

ITEM:		RECOMMENDATION: APPROVAL
REF NO:	3PL/2018/0815/F	CASE OFFICER Mark Springthorpe
LOCATION:	CARBROOKE Manor Farm, Willow Corner Carbrooke	APPNTYPE: Full POLICY: Out Settlement Bndry ALLOCATION: N CONS AREA: N LB GRADE: Grade II TPO: N
APPLICANT:	Dawe Estates Limited Care of Agent	
AGENT:	EJW Planning Limited Lincoln Barn Norwich Road	
PROPOSAL:	Restoration and sub-division of a Grade II Listed farmhouse to form 2no dwellings; Erection of 3no new dwellings; Associated parking and turning areas; Associated landscaping (AMENDED DESCRIPTION)	

REASON FOR COMMITTEE CONSIDERATION

The application is referred to Planning Committee at the request of a ward representative.

KEY ISSUES

Principle of Sustainable Development
Character & Appearance and Heritage
Amenity
Access
Drainage & Flood Risk
Ecology & Trees

DESCRIPTION OF DEVELOPMENT

The applicant seeks full planning permission for the development of the land to provide 3no new dwellings (1 x 3-bed and 2 x 4-bed units), together with the restoration of the Grade II Listed farmhouse to provide 2no further dwellings (1 x 3-bed and 1 x 4-bed). The proposal includes the provision of associated car parking and landscaping.

SITE AND LOCATION

The application site comprises 0.4 hectares of land at Manor Farm - located adjacent to the border of the defined settlement boundary for Carbrooke, with the gardens of properties at the north end of the village to the south and west of the site, farm buildings to the north and open countryside to the east.

The site comprises:

-A derelict Grade II Listed former farmhouse and its former gardens

- An area of heavily overgrown land including a large pond
- An area of hard standing incorporating two ancillary buildings and a derelict cart lodge.
- The enclosure of an area of the adjoining agricultural field following removal of the existing hedgerow and trees

The site is approached via a tree-lined private driveway accessed from the highway at the junction of Shipdham Lane and Willow Corner. The village of Carbrooke comprises a mainly linear settlement of residential properties that straddle both sides of Shipdham Lane and Church Street. Further development extends east along Broadmoor Lane and south on both sides of Mill Lane, whilst a more scattered pattern of development extends outside of the settlement boundary westwards along Drury Lane.

EIA REQUIRED

No.

RELEVANT SITE HISTORY

3PL/2015/0088/F Permission 09-04-15

Rebuilding & refurbishment of collapsing cart shed & change of use to office & garage

3PL/2017/1276/F Refusal 02-03-18

Proposed redevelopment of underused land to provide four affordable homes for the local community, the restoration of existing Grade II listed farmhouse, the provision of six open market homes and the provision of open wildflower meadows, gardens and pond for the enjoyment of the local community.

3PL/2017/1277/LB Refusal 02-03-18

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3PL/2018/0816/LB

Restoration and sub-division of a Grade II Listed farmhouse to form 2no dwellings; Erection of 3no new dwellings; Associated parking and turning areas; Associated landscaping (AMENDED DESCRIPTION)

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

- CP.01 Housing
- CP.04 Infrastructure
- CP.10 Natural Environment
- CP.11 Protection and Enhancement of the Landscape
- CP.13 Accessibility

CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.03	Replacement Dwellings and Extensions in the Countryside
DC.04	Affordable Housing Principles
DC.12	Trees and Landscape
DC.16	Design
DC.17	Historic Environment
DC.19	Parking Provision
DC.20	Conversion of buildings in the countryside
LBC	Planning(Listed Building & Conservation Areas) Act 1990
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
SS1	Spatial Strategy

OBLIGATIONS/CIL

Not required.

CONSULTATIONS

NORFOLK COUNTY COUNCIL HIGHWAYS

Objection - The proposed development does not adequately provide off-site facilities for pedestrians/people with disabilities (those confined to a wheelchair or others with mobility difficulties) to link with existing provision and/or local services

CONTAMINATED LAND OFFICER

No objection - subject to conditions

HISTORIC BUILDINGS CONSULTANT

No objection - Subject to materials condition

TREE AND COUNTRYSIDE CONSULTANT

No objection to tree loss. Concern as to ability to realise new access road without damage to veteran oak (T9) - Officer Note: subsequently removed from proposal.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No objection - subject to condition for a construction environmental management plan

FLOOD & WATER MANAGEMENT TEAM

Objection - As a result of the revision, properties have been removed from the areas of surface water risk referring to the EA Risk of Flooding from Surface Water (RoFSW) maps which can identify similar trends for the 1% AEP rainfall event plus climate change. However:

-Insufficient information to demonstrate that surface water arising from the development would not result in flooding of the proposed building or by discharging it to a location which would lead to the increased risk of flooding elsewhere.

-The main access to the site is within the overland surface water flowpath and would be covered to a depth of 150mm to 300mm (according to the EA hazard Mapping) during a 1% AEP rainfall event. The LLFA recommend that depths of water in flood events greater than 3.33% annual probability should be minimised to 100 mm on minor roads restricted to 30 mph in line with Table 12.3 of CIRIA Design for Exceedance in Urban Drainage (C635)

-The LLFA also recommend that ingress, through flow and egress of surface water flow path exceedance routes identified as affecting the development site should be appropriately integrated within the development layout.

ENVIRONMENT AGENCY

No objection

NATURAL ENGLAND

No comments

ANGLIAN WATER SERVICE

Anglian Water has assessed the impact of gravity flows from the planned development to the public foul sewerage network and has confirmed that this is acceptable as the foul sewerage system for the site for which it determines that the Carbrooke/Church End Water Recycling Centre will have available capacity

HISTORIC ENVIRONMENT SERVICE

No objection - subject to conditions

HOUSING ENABLING OFFICER

No objection to provision of 2no affordable units - subject to those properties being brought forward as 2-bed, 4-person units in line with the adopted space standards. Scheme subsequently amended to below threshold for affordable housing provision.

CHIEF FIRE OFFICER

No objection - subject to condition requiring provision of fire hydrant and turning circle/hammerhead for emergency vehicles

CARBROOKE P C

Initial Objection - Increased flood risk and lack of drainage capacity, increased risk to safety at the proposed junction and the increase in traffic. The PC further remarked that the proposal had not addressed the previous reasons for refusal given in determining 3PL/2017/1276/F.

PC did not sustain an objection in their response of 13-11-2018 however, had re-objected in their response of 14-03-2019.

HOUSING ENABLER JH

(With regard to the Application From) The site area is below the threshold for affordable housing (0.4ha)

FLOOD & WATER MANAGEMENT TEAM

No Comments Received

REPRESENTATIONS

This application has been subject to several consultations. In total, 43no letters of objection were received from 19no members of the public, including the below concerns:

- Outside of settlement boundary
- Quota of new dwellings already achieved in Parish

- Incongruous to setting of the Listed Building
- Proximity of large metal farm buildings (impact on amenity of future occupiers)
- Lack of services
- Safety of vehicle movements at junction
- Increased traffic
- Lack of footpaths and street lighting
- Impact of construction traffic
- Increased flood risk and lack of capacity at pumping station
- Responsibility for maintenance of surface water infrastructure
- Noise nuisance from corn drier
- Loss of privacy from window in side elevation of Unit 8
- Loss of trees and wildlife habits and impact from light pollution
- Tree works and earth works already carried out in root protection areas and without EPSL licences

ASSESSMENT NOTES

1.0 Principle of Sustainable Development

1.1 The site is located outside the settlement boundary of Carbrooke at the north end of the village - as defined by the Carbrooke Proposals Map pursuant to Policies SS1, CP1, CP14 and DC2 of the Core Strategy and Development Control Policies Development Plan Document 2009. As such the proposed residential development would be contrary to the development plan.

1.2 Policies CP14 and DC2 of the Adopted Core Strategy and Development Control Policies Document state that village and countryside communities will be supported by appropriate development in order to make them more sustainable and - in villages not identified for a specific level of residential growth - development will only be permitted where: there are suitable sites available within the settlement boundary; it is an affordable housing scheme; it involves the reuse of a rural building; it is a replacement dwelling; or it is a dwelling required in association with a rural enterprise.

1.3 Notwithstanding the above, housing applications should be considered in the context of the presumption in favour of sustainable development and Footnote 7 to Paragraph 11 of the National Planning Policy Framework states that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. Currently no such identified housing supply is adopted.

1.4 The presumption in favour of sustainable development set out in paragraphs 8 and 11 of the National Planning Policy Framework (NPPF) is therefore engaged. Paragraph 8 states there are three dimensions to sustainable development: social, economic and environmental and these dimensions cannot be undertaken in isolation, as they are mutually dependant.

1.5 In environmental terms, though the site is outside of the defined settlement, it is immediately adjacent to that boundary - bound to the west and south by existing dwellings and to the north by other farm buildings. It would be largely imperceptible from the road and from dwellings to the west and the proposal has been revised from the previously refused scheme to further off-set the new dwellings from the gardens of properties to the south. Any view from the east would effectively perceive the development against the backdrop of the existing settlement.

1.6 Though creating a new area of courtyard, the arrangement would involve the re-use (and partial re-

greening) of a current area of hardstanding within the working part of the farm, whilst as a result of the revisions it would no longer involve the loss of existing viable agricultural land.

1.7. In design terms, the surrounding area is characterised by linear roadside development within broadly similar arrangements, generating a characteristic settlement pattern and density. The application proposed a de facto cul-de-sac arrangement. However, the revised scheme has been conceived to emulate a traditional farmyard layout - with timber range buildings set around a courtyard adjacent to the farmhouse - and as such, the aesthetic guards against an incongruous urbanising formation and ensures a harmonious intervention into the countryside.

1.8 Other environmental issues - land contamination, drainage & flood risk - are discussed in greater detail below however, it is considered that all of these matters may be adequately ameliorated by proposed conditions and further details to be brought forward.

1.9 In economic and social terms, Carbrooke constitutes a rural settlement under Policy SS1 and therefore by definition, not capable of sustaining consequential growth. The limited number of local services - in this case: village hall (inc pre-school) and primary academy - led to the Sustainability Appraisal pursuant to the current Development Plan determining that these settlements do not represent a suitable option for significant expansion.

1.10 The nearest market town of Watton (approximately 3 miles west of Carbrooke) provides a fuller range of services, with a further local service centre - consisting of a convenience store, post office and food outlets - within the settlement boundary to the east along Norwich Road, c1.8 miles from the site.

1.11 On that basis - with regard to the comments of the Highways Officer, discussed in more detail below - it is accepted that future residents would be heavily car-dependent, as there are only limited public transport connections and no cycling or pedestrian infrastructure. Limited footpaths do exist within the lower part of the village, but do not extend to the site.

1.12 Whilst the argument set out in the accompanying Design & Access Statement is acknowledged, it is considered that - in respect of the context of Carbrooke village and the scale of the proposal- the development would be significant in local terms and therefore the expectations of Paragraph 103 (formerly Paragraph 17) are engaged.

1.13 However, it is acknowledged that the proposal would include the repair, refurbishment and adaptive reuse of the Grade II Listed farm house. A Listed Building Consent application has been submitted alongside the application. The Historic Building Officer has reviewed the submitted schedule of works and - following the revisions to the overall scheme - raises no objection. It is considered that these works, together with the impact of the additional dwellings on the significance and setting of the heritage asset, would sustain and enhance the significance of the heritage asset and return it to viable use consistent with its conservation - in accordance with the expectations of Paragraph 192 of the NPPF (2019). This is affirmed by the argument for enabling development in the accompanying Heritage Statement (Paras 6.4 & 7.3-7.4) and Design & Access Statement (Pages 10-12). As such, the proposal is considered to satisfy the expectations of Policy DC17.

1.14 The proposal would result in short term construction employment and additional footfall for those services that do exist within Carbrooke, as well as a contribution to the overall housing land supply within the District.

1.15 On the basis of the above assessment, it is considered the significant reduction in the scope of development and the corresponding benefit to the Listed Building site would on balance, outweigh the limited

public transport accessibility and lack of pedestrian and service infrastructure, thus rendering the proposal a sustainable form of development, in line with the expectations of paragraphs 8 and 11 of the National Planning Policy Framework. With regard to Paragraph 11(b)(ii) of the NPPF, the concerns over accessibility and lack of pedestrian and service infrastructure would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole - in particular terms of Paragraphs 79 and 202 with regard to the viability of the listed building and the provision of housing.

2.0 Character & Appearance

2.1 As a result of the revised farmyard arrangement as outlined under Para 1.7 above, the LPA have removed its objection to the character of the proposal by virtue of its siting and layout.

2.2 Notwithstanding the above, there is not a clear, consistent or uniform dwelling design or style within Carbrooke and - being set within the farm site and on the fringes of the village - as such, the proposed elevations and finishes would not in themselves be considered out of character with its surroundings - and did not previously form the basis of any ground for refusal.

2.3 The site previously benefitted from a lapsed planning consent for the restoration of the four bay timber framed cart lodge (Ref: 3PL/2015/0088/F). The restoration of the lodge is now proposed to be incorporated into this application, to be used for car parking in association with some of the proposed new dwellings. On the basis of the previous approval, this part of the development is considered to be acceptable.

2.4 On the basis of the above, it is therefore considered that the siting and layout of the proposed dwellings would be congruent with the form and character of the site and its surroundings, consistent with the expectations of Policies CP11, DC1, DC2 and DC16 of the Adopted Local Plan (2009).

2.5 It is also necessary to consider the impact of the proposal on the significance of the Listed Building, including its setting.

2.6 The Applicant had provided a schedule of works for the building which include:

External

- Overhaul and reinstate salvageable rainwater goods
- Replacement of existing asbestos roof with Monier Redland Old Hollow clay pantiles in vintage red (main roof) and blue (rear wing)
- Walls and chimneys to be fully assessed and repaired in accordance with Structural Engineer's recommendations
- Existing brick walls are to be locally repointed, where joints are severely recessed, in a lime mortar and finish to a flush joint
- Replace missing and irreparable window frames and sashes to match existing
- Where retained, the frames, panes and parts to be restored and isolated areas of decaying wood replaced by piecing in new matching treated timber
- Repair external render coat and finish in Farrow & Ball off-white No 3 exterior paint
- Decorative lower plinth in black paint
- Retain metal and timber joinery where sound. Decorate in cream paint
- Timber canopy to front door of new rear dwelling, painted in Farrow & Ball Wimborne white No 239
- Timber doors to rear painted in Farrow & Ball Downpipe No 26
- Erection of curved trellis fencing to divide new curtilages
- Formation of new opening in stone wall to west of main house

Internal

- Carry out repairs to timber floor structures and window lintels in accordance with a structural engineer's recommendations.
- Repair and reinstate internal plasterwork which has been lost or damaged at walls and ceilings.
- Repair all damaged or defective joinery and fittings and reinstate loose items and missing parts of these to match original construction and patterns.
- Sub-division of the building to form 2no dwellings
- Stopping-up of the C20 first floor door opening between the two parts of the building
- The erection of partition walls at first floor level
- The removal of existing partition walls at first floor level in the main house
- Installation of 4no new bathroom/w.c. suites at first floor level
- General internal refurbishment to provide a habitable environment.
- Provide ventilation to all internal spaces in accordance with BSCP 5925:1980, while ensuring that pigeons are prevented from entering the building.

The Schedule also includes measures for access, safety and security provisions.

2.7 In addition to the intended works to the fabric of the building, the application also proposes the following works to its setting:

- Laying out of a new garden to the south side of the main house
- Landscaping of the area to the south-east to form a new 'farmyard' style enclosure around a shingle courtyard in Bredon Golden Gravel
- The erection of 3no new dwellings
- Restoration of a dilapidated four bay timber framed cart lodge to be used for the provision of car parking

2.8 In assessing the previous application (3PL/2017/1277/LB) the proposed repair, refurbishment and adaptive reuse of the designated heritage asset was welcomed in principle. However, the Historic Buildings Officer (HBO) noted that the submitted schedule of works required augmentation and elements of the specification needed to be amended.

2.9 Moreover, the matter of the setting of the Listed Building was not detailed or discussed and it was not demonstrated that the impact of the broader development would not give rise to unacceptable detriment. In addition, though the feasibility of the overall proposal was referred to, a case for enabling development had not been presented for analysis.

2.10 In resubmitting the application - and subject to the amendments pursued during the application process - the Applicant has provided a Heritage Statement. Following receipt of an Addendum to the Schedule of Works, the HBO has accepted that those details are now sufficient and acceptable in respect of the fabric of the existing building.

2.11 The general principles to be applied when considering the setting of listed buildings and the effect of developments have recently been re-affirmed by the combined decision of the Court of Appeal in *Catesby Estates Ltd v Steer & SoS for DCLG v Steer* (2018), being:

- Understand what the setting is and whether the proposal will be within it or in some way related to it
- Appreciate that the "surroundings in which asset is experienced" (as per the definition in the Glossary at Appendix 2 to the NPPF) may change over time and also that the way in which a heritage asset can be "experienced" is not limited only to the sense of sight. The "visual" connection should not be considered in isolation and at the expense of the historic social and economic connections. The "surroundings" of the

heritage asset are its physical surroundings and the relevant "experience" - whatever it is - will be of the heritage asset itself in that physical place

-Acknowledge that the effect of a particular development on the setting of a Listed Building is a matter for the planning decision-maker - subject to "considerable importance and weight" being given to the desirability of preserving the setting of a heritage asset.

2.12 With regard to those principles, with reference to this case:

-It is acknowledged that both the Listed Building and broader development fall within the same contiguous application site and that the works will have direct consequences for the host property and its setting - and so are related

-As per the comments of the HBO, the surroundings - albeit altered over time - remain visually, socially and economically experienced as a farmyard setting

2.13 With regard to the application as originally submitted - the HBO demurred from the contention that the proposed new grouping of neo-vernacular houses constituted an improvement over the current farmyard with regard to the setting of the Listed Building. It was considered that though (aside from an earlier barn - now disassociated visually with the farmhouse from within the application site as a result of later development) the original farm buildings may have been 'lost', the setting remains as a farmyard and as such, the historic context remains. That context would itself be eroded or lost were the setting to be artificially reconstituted as a de facto 'village green'.

2.14 Consequently, as a result of the changes to the broader development - the re-configuration of the setting as a farm 'yard', set around a single courtyard and comprising range buildings and an open cart-lodge - the HBO has withdrawn their objection. On that basis, the proposal as amended would continue to reference the experience of that setting, in accordance with the expectations of Section 66(1) of the Planning (Listed Building and Conservation Area) Act 1990

2.15 In light of the above, it is considered that the proposal would not result in substantial harm to the significance of the heritage asset and consequently, should be considered against the public benefits of the proposal - in accordance with the expectations of Paragraph 197.

2.16 The submission proposes the alterations to the setting brought about by the broader proposal constitutes an enabling development - Heritage Statement (Paras 6.4 & 7.3-7.4) and Design & Access Statement (Pages 10-12).

2.17 In that respect - with regard to Paragraph 202 of the NPPF - LPA's should "assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the dis-benefits of departing from those policies".

2.18 The potential benefits are considered to be:

-The siting of the new dwellings arranged around a shared courtyard that will provide a cohesive and pleasing design solution, together with a sense of community;

-The restoration of the existing dilapidated listed building and the tidying up of the site that currently results in a negative impact on its setting;

-The high quality of the design of the new dwellings, and the use of traditional materials sympathetic to the listed Farmhouse and village as a whole; and

-The opportunity for comprehensive and well thought out landscaping proposals

2.19 Historic England (formerly English Heritage) advise that the amount of enabling development is the minimum necessary to secure the future of the heritage asset and that its form minimises harm to other public interest

2.20 Consequently, the significant reduction in quantum and fundamental changes to the character of the development as proposed is considered to be appropriate and necessary to enable the restoration of the Listed Building. As such, the proposal is considered to satisfy the expectations of Paragraph 202 of the NPPF and Policy DC17.

3.0 Amenity

3.1 Each dwelling will provide adequate Gross Internal Area (GIA) and all plots benefit from an ample amount of private amenity space to the rear. Each habitable room is afforded unobscured windows. The outlook from the rear of Barns 1 & 2 is not ideal however, this was again not considered to warrant a reason for refusal in determining the previous application (3PL/2017/1276/F). The proposed layout would also engender natural surveillance of the public realm.

3.2 With regard to neighbouring properties, the reduction in the scale of the scheme has increased the distance between the new dwellings and the gardens of properties facing on to Willow Lane. As a result of this - and the relative height and orientation of the existing and proposed - it is considered that the proposal would not give rise to a loss of privacy or appear unreasonable overbearing in the outlook from the rear of those properties.

3.3 On that basis, the application is considered to have given due regard to Policy DC1.

4.0 Access

4.1 The application was reviewed by the Norfolk County Council Highway Officer who considered that the lack of footway in this location to be a matter of fact and an increase in pedestrian movements would add undesirable additional incidence, to the detriment of highway safety - in particular, more vulnerable highway users such as small children and those with mobility impairments.

4.2 However, it is accepted existing residents walk in the carriageway and therefore some degree of pedestrian/vehicle conflict will already occur, whilst over part of the length of Carbrooke Lane verge exists that could provide temporary refuge to enable pedestrians to step off the carriageway, wait and re-join. Whilst this is not complete or ideal, it is not considered to be atypical of many village settings, whilst the drastically reduced scale of the proposal will limit the number of new residents.

4.3 Again, with regard to Paragraph 11(b)(ii) of the NPPF, the concerns over accessibility and lack of pedestrian and service infrastructure would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole - in particular terms of Paragraphs 79 and 202 with regard to the viability of the listed building and the provision of housing.

5.0 Drainage & Flood Risk

5.1 Following objections to the previous application, a surface water drainage strategy has been submitted in support of the application.

5.2 That report noted that the Cranfield 'Soilscapes Viewer' identifies the area to be slowly permeable,

seasonally wet, loamy and clayey soils that drain to the stream network. However, on-site investigation encountered the groundwater at a depth of 2.3m. As such, there will be sufficient depth between the base of any drainage features and the groundwater - as required by the Suds Manual.

5.3 The report accepts that the increase in areas of hardstanding will create an increase in the surface water runoff generated within the site prior to mitigation. However - on the basis of the above - the scheme proposes the incorporation of an attenuation system, through which this increase is proposed to be mitigated, comprising:

- Pervious hard-surfacing to courtyard lined with a filter Geotextile
- Attenuation within the sub-base
- Outfall into drainage ditch at the south side of the site via a flow-control (incorporating ACO Q-Brake)
- Water butts provided to each dwelling for rainwater harvesting
- Where possible, the external landscape and paving levels will fall away from the buildings, and the access road levels near buildings will be set lower than the finished floor levels of the buildings.

5.4 The report also notes that whilst - with regard to the RoFfSW dataset - the site experiences surface water flooding, no flooding is shown to occur at the location of the proposed structures or courtyard area. As a result therefore, they would not occupy any existing surface water flow routes and consequently will not displace any flows.

5.5 However, the LLFA have reviewed the latest revision of the scheme and object to the proposed measures on the following basis:

- Insufficient information to demonstrate that surface water arising from the development would not result in flooding of the proposed building or by discharging it to a location which would lead to the increased risk of flooding elsewhere.
- The main access to the site is within the overland surface water flowpath and would be covered to a depth of 150mm to 300mm (according to the EA hazard Mapping) during a 1% AEP rainfall event. The LLFA 'recommend' that depths of water in flood events greater than 3.33% annual probability should be minimised to 100 mm on minor roads restricted to 30 mph in line with Table 12.3 of CIRIA Design for Exceedance in Urban Drainage (C635)
- The LLFA also 'recommend' that ingress, through flow and egress of surface water flow path exceedance routes identified as affecting the development site should be appropriately integrated within the development layout.

5.6 It should be noted however, that in determining the previous application (3PL/2017/1276/F) - which comprised a much more significant scheme involving 12no new dwellings over a broader area - the LPA did not raise a reason for refusal with regard to the potential for surface water flooding, despite a similar objection from the LLFA.

5.7 In accordance with the obligations under Paragraph 54 of the NPPF (2019), the LPA must consider whether otherwise unacceptable development could be made acceptable through the use of conditions. Given the above, it is considered that the scheme could be made acceptable through the discharge of a pre-commencement condition which would provide the additional information which the LLFA are seeking and incorporate measures toward mitigating their recommendations.

5.8 No information is provided with regard to the management of foul sewerage. Numerous concerns were raised in consultation responses with regard to the potential impact of increased pressure on the capacity of the pumping station. Anglian Water has assessed the impact of gravity flows from the planned development

to the public foul sewerage network and has confirmed that this is acceptable as the foul sewerage system for the site - for which it determines that the Carbrooke/Church End Water Recycling Centre will have available capacity.

5.9 The proposal is therefore considered capable of achieving the objectives of Policy CP4 and the NPPF, subject to the discharge of an appropriate pre-commencement condition with regard to a revised surface water management system.

6.0 Ecology & Trees

6.1 The application is supported by an Ecological Impact Assessment (Gray Ecology, 2019) which highlighted moderate potential for common reptile species to be present on the site, whilst the pond (TN6) on the site was found to support great crested newts and bird nesting potential was available. There is also suitable foraging/commuting habitat for bats and a small, non-breeding, day roost of common and soprano pipistrelles was confirmed in farmhouse B1. A mature oak (TN7) towards the southern boundary of the site along the access driveway was also confirmed as having high value to wildlife.

6.2 On that basis, Norfolk County Council Natural Environment Team were consulted on the proposal. No objection was raised subject to the proposed works proceeding in-line with the mitigation measures set out at Section 6 of the EIA, together with the proposed enhancement measures at Section 7- in line with the expectations of Para 118 of the NPPF. A Construction Environmental Management Plan is also reserved by condition to safeguard reptiles, hedgehogs, the pond and surrounding habitats and an EPSM licence is required for great crested newts and bats prior to any development work commencing on the site.

6.3 Natural England were similarly consulted and agreed that no significant impact on statutory designated nature conservation sites or landscapes was likely.

6.4 The Tree Officer raised no objection to the proposed tree loss however, raised concern in respect of the intended works within the Root Protection Area of the tree identified as T9 - likely to be sensitive to root disturbance. It was suggested that the proposed new access be removed from the plan to safeguard the tree. This has been incorporated as part of the general reduction in the scale of the scheme through the revisions. It is considered prudent that conditions should ensure that any trees shown to be retained are protected through the construction phase.

6.5 As such, the potential impact on trees and ecology from the revised scheme is considered to be acceptable with regard to Policies CP6, CP10, CP11 and DC12 of the Core Strategy and Development Control Policies Development Plan Document 2009.

7.0 Other Matters:

7.1 As part of this submission a Contamination Report Desk Study has been conducted. The contaminated land officer was consulted on the proposal and raised no objections - subject to conditions securing any approved remediation scheme and making provision for the discovery of any unexpected contamination.

7.2 The Environment Agency, whilst making no formal comment, did note that the site is located above a principal aquifer and as such, risks to controlled waters from contamination should be addressed in discharging any details.

7.3 The site is in an archaeologically sensitive area - the name being suggestive of an earlier medieval manorial complex and being in proximity to the medieval preceptory of the Knights of St John, which is a

scheduled ancient monument. The Historic Environment Service were consulted as part of this application and noted that there is potential that heritage assets with archaeological interest (buried archaeological remains) may be present at the site and that their significance would be adversely affected by the proposed development. On that basis, conditions are proposed to secure a programme of archaeological work in accordance with Paragraph 141 of the NPPF.

7.4 Norfolk Fire & Rescue have highlighted that - with regard to existing coverage - they will require a hydrant on no less than a 90mm main to be installed, in consultation with themselves and the LPA.

7.5 With regard to affordable housing, the scheme as revised does not meet the threshold for requiring provision to be made.

7.6 Representations were received with regard to works having already been carried out within the RPA of the existing mature trees on site, together with earth works in proximity to the pond allegedly having been conducted without the necessary EPSL Licences. This matter was raised with Planning Enforcement. However, works to the trees in question (whether or not they result in pruning, felling or damage to the root protection areas) do not require express consent and as such, they cannot be enforced against. Furthermore, it is not considered that any engineering operation which might be associated with the alleged earth works would be expedient to pursue and in any event, further landscaping works to that area form part of the application currently under consideration. The issue of protected species is not a planning enforcement matter - again, unless there is a planning condition attached to any permission granted. Any concerns over protected species should be brought to the attention of Natural England or the Police for consideration of investigation under their respect powers.

8.0 Conclusion

8.1 This application as revised represents a significant improvement upon the scheme previously refused under application 3PL/2017/1276/F.

8.2 As a result of the reduction in the overall number of dwellings, the new approach to the aesthetic embodied by the courtyard design and on the basis of the proposal constituting enabling development for the retention and enhancement of the significance of the heritage asset and its return to viable use consistent with its conservation, it is considered that the previous grounds of objection have been addressed.

8.3 Concerns have been raised in respect of surface water drainage capacity. However, this is considered to be capable of being addressed by way of condition.

RECOMMENDATION

On the basis of the above appraisal, the application is recommended for APPROVAL subject to the conditions listed below:

CONDITIONS

- 1 Full Permission Time Limit (3 years)**
The development must be begun not later than the expiration of TWO YEARS beginning with the date of this permission.
Reason for Condition:
As required by section 91 of the Town and Country Planning Act 1990.

2 In accordance with submitted plans NEW 2017

The development must be carried out in strict accordance with the application form, and approved documents and drawings as set out in the table at the end of this notice.

Reason for condition:-

To ensure the satisfactory development of the site.

3 External materials and samples to be approved

Prior to the commencement of any works above slab level details and samples of all external materials to be used shall be submitted to and approved in writing by the Local Planning Authority, and this condition shall apply notwithstanding any indication as to these matters which have been given in the current application. Only such agreed materials shall be used in connection with this approval.

Reason for condition:-

To ensure the satisfactory appearance of the development, in accordance with Policy DC 1 and DC 16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged

4 Non-std reason for refusal

A) Prior to the commencement of any works (including excavations or other ground works) a revised Surface Water Management Plan shall be submitted to and approved in writing by the Local Planning Authority

B) No development shall take place other than in accordance with the Management Plan approved under condition (A), including the provision of all stated measures.

C) All measures implemented under condition (B) shall be permanently retained and maintained as such

Reason for condition:-

To ensure the satisfactory management of flood risk, in accordance with Policy DC4 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged

5 Hardlandscaping - details and completion

Prior to the commencement of any works (including excavations or other ground works), details of the hard landscaping and boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. Such approved works shall be completed in all respects before the adjoining residential dwellings hereby permitted are occupied and thereafter maintained

Reason for condition:-

To ensure the satisfactory appearance of the development, in accordance with Policy DC01 and DC16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged

6 Archaeological work to be agreed

A) 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 and 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.

and,

B) No development shall take place other than in accordance with the written scheme of investigation approved under condition (A).

and,

C) 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 (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured. In this case the programme of archaeological mitigatory work will commence with informative trial trenching to determine the scope and extent of any further mitigatory work that may be required (e.g. an archaeological excavation or monitoring of groundworks during construction). A brief for the archaeological work can be obtained from Norfolk County Council Historic Environment Service. We advise that the trial trenching is carried out at an early stage in the preparation of the reserved matters details so that the results can be fully considered in the design process

Reason for condition:-

The details are required to be submitted prior to the commencement of the development to ensure the potential archaeological interest of the site is investigated and protected from the outset of the development, in accordance with Policy DC 17 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged

7

Fencing protection for existing trees

Prior to the commencement of any work on the site, existing trees to be retained shall be protected by the erection of Tree Protection Fencing. This fencing shall be retained throughout the period of the development and at all times when works (as defined below) are being carried out on the site.

For the purposes of this condition "work" shall include the storage of plant, materials, site huts or the use of any machinery either for preparatory site work or construction itself.

Protective fencing shall be constructed and maintained in accordance with BS5837:2012 and the Council's document Practice Note: Construction and Maintenance of Tree Protection Fencing, which is available to download from the Council's website.

Reason for condition:-

The works are required to be undertaken prior to the commencement of the development in order to safeguard the protection of trees from the outset of the development, in accordance with Policy DC 12 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009

8

Tree Protection Plan - Ground Protection Mats

A Tree Protection Plan, including detailed specifications for the provision of Ground Protection Mats, shall be submitted to and approved in writing by the Local Planning Authority where access is required within the Root Protection Areas of trees to be retained. Unless otherwise agreed, the RPA shall be taken to be a circle of radius 12 x the stem diameter measured at 1.5m. Ground Protection Mats should be in situ and remain in place throughout the demolition and/or construction phase(s) of the development.

Reason for condition:-

The works are required to be undertaken prior to the commencement of the development in order to safeguard the protection of trees from the outset of the development, in accordance with Policy DC 12 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009

This condition will require to be discharged

9

Non-standard condition

Prior to the commencement of any works (including excavations or other ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following:

- Risk assessment of potentially damaging construction activities;
- Identification of 'biodiversity protection zones';
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
- The location and timing of sensitive works to avoid harm to biodiversity features;
- The times during construction when specialist ecologists need to be present on site to oversee works;
- Responsible persons and lines of communication;
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- Use of protective fences, exclusion barriers and warning signs.

If more than two years have passed since surveys were undertaken then update surveys may be required at the reserved matters stage and any additional mitigation measures that need incorporating into the site's design agreed with the local planning authority.

The approved CEMP: Biodiversity shall be adhered to and implemented through the construction phases strictly in accordance with the approved details, unless agreed in writing by the local planning authority."

Reason for condition:-

For the conservation of wildlife populations in accordance with Policy CP10 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009

This condition will require to be discharged

10

Non-standard condition

The works hereby approved must proceed in-line with recommendations set out in Table 12 of Section 6 of the Ecological Impact Assessment (Gray Ecology; April 2019) the enhancement measures outlined in Section 7 must be implemented prior to the first occupation of the site, namely:

- Installation of 3no integrated swift boxes under the eaves on the northern aspect of the new buildings. The Ecosurv Swift Box would be suitable;
- Installation of 2no house sparrow terraces on the eastern walls of new buildings. The Habibat Terraced Sparrow Box would be suitable, or an externally mounted box such as the Vivara Pro Woodstone Sparrow Nest Box;
- Installation of 2no bat boxes on the new buildings, facing south. The Beaumaris Woodstone Bat Box would be suitable;

- Installation of 3no bat boxes on mature trees around the pond. A Kent Bat Box style would be suitable in such locations;
- Provision of 1no bee brick per cart lodge to provide habitat for solitary bees and wasps;
- Provision of hedgehog tunnels through any close-board fencing used to facilitate movement across the site
- Ensure all new hedgerow and tree planting is of locally-sourced native stock.

Reason for condition:-

For the conservation and encouragement of wildlife populations through ensuring a net gain in biodiversity post-development in accordance with Policy CP10 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009

This condition will require to be discharged

11 Provision of parking and servicing - when shown on plan

Prior to the first occupation of the development hereby permitted the proposed access parking and turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason for condition:-

To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety and in accordance with Policy CP4 and DD19 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

12 Contaminated Land - Desk Study/Site Investigation

Prior to the commencement of the development, the following details shall be submitted to and approved in writing by the Local Planning Authority:

A. Desk Study

A desk study and risk assessment to determine the risk of any contamination on the site, whether or not it originates on the site. The desk study and risk assessment must be undertaken by competent persons and a written report of the findings must be produced.

The report of the findings must include 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.

B. Site Investigation

A site investigation and risk assessment to determine the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include (i) the same details as in part A above (ii) a survey of the extent, scale and nature of contamination and (iii) an appraisal of remedial options, and proposal of the preferred option(s).

C. Remediation Scheme

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. 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.

D Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, 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 (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

The above must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason for condition:-

The details are required prior to the commencement of the development 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 from the outset of the development.

Land contamination risk assessment is a step-by-step process. During the course of the risk assessment process set out in the above condition, it may become clear that no further work is necessary to address land contamination risks. Where this is the case the condition may be discharged by the Council without all the steps specified being completed. In all cases written confirmation should be obtained from the Council confirming that the requirements of the condition have been met.

This condition will require to be discharged

13

Contaminated Land - Unexpected Contamination

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 details to be agreed in writing with the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason for condition:-

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 condition is imposed in accordance with CP9 of the Breckland Adopted Core Strategy.

This condition will require to be discharged