

AGENDA ITEM NO: 8/1(a)

Parish:	Watlington	
Proposal:	Proposed development of 40 dwellings and associated external works and access	
Location:	Land East of 2 Thieves Bridge Road Watlington Norfolk	
Applicant:	Freebridge Community Housing Ltd	
Case No:	21/02421/FM (Full Application - Major Development)	
Case Officer:	Mrs C Dorgan	Date for Determination: 11 April 2022 Extension of Time Expiry Date: 9 September 2022

Reason for Referral to Planning Committee – Recommendation contrary to Parish Council views

Neighbourhood Plan: No

Case Summary

The application site is located to the south of Thieves Bridge Road, to the southeast of the village of Watlington. The site is currently arable agricultural land and is approximately 1.8ha in size.

The site is allocated within the Site Allocations and Development Management Policies Plan 2016, under Policy G112.1 and Inset Map G112, for 'at least' 32 dwellings.

This application is for the approval of 40 dwellings and associated external works and access. All 40 dwellings are proposed to be affordable housing. This is a full application with all matters under consideration.

The development proposed is primarily via a single access road off Thieves Bridge Road which is to be built to an adoptable standard. A further private drive is proposed off Thieves Bridge Road to the west of the site serving 6 dwellings. From this adoptable estate road would be a shared surface road to the south west and shared driveways to the north west, north east and south east of the site serving the residential dwellings and open space. The development proposed includes a range of two and three bedroom dwellings, which vary in dwelling scale and appearance. There are trees and landscaping to be provided throughout the application site.

The affordable housing contribution and the open space provision will be secured via a Section 106 agreement.

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Key Issues

Principle of Development
Form, character and layout
Highways / Access
Neighbour Amenity
Affordable housing requirements
Open space provision
Ecology
Other material considerations

Recommendation

(A) APPROVE subject to conditions and the completion of a Section 106 Agreement to secure affordable housing and open space provision within four months of the date of this resolution to approve.

(B) REFUSE In the event that the Section 106 Agreement to secure affordable housing and open space provision is not agreed within four months of the date of this resolution to approve.

THE APPLICATION

The application site is located to the south of Thieves Bridge Road, to the southeast of the village of Watlington. The site is currently arable agricultural land and is approximately 1.8ha in size. The site is surrounded by residential development to the north, east and west, and by agricultural land to the south.

The site is allocated within the Site Allocations and Development Management Policies Plan 2016, under Policy G112.1 and Inset Map G112, for 'at least' 32 dwellings.

This application is for the approval of 40 dwellings and associated external works and access. All 40 dwellings are proposed to be affordable housing. The proposed density is 22 dwellings per hectare. This is a full application with all matters under consideration. The development proposed is primarily via a single access road off Thieves Bridge Road which would be built to an adoptable standard. A further private drive is proposed off Thieves Bridge Road to the west of the site serving 6 dwellings. From the adoptable estate road would be a shared surface road to the south west and shared driveways to the north west, north east and south east of the site serving the residential dwellings and open space. The street pattern stretches east to west parallel to Thieves Bridge Road, with a drainage swale stretching north to south alongside the adoptable estate road. The open space provision would be provided to the southeast of the site. A footpath would be provided to the north of the site running parallel to Thieves Bridge Road but located behind the existing well-established hedge stretching along the northern site boundary. There would also a footpath link provided running north to south of the site towards the west of the site.

The dwellings proposed include-

- 4 Two bedroom, 3 person bungalows (semi-detached)
- 2 Two bedroom, 4 person bungalows (detached)
- 16 Two bedroom, 4 person houses (semi-detached)

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- 7 Three bedroom, 5 person houses (detached)
- 10 Three bedroom, 5 person houses (semi-detached)
- 1 Three bedroom, 5 person house (detached)

There are a range of house designs within the house types listed above which will add interest to the street scene and provide a quality built environment. The bungalows are 5.5m/ 5.6m to ridge height and 2.1m to eaves. The dwellings are approximately 7.8m/8.2m to ridge height and 3.9m/4.3m to eaves. The materials proposed are a mix of buff and red brick with either red/ brown pantiles or blue/black slates, the types of which are to be confirmed. There are two house types with a carrstone facing elevation with buff brickwork quoins and dressings. The dwellings are of a high quality with detailing including-

- Timber canopy porch / recessed porch / lean to porch/ painted porch with truss detail
- Brick headers and cills, and projecting brickwork plinth
- Casement windows,
- Contrasting stretcher courses, dogtooth detailing, etc
- Dormer windows at first floor and rooflights
- Dummy chimneys with brick slips
- PV panels

A new substantial native hedge would form site boundaries to the southern and eastern edge. The existing boundary treatments to the existing dwellings to the west are to be retained. There are trees and landscaping proposed throughout the application site.

The affordable housing contribution and the open space provision would be secured via a Section 106 agreement.

SUPPORTING CASE

The application site in Watlington is allocated for residential development of at least 32 no. dwellings under Policy G112.1 of the Site Allocations and Development Management Policies Plan (SADMP) (2016). The proposal seeks approval for a development of 40 no. units, but the scheme to be provided by Freebridge Community Housing would be 100% affordable, comprising a mix of both affordable rented and shared ownership properties that will be of significant benefit to the local area and far exceed the CS09 policy requirement.

The site lies in a sustainable location, adjacent to the established built up area and within walking distance of local services and facilities, including the village Primary School and railway station with easy access to both King's Lynn and Downham Market. The proposed site layout consists of frontage development to Thieves Bridge Road set behind an existing mature native hedge, a cluster of dwellings framing the proposed open space and a shared surface cul-de-sac serving the remaining dwellings. The appearance of the proposed dwellings seeks to reflect the character of Watlington and the surrounding area, including local estate cottages. The materials proposed will therefore include, red and buff brick, carrstone, pan tile and slate. The detailing of the properties include traditional features such as catslide dormers, decorative porches, brick cills and corbelled brick work. Some of the properties will also include contrasting arches and string course to match the cottages adjacent to the site.

The mature native hedge along the site frontage, is not only an attractive landscape feature, but is also significant ecologically providing habitat for birds and bats, therefore care has been taken when drafting the proposals to ensure its retention with only minimal breaks proposed for access. A footpath is proposed along the site frontage on the inside of the existing hedge, that will be retained and maintained by Freebridge.

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The new access road into the site is provided with a swale to one side, forming part of the drainage strategy. This road will be constructed to adoptable standards and surfaced with tarmac (asphalt). The shared surface cul-de-sac will feature permeable paving and as such will be retained and maintained by Freebridge. All dwellings include provision of 2 no. car parking spaces with infrastructure for electric vehicle charging points. Additional visitor spaces are also located in various locations around the site. Other green technology provision includes air source heat pumps and PV solar panels to be located on southerly facing roof slopes. The proposed development will include a variety of SUDs solutions, including swales and permeable paving, to attenuate surface water on site. A new ditch is proposed along the southern boundary to link the systems to the discharge point via an existing pipe connection. The proposed open space is positioned in the south-east corner of the site that provides a focal point to the development and will include equipped children's play space to be secured by a S106 agreement. The surrounding margin will be meadow planted to attract wildlife and increase biodiversity.

In addition to retention of the front boundary hedge, the planting of new native hedges on the south and east boundaries are proposed, along with tree planting throughout the site. Along the southern boundary, a new wildlife corridor is proposed that will include a 3m wide native hedge with tree planting and a 2m wide grass margin. The proposed ditch will be contoured on the north bank to create a mixture of wet and semi-wet habitats that will attract a variety of species. Along the eastern boundary, a further hedge is proposed that will create a link to the existing hedge at the front of the site and reinforce the existing tree group beyond.

In addition to the proposed new footpath across the site frontage, a footpath link has been provided to the west of the site to provide pedestrian connectivity and facilitate foul drainage connections. Off-site highway improvement works are also proposed that include pedestrian crossing points on both Downham Road and Thieves Bridge Road, a footpath extension round to the bus stop on Downham Road (subject to survey and detailed design / safety audit) and localised road widening to Thieves Bridge Road across the frontage of the site.

The proposal has been subject of discussions with relevant technical consultees and care has been taken to ensure that any concerns raised have been adequately addressed. Consequently, there are no objections from these parties in respect of flood risk, highways, ecology, trees or environmental health.

To conclude, the proposed development would provide good quality, much needed affordable housing on an allocated site on the southern edge of Watlington, one of the Borough's key rural service centres. The site is in a sustainable location and would deliver both rented and shared ownership affordable homes for local people, at a time when house prices remain at an all-time high and the cost of living continues to increase. Additionally, the development proposes open space provision, footpath and highway improvements that would provide benefits for both existing and proposed new residents.

PLANNING HISTORY

None.

RESPONSE TO CONSULTATION

Parish Council: SUPPORT subject to the following issues being addressed:

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- Inadequate visibility splays are provided at the junction of the access with the County Highway, Thieves Bridge Road, and this would cause danger and inconvenience to users of the adjoining public highway. The current County highway, Thieves Bridge Road, serving the site is considered to be inadequate to serve the development proposed, by reason of its restricted width. The development would therefore be detrimental to highway safety, and the vehicular movements associated with the use of the access may lead to conflict and interference with the passage of through vehicles on Thieves Bridge Road. The access/egress would result in significant congestion and increased activity. Thieves Bridge Road is poorly aligned, has a restricted width and very narrow junction with Downham Road, and has no pedestrian footpath on one side of the road. In view of this, the proposal must seek to provide a footpath constructed to highways standard and a zebra crossing to allow for the slowing of traffic and safe pedestrian access across this busy road.
- Thieves Bridge Road has a high usage in terms of traffic and is a key thoroughfare from the A10 to Watlington. This route is commonly used by large agricultural vehicles, school buses and heavy goods vehicles, as well as residential vehicles. Despite these high vehicular movements, Thieves Bridge Road is not considered to be a priority route to and from the A10 and is therefore not gritted under the Norfolk County Council's winter maintenance programme. An additional access onto Thieves Bridge Road would create adverse safety to users.
- The development should be limited to 32 dwellings in accordance with the Local Plan allocation, and that 32 should be the maximum. 40 dwellings represents an over intensive form of development by virtue of its building mass, number of units, height and lack of associated parking. A cramped form of development and subsequent loss of amenity space is contrary to NPPF. It is considered that the proposal will represent an overly large and prominent feature in the streetscene, detrimental to the character and appearance of this residential part of the village.
- It is considered that an entire site of affordable housing may be detrimental to social inclusion of the occupiers of the properties. It is felt that the development should have a mix of affordable/private dwellings.
- The proposed large dwellings, by reason of overlooking, represent an undesirable and unneighbourly form of development which would be detrimental to the amenities of the owners of surrounding residential properties.
- The application does not incorporate a sufficient amount of parking provisions for 40 dwellings and would create offsite parking problems, which is contrary to NPPF.
- The applicant has not taken steps to avoid affecting protected species. Paragraph 98 of the ODPM Circular 06/2005, Biodiversity and Geological Conservation, states that local planning authorities must have regard for protected species that are likely to be harmed by demolition or construction at the site of proposed development. The ecological functionality of the habitat for protected newts has not been assessed satisfactorily and is contrary to guidance contained within the National Planning Policy Framework for Planning and the Historic Environment and the ODPM Circular 06/2005.
- The current infrastructure (surgery and schools) will be strained with this size development.

Highways Authority: NO OBJECTION subject to conditions

Whilst all of the internal layout issues have been addressed, a continuous adopted footway should be provided across the entire site frontage linking these new dwellings with the existing properties to the east and west. The LHA would not adopt a path located to the rear of a hedge. There are also concerns with the private footpath appearing from behind the hedge and the perceived danger of pedestrians appearing out of nowhere to on-coming vehicles. This development is also a good opportunity to reinforce the 30mph speed limit by creating a more urban feel to this side of the carriageway. However, maintaining the existing hedge and hiding the development and footway to its rear, will not achieve this result.

Regardless of the above, the frontage footway either side of the access road will need to be extended beyond that shown to ensure the pram crossings are clear of any existing vehicular accesses onto Thieves Bridge Road. I would also expect the existing highway verge width to be maintained following any carriageway widening to achieve the required 5.5m width previously discussed. Furthermore the required visibility splays are drawn very tight to the face of the existing hedge, which is likely to result in it becoming obstructed to the detriment of highway safety, if it is not adequately maintained. Other obstructions located within the required visibility splays, including the electricity poles and streetlights, will also need to be relocated.

NCC will not adopt roads surfaced with permeable block paving. As a consequence, the access road serving plots 19 - 25 & 29 - 40 will not be adopted and will therefore remain a private street. With regards the off-site footway improvements, I understand a stage 1 safety audit is to be undertaken. However, the outcome of this audit is not yet available.

Notwithstanding the above, should the Borough Council deem that sufficient details have been provided, the County Council would not wish to raise a highway related objection subject to imposing appropriate conditions.

Environmental Health & Housing – Environmental Quality: NO OBJECTION subject to condition

Air Quality - Whilst the location appears relatively remote, with risk of increased reliance on private car-use, the likely additional traffic flows appears below Institute of Air Quality Management's (IAQM) indicative threshold for an air quality assessment to be carried out. The development is also remote from AQMA's present in King's Lynn with lower associated thresholds to consider. Additional emissions as a result of the development are therefore unlikely to exceed relevant objectives.

Notwithstanding comparison to maximum pollution limits, the NPPF states that the planning system should prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels air pollution. We therefore recommend a condition is attached requiring a suitable EV charging scheme to be submitted and agreed.

Furthermore, during construction there is a risk of off-site fugitive dusts on neighbouring residential dwellings, therefore a condition should be attached requiring a Construction Environmental Management Plan to be submitted and agreed.

Contaminated Land - The applicant has provided a Geo-Environmental Report and Preliminary Risk Assessment, written by Delta Simons and dated January 2019. The site is on land that has been used agricultural for the duration of our records. The surrounding landscape is largely residential and agricultural. The report provided did not identify any significant sources of land contamination and concludes that there is a very low risk to

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relevant receptors. The report also states that there should be vigilance during groundworks for any unrecorded contamination, which if encountered, should be reported to the client and may warrant further investigation.

The report states that the gas monitoring recorded low concentrations of ground gases and low flow. The report determined that according to the NHBC Traffic Light Classification the site is rated as Amber 1 and recommends gas protection measures. The report also recommends further monitoring and risk assessment to confirm the ground gas classification, and states that further investigation may demonstrate that no special ground gas protection is required. As further investigation is recommended, we recommend conditions are attached.

Historic Environment Service: NO OBJECTION subject to condition

The proposed development site lies within an area rich in cropmarks, perhaps dating to the prehistoric and/or Roman periods, including a highly significant Iron Age and Roman settlement and religious site excavated prior to quarrying 500m to the east. In addition, there are records of a medieval moated site (perhaps a manorial centre) a short distance to the north and medieval settlement a short distance to the southwest. Consequently, there is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development.

If planning permission is granted, this should be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework. Ministry of Housing, Communities and Local Government (2021). para. 205, and secured by condition.

CSNN: NO OBJECTION subject to condition

CSNN would not raise any objections to this development subject to the following conditions and informative's.

- Foul and Surface Water Drainage Arrangements to be submitted and agreed by LPA.
- A Construction Management Plan should be developed and submitted to the LPA for approval.
- Construction and delivery site hours
- Lighting scheme.

Anglian Water: NO OBJECTION subject to condition

Wastewater Treatment - The foul drainage from this development is in the catchment of Watlington Water Recycling Centre that will have available capacity for these flows.

Used Water Network - The sewerage system at present has available capacity for these flows to connect into Thieves Bridge Road, via gravity.

Surface Water Disposal - The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable due to no hierarchy evidence being submitted, and no drainage plan detailing whether the scheme will be offered to Anglian Water for adoption. We would therefore recommend that the applicant consults with Anglian Water and the Environment Agency. A condition should be applied to the decision notice if permission is granted.

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Environment Agency: NO OBJECTION

We have no objection to the proposed development but wish to make the following comments.

Water Quality - It is evident that Anglian Water have been consulted regarding this proposed development. Our records indicate that there is insufficient capacity at Watlington Water Recycling Centre (WRC) but Anglian Water report that there will in future be available capacity to accommodate this development within the mains foul sewerage network. Recommend continuous communication with Anglian Water regarding connection to mains foul sewerage and service supply. Any activity should avoid negative impact to the water environment.

NCC Planning Obligations:) NO OBJECTION subject to condition

The following infrastructure will need to be funded through CIL:

Education - No mitigation required on this occasion. Considering the permitted planning applications in the area, there is spare capacity at Downham Market Academy, and there is spare capacity at Watlington Community Primary School and in the Early Education sector. Therefore, Norfolk County Council will not seek education contributions for this proposed development on this occasion.

Library - Mitigation required at the library to develop self-service system for local area. A development of 40 dwellings would place increased pressure on the library and mitigation is required to increase the capacity of the library. 40 x £75 (cost per dwelling) = £3,000

Fire - This development will require at least 1 fire hydrant at a (current) cost of £921 per hydrant, which should be dealt with through condition.

Natural England: NO COMMENTS

Housing Enabling: NO OBJECTION subject to Section 106 agreement

The site area and number of dwellings proposed trigger the thresholds of the Council's affordable housing policy as per CS09 of the Council's adopted Core Strategy.

At present a 20% provision is required on sites capable of accommodating 10 or more dwellings and/or 0.165ha in Watlington. The affordable housing provision is then further split into 70% of the affordable homes being made available for rent, 25% for First Homes and 5% for Shared Ownership or any other intermediate product that meets the intermediate definition within NPPF, meets an identified need in the Borough and is agreed by the Council. In this instance 8 units would be required, 6 for rent and 2 for First Homes. I would recommend the following mix is provided as the S106 units;

Rent

3 x 3 bed 5 person houses
2 x 2 bed 4 person houses
1 x 2 bed 4 person bungalow
First Homes
1 x 3 bed 5 person house
1 x 2 bed 4 person house

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First Homes is a new form of affordable housing, First Homes are to be sold by developers to eligible households at a discount of at least 30%.

It is noted the applicant intends on delivering the site as fully affordable. Guidance states fully affordable sites are exempt from delivering First Homes therefore if the site is delivered as fully affordable there will be no requirement to provide the First Homes element.

The proposed units meet our space standards for s106 units. A S.106 Agreement will be required to secure the affordable housing contribution.

Norfolk Minerals and Waste: NO OBJECTION subject to condition

The proposal site is underlain by an identified mineral resource (sand and gravel) which is safeguarded as part of the adopted Norfolk Minerals and Waste Core Strategy, and Core Strategy policy CS16 'Safeguarding' is applicable.

The County Council in its capacity as the Mineral Planning Authority (MPA) would not object to the planning application (21/0242/FM) on this site if a condition is included in any grant of planning permission to require the submission of a Materials Management Plan-Minerals, and for the proposed development to be undertaken in compliance with this.

Waste and Recycling Officer: NO OBJECTION

Norfolk Constabulary: NO OBJECTION

This layout clearly shows that Crime Prevention Through Environmental Design features are being carefully considered and incorporated into this proposal.

The main entrance to the development will need to have either a change in road surface or obvious "symbolic barrier" to give the impression that the area beyond is Private to the general community and deter casual intrusion by non-residents.

Support the final design avoids blank windowless elevations overlooking the public environment to promote a development that increases Natural Surveillance and deter inappropriate loitering.

Recommend maximising the amount of Private/Defined space in this design which could lead to the potential for future exploitation and opportunities for crime and anti social behaviour. Landscaping detail has been discussed with the applicant that will need incorporating along the Western sides of plots 19 & 20 to prevent access to the rear and sides of these homes and avoid a potential "cut through" to Thieves Bridge Road, while maintaining the wildlife corridor.

The provision for car parking is adjacent to each individual new home which is a proven way in which to reduce crime. 82.5% of dwellings have appropriate levels of surveillance incorporated for the actual owners of their vehicles. Unfortunately plots: 3,4,5,6,7,10 & 12 do not currently have active elevations over their parking provision to allow home owners a view of their vehicles. Plots 10 and 7 are the only two places that parking is positioned at the rear of the gardens and although they have some surveillance provided by neighbours they will need to be observed by the relevant home owners. A wrought iron garden gate in their garden walls could provide for this. This development would then have totally observed parking provision which is to be applauded.

It has become popular to set back some boundary treatments from the street scene but this does offer a recessed area where a potential opportunist offender could be concealed. It is

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essential to reduce these opportunities and place boundaries closer to the front elevation/building line. Care also needs to be taken at plots 1,9 & 37 to avoid providing a stepping platform opportunity from low demarcation fencing that is adjacent to any rear perimeter treatments. It is expected that developers will install fencing to a high standard to ensure the security and longevity of the boundary.

The landscaping plan needs to provide all specified shrubs and hedges that have a maximum growth height of one metre, whilst all trees should be “up pruned” to a minimum height of two metres to maintain a clear field of vision around the site. An environment that provides a “see and be seen” style will reduce crime and anti social behaviour. To work in harmony with high levels of Natural Surveillance, a carefully designed Lighting plan to cover all vulnerable areas should be in place.

Arboricultural Officer: NO OBJECTION

Please condition the AIA authored by Ravencroft Arboricultural Services and recommendation 1 on the AIA states that fencing will be required, with this in mind, please condition a tree protection plan.

Greenspace Officer: NO OBJECTION subject to Section 106 agreement

In line with planning policies DM16 and CS14, the development attracts a requirement for 17m² per dwelling of suitably equipped children’s play space. The required area is shown as being provided, although an open space works specification (providing details of all play equipment, street furniture, safety surfacing and fencing) should be provided prior to commencement of development.

The swale adjacent to the amenity open space could be crossed by children and provide a trip hazard. A fence line, or other form of barrier (i.e. knee rail) on the edge of the swale closest the amenity space, running alongside the footpath, could help to deflect persons along the proper footpath routes, discouraging an informal desire line through the swale area.

Whilst the expectation would be for all areas of communal landscaping to be maintained by Freebridge, or its contractors, some aspects may be difficult to access/maintain and these have been detailed.

REPRESENTATIONS

THIRTY ONE letters of **OBJECTION** received (approx. half of these were received from five households).

- Traffic / highways is the main concern for most objections. Road is already very busy / congested and inadequate for current use. Not wide enough as existing. Proposed houses in this location would make the problem worse.
- No adequate pedestrian crossing in place currently and footpath is inadequate on this road. Adding more houses and more pedestrians without making the footpath appropriate size and adding in a pedestrian crossing will increase chances of an accident.
- Access to and from the site not good enough
- A new bus stop required, currently not good enough.
- Concerns regarding the density of the proposed development.
- Concerns regarding the services in the village already being inadequate e.g. water, drainage, electrical supply etc. New homes thought to potentially make this worse

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- Concerns regarding village amenities e.g. school places, doctor's surgery. Currently oversubscribed, this would be made worse with new homes.
- Not enough of a good housing mix, more bungalows wanted.
- New homes will overlook bungalows, thought to be overbearing and will reduce privacy.
- Loss of good quality crop fields, also not good approach to preserving nature. Not protecting special and protected species that are in the village such as Great Crested Newt and bat varieties.
- Design thought to be inconsistent with existing street scene.
- Build to be disruptive to properties neighbouring the site.
- Will spoil views to neighbouring properties.
- Concerns that there are now no private housing sale provisions, only affordable housing.

ONE NEUTRAL comment received.

- Will be a good opportunity to implement traffic calming measures.

Watlington Neighbourhood Plan Steering Group –

- Whilst supportive of the location of the site of the development, the density of 40 dwellings is too high for this site.
- Provision for 9 visitors parking bays for this amount of dwellings is insufficient and will result in parking issues.
- Has the draft HNA prepared for the Watlington Neighbourhood Plan been considered? Freebridge's supply and demand analysis is very different to that modelled in the HNA report.
- It's stated that priority will be given to those living in Watlington: how will this be done?
- The ecology report outcome is in our opinion unacceptable. The terminology that there will be minor short term negative effect on ecological factors with only *potential* overall minor positive effect in our opinion needs greater investigation. There are legal implications here, as well as ethical. The Neighbourhood Plan Steering Group carried out a survey some months ago and the provision of green space and preservation of wildlife and habitat-rich corridors was vitally important to the community.

LDF CORE STRATEGY POLICIES

CS02 - The Settlement Hierarchy

CS01 - Spatial Strategy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM15 – Environment, Design and Amenity

DM16 – Provision of Recreational Open Space for Residential Developments

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DM17 - Parking Provision in New Development

G112.1 Watlington - Land south of Thieves Bridge Road

NATIONAL GUIDANCE

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

PLANNING CONSIDERATIONS

The main issues for consideration in the determination of this application are as follows:

Principle of Development
Form, character and layout
Highways / Access
Neighbour Amenity
Affordable housing requirements
Open space provision
Ecology
Other material considerations

Principle of Development

Watlington is categorised in the adopted Local Plan as a Key Rural Service Centre, acknowledging its role providing facilities/ services to the wider rural hinterland.

The application site is allocated for residential development within the adopted Site Allocations and Development Management Policies Plan (SADMPP) (2016) and identified on Inset Map G112.

*Policy G112.1 Watlington - Land south of Thieves Bridge Road
Land of around 1.8 hectares, as shown on the Policies Map, is allocated for residential development of at least 32 dwellings. Development will be subject to compliance with all of the following:*

1. *Submission of an Environmental Statement that satisfies Norfolk County Council that:
 - i) *The applicant has carried out investigations to identify whether the resource is viable for mineral extraction and if the mineral resource is viable, that:*
 - ii) *The applicant has considered whether it could be extracted economically prior to development taking place; and if the mineral resource can be extracted economically, whether (or not):*
 - iii) *There are opportunities to use the onsite resource during the construction phases of the development;**
2. *Development is subject to the demonstration of safe highway access that meets the satisfaction of the Highway Authority;*
3. *Provision of affordable housing in line with the current standards.*

The application seeks approval for the development of 40 dwellings subject to three criteria (as outlined above). The applicant has submitted a Minerals Safeguarding Assessment

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which is to the satisfaction of NCC Minerals and Waste. The development is subject to the provision of a safe highway access which does meet the necessary Local Highway Authority (LHA) requirements, and the LHA does not object to the scheme proposed. Finally, the applicant has identified the affordable housing units to meet the requirements of Policy CS09 of the Core Strategy (CS) (2011). In fact, it is proposed the whole site will be developed for affordable housing units, but the policy requirement will be secured via the Section 106 agreement.

The Parish Council state that 40 dwellings is too many for the site, and that the scheme represents an over-development of the site. That in fact the site should only be developed for a maximum of 32 homes, it should not be 'at least' as the policy states. However, the policy was tested at the Local Plan Inquiry and as such, subject to compliance with other policies in the Local Plan, forty dwellings on the site is not contrary to Policy DM112.1.

The application is fully in accordance with the NPPF and Policy G112.1 of the SADMPP.

Form, character and layout

The proposed development includes the construction of 40 dwellings in total with the associated infrastructure required in the form of the roads/ shared surfaces and driveways, the drainage swales, the public open space, public footpaths and the landscaping proposed throughout the site.

The Parish Council raises concerns that the scheme 'represents an over intensive form of development by virtue of its building mass, number of units, height and lack of associated parking. Further, a cramped form of development and subsequent loss of amenity space is contrary to NPPF. The Parish Council also considers that the proposal will represent an overly large and prominent feature in the streetscene, detrimental to the character and appearance of this residential part of the village.'

Paragraph 119 of the NPPF refers to the need to make best use of land. Chapter 12 of the NPPF refers to the need for high quality buildings and places and The National Design Guide reinforces the importance by providing how well-designed places can be achieved through the components of good design.

The dwellings which would front onto Thieves Bridge Road are approximately 8m in height but in excess of 15m from the public highway and 30m from the dwellings to the north. These are in line with the building line established by no.2 Thieves Bridge Road. The fact that the dwellings are set back, in addition to the presence of two storey dwellings to the north and east means that the scale of the development proposed is not excessive or out of keeping in the street scene. In fact, the site layout, and retention of the well-established front hedge seeks to retain the rural character of the site and is considered to form a high quality residential development. There is sufficient space within the site to provide the required amenity space and parking, in addition to the landscaping proposed etc.

The density of the proposed scheme is at 22 dwellings per hectare, which is considered acceptable in this location. Existing development to the north of the site is approximately 18 dwellings per hectare and to the west is approximately 15/16 dwellings per hectare.

The site is flat with the only notable features being the existing hedge along the frontage, as well as small trees/ planting along the site boundaries to the east and west. To the south west of the site is a small plantation. The applicant has submitted an Arboricultural Assessment which identifies that there are no works required to any of the trees on the site, apart from the breaks to the hedge to the north for the accesses into the site. The Arboricultural Officer has no objections to the scheme subject to the inclusion of a condition

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for a tree protection plan to be submitted and agreed by the LPA. In terms of landscaping on the site; structural planting is proposed to form green boundaries in the form of hedging and trees, with low shrubs/ planting/ hedging to the front of dwellings. Additional tree and hedge planting is proposed along the existing hedge on the northern boundary to reinforce the existing.

Site levels are to be retained as are, and the finished floor levels of the dwellings vary between 8.7 and 9.3 with existing land levels of between 8.5 and 9 accordingly, as the site falls slightly from north to south.

The dwellings proposed vary in types; including bungalows (detached and semi-detached) and dwellings (detached and semi-detached). The design of the dwellings varies, as does the proposed materials. These are detailed earlier in this report (under 'the application' section). The design of the dwellings and materials proposed responds to the mix of house types and materials within the locality. The existing dwellings which neighbour the site include both bungalows and two-storey dwellings and are predominantly modern estate style development in a mix of buff brick, red multi brick and a small amount of render, with clay and concrete pantiles.

The Architectural Liaison Officer does not object to the scheme, the proposal avoids blank windowless elevations overlooking the public environment. It is highlighted that some of the plots (namely plots 3,4,5,6,7,10 & 12) do not currently have active elevations over their parking provision to allow homeowners a view of their vehicles. However, in these cases the parking is either directly next to the side elevation of the dwelling and therefore the entrance to the parking is visible from the front elevation of the dwelling. Where plots 7 and 10 have parking to the rear of that dwelling these are both in very visible locations on the main entrance road / opposite the open space and next to neighbouring dwellings. This is considered acceptable. Advice is also proposed regarding landscaping and boundary treatments which is for the applicant to have regard to.

In terms of the form and character of the scheme the application is in accordance with the NPPF, Policies CS08 of the CS and G112.1 and DM15 of the SADMPP.

Highways / Access

Policy G112.1 of the SADMPP requires that development is subject to the demonstration of safe highway access that meets the satisfaction of the LHA.

The development proposed is via a main access road off Thieves Bridge Road which would be built to an adoptable standard. From this adoptable estate road would be a shared surface road to the south west and shared driveways to the north west, north east and south east of the site serving the residential dwellings and open space. There are also six dwellings which would be accessed via their own private driveway directly off Thieves Bridge Road. A footpath would be provided to the north of the site running parallel to Thieves Bridge Road but located behind the existing well-established hedge stretching along the northern site boundary. There would also a footpath link provided running north to south of the site towards the west of the development proposed. Secure cycle storage would be provided in the form of timber sheds within the rear gardens of the dwellings.

The proposal requires that Thieves Bridge Road is realigned to ensure a constant width of 5.5m with the required visibility splays for access indicated on the submitted plans.

Objections from the Parish Council include that the visibility splays are inadequate as well as Thieves Bridge Road itself. The access/egress would cause congestion due to increased activity. They state that Thieves Bridge Road has a high usage in terms of traffic numbers,

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with many large vehicles, and is a key route from A10 into the village. The road is not classed as a priority route to and from the A10 and is therefore not gritted under the Norfolk County Council's winter maintenance programme. Resident objections reiterate these concerns. In addition, they request the provision of a replacement bus stop. Concern was also raised about the junction of Thieves Bridge Road and the A10. The traffic modelling does not address the increased traffic to use this junction, and therefore the increased potential risk of accidents.

It is important to note that the site is an existing allocation within the adopted Local Plan, and as such, the site has been examined by an Inspector for its suitability for this scale of development. The Inspector was satisfied that this was an appropriate location for residential development. The LHA was involved in the Local Plan examination and therefore they are also satisfied that Thieves Bridge Road can accommodate the additional residential growth as proposed. The principle has therefore been established in the adopted Local Plan.

The applicant has submitted a Transport Note which considers matters for consideration as part of the proposals for the residential development of up to 40 units. The note concludes that the net impact of vehicular traffic is minimal, and the local highway network has a good safety record which should not be affected by proposals. Additionally, the site is located close to existing facilities and services which will be well connected to the site via sustainable modes of travel. Therefore, the note considers that there are no safety or capacity reasons why the site should not be permitted for the dwellings proposed.

The Parish Council requests that a footpath is provided immediately south of the highway, and a zebra crossing. The site layout provides a footpath to the north of Thieves Bridge Road to the south of the existing hedge, and also a footpath link which runs north to south through the site. Three pedestrian crossing points would be provided on the entrance road itself in addition to two which would enable pedestrians to cross Thieves Bridge Road. The LHA has no objections to the site layout or pedestrian links/ improvements proposed.

Objections to the scheme also include the concern that there is insufficient parking provided across the site. The parking provisions proposed are in line with the adopted Local Highway Authority (LHA) standards, and the LHA has no objections to the scheme.

The LHA is satisfied with the details provided on the submitted plans re the visibility splays, road widening, off-site provision as well as the internal site layout. The scheme proposed is in accordance with the required highway safety requirements. The LHA has no objection to the proposed development subject to conditions relating to the submission and agreement of detailed plans of the roads, footways, foul and surface water drainage, and the implementation of these prior to occupation. Conditions should also be attached regarding the road surfacing, the visibility splay and a scheme for on-site construction parking. Finally, conditions should include the submission and agreement of detailed plans for the off-site highway improvement works, and the implementation of these prior to occupation of the development.

The LHA has queried whether the footpath should be extended either side of the access road, but the applicant states this is unnecessary as pedestrians are able to cross the road onto the existing footpath to the north, and in addition the off-site improvement works to the west of the access road provide an extended footpath to the bus stop on Downham Road. The LHA also query whether the verge will be maintained after the road is widened. Where the existing road is of a sufficient width (5.5m) then the verge will be retained. However, where the carriageway narrows currently then the verge will need to be utilised for widening up to 0.6m. This is the reason that the footpath needs to be provided behind the existing hedgerow to secure its retention. NCC does not object to the scheme as proposed. Finally,

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the applicant has confirmed any relocation of street furniture such as street lighting etc will be included within the detailed construction design Section 38 highways works.

The proposed development is in accordance with the NPPF, Policies CS08 and CS11 of the CS and Policies DM15, DM17 and G112.1 of the SADMPP.

Neighbour Amenity

A number of neighbour objections have been received to the proposed development which are summarised earlier in the report. These include concerns that the development will overlook existing homes will be overbearing and will reduce privacy.

In terms of the impact on immediate neighbours, the proposed dwellings to the north of the site are some 30m in distance to those opposite, facing onto the site. The dwelling to the west (no.2) is 10m in distance and to the east (no.30) is 30m. The dwellings on plots 37-40 and 20-21 are single storey only, and the two storey dwellings proposed (plots 1 and 19) have only obscured bathroom windows at first floor side elevations. The distances between the existing and proposed dwellings, in addition to the orientation, and house type means that it is not considered that the dwellings proposed would be overbearing or would give rise to overlooking or overshadowing to existing neighbours.

Within the application site, the dwellings have a separation distance of in excess of 22m where they are back to back. To the south of the site while the gardens are not as deep, these are wider and sufficient for the size of the dwelling. These dwellings overlook agricultural land to the south and are therefore acceptable. The dwelling types generally do not include clear glazing at first floor on side elevations, except where these windows overlook the footpath. There is also adequate spacing between dwellings and therefore the relationships between these in terms of sufficient privacy and natural light are appropriate.

CSNN do not raise any objections to this development subject to the inclusion of conditions regarding drainage, and a lighting scheme in addition to the provision of a construction management scheme and controlled site hours to manage the construction phase of the site. Air Source Heat Pumps are shown on the plans but details have not been provided of these units and therefore a condition is attached to ensure these can be controlled, and would not give rise to neighbour amenity issues.

It is recommended that the scheme proposed is acceptable in neighbour amenity terms, for both existing residents and those proposed. The scheme is in line with the NPPF, Policy CS08 of the CS and Policy DM15 of the SADMPP.

Affordable housing requirements

In accordance with Policy CS09 of the CS, the proposed development is required to provide 8 units of affordable housing; 6 for rent and 2 for First Homes. The Housing Enabling officer has suggested the mix should include a range of two and three bedroom homes for each tenure. First Homes is a new form of affordable housing and are to be sold by developers to eligible households at a discount of at least 30%. However, in this case the applicant, Freebridge Housing, intends to develop the entire site for affordable housing and the guidance states fully affordable sites are exempt from delivering First Homes. Therefore if the site is delivered as fully affordable there will be no requirement to provide the First Homes element. The proposed units meet the Borough Council's space standards for affordable units. A Section 106 Agreement will be required to secure the affordable housing contribution required by Policy CS09 only. The scheme proposed is fully compliant with the NPPF, Policy CS09 and Policy G112.1.

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Open space provision

Policy DM16 of the SADMP requires 17 square metres of public open space per dwelling is provided. The applicant has demonstrated on the submitted plans this can be provided to the southeast of the site. The open space area proposed is to be edged with native hedges and trees and include meadow planting and a small community orchard alongside the formal play space.

Given the site is to be developed for affordable housing, the applicant is intending to manage/ maintain the open space and landscaping of the site rather than hand this over to the LPA. That said, it is still necessary to ensure that the open space is secured via a Section 106 legal agreement and this will require an open space works specification (providing details of all play equipment, street furniture, safety surfacing and fencing) to be provided and agreed prior to commencement of development.

The Council's Greenspace Officer has made comments on the scheme proposed. Firstly, his view is that the swale could be crossed by children or be a trip hazard and as such a fence line, or other form of barrier (i.e. knee rail) could help to deflect persons along the proper footpath routes, discouraging an informal desire line through the swale area. However, the applicant argues that a rail/ fence is not required around the swale area as it will be in the form of a shallow depression with a 1m grass verge before any slope. It would not form a ditch. The applicant has stated that if this is a concern for Members that a condition could be recommended for details to be submitted and approved.

There are also a number of comments made by the Greenspace Officer regarding difficulties/ cost in maintaining the proposed scheme which is for note given the applicant's intention to carry out the maintenance. Notwithstanding these comments, they will be addressed via the detailed design specification as required by the Section 106 agreement.

The proposal is in accordance with Policy CS14 of the CS and DM16 of the SADMP.

Ecology

The applicant has submitted an Ecological Impact Assessment report for the site which identifies a number of potential protected species on/ adjacent to the application site which include great crested newts, bats, hedgehogs, and birds. Comments received on the scheme have also drawn attention to the presence of protected species on the site.

The NPPF states that 'decisions should contribute to and enhance the natural and local environment by:

- (a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- (d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.'

And in paragraph 180 that 'when determining planning applications, local planning authorities should apply the following principles:

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(a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.'

Policy CS12 of the Core Strategy states-

'Development should seek to avoid, mitigate or compensate for any adverse impacts on biodiversity, geodiversity and heritage as well as seeking to enhance sites through the creation of features of new biodiversity, geodiversity and heritage interest. The design of new development should be sensitive to the surrounding area, and not detract from the inherent quality of the environment.

The Council will require development proposals to be accompanied by an ecological impact study and assessment proportionate to the degree of the impact and importance of the species affected.

It may be necessary to secure biodiversity, geodiversity and heritage needs through planning conditions and/or obligations. This can include timing of work, Section 106 Agreements, pre-application negotiations, conditions, mitigation and compensation measures.'

The applicant has submitted an Ecological Impact Assessment which confirms the presence of at least seven bat species on/ adjacent to the site and that the existing boundary habitats are of value.

To the east of the site is a wooded area with large ponds and a grass field margin. GCN have been confirmed as present in the neighbouring ponds. As a result, a small area of the site to the east which then spreads around the site boundary is classed as land suitable for Great Crested Newts (GCN).

Changes have been made to the Conservation of Habitats and Species Regulations 2017 (as amended). The changes are made by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. The 2017 Regulations are one of the pieces of domestic law that transposed the land and marine aspects of the Habitats Directive (Council Directive 92/43/EEC) and certain elements of the Wild Birds Directive (Directive 2009/147/EC) (known as the Nature Directives). Protected Species (PS) have full protection under the 2017 Regulations. It's an offence to deliberately capture, injure or kill, or deliberately disturb PS. These requirements are enforced in the 2017 Regulations and any derogation is regulated and overseen by a system of licensing administered by Natural England (NE).

In exercising its functions, including determining planning applications, a Local Planning Authority is required to have regard to the requirements of the Habitats Directive in so far as they may be affected by the exercise of those functions. It is not the role or responsibility of the LPA to monitor or enforce NE's obligations under the regulations. However, if a development proposal could potentially result in a breach of the Directive, the LPA is required to form a view on the likelihood of a licence being granted under the Regulations by NE in order to fulfil its own obligation to have regard to the Directive requirements.

NE will only grant a licence if satisfied that the three statutory tests prescribed under the directive and regulations have all been met. The tests are:

1. There are imperative reasons of overriding public interest (IROPI);
2. There are no satisfactory alternatives; and

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3. It would not be detrimental to the maintenance of the population of the species at favourable conservation status

The obligation on the LPA is to consider the likelihood of a licence being granted by NE, not to determine definitively whether or not the licence will, in fact, be granted. It therefore has to review the three tests, in the context of a planning application, to then form a view on the likelihood of NE granting a derogation licence under the Regulations.

LPA's consideration of the tests:

1. IROPI – NE's guidance advises that IROPI can potentially include developments that are required to meet or provide a contribution to meeting a specific need such as complying with planning policies and guidance at a national, regional and local level. In this case, the site is allocated for residential development in the Site Allocations and Development Management Policies Plan (2016) and thus contributes to the Council's deliverable supply of housing.
2. No satisfactory alternatives – The site went through an assessment/ selection process as part of the Local Plan examination and as such was considered the most sustainable site for housing within the settlement, and it is therefore considered to be reasonable to conclude that there are no preferred alternatives.
3. Population maintenance – it appears unlikely, given the mitigation measures proposed that the development proposed will affect the conservation status of the protected species.

The LPA can therefore reasonably form the view, from the information submitted to it for this planning application, that NE would be likely to grant a derogation license under the Regulations in relation to this development.

A Natural England Licence will need to be obtained prior to the commencement of development. The licence will detail the mitigation and compensation measures required to facilitate the development including the exclusion of GCN from working areas, timing of works, ecological supervision and destructive searches.

The Assessment includes a number of specified mitigation measures as well as opportunities for enhancement. The report concludes that no further phase 2 ecology surveys are considered necessary to facilitate the proposed development provided all the recommendations detailed within the reports are implemented at the specified time. With the implementation of appropriate licensing, RAMs and mitigation is it considered the development can be undertaken with a minor negative impact upon ecological features. However, the proposed enhancements proposed has the potential to have a positive impact of the locality in the longer-term. A Construction Ecological Management Plan will need to be submitted and agreed by the LPA which will inform any requirements/ legal agreements necessary to ensure the protection of the protected species and their habitats. It is suggested these should be conditioned accordingly.

In terms of mitigation the applicant proposes that the additional hedge and tree planting around the site boundaries will be sufficient to mitigate against the impacts to bats and birds of the removal of the breaks to the existing hedge (necessary to form the access points). While it is noted that there may be a short-term negative impact until new trees and hedgerows mature. The location of open space to the south east seeks to mitigate against potential impacts on GCN. A wildlife corridor is also to be provided along the southern boundary of the site with a 3m wide native hedge, tree planting and a 2m wide grass margin, and the creation of an attenuation ditch to the south of the southern boundary hedge to

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create a mix of wet and semi-wet habitats. This is to be implemented before any of the hedging on the northern boundary is to be removed. New hedge planting is also proposed to the east of the site.

In addition, lighting and landscaping schemes should be submitted and agreed by the LPA.

With these specified protection measures in place, the scheme is in accordance with the NPPF and Core Strategy Policy CS12.

Other material considerations

Drainage/ Flood Risk – The application lies within Flood Zone 1 and the site is therefore at the lowest risk of flooding. In terms of drainage, Anglian Water has confirmed that there is sufficient capacity within the Watlington Water Recycling Network for foul drainage and the sewerage system at present has available capacity for these flows to connect into Thieves Bridge Road, via gravity. However, they do query the drainage arrangements for surface water across the site. Similarly, CSNN query the foul and surface water drainage arrangements for the scheme and request that a detailed drainage scheme should be conditioned, so that prior to commencement full details should be submitted and agreed by the Local Planning Authority.

Minerals Safeguarding – The proposal site is underlain by an identified mineral resource (sand and gravel) which is safeguarded as part of the adopted Norfolk Minerals and Waste Core Strategy, and Core Strategy policy CS16. Policy G112.1 of the SADMPP required the submission of an Environmental Statement to assess whether the resource is viable for mineral extraction; whether this could be extracted prior to development or there are opportunities to use the material within the development. A Minerals Safeguarding Assessment has been submitted by the applicant which states that the development site is underlain by a good quality Sand and Gravel deposit. Consideration has been given to prior extraction of the mineral resource which has concluded that such a proposal would not be desirable as it would result in unacceptable amenity, landscape and highway impacts. A further study is required to establish whether onsite use of some of the mineral resource can be used in the development. Such consideration should be undertaken at the detailed design stage in the event planning permission for the development is approved and take the form of a Materials Management Plan. The County Council in its capacity as the Mineral Planning Authority (MPA) would not object to the planning application (21/0242/FM) on this site if a condition is included in any grant of planning permission to require the submission of a Minerals Materials Management Plan, and for the proposed development to be undertaken in compliance with this.

Air Quality – While the development is unlikely to result in air quality emissions in excess of relevant objectives, the NPPF requires in paragraph 186 that new development should not contribute to or be at risk from unacceptable levels of air pollution and as such Environmental Quality request that a condition is attached requiring the provision of EV charging points to be provided within the scheme.

Contaminated land - The applicant has submitted a Geo-Environmental Report and Preliminary Risk Assessment. The report provided did not identify any significant sources of land contamination and concludes that there is a very low risk to relevant receptors. The report also states that the gas monitoring recorded low concentrations of ground gases and low flow and recommends further monitoring and risk assessment to confirm the ground gas classification. As further investigation is recommended, it is recommended that appropriate conditions are attached to any consent.

Archaeology – There is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development. As a result, any development should be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework. Ministry of Housing, Communities and Local Government (2021) para 205. This is secured by conditions to any planning consent.

Planning Obligations – Section 70(2) of the Town and Country Planning Act 1990 provides that LPAs must have regard to local finance considerations so far as it is material. This includes any Community Infrastructure Levy (CIL). There is sufficient capacity within neighbouring local schools that contributions are not required for education provision. Contributions to library provision are required which will need to be provided through CIL. The development will require at least 1 fire hydrant which will be dealt with through condition.

Waste and Recycling – Details have been submitted regarding proposed waste and recycling measures for the site.

Public comments submitted – In addition to the points discussed above there were additional issues raised:

- The services and facilities within the village (eg. water, drainage, electricity etc. are already stretched and are insufficient. As are the library, doctors, education etc. Consultations have been carried out with key stakeholders and consultees and there are no objections. Where required mitigation can be provided through conditions/ Section 106 / CIL monies.
- Destroy view - Residents do not have a 'right to a view' under planning legislation.
- Housing should not be affordable only – Under current funding regimes the site would have to be fully affordable to qualify for the appropriate grants. Given this is a housing allocation in a sustainable location it is a good location for an affordable housing scheme.
- More bungalows should be provided – A mix of housing types is proposed for the site including single and two storey dwellings.
- Loss of agricultural land/ crops – The agricultural land is categorised as Grade 2 land which is good quality. While the site is currently used as agriculture it was allocated for residential development within the Local Plan, as the most sustainable location for development within the village.

CONCLUSION

The application site is allocated in the SADMPP for residential development for at least 32 dwellings and given the application meets the policy criteria, in principle the construction of the development of 40 dwellings is in accordance with the adopted Local Plan. While concerns are raised about highway safety and the access of the proposed development, the site was assessed as part of the Local Plan examination and the LHA does not object to the application. There are no objections from statutory consultees to the proposed scheme. The form and character of the development is considered to be appropriate in terms of scale, design, site layout, landscaping and materials. There are no significant neighbour amenity issues as a result of the scheme. While there are protected species within/ adjacent to the site an ecological assessment has been provided which indicates ways to mitigate against any impact of the development on these habitats. Conditions are attached regarding archaeology, contaminated land, drainage, construction management, minerals, air quality, trees and landscaping. Given the above, the proposal complies with the NPPF, National Design Guide, Core Strategy Policies CS08, CS09, CS11 and CS14, and SADMPP Policies

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G112.1, DM15, DM16, and DM17 and it is therefore recommended that the application is approved subject to the completion of a Section 106 legal agreement.

RECOMMENDATION:

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

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

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

FB-937-PO3F Site Plan received 17 Aug 22
FB-937-PO1D Block Plan received 17 Aug 22
FB-937-PO4A Location Plan received 13 Jul 22
FB-937-PO2E Development Mix received 17 Aug 22
FB-937-PO5A Proposed Street Elevations received 13 Jul 22
FB-937-PO6A Proposed Street Elevations received 13 Jul 22
FB-937-PO8C House Type A received 13 Jul 22
FB-937-PO9C House Type B received 13 Jul 22
FB-937-PO11C House Type C2 received 13 Jul 22
FB-937-PO13C House Type E received 13 Jul 22
FB-937-PO14C House Type E2 received 13 Jul 22
FB-937-PO15C House Type F received 13 Jul 22
FB-937-PO21A House Type C3 received 13 Jul 22
FB-937-PO20A House Type E3 received 13 Jul 22
FB-937-PO16C House Type G received 13 Jul 22

- 2 Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Condition: Notwithstanding the information that accompanied the application, no development shall commence until full details of the foul and surface water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority.

The surface water drainage details to be submitted shall:

- i. Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters
- ii. Include a timetable for its implementation; and
- iii. Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.

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- 3 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.

- 4 Condition: Prior to commencement of development a detailed construction management scheme must be submitted to and approved by the Local Planning Authority; this must include proposed timescales and hours of the construction phase, deliveries/collections and any piling. The scheme shall provide the location of any fixed machinery, their sound power levels, the location and layout of the contractor compound, the location of contractor parking, the location and layout of the materials storage area, machinery storage area and waste & recycling storage area, proposed attenuation and mitigation methods to protect residents from noise, dust and litter and communication methods to the wider community regarding the construction phases and likely disruptions. The scheme must include the mitigation measures proposed in Section 8 of IAQM Guidance on the assessment of dust from demolition and construction sites (2014) to protect residents from construction dust. The scheme shall be implemented as approved.

- 4 Reason: In the interests of the amenities of the locality in accordance with the NPPF.

- 5 Condition: Construction or development work on site, along with collections and deliveries of waste products, material and equipment, shall only be carried out between the hours of 0800 and 1800 weekdays, and 0900-1300 on Saturdays, with no work allowed on Sundays and Bank/ Public Holidays.

- 5 Reason: To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.

- 6 Condition: Prior to occupation of any of the dwellings hereby approved, a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with the approved scheme and thereafter maintained and retained as agreed.

- 6 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF, and in the interests of ecology in accordance with Core Strategy Policy CS12 and the NPPF.

- 7 Condition: The development shall not be brought into use until a scheme for the provision of fire hydrants has been implemented in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority.

- 7 Reason: In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.

- 8 Condition: Prior to the commencement of the development hereby approved a Materials Management Plan - Minerals (MMP-M) will be submitted to and approved in writing by the Local Planning Authority in consultation with the Mineral Planning Authority. The MMP-M will be informed by the Minerals Safeguarding Assessment (April 2022), carried out by Stephen M Daw Ltd.

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The MMP-M will consider the extent to which on-site materials which could be extracted during the proposed development would meet specifications for use on-site through testing and assessment. The MMP-M should quantify the amount of material which could be reused on site; and for material extracted which cannot be used on-site its movement, as far as possible by return run, to an aggregate processing plant. The development hereby permitted shall be carried out in accordance with the approved MMP-M.

The developer shall keep a record of the amounts of material obtained from on-site resources which are used on site and the amount of material returned to an aggregate processing plant, through the MMP-M. The developer shall provide an annual return of these amounts to the Local Planning Authority and the Mineral Planning Authority, or upon request of either the Local Planning Authority or Mineral Planning Authority.

8 Reason: To ensure that needless sterilisation of safeguarded mineral resources does not take place in accordance with the National Planning Policy Framework and Policy CS16 of the Norfolk Core Strategy and Minerals and Waste Development Management Policies DPD 2010-2026.

9 Condition: Prior to the commencement of groundworks, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets,
- woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with the Environment Agency's Land Contamination Risk Management (LCRM).

9 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.

- 10 Condition: Prior to the commencement of groundworks, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 10 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 11 Condition: The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

- 11 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 12 Condition: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 9, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 10, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 11.

- 12 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 13 Condition: Prior to the occupation of any dwellings hereby approved a scheme shall be submitted to the Local Planning Authority to reduce the potential impact on air quality. This shall include good practice measures set out under 'Operational Phase' in

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chapter 5 of the EPUK/IAQM Guidance including details of a suitable EV charging scheme. The scheme shall include individual charging points to garages shown on the approved plans, plus consideration of additional fast (>7.4kW) charge points where practicable and located in designated communal areas. The scheme shall be implemented as approved prior to the occupation of any dwellings hereby approved.

- 13 Reason: In the interests of the amenities of the locality in accordance with the NPPF.
- 14 Condition: No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation, 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation and 7) any further project designs as addenda to the approved WSI covering subsequent phases of mitigation as required.
- 14 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
- 15 Condition: No development shall take place other than in accordance with the written scheme of investigation approved under condition 15 and any addenda to that WSI covering subsequent phases of mitigation.
- 15 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.
- 16 Condition: The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 15 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 16 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.
- 17 Condition: The development hereby approved shall be constructed in strict accordance with the recommendations of the Arboricultural Impact Assessment prepared by Ravencroft Arboricultural Services dated 13.07.2022.
- 17 Reason: To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF.
- 18 Condition: No development or other operations shall commence on site until a tree protection plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 18 Reason: To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to protected trees during the construction phase.

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- 19 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.
- 19 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 20 Condition: Before the first occupation of the dwellings hereby permitted all bathroom/ shower room/ cloakroom windows shall be fitted with obscured glazing and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.
- 20 Reason: To protect the residential amenities of the occupiers of nearby property.
- 21 Condition: The boundary treatments shall be installed as approved prior to the occupation of the dwelling, 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 and retained in perpetuity.
- 21 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 22 Condition: Prior to the first use or occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.
- 22 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 23 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 23 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 24 Condition: Prior to the installation of any air source heat pumps a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s), the siting of the unit(s) and the distances from the proposed unit(s) to the boundaries

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with neighboring dwellings, plus provide details of anti-vibration mounts, and noise attenuation measures. The scheme shall be implemented as approved and thereafter maintained as such.

- 24 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 25 Condition: The development hereby permitted shall be constructed strictly in accordance with the Ecological Impact Assessment produced by Torc Ecology dated November 2021 and submitted as part of this application. Specifically, the recommendations detailed within Section 6 'Ecological Constraints and Opportunities' of the Assessment which include –
- Management of hedgerow (removal, during construction and longer-term maintenance)
 - Management of site clearance / construction works
 - Lighting post-development
 - Great Crested Newts – Natural England License to be secured.
 - Mitigation measures to include –
 - planting scheme to be agreed including new hedgerow and tree planting,
 - hedgehog access points within fencing,
 - integrated bat boxes and bird nesting boxes to be provided throughout the site.
- 25 Reason: In the interests of protecting the environment and protected species in accordance with the NPPF and Core Strategy Policy CS12 of the LDF.
- 26 Condition: Prior to the commencement of any development on site, a Construction Ecological Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. This should conform to the British Standard BS42020:2013 for Biodiversity - Code of practice for planning and development, and will include timing constraints and working methodologies during the phases of construction, including any constraints with regards licensing and great crested newts, as well as post-development management of habitats and species. It should also detail the bat and bird boxes to be provided and their locations. The development shall be implemented in accordance with the agreed Plan and be retained as such in perpetuity.
- 26 Reason: In the interests of protecting the environment and protected species in accordance with the NPPF and Core Strategy Policy CS12 of the LDF.
- 27 Condition: No works shall commence on the site until such time as detailed plans of the roads, footways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.
- 27 Reason: This needs to be a pre-commencement condition to ensure fundamental elements of the development that cannot be retrospectively designed and built are planned for at the earliest possible stage in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the development.
- 28 Condition: Prior to the occupation of the final dwelling all works shall be carried out on roads, footways, foul and surface water sewers in accordance with the approved specification to the satisfaction of the Local Planning Authority.

- 28 Reason: To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.
- 29 Condition: Before any dwelling is first occupied the road(s) and footway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.
- 29 Reason: To ensure satisfactory development of the site in accordance with the NPPF.
- 30 Condition: Prior to the first occupation of the development hereby permitted visibility splays measuring 2.4 metres x 59 metres shall be provided to each side of the access where it meets the highway. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- 30 Reason: In the interests of highway safety and traffic movement in accordance with the NPPF.
- 31 Condition: Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.
- 31 Reason: In the interests of maintaining highway efficiency and safety. This needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.
- 32 Condition: Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works as indicated on Drawing FB-937-P01 rev C has been submitted to and approved in writing by the Local Planning Authority.
- 32 Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.
- 33 Condition: Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in condition 33 shall be completed to the written satisfaction of the Local Planning Authority.
- 33 Reason: To ensure that the highway network is adequate to cater for the development proposed.