

Objection to Site Reference VC ROC2, land South of The Street

This objection has been prepared by One Planning Consultant on behalf of the owners of No.10, 12, 18, 19, 20, 22, 24, 26, 38, 42 and 43 The Street and 3 School Lane in response to the Village Clusters Housing Allocations Plan – Reg 19 Pre-submission draft consultation. This representation considers the proposed site allocation reference VC ROC2, land South of The Street proposed to be allocated for up to 25 dwellings. The following Statement evidences significant harm that would arise as part of the proposed allocation and demonstrates it would have a significant effect on the local environment, highway safety, biodiversity, flood risk and amenity and therefore should be rejected as a proposed allocation.

It is noted since the previous consultation, as part of the Regulation 18 consultation, the site layout and proposed access has been amended. This is the first opportunity the neighbours have been given a chance to review this and comment. The developer has only undertaken informal discussions with two neighbouring properties – no formal consultation has been undertaken with the neighbouring properties.

Impact upon Character and Townscape

Section 2 of the NPPF defines sustainable development and outlines how the goal of achieving sustainable development entails balancing the mutually supportive objectives – the economic, social and environmental objectives. Whilst there is a clear commitment to deliver housing to meet identified needs, this needs to be balanced against all the objectives and the need to preserve the natural and built environment. Within the emerging Greater Norwich Local Plan (GNLP) Rockland St Mary is proposed as a village cluster with Hellington and Holverston. The village clusters are proposed to provide approximately 9% of the identified demand for new housing for Greater Norwich in the plan period, which equates to 4,220 homes.

Section 12 of the NPPF ‘Achieving well-designed places’ outlines that *‘the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve’*. Paragraph 130 of the NPPF goes on to outline that planning policies and decisions should ensure that developments, amongst other things, will function well and add to the overall quality of the area, and are sympathetic to local character, including the surrounding built environment and landscape setting.

In terms of landscape character, there are landscape assessments for South Norfolk, originally produced in 2001 and updated in 2012. The landscape assessment identifies Rockland St Mary as falling within the Tributary Farmland character area, which is characterised by linear villages such as Rockland St Mary and outlines how one of the key development considerations relevant to the area it to respect the existing characteristic pattern of linear settlements and to maintain the peaceful rural quality. It is evident from this assessment that the need to respect and maintain the existing settlement pattern is paramount to the protection of the landscape character and setting.

The Council's Landscape Visual Appraisal for the site, published as part of the Regulation 19 consultation, concludes how the site *'intrudes into the open landscape to the south of the village, away from the linear pattern of development'* and its development would *'change the landscape and does not respect the existing linear development of this Broads village. It will be visible to the south of the site.'*

Such comments are reiterated by the Heritage and Design Officer as within the townscape impact section of the site assessment, the site scores 'amber' and the Officer states *'There are two established clusters to the east end and west end of the village – with this central area still very linear in its grain of development without backland development. Consequently there are not that many accesses in the centre of the village, and with gaps in housing it retains a rural scale. Introduction of a third central clustered area would create more of a precedent for other backland areas to be developed in the same vain [vein], fundamentally changing character of the village. I therefore have townscape concerns.'*

Such concerns have also been raised for sites which were put forward for allocation to the north of The Street. In particular, reference SN2063 and SN2061REV and these sites were rejected as they would be out of character with the linear pattern of development. It is evident that the development of this proposed allocation would not respect the linear character of the settlement and although the site adjoins development to the north it would have a poor relationship with the existing form and character of settlement. No detailed justification has been provided as to why the Council have taken a different stance on this site, which clearly would result in the same nature of development which has been rejected to the north of The Street. The proposed allocation is therefore based on unsound reasoning and therefore should be rejected.

To date, developments have been permitted at either end of the village, which are not directly comparable to this site as they have not resulted in backland development and have produced dwellings which front onto the highway and respect the linear pattern of development. The proposed allocation of this site would result in backland development at the centre of the village which would entirely change the character and pattern of the village and would result in significant harm to the landscape setting.

Whilst it is acknowledged that land is required to meet the need for housing within South Norfolk, it is not appropriate that this is addressed through inappropriate development which would result in significant detrimental harm to the character and landscape of the area. The proposal does not relate well to the existing built environment and does not represent a logical extension to the settlement. To allow the proposed development in this location could be seen to set a precedent for future development of a similar nature within Rockland St Mary. This would significantly harm the rural character and appearance of the area and therefore should be rejected.

Highway issues

Paragraph 110 of the NPPF makes it clear that when assessing sites for allocation in plans, it should be ensured that, amongst other things, safe and suitable access to the site can be achieved for all

users and any significant impacts from the development on the transport network or on highway safety can be mitigated to an acceptable degree.

It is noted the site access has been revised since the previous consultation as previously site access was proposed via The Surgery. Access is now proposed via an existing agricultural field access between two residential properties, no.24 and no.26, from The Street.

The Regulation 19 Consultation includes a site assessment form completed by the Council for the site and in terms of access the score is 'amber' and it is stated *'solution proposed by FW Properties has the same issues for NCC as access via The Surgery site would - concern about the need for third party land, including ponds to both the east and west, to create pedestrian footpaths, particularly to connect with existing provision to the east (the land appears to be in the ownership of multiple landowners). Visibility splays would need to be appropriate to the prevailing traffic speeds.'* The site assessment concludes that *'Ongoing discussions with the promoter of the site have confirmed that they have continued to seek a resolution to achieving a suitable access and visibility splays to this site. The Highways Authority has advised that it is likely that any solution will require the addition of third-party land. The site continues to be considered as a preferred option for development in the settlement, for up to 25 dwellings, subject to an appropriate access into the site, with adequate visibility, being achieved.'*

The existing agricultural access track passes between two existing residential properties and measures approximately 5.48m in width for the majority of its length and is bounded on each side by residential properties and their associated amenity spaces. It is clear the developer does not own sufficient land to provide the required access and visibility splay to serve such a development with some of this required land being within the ownership of our clients as well as other neighbouring properties. This is also clearly insufficient to provide a safe and suitable access that would meet highway requirements to serve a major development such as this. Typically, a development of this level would need to be served by a minimum Norfolk County Council Type 6 Access Rd with an overall width of approximately 7.8metres, including margins for kerbing, public utility strips and pedestrian access. We can confirm our clients are not willing to sell and therefore the required access and visibility splays cannot be achieved and therefore the site is not deliverable or developable.

It is also clear from the site assessment that these issues would arise if the proposed access reverted back to the previously proposed one via The Surgery. Given that third party land is required, and this is yet to be secured and clearly cannot be fully secured as our clients have confirmed they are unwilling to sell their respective land, it is clear the site cannot achieve a satisfactory and safe highway access to serve the development. Taking into account the fundamental access constraints it is clear this proposed allocation is unsound and therefore should no longer be proposed for allocation.

Such concerns have also been raised for sites which were put forward for allocation to the north of The Street, in particular reference SN2063 and SN2061REV and whether a suitable access could be formed. These both proposed accesses between existing residential properties and the Council stated it was not known if accesses could be provided to adoptable standards and an acceptable

width. It has clearly been evidenced that the proposed allocation raises the same issues, and no detailed justification has been provided as to why the Council have taken a different stance on this site, which clearly cannot achieve a suitable and safe access and therefore cannot be delivered, and it's allocation is unsound.

Also, it is noted the promoter has not provided any evidence of viability. The purchase of additional land to facilitate the required access and visibility splay would impact on the viability of such a scheme and whether critical elements of such a scheme, such as affordable housing requirements are deliverable as part of the development. The fact no viability assessment has been undertaken to date based on the concerns outlined in this Statement is also considered to justify the rejection of this proposed allocation.

Amenity Impact

Section 12 of the NPPF relates to achieving well-designed places and paragraph 130 is clear that planning policies should ensure that developments, amongst other matters, create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. The proposed allocation, both during construction and once developed, would result in significant disturbance to amenity in terms of associated noise and disturbance and would have a significant impact upon neighbouring residential properties, including our client's properties.

The existing agricultural access track passes between two existing residential properties and measures approximately 5.48m in width for the majority of its length. The proposed access would pass by, and substantially along, the side and rear of the dwellings and their private amenity spaces, and there would undoubtedly be significant noise and disturbance arising from the movement of vehicles, which would have an impact upon the residential amenities of the occupiers and the enjoyment they currently benefit from. Further to this, it is unclear how the access would be constructed and what materials would be utilised for its entire length. Depending on its type of construction, this could lead to further noise generation by moving vehicles, which would further impact upon amenity.

It is clear the access is not wide enough to allow two vehicles to pass along its entire length and it is apparent the developer does not own sufficient land to widen the proposed access to facilitate this. If passing places are proposed (it is still unclear how these would be achieved given the limited width) these would result in further noise and disturbance to neighbouring properties, when vehicles have to wait when encountering vehicles from either direction. This would result in additional engine noise which would have a significant effect on the living conditions of the adjoining properties. Such a relationship and access arrangements are clearly unsatisfactory for a major development, such as this, and it is clear from the above that the developer is relying on third party land, outside of their control, to attempt to demonstrate that a satisfactory access can be achieved. In reality, it is not deliverable and therefore the site is not developable and should be rejected.

Once again, such concerns were raised by the Council for the sites which were put forward for allocation to the north of The Street, in particular reference SN2063 and SN2061REV. Concerns were raised as the proposed accesses would pass within close proximity to existing dwellings resulting in residential amenity issues. Again, no detailed justification has been provided by the Council as to why the Council have taken a different view on this site when it is evident the same issues would arise. The proposed allocation would result in a severely substandard access which would have a significant effect on the living conditions of the adjoining properties. It is therefore considered on these reasons alone the site should be rejected and its developability is clearly unsound.

A further point to note is the impact of the construction works on neighbouring amenity. The required construction works to develop a scheme of upto 25 dwellings, which would utilise the agricultural track, would have a significant and devastating impact upon the nearby residential properties in terms of noise and disturbance. It would also have the potential to result in damage to the properties given they are immediately adjacent to the access which is narrow in width and it is unclear whether it is adequate for construction traffic. It is considered this should have been fully explored prior to any proposed allocation.

Biodiversity

Paragraph 179 of the NPPF is clear that to protect and enhance biodiversity, plans should safeguard components of local wildlife-rich habitats and wider ecological networks, including wildlife corridors and stepping stones that connect them.

The site forms part of a larger agricultural field and the site and its boundaries provide valuable habitats for a number of species, including Protected Species. Our clients have confirmed that the following species have been seen using the habitats on the site: bats, hedgehogs, badgers, barn owl, short eared owl, water vole, Chinese water deer, muntjac, partridge, pheasants, hare, finches (gold, green, yellow) and tits, green woodpecker, great spotted woodpecker, common snipe, merlin and foxes.

Within the site assessment the site scores 'amber' and the comments highlight how the site is close to the Broads and within 3km buffer distance to SAC, SPA, SSSI Ramsar site and National Nature Reserve. Norfolk County Ecology go on to state the site is adjacent to a priority habitat.

The NPPF is clear that improving biodiversity is one of the main elements of the environmental objective of achieving sustainable development. As no ecological information has been published to date regarding the development of the site, it remains unclear whether the proposal would have an unacceptable impact upon important ecological features within the site and whether the proposal would impact upon existing green networks for wildlife within the immediate vicinity, which are used by a number of species, including Protected Species. It is therefore unclear whether the site is developable and deliverable without resulting in a significant impact upon biodiversity through the fragmentation of networks and corridors currently used by species and Protected Species and therefore its proposed allocation is unsound.

Flood Risk

Whilst it is noted the Environment Agency (EA) map does not show any surface water flood risk on the site it should be noted that the EA mapping data for surface water flooding was produced back in 2013 and is highly inaccurate and cannot be used at individual site level. The EA have confirmed this to be the case and how the mapping estimates flood risk for areas of land and should not be used on a site-by-site basis. On this basis, as per EA advice, the Council cannot rely on this mapping data in its assessment of the potential flood risk of the site and it can in no way be inferred with any degree of accuracy or legitimacy, that the site is not subject to surface water flooding. Our clients are aware of surface water flooding on the site, in particular along the farm track which is proposed to serve the site and the northwest corner of the site, behind no.20 The Street. These areas have consistent surface water flood risk problems, which have currently not been fully considered and the development of the site would exacerbate this. Surface water is evident on the site currently after a period of relative drought, which clearly evidences the issue. It is therefore considered on the basis of the information currently available, that it remains that the proposed development of the site would have an unacceptable impact upon flood risk and would increase flood risk elsewhere and therefore does not accord with the NPPF.

Other Matters

Within the site assessment form published as part of the Regulation 19 consultation, in regard to utilities capacity, it is rated 'amber' and it is stated '*wastewater capacity to be confirmed AW advise sewers crossing the site*'. Our clients confirm there are sewers crossing the site which are likely to have protective easement zones either side. This may impact on the developability of the site and the numbers of dwellings that could be achievable on the site. It is therefore considered that based on the information submitted to date that it has not been demonstrated that the number of units is deliverable or achievable or that there is sufficient capacity to accommodate the development.

Within the site assessment form, it is noted under the comments for overall landscape assessment it is stated '*agricultural soil classification unclear*'. It is considered imperative that the classification of the land is confirmed prior to any formal recommendation of allocation. The site clearly forms part of a larger agricultural field, which is currently utilised for farming and has historically been used as such. The proposal would result in a portion of this existing field being lost. It's loss as agricultural land, especially when considering the constraints outlined in this objection, is not justifiable, especially when the need for agricultural production has intensified. The fact that its classification has not been confirmed, when it is clearly high quality given it is in agricultural production, is unjustifiable and should be explored further and its classification provided and subject to a further assessment.

Summary

It is considered the harm identified within this representation demonstrates that the proposed allocation would have a significant effect on the local environment, highway safety, biodiversity, flood risk and amenity and therefore should be rejected as a proposed allocation. We trust you will consider the above matters and agree the proposed allocation is not deliverable nor developable for the reasons highlighted and therefore is clearly unsound and should be rejected as a proposed allocation.

Philippa & Chris Tusting – [REDACTED]
John & Caroline Ringwood – [REDACTED]
Malcolm & Jackie Robinson – [REDACTED]
Ashley & Lisa Reynolds – [REDACTED]
Liz Pither – [REDACTED]
Adrian & Anne Rayner – [REDACTED]
Ross & Muriel Wylie – [REDACTED]
Martin, Heather & Sophie Allinson – [REDACTED]
Charlotte Hilton & Steven Lewis – [REDACTED]
Caroline, James & Jem Pritchard – [REDACTED]
Jason & Nicola Davey – [REDACTED]
Stuart Ellison & Sheila Axworthy – [REDACTED]