level access shower.

No objection – I have reviewed the affordable housing scheme today. I note that plot 27 is now proposed as a 2 bed 4 person bungalow. I can confirm this unit meets our space standards and have no objections. To meet housing need I would request the bungalow is switched from shared ownership to rent, and one of the end terrace 3 bed units is for shared ownership.

Natural England: No comments to make on this application.

Greenspace/Database Officer: NO OBJECTION- Gayton Parish Council are in the process of adopting the on-site open space/play. The proposed design, however, indicates a number of additional areas of soft landscaping, such as: landscaping on private driveway; hedges on roadside/pavement edges (i.e. corner of plot 13); grassed area as potential future access to field (labelled no access to paddock);

How will the permanent maintenance of these areas be secured? As a word of caution, such areas that are transferred to individual purchasers, yet outside of the natural curtilage/garden space of the associated property, have a tendency to not be maintained.

No objection - With reference to the submitted landscaping/layout plans, having consulted with my colleagues in Public Open Space, we would like to offer feedback as follows.

We request details of how the equipped play space will be laid out what equipment will be installed; a development of this size would typically provide:

Planning Committee
12 April 2021

- 1 x significant element of multi-play (suitable for under 8s), delivered to BSEN1176;
- suitable safety surfacing underneath equipment (i.e. resin bound rubber mulch) to BSEN1177;
- 1.2m bow topped fencing to surround – with 1 x pedestrian gate and 1 x combined (partially lockable) pedestrian and maintenance gate (although, in this case, the maintenance gate may need to be completely lockable, to avoid a direct route out onto the roadway);
- concrete wear pads covering the full width of both pedestrian and maintenance gate;
- 1 x bin (crescent style/with lid, i.e. no open top);
- 1 x bench, with concrete wear pad in front & below.

In previous response to consultation, we also recommended that a pedestrian barrier be provided on the roadside edge next to the pedestrian gate.

We would also caution against providing trees within the equipped play space, as they are particularly prone to damage/vandalism and, once established, can cause 'greening' of the play equipment underneath.

We would also query how some of the areas outside of private residences/garden space (but not included in the open space area) are to be managed, for instance:

- shingle in grid matting between plots 26/27 and north of plots 20-22. Presumably this will be the collective responsibility of individual purchasers, but how will this be managed/transferred and responsibility divided up?;
- field/potential future development access – how will this be presented and who will be responsible for future maintenance?.

As previously advised, the Borough Council do not maintain any equipped play space within Gayton Parish. An alternative will need to be sought to secure the permanent maintenance of the open space, in accordance with the s106 agreement.

Green Infrastructure Officer (Public Rights of Way): NO OBJECTION - in principle to the application but would highlight that a Public Right of Way, known as Gayton Footpath 2 is aligned adjacent to the proposed site. The full legal extent of this footpath must remain open and accessible for the duration of the development and subsequent occupation.

Norfolk Constabulary Architectural Liaison Officer: NO OBJECTION to latest amended plans – but commented that the fence height detailed in the fencing specification at 1500mm is too low to be affective for security of side and rear boundaries. 1.8m is the minimum height for this.

No objection but made comments - As the local Architectural Liaison Officer my role within the planning process is to give advice on behalf of Norfolk Constabulary in relation to, the layout, environmental design and the physical security of buildings, based upon the established principles of 'Designing out Crime'.

The layout of this application is disappointing in that it doesn't display the SBD preferred back to back garden design, although it does benefit having a primary vehicle access point.

It is very difficult to comment on the layout as I cannot see from the documentation provided, how this phase interlinks with the existing constructed phases.

If the development eventually provides through access to another phase / further development the increase in permeability will make the site more vulnerable to crime.

Planning Committee
12 April 2021

Likewise also placing more vulnerability on the existing phases this development is linked. The SBD approved 'no through route' would provide residents with a feeling of ownership and encourage a feeling of community.

At present the rear boundaries to plots 28, 22, 21 and 20 are exposed. Research shows that up to 85% of burglaries are committed via the rear of the property. Creating a back to back garden design within this development would resolve this vulnerability. It is recommended that all rear fencing across this development to be at a minimum height of 1.8m and of a high standard with a view to privacy, keeping children and animals in and intruders out. Access gates to rear gardens should be a minimum height of 1.8 metres and capable of being locked by key from both sides. Gates should be located on, or as near to the building line as possible.

REPRESENTATIONS

8 pieces of correspondence received relating to the application referring to the following:-

- object to the need to access my land for drainage
- object to the position of amenity land
- potential 'rat run' at the back of the Lynn Road houses on a narrow strip of land that might be used as a short cut to the chip shop and impact on residents.
- Is Unit 27 an HMO?
- ownership of strip of land behind Lynn Road properties
- moves have been made to lessen the impact upon my property, and for which I am extremely grateful; I have to accept the loss of this lovely paddock.
- potential overshadowing and overlooking of Sunnyside. Can internal rooms be moved to avoid overlooking?
- object to new properties being built in the paddock.
- Blacksmiths Row will be dwarfed by properties on all sides. We will end up as an isolated group of cottages surrounded by towering buildings looking down on us.
- noise from building work which has already been going on for a long time.
- misleading details on plans; a bungalow cannot be the similar height to a two storey property.
- When I built my bungalow, Appledore, next door, it had to be a bungalow to compliment Sunnyside. To have three big two-storey houses close to both bungalows, over powering and intruding on bedroom windows is unfair and intrusive.
- Sunnyside has a small back garden which when this was a paddock, was not a problem, but will be now
- my property will be completely surrounded by footpaths; I enjoy the exercise but not picking up the dog poo & rubbish out of my garden.
- When I first purchased the property it was surrounded by trees and paddocks. In the last 6 years to the east and west I've lost most of them including a large walnut tree located in the paddock on my west boundary.
- The small orchard area to the north of my garden is enjoyed by my children, rabbits, hedgehogs, nesting birds and numerous butterflies and insects. It would be a great shame to put a footpath through it or interfere with it in any way.
- I have a 6ft. high chain-link fence erected to secure my garden on the west and east side but not obscure the view, with phase 3 I have concerns my privacy will be lost.
- The ridge heights of adjoining property, Appledore, is still shown incorrectly and the two storey properties on Plots 19, 20 and 23 are over powering and intrusive.
- I have asked if at least the windows could be placed to avoid overlooking bedrooms in the bungalows

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 – Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM16 – Provision of Recreational Open Space for Residential Developments

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

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

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

National Design Guide 2019

PLANNING CONSIDERATIONS

The main planning considerations in regards to this application are:-

- Principle of Development
- Appearance, layout and scale
- Neighbour Amenity
- Affordable Housing
- Highway Safety
- Archaeology and Heritage Assets
- Flood Risk and Drainage
- Landscaping and open space
- Other matters

Principle of Development

Outline planning permission was approved in 2016 for 29 dwellings on the site under ref: 15/01776/OM. This reserved matters application for 19 dwellings has been submitted in accordance with the details of the outline consent, which approved only the access point into the site.

Gayton, combined with Grimston and Pott Row is classified as a Key Rural Service Centre in the settlement hierarchy as set out under Policy CS02 of the Borough Council of King's Lynn and West Norfolk Core Strategy (2011). The application site lies within an area designated as countryside as defined by the King's Lynn and West Norfolk Site Allocations & Development Management Policies (SADMP) Plan 2016, although it does lie adjacent to the development boundary and developed part of the village.

The site was granted outline consent when the borough did not have a 5 year supply of deliverable housing site as required by paragraph 49 of the NPPF. The reserved matters application was submitted within the correct timeframes of the outline consent and work has been ongoing with the applicant to amend the scheme in response to representations received throughout the public consultation process.

Phase 1 of the Howard's Way development for 6 dwellings, which is in the settlement boundary, is constructed and occupied, and Phase 2, comprising 10 dwellings, is nearing completion. This part of the site is known as Phase 3 of the larger development (19 dwellings).

Accordingly, the site already benefits from outline planning permission where 10 of the approved number of units have already been approved and are under construction. This application seeks approval of the outstanding reserved matters, (namely appearance, landscaping, layout and scale) for the remaining 19 units.

Appearance, layout and scale

The application site lies on the northern side of Lynn Road, Gayton, is approximately 1.01 hectares in area and is generally flat. The site lies to the north of existing residential properties fronting Lynn Road and to the west of properties on Jubilee Hall Lane. Part of the site adjoins properties on Blacksmiths Row to the south west corner of the site.

Vehicle access to the site is already in place via Howard's Way. There is a pedestrian public footpath which runs close to the eastern boundary of the site. This is a public right of way and will remain unaffected by the proposal.

The site is bounded to the west by Phase 2 of the development and to the north are open fields.

The form and character of the locality is characterised by a mixture of detached, semi-detached and terraced, single and two storey dwellings of various ages and designs. Howard's Way is characterised by detached and semi-detached 2 storey dwellings with a row of terraced houses to its entrance on Lynn Road.

The development proposes 12 No. 4 bedroom units, 4 No. 3 bedroom units and 3 No. 2 bedroom units. In terms of design the proposal shows a mix of one and two storey detached and terraced properties.

Several amendments have been received through the process of the planning application to improve the layout and relationship with neighbouring properties, in response to comments raised by consultees or third parties.

Four units are proposed to be affordable houses, in accordance with policy, and these are pepperpotted across the site

These do not exceed the maximum cluster size of 4 dwellings, as set out in the Affordable Housing Policy document (2011).

The plans show the use of brick as the predominant external material for the properties and clay pantiles are shown to the roofs. Design details take reference from traditional buildings found in the village and include chimney stacks and gabled porches.

Boundary treatment includes a mix of low timber fencing to the front gardens and 1.8m close boarded timber fencing to rear gardens. Hoop top fencing is shown around the play area.

Given that the site is between existing residential development to the east, west and south, there are only limited public views of the development. The public views will be primarily from the public footpath to the west.

The Parish Council has objected to the proposal saying there are no hedges or green verges although acknowledges that there is a tree to each front garden. They claim that the density is not in keeping, stating that Grimston Road is 14 per hectare and Lynn Road is 8 properties per hectare.

At outline stage the issue of the number of units on the site and the resulting density was considered to be acceptable. The submitted, amended layout now shows that this number of units can fit onto the site whilst retaining the characteristics of the area. The front garden of each property allows for the parking and turning of vehicles and also for a degree of planting to soften the frontages. This is in the same manner as for the 16 houses already constructed in Howard's Way and is therefore not out of keeping.

In terms of density figures, some parts of Lynn Road have a higher average density than the figures quoted by the Parish council, whilst other sections will be lower. In terms of density the proposal is similar to the 2 phases already approved and constructed and is not out of keeping for this development.

Policy DM15 refers that the scale, height, massing, materials and layout of a development should respond sensitively and sympathetically to the local setting and pattern of adjacent streets including spaces between buildings through high quality design and use of materials.

In response to comments made at the Planning Committee meeting in December last year, changes to the layout have been made which results in a more sympathetic setting and amendments have been made to enhance the degree of planting and hedging across the site.

It is considered that, in terms of appearance, layout and scale the proposal will not detrimentally affect the form and character of development in the locality and conforms to national and local policy on design, including Policy DM15.

Neighbour Amenity

Third Party representations have raised concern about being overlooked.

Careful consideration has been given to the impact of the development on the amenity of the occupants of neighbouring properties. The relationship between the development proposed and neighbouring properties has been examined and the impact upon the amenity of the occupants of these properties has been assessed. Consideration has been given to overlooking, overshadowing and whether the development would be overbearing.

The nearest properties to the south are properties which front Lynn Road. The garden depths of properties along the southern part of the site have been increased following officer concern about neighbour amenity issues. These amendments increase distances between properties by another 3-4 metres so that distances between the two storey elements of the proposed new dwellings and the rear garden boundary are in excess of 10m deep. It is now considered this results in a satisfactory relationship with the existing dwellings.

The relationships with the properties on Jubilee Hall Lane to the east have been examined and, again, improvements have been made to increase distances between the existing and proposed properties. The dwelling on Plot 19 has been set at an angle and pulled away further from the plot boundary to improve the relationship with the existing and proposed adjoining properties, Sunnyside, Orchard Cottage and plot No. 20. The dwelling on Plot 23 has been re-designed to move the two storey element further away from the boundary with Sunnyside by approximately 3m so there is now a space of 10m.

Also the proposed dwellings on Plots 19 and 23 have been re-sited within the plots to improve the relationship in terms of overlooking and improve the impact upon light entering windows of neighbouring properties.

At the western end of the site the relationship has been examined with properties on Black Row. The property shown to be nearest these dwellings is a 2 bedroom bungalow. Details provided on ground levels indicate that there should be no significant neighbour amenity issues through overlooking, loss of light or overshadowing. There will be a distance of at least 6m between the bungalow and No. 4. There will be some over shadowing from the bungalow roof at certain times of the day, but not considered to be so significant to warrant refusal of the proposal.

These amendments have responded to third party neighbour comments and officer concerns. Third party concern about properties on Blacksmiths Row being dwarfed by properties on all sides are noted, but the nearest property is shown to be a bungalow.

Overall the amended plans ensure there will be no significantly detrimental impact upon the amenity of the occupants of the neighbouring properties in terms of overlooking, being overshadowed or the proposed dwellings being over bearing, as a result of this proposal.

Affordable Housing

In accordance with Policy CS09 of the adopted Core Strategy (2011), 20% provision of affordable housing is required on sites capable of accommodating 5 or more dwellings and/or 0.165ha in areas in the rural areas such as Gayton. In this instance based on a development of 19 dwellings, 4 affordable homes are shown to be provided.

The affordable units are Plots 16, 17, 27 and 29. Plots 16 and 17 are both 2 bedroom units and Plot 29 is a 3 bedroom unit. Plot 27 is a 2 bedroom bungalow. The size of the units and tenure reflects the affordable housing requirements of the area and have been amended in line with requests from the Housing Development Officer.

Members will recall that the previous plans showed a terrace of three properties, where the affordable units were the only terraced properties in the development. Members were

concerned that they were conspicuous and requested they be better assimilated into the overall residential development.

In response to this the terrace of three dwellings has now been replaced with a pair of semi detached dwellings and a detached unit. This not only fits in better with the layout of the whole scheme, it also allows more spacing around each unit so that the affordable units are no longer apparent in the street scene. Car ports have now been added to each of the semi-detached units, which again, is more in keeping with the designs of the surrounding market houses.

The applicant has submitted a layout scheme of the affordable units across the wider Howard's Way site. This shows that the units are positioned across the site and not located all in one place. Two semi-detached dwellings are shown to be provided in Phase 2 (Plots 9 and 10), and the additional pair of semi detached and two detached houses in this phase give a good mix of house types and variety.

None of the affordable house locations exceed the maximum cluster size as set out in the Affordable Housing policy (2011), which is four dwellings on a site of this number of dwellings for 20% affordable housing provision. The applicant has taken their layout advice from this policy and demonstrated that the proposal accords with this and good practise regarding pepper-potting.

The S106 legal agreement relating to the outline consent will ensure the affordable units are delivered and retained.

The Housing Development Officer supports the scheme as amended.

For this reason the concerns of the Parish Council regarding the location and appearance of the affordable housing units are not shared.

Highway safety

During the course of the application the Highways Officer made several comments regarding the layout of the scheme and technical issues, and amended plans have been submitted in response.

Following these revisions the Highways Officer raises no highway safety objection to this new layout or its design, as amended.

Each unit has the required amount of parking spaces, provided as garaging or spaces and for those dwellings.

Archaeology and Heritage Assets

The Historic Environment Service confirmed at outline stage that no archaeological work will be required.

At outline stage the impact of the proposal upon heritage assets was considered fully. The National Planning Policy Framework requires that the significance of affected heritage assets is explained and the degree of harm caused by the proposal be properly explained

The submitted Heritage Statement at outline stage provided an appraisal of the heritage assets which could be affected by the proposal and assessed the significance in accordance with the policies contained in the NPPF. This identified the principal heritage asset which might be affected by the proposal as the scheduled ancient monument known as Medieval

and early post-medieval settlement remains 570m west of Jubilee Farm (monument no. 1019339). The Statement identified that other monuments in the vicinity are too far away to be affected. So too are the sites of limekilns (NHER 12552 & 12763), which are non-designated heritage assets.

The Heritage Statement concluded that the monument comprises undulations in a pair of fields, which clearly indicate the presence of archaeological remains. The setting owes much to the connection with the open countryside and the manner in which that setting is experienced.

Overall, however, it was considered at outline stage there were wider public benefits through the contribution towards the Borough's housing land supply and there was 'clear and convincing' justification in terms of public benefit. It was found that the proposal accords with the provisions of paragraph 134 of the NPPF and Policy CS12 of the Core Strategy.

It was noted that the impact upon the scheduled monument could again be assessed at reserved matters stage when Historic England considered that soft boundary planting to the boundary and the scale of development to the northern and western part of the site could also be more fully explored at this stage.

However, the comments of Historic England at this time referred specifically to the sensitivity of the western part of the site, which is the part of the larger site that is closest to the heritage assets which lie west of the wider outline application site. This is land that forms Phase 2 of the Howard's Way development that has already been considered at reserved matters stage and now largely constructed. They had no objection to some development of the more southern parts of the site, including this current application site.

This Phase 3 part of the outline site, currently being considered, does not project as far to the north or west than the Phase 2 development. It is shielded from direct view of these heritage sites by the Phase 2 development and it is not possible for it to be 'experienced' in the landscape from these historic sites.

As it is separated from the fields by existing development, this proposal has very little impact upon the identified heritage assets listed above. Historic England's earlier concerns about heights of the development are noted. However, the development is of either single or two storey height and of traditional roof form. It is not of such height that it would be apparent in the wider countryside setting.

The key issues regarding the impact of this residential development upon heritage assets were fully considered at outline stage. The sensitive part of the site was found to be that to the north and west, which was Phase 2, now under construction. Phase 3 is surrounded by existing residential development on three sides and therefore screened from longer views to the east, west and south. There is no longer any direct connection with the SAM since Phase 2 has been commenced. Accordingly, in this case it is considered the proposal will not have a harmful impact upon the setting of these heritage assets and there is no conflict with local or national policy.

Flood Risk and Drainage

Flood risk and drainage were considered at outline stage and there are conditions in place for the details of the drainage system to be submitted and agreed prior to the commencement of works (conditions 6 & 7).

The application has been supported by a drainage strategy which shows that a system reliant on infiltration is likely to be achievable on the proposed development. However, these

matters are currently under consideration as part of an application to discharge these planning conditions.

Landscaping and open space

The application has been supported by a landscape layout plan.

In accordance with Policy DM16 residential schemes should ensure that their scheme contains sufficient space to ensure a high standard of layout and amenity to the residents of the proposed development.

The submitted landscaping details show that the development incorporates elements of soft planting that will enhance the character of the area and accord with the provisions of national guidance and local plan policy in regard to good design.

The layout shows an area of open amenity space which is partly within this application site and partly in Phase 2 land.

The Greenspace Officer has made suggestions regarding the layout of this open space and play equipment within it. However, the details of the planting scheme, benches, bins and the play equipment have been submitted under a discharge of condition application in relation to the Phase 2 development.

Comments about the maintenance of open spaces are noted but this is already covered by the terms of the Sec 106 agreement which ensure the details are agreed and the open space provided and maintained.

It is considered that the proposal is not in conflict with policy, including the provisions of policy DM16.

Other matters

The application raises no issues regarding crime and disorder in the locality.

The Norfolk Constabulary Architectural Liaison Officer has not objected to the proposal but has pointed out some shortcomings in terms of Secured by Design issues. Reference is made to the layout of the scheme not having a back to back garden layout and that the rear gardens of some units may be vulnerable in terms of security. However, the rear garden boundaries of the three properties referenced by the Liaison Officer are overlooked by the frontages of the gardens to the south and so will have a degree of natural surveillance. It is not considered in this case to raise issues of significant concern.

Comments about the height of boundary fencing are noted but the rear gardens are shown to have 1.8m close boarded fencing to their perimeters.

The Environmental Health Team – Environmental Quality have no concerns regarding air quality or contaminated land, which were considered at outline stage.

A third party has commented about the amount of construction works that have already taken place on the site. In order to limit noise, dust and smoke from any construction work experienced by the adjacent neighbours and school, a condition in relation to a construction management plan detailing proposed timescale and hours of construction, sound power levels of equipment, their location, and proposed mitigation methods is already contained on the outline consent. Details required by this condition have already been agreed and discharged to the satisfaction of the CSNN Team.

Third party comments regarding the public footpaths are noted. However, the initial proposed footpath link through to the existing public right of way has now been removed from the amended scheme.

Comments regarding the ownership of a piece of land to the rear of properties on Lynn Road are not understood as the LPA has been advised that the applicant owns all of the land within the application site.

Concerns regarding a rat run through the site are not understood as the road is a cu-de-sac and there are no longer any footpaths running directly through the whole site.

Third party comment relating to the need to access neighbouring land for drainage are noted, but this is a civil matter between land owners and rights of access.

Third party comments about the position of the amenity land are noted, however, this was agreed during consideration of the reserved matters application for Phase 2 and this current layout links into that.

Third party comment has asked whether Unit 27 is a house of multiple occupation. This is one of the affordable houses and will not be an HMO.

Third party comments made about heights of surrounding development fitting in with other development in the same street are noted. However, this is a new development and the design reference and common design elements of dwellings should be compatible with the other dwellings in the same development, taking reference from, but not necessarily mimicking, design elements of existing surrounding properties.

CONCLUSION

The site already benefits from a valid outline consent for up to 19 dwellings (balance of units from outline consent for 29 on larger site). The access is already constructed and the matters of appearance, scale, layout and landscaping are considered under this current reserved matters application.

The proposal, as amended, now addresses Members concerns regarding the affordable housing types, designs, pepperpotting and layout as well as concerns regarding boundary treatment and incorporates improvements to the frontages of dwellings. It is considered that this improved scheme shows a good mix of dwellings, incorporating the required amount of affordable units, spread across the site in accordance with the Council's affordable housing policy. The layout demonstrates that this number of dwellings can fit within the site without having a detrimental impact in terms of respect of form and character or neighbour amenity. The design and appearance is in keeping with surrounding development.

Drainage details and archaeology are also matters already covered under the outline conditions.

There is already a S106 agreement in place that will secure the affordable housing, open space and SuDs (management and maintenance).

In light of the above, it is considered that the proposal complies with the outline permission already granted, as well as the provisions of the NPPF and local policy, particularly CS06, CS08, CS09, CS12, DM15, DM16 and DM17, and that planning permission may be granted subject to the additional conditions 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:

- * Drawing No. 720C.15-311B Type 1A Floor Layouts
- * Drawing No. 720C.15-312A Type 1A Elevations
- * Drawing No. 720C.15-313A Type 1B Floor Layouts
- * Drawing No. 720C.15-314B Type 1B Elevations
- * Drawing No. 720C.15-323B Type 2B Floor Layouts
- * Drawing No. 720C.15-324A Type 2B Elevations
- * Drawing No. 720C.15-325B Type 2C Floor Layouts
- * Drawing No. 720C.15-326A Type 2C Elevations
- * Drawing No. 720C.15-327A Type 2D Floor Layouts - Plot 19
- * Drawing No. 720C.15-328 Type 2D Elevations - Plot 19
- * Drawing No. 720C.15-333A Type 3A Floor Layouts
- * Drawing No. 720C.15-334 Type 3A Elevations
- * Drawing No. 720C.15-353B Type 5B Floor Layouts
- * Drawing No. 720C.15-354A Type 5B Elevations
- * Drawing No. 720C.15-361A Type 6 Floor Layouts
- * Drawing No. 720C.15-373 Type 7 Floor Layouts
- * Drawing No. 720C.15-374 Type 7 Elevations
- * Drawing No. 720C.15-380A Single Garage Details
- * Drawing No. 720C.15-381 Type 8 Floor Layouts
- * Drawing No. 720C.15-382 Type 8 Elevations
- * Drawing No. 720C.15-3000H Proposed Site Layout
- * Drawing No. 720C.15-3002C Landscaping Scheme
- * Drawing No. 720C.15-3004A Proposed Fence Details

- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition Notwithstanding the details that accompanied the application hereby permitted, no development shall take place on any external surface of the development until the type, colour and texture of all materials to be used for the external surfaces of the building(s) have been submitted to and approved 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 The boundary treatment hereby approved shall be completed before the occupation of each dwelling to which it relates or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 3 Reason: In the interests of the residential amenities of the future occupants of the development in accordance with the NPPF.