

Site Assessment and Suitability

We refer to the attached map (Appendix 1) referring to the three sites originally suggested at the earliest points of this process.

1.1 In the first instance it must be stressed with priority, it is completely unreasonable, unrealistic, undemocratic and unacceptable that one Parish (Thurlton) has these proposals thrust upon them, when a neighbouring and adjoining Parish, Norton Subcourse (albeit in a separate voting ward) clearly fails to take its fair share of reasonable development.

1.2 Particular attention should be drawn to site proposal SN0309 in Norton Subcourse.

This site offers the following:

- (i) Accessible via an adequate highway which takes journeys and bus routes to the nearest town of Loddon. There is ample visibility splay on the road.
- (ii) Utility and amenity access is directly available and is readily available already being afforded to the residences adjacent to the proposal site.
- (iii) The village of Norton Subcourse is described as 'linear' in LPA consultations in respect of this matter. Development of SN0309 allows the linear nature of Norton Subcourse to continue from the neighbouring social housing and connecting the main village to the former Police House, former School, Church and village sign. For the avoidance of doubt such a site would seek to benefit and connect the village, rather than impede and compromise it.
- (iv) It is noted that proposal site SN0309 was rejected as suitable due to its proximity to the Listed Parish Church. This is just plain wrong. The Parish Church of Norton Subcourse is some distance away from the proposal site and is also buffered by existing residential property on all sides. Notwithstanding the LPA has already granted consent for residential development directly next to the Parish Church ('Church View'). It is an absurdity to state that development would impact the listed building when the proposal site is further away from the same listed building as development already consented.
- (v) Development of SN0309 would not constitute a 'breakout' into the countryside; the proposal site is surrounded on three of four sides by permitted residential development, social housing and the main road through the village.
- (vi) Development of SN0309 would not require the felling of trees.
- (vii) Development of SN0309 would not impact wildlife (it is the edge of an arable field)
- (viii) Any loss of hedging for a reasonable access route could be mitigated by appropriate replanting and boundary screening.
- (ix) The size of SN0309 allows for reasonable flexibility in respect of size, scale and numbers of properties to suit the NPPF requirement for a good mix of housing.

To confirm, it is our reasonable opinion that the LPA have incorrectly dismissed site SN0309, notwithstanding have failed to consider the site alongside SN0149 with the same criteria.

For the avoidance of any doubt, we ask the LPA to reconsider site SN0309 as infill development for the village of Norton Subcourse and therefore, as a suitable alternative site to SN0149.

We ask Officers to be mindful of the legal obligation to consider fully alternative sites as to building in the Countryside.

SITE ASSESSMENT SN0149 – Land adjacent to The Hollies, Beccles Road, Thurlton

When commenting on this site proposal we refer to the 'Site Assessment Forms' published by the LPA in 2021 and December 2022.

2.1 Access to the site – it is noted there appears to be a significant lack of clarity from both the Officers and Highways department in respect of access to site SN0149. The Assessment dated December 2022 describes the access as "probably OK". This states a clear lack of knowledge or suitable investigation or resolution to the issue. The proposed access is on the brow of a hill. Is flanked either side by residential homes (two either side). There is no space for a pavement on the proposal side of Beccles Road. (Please note "no space for pavement" this was a further reason for dismissal of site SN0309).

Despite various and numerous planning applications dating back to 1987, the applicant of this site, is quoted in the Site Assessment "has not demonstrated that adequate visibility splays can be provided at the junction with Beccles Road". It should be noted that if the applicant takes 35 years to fail to demonstrate something, it is reasonable to suggest that the issue cannot be demonstrated. To that end the application should be rejected and highways access should be cited as 'Red' in the Assessment.

Notwithstanding it is noted the conclusion of the Assessment clearly states the proposal requires NCC Highways to confirm the site is acceptable. They have yet to do this despite a consultation lasting almost two years.

2.2 Rights of Way, Easements and Land Ownership

It is our understanding the site is currently unregistered land at HM Land Registry. To that end, there is no clear knowledge that the Applicant is, in fact, the owner, or has licence to propose any kind of development at all?

Notwithstanding there are several easements which may legitimately impede the land use and may impact the number of dwellings suggested;

- (a) There is currently a caution against first registration of the site, held at the Land Registry invoked to protect the Right of Way of The Hollies to Beccles Road. If this easement is to be formalised should the site be developed, the right of way will use up a significant part of the available land for development.
- (b) There is currently an easement from Sandy Lane to the rear of the small bungalow/office on the south side of the proposal site. Any impedance of this small easement would be unlawful as it has been in place by precedent beyond the statutory period. The use of the easement will further restrict the allowable/useable amount of land available for development.

2.3 Utilities Capacity – It should be noted the one property the applicant has constructed upon this site originally failed building regulations. One reason was the inability or failure to connect the one constructed house to the sewage network. It is poignant that 'waste water' remains an issue after 35 years, for further proposals.

In view of the topography of the land, any further development will require very deep excavation or some degree of pumping station in order to ensure effluent is removed from any dwelling towards the mains sewer beneath Beccles Road. This has not currently been considered citing "to be confirmed" in the Assessment.

This is unacceptable. Adequate waste provision is a fundamental part of any planning consideration. In the event the dwellings are unable to connect to the mains sewer, they will need some degree of

'Klargester' style sewage treatment plant. It is unlikely the site has suitable space for a treatment plant and the desired number of dwellings.

In addition, in the event treatment plants are in place, clean water from them will need to be discharged and the site currently has no access to a suitable water course to allow for such discharge.

To confirm, this issue needs further thorough consideration. The current Assessment is inadequate.

2.4 Flood Risk

We disagree that the risk stated is 'Amber'.

The Assessment clearly states "Surface water flooding in the southern part of the site".

Please find attached a flood risk assessment in respect of the purchase of a neighbouring property. (Appendix 2). The outcome is unambiguous. There is a clear and direct risk of existing flooding in this area.

If the site were to be developed, both rainwater and surface water would increase, as the development upon the newly paved countryside would mean the water would run downward to the area already cited as having 'surface water flooding'.

It is also noted there is no direct route of water discharge from the proposal site, save for any route to be across someone else's property. It is unlikely the site will gain any agreement from neighbours to discharge surface and rain water across any other neighbour's land and therefore would unreasonably place neighbouring properties at risk of flooding.

If the undeveloped site already has surface water flooding, could the LPA specifically confirm how they plan to mitigate flooding and associated damage to neighbouring homes and property if the site is developed? We look forward to hearing from you in this regard.

2.5 Overall Landscape

We disagree with the Assessment rating as Amber in this heading.

The proposal site is higher by some 10 metres than neighbouring dwelling houses and land. The vista from the south of the village looking towards the site would be exposed to such a degree it is a challenge to see how such a development could be 'mitigated'. The site is in fact adjacent to Tributary Farmland and Rural River Valley.

Trees – the majority of trees on and around the proposal site date hundreds of years. (Appendix 3) It is noted the LPA has avoided preserving such trees. The HolmOak at the centre of the site is likely how the neighbouring home 'The Hollies' achieved its name. Notwithstanding the neighbouring home of Meadow View dates back to the 1800's when it was sold from the neighbouring Ravensingham Estate. The trees along the boundary are of equal age, dating back 200 years.

If all of the trees are to be protected and preserved, again, further space is taken up for development use, reducing further the number of achievable dwellings on the site.

We also strongly recommend accord to the height of any such proposed dwelling. A two storey dwellinghouse on the site would be as tall as a three/four storey in real terms when the additional height of the land is considered. This has been referred to in the Assessment and then further disregarded.

Boundary Treatments – We ask Officers to take into consideration boundary treatments for the surrounding dwellings and land. The proposal site is open Countryside. The neighbouring homes have all afforded, planted and grown indigenous and appropriate boundary treatments; hedges, trees and appropriate fencing of a transparent nature in sympathy with the Countryside.

It is unreasonable to expect the boundary treatments paid for by others to be seen as acceptable boundary treatments for the proposal site. If the site needs masking then it should be the developer that sacrifices land and resources to screen the development. The Assessment fails to consider the impact of the development on the direct neighbours whatsoever and therefore is flawed.

2.6 Biodiversity & Geodiversity

To assess this area as 'Amber' and propose that impact could be mitigated is just plain wrong. We find the disregard stated in the Assessment appalling.

The neighbouring self build homes have each undergone some degree of ecology assessment and investigation. We specifically confirm the area is home to a number of endangered and protected species of wild and birdlife.

Evidence is available of:

Barn owls
Deer
Kingfishers
Otters
Egrets
Herons
Stoats
Rabbits & Hares
Bats
Buzzards
Kestrels
Kites
Hedgehogs

The Assessment to date has failed to consider the impact on the surrounding wildlife and fails to explain how destroying the homes of the above species can be 'mitigated'?

The matter of the historic and indigenous trees has been dealt with in an earlier point.

2.7 Ground Stability

For secure construction a neighbouring replacement dwelling has undergone a costly piling process to ensure safety and security of construction. This decision was made in response to the Environmental and subsequent land search at the proposal site. (appendix 4)

The attached document clearly details ground stability issues. The proposal site is made up of a significant sandy soil (hence the name Sandy Lane). If future construction is required to be piled, the detrimental impact of the remaining grounds, neighbours and surroundings is untold. Notwithstanding, piling foundations for the proposed number of dwellings will doubtless ensure any development is financially unviable.

2.8 Access to Services

Healthcare – We draw the LPA’s attention to a statement published by Chet Valley Medical Practice:

“Chet Valley Medical Practice has seen an unsustainable level of demand over the last few weeks, and we have therefore made the difficult decision to implement a winter pressures plan.”

(Emphasis on the word “unsustainable”)

It is reasonable to suggest that if the medical services in the area are ‘unsustainable’ prior to developments, it follows that any additional pressure brought by new housing will facilitate the complete collapse of healthcare provision.

Dental Care – The inability of local residents to find NHS dental provision is well rehearsed and doesn’t require repeating here.

Roads, Pavements and infrastructure – To be transparent, the roads in Thurlton are falling apart. The pavements are fragmenting and have never been maintained. Public spaces, verges and amenity land is poorly maintained by a Parish Council which clearly shows itself as under resourced.

2.9 Local Plan Designations

We draw the LPA’s attention to Part 5 of the Assessment dated December 2022.

The Assessment states “Does not conflict with existing or proposed land use designations”

This is, again, simply, plainly wrong.

The current land use designation is ‘Countryside’.

To propose to build on land specifically designated as Countryside, is clearly in conflict with the land designation.

We remain appalled at the selective dismissing of quite significant criterion in this Assessment.

3.0 Initial Site Visit Conclusion

Clearly states “A lower density would be required the pond/surface water drainage at the southern end.”

Could the LPA specifically confirm the following:

Who may be responsible for such a pond?

Who is responsible when the pond overflows and flood the neighbouring Business and Residential addresses?

If such a pond is necessary, is not only the risk of flooding significant, it also further impedes the amount of land available to build the required number of homes?

“Highways has not raised an objection in terms of functioning of the local road network but adequate links to existing footways will need to be provided”

This is also not correct. Highways throughout the report have clearly stated an ambiguity over road access. The preferred ‘Perpendicular’ access appears impossible and in the absence of any other access, the Assessment fails to reveal exactly how this proposal site will be detrimental to road safety. We repeat, the Applicant has had 35 years to address this issue...

“It would represent a break-out to the west/southwest of the village” – we draw the Officers attention to the proposal to build in the open Countryside which is forbidden in the National Planning Policy Framework (Save for Replacement Dwellings and Para 80). If the LPA are minded to overrule legislation, the LPA must at first prove that there are no other suitable alternative, brownfield sites in the LPA area, adequate for the purpose. It is highly unlikely that the LPA will be able to do this and thus it is reasonably accurate that, in progressing the Countryside to development is effectively unlawful and sets an extraordinary precedent.

3.1 Developer Conduct

As stated previously, the proposal site has been the subject of a raft of applications over the last 35 years. Some rejected, approved, withdrawn and amended. Despite three and a half decades passing, only one house has ever been built on the consented site. That house is of a poor design and standard, architecturally uninteresting, is of low standard construction and initially failed Building Regulation standards.

Could the LPA specifically confirm whether they are now seeking to endorse this kind of development by supporting the development of the rest of the proposal site, by the same developer?

The proposal has failed to provide:

- Ecology Impact report
- Highways Access report
- Environmental Impact report
- Ground stability and suitability evidence
- Landscape and boundary treatment details
- Design and Access Statement
- Etc etc etc

Yet despite all of the above, the LPA appear to be encouraging the development of the site, in so doing are handing the landowner a dramatic uplift in the value of the proposal site, without the same developer having actually doing any work to support the proposal.

Please confirm why?

3.2 Availability and Achievability

Page 13 of the Assessment of December 2022 details that the site promoter has confirmed that

‘delivery of required affordable housing is viable’

Given the complete ambiguity of how many houses in total, are sought on this site, could the LPA and the promoter explain how they have calculated the number of affordable homes to be constructed?

The number of houses proposed has varied from 5 – 17 over the life of this development since 1987.

Please could the LPA specifically confirm how many affordable homes are proposed given the overall number of dwelling houses has varied so much over time? And if the parties don’t know exactly how many affordable homes are proposed, how can they state the provision is ‘viable’?

3.3 National Planning Policy Framework

We draw the LPA’s attention to the NPPF:

‘Paragraph 80’ or ‘Para 80’ is short hand for the circumstance set out in criterion (e) of paragraph 80 of the National Planning Policy Framework (NPPF 2021) that allows new isolated homes to be built in the countryside. Contrary to the general policies of restraint for building new dwellings in the countryside, the NPPF allows new dwellings to be built in the countryside where they are of exceptional quality of design. The policy is a response to the reality that, despite the drive to improve the design quality of new housing generally, new housing continues to be very ordinary, homogenous and with very poor environmental considerations.’

We believe the legislation speaks for itself. Developing in the Countryside must be under “exceptional” circumstances.

For the avoidance of doubt, there is absolutely nothing “exceptional” in respect of the proposals under site reference SN0149. The detail in design is lacking, the consented properties are lacklustre and of insignificance in design.

The NPPF is further cited:

Planning policies and decisions should avoid the development of homes in the countryside unless one or more of the following circumstances apply:

e) the design is of exceptional quality, in that it:

- is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

— NPPF, paragraph 80 (criterion e) (2021)

In the event the LPA cannot abide by the above statement, then the LPA should reject all and every proposal to build in the Countryside. To not do so is in breach of legislation.

Conclusion

It is disappointing that the Officers and the LPA in this matter have placed the Assessment into the public domain. It may be of grave embarrassment that so much time, resource and public money has been spent on an Assessment that is ill considered, unadvised, deficient, lacking, sloppy and inconsistent.

It is totally accurate to state the Assessors have failed to overcome issues which may prevent development, and instead seek to arbitrarily 'green' issues that, as stated by fact in this document, by 'red'.

In addition, the approach to other sites is shown as completely inconsistent.

If criterion were applied consistently, site SN0309 would be preferred site along a main public highway as an infill development site. It is noted a number of residents of Norton Subcourse have stated publicly they would welcome development to their Parish.

Morally, the LPA has ignored the reasonable approach that development should be meaningfully and sympathetically scattered across numerous locations and instead seek to burden one parish with all of the development whilst neighbouring parishes more suitable are selectively dismissed.

Taking into account the requirements for:

Boundary treatments

Sewage and water works

Pavements

Road access

Drainage pond

Other drainage and flood prevention works

Tree preservation

Ground stability works

Amenity areas

Easements and Rights of Way

It is unlikely that the desired number of ten dwellings is achievable as there is simply a much reduced amount of useable land. If 10 properties are further proposed, the argument of 'overdevelopment' is easily made.

Ten houses on the proposal site will lack any degree of sympathy with the Countryside surrounding it.

Mitigation Proposals

Any development in the Countryside will be robustly fought.

In the event the LPA are minded to progress this proposal, we will not only reasonably seek responses to the issues raised in this document, will also propose the following:

Self Build – We are aware the LPA is a vanguard authority in respect of Self Build. The proposal site is surrounded by properties each differing in design, style, age, quality and aesthetic. We would recommend the outerlying south and south west of the proposal site be devoted to Self Build plots, in accord with the other houses which are ‘self builds’ in this area of the site.

It is reasonable to state the developer in this proposal seeks to simply squeeze as many homes as possible into the site and then leave. Whereas self builds have a more long term approach; the self builder usually invests in local trades and services, creates a property to be proud of and resides in the Parish in which they’ve built the house thus contributing further.

Spatial awareness – heavy development on the southern and western fringes of the site will create a precedent of actively developing in the countryside. However, clever design and layout could be used to maintain the building of the dwellings mainly in the Parish envelope, with the gardens and amenity areas of the site being created in the area of the proposal site which extends into the Countryside.

We believe this would create a suitable ‘green’ buffer on the edge of the village.

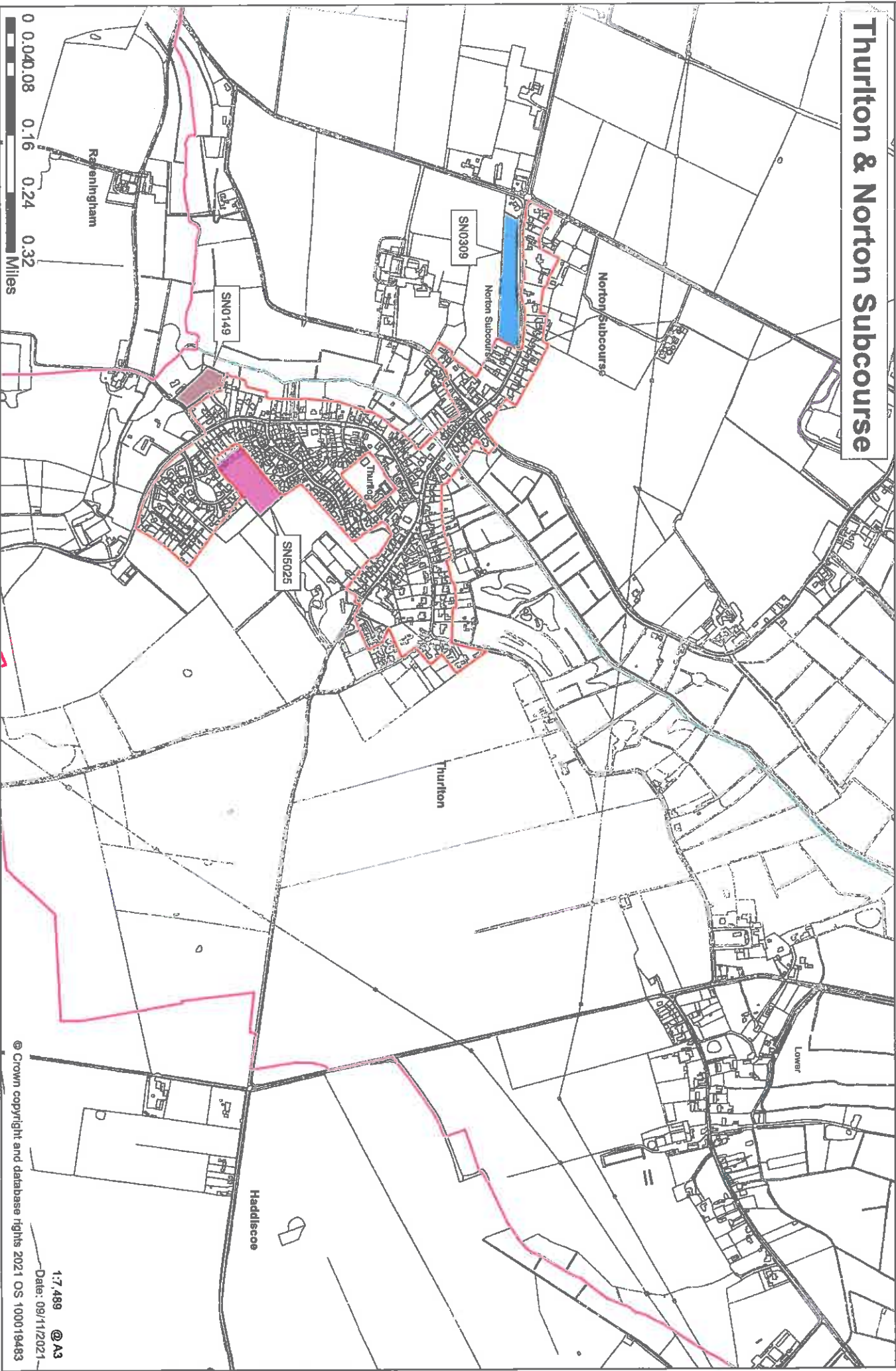
Trees - Every tree on the site should be protected.

Boundaries – A reasonable and appropriate fringe around the entire Countryside border of the site should be created of indigenous tress and bushes to screen the site and support the wildlife already resident in the area.

Meadow View – Described as ‘an asset to the village’, Meadow View was created by way of a lawful planning application wholly endorsed by neighbours and the Planning Authority. The LPA are aware the property is thatched to remain consistent with the Countryside surroundings. Officers should be aware of the dangers of allowing homes close by which might have domestic bonfires, wood burning stoves, open fires and domestic fireworks displays. The risks to Meadow View of all of the above were always low given its position in the Countryside, however now the LPA seeks to develop the surrounding Countryside, it is reasonable to suggest the move presents the owners of Meadow View with a significant, avoidable risk. We request Planning Officers take all steps possible to protect our home from flood and fire as they are duty bound in the planning process to do.

South Norfolk Village Clusters Housing Allocations Plan

Thurton & Norton Subcourse



Section 2a: River Flooding

River flooding mainly happens when the river catchment (that is the area of land that feeds water into the river and the streams that flow into the main river) receives greater than usual amounts of water (for example through rainfall or melting of snow). The amount of runoff depends on the soil type, catchment steepness, drainage characteristics, agriculture and urbanisation as well as the saturation of the catchment. The extra water causes the level of the water in the river to rise above its banks or retaining structures.

Enquiry	Result	Contact
Is there a potential risk of river flooding within 250m of the property?	No	

Section 2b: Coastal Flooding

Coastal flooding is the inundation of land areas along the coast caused by sea water rising above normal tidal conditions. Coastal flooding can arise from a combination of high tides, wind induced tidal surge, storm surge created by low pressure and wave action.

Enquiry	Result	Contact
Is there a potential risk of coastal flooding within 250m of the property?	Yes	

Section 2c: Surface Water Flooding

Surface water flooding results from rainfall running over ground before entering a watercourse or sewer. It is usually associated with high intensity rainfall events (typically greater than 30mm per hour) but can also occur with lower intensity rainfall or melting snow where the ground is already saturated, frozen, developed (for example in an urban setting) or otherwise has low permeability.

Enquiry	Result	Contact
Is there a potential risk of surface water flooding within 250m of the property?	Yes	

Next Steps

In order to gain more detailed information on the type and likelihood of your property being impacted by a flood event, and the potential impact on insurance, we recommend that you purchase our Homecheck Professional Flood Report. If you would like more information please contact your Search Provider or our Customer Services Team on **0844 844 9966** or email helpdesk@homecheck.co.uk.

Flood data provided by JBA Risk Management Limited. © Copyright JBA Risk Management Limited 2008-2016



1. Oak Tree at Meadow View, Sandy Lane, Thurlton. NR14 6QX. The tree is in the grounds of our home however the neighbouring site may be developed soon and I am conscious that the roots of this tree may well be damaged by any interference from developers.



2. Oak Tree at Meadow View, Sandy Lane, Thurlton. NR14 6QX. The tree is also in the grounds of our home however the neighbouring site may be developed soon and I am conscious that the roots of this tree may well be damaged by any interference from developers.



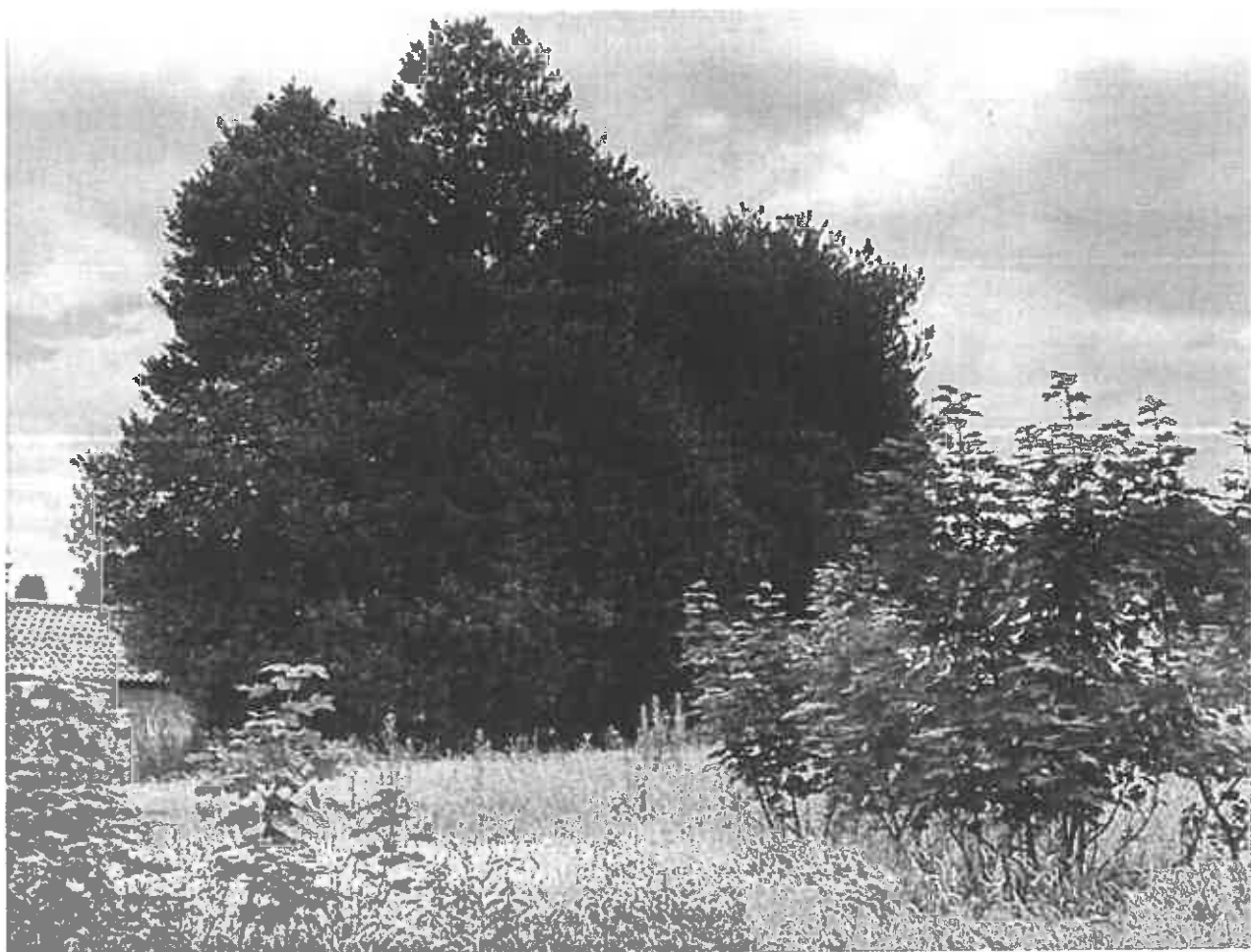
3. **Ash Trees, Sandy Lane, Thurlton, Norwich. NR14 6QX** – these old Ashes form a beautiful natural canopy on the fringe of the lane.



4. Oak Tree, Land to the east of Sandy Lane, Thurlton.



5. Oak tree, land to the east of Sandy Lane, Thurlton.



6. Holm Oak and Hollies, Land adjacent to The Hollies, Beccles Road, Thurlton – these trees are home to owls and, I believe are some of the oldest indigenous Holly Trees in the Parish.



Section 4: Ground Stability Findings

This section provides summary information on factors that could affect the ground stability of the property. It considers both man-made factors (e.g. mining activity) and natural hazards (e.g. geological stability).

Section 4a: Man-Made Factors

Enquiry	Result	Contact
Is the property within 25m of a Coal Mining Affected Area?	No	-

Section 4b: Natural Factors

Enquiry	Result	Contact
What is the potential for natural ground instability in the area within 50m of the property?	High	-

Comment: The British Geological Survey has assessed the area of search as having high potential for natural ground instability. This does not necessarily mean there is cause for concern in terms of the property's stability. Active subsidence will be dependent on local conditions, such as the proximity of trees or areas where trees have been removed, which require an inspection of the site to identify the nature of the ground on which the property is built. A house buyers survey is advised to look for signs of property damage that may indicate poor natural ground conditions.

Next Steps

This section has highlighted that ground stability is an area of concern, meaning that your property may be affected by subsidence or land-heave. If you would like any further information in respect of the above findings we recommend that you purchase our Ground Stability Report. Please contact your Search Provider or our Customer Services Team on **0844 844 9966** or email **helpdesk@homecheck.co.uk**.