

# Public Document Pack



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To The Chairman and Members of the  
Planning Committee

All other Members of the Council – for  
information

Your Ref:

Our Ref: HM/L.3.4

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Date 15 January 2014

## AGENDA SUPPLEMENT

Dear Sir/Madam

### PLANNING COMMITTEE - MONDAY 20 JANUARY 2014

I refer to the agenda for the above-mentioned meeting and enclose the following items:

Item No	Report Title	Page Nos																
8.	<b><u>Deferred Applications</u></b>																	
(a)	<b><u>WATTON: Thetford Road: Erection of 110 Dwellings with Associated Open Space: Applicant: Hopkins Homes: Reference: 3PL/2013/0510/F</u></b>	63 - 70																
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4	Mr H S Thompson	North Elmham	31-35															
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13. **Exclusion of Press and Public**

To consider passing the following resolution:

“That under Section 100(A)(4) of the Local Government Act 1972, the press and the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Act”.

**PART B – ITEM FROM WHICH THE PRESS AND THE  
PUBLIC ARE EXCLUDED**

14. **Enforcement Update**

Chris Curtis, Enforcement Team Leader, will update Members on Enforcement matters.

Yours faithfully

*Helen McAleer*

Senior Committee Officer

**BRECKLAND COUNCIL**

**PLANNING COMMITTEE - 20<sup>th</sup> JANUARY 2014**

**REPORT OF THE DIRECTOR OF COMMISSIONING**

(Author: Viv Bebbington, Senior Development Control Officer)

**WATTON: THETFORD ROAD; ERECTION OF 110 DWELINGS WITH ASSOCIATED OPEN SPACE**

**Applicant: Hopkins Homes**

**Reference: 3PL/2013/0510/F**

**DEFERRED ITEM REPORT**

The application was deferred from the meeting on 25<sup>th</sup> November 2013 to enable negotiations to take place in respect of highway improvements to include a right hand turning lane at the site entrance, provision of an emergency access/exit, extension of the 30 mph limit and consideration of the number of accesses to the site.

The applicant has submitted an amended plan which provides for a right hand turning lane to the main access, the installation of an emergency access and the proposed 30 mph limit extension. The number of private drives off the Thetford Road was considered but has not been included in the applicants' revisions. The Highway Authority raised no objection to the originally submitted scheme that was presented to Committee.

The applicant has indicated that the provision of the required road improvements would incur additional costs, amounting to some £120,000, an effect of which will be a reduction in viability. The applicant has therefore indicated that to address the additional costs the loss of 4 affordable houses would result. Plots 9 -12 which were originally shared equity houses, have, as a result, been amended to open market housing. The proposal therefore would provide 24 affordable houses which will equate to a 21 % contribution as opposed to a 25% as previously proposed.

The Highway Authority has raised no objection to the amended plan subject to conditions. However it has re-emphasised that the highway improvements are not essential to make the proposal acceptable in highway terms.

Further objections have been received. No new issues have been raised. Concerns have been reiterated regarding the need for a roundabout at the Barn Ruche Corner.

Members are requested to balance policy requirement to provide maximum affordable housing against the desire to seek these highway improvements, and to consider whether those improvements shown on the amended plans are sufficient justification to outweigh the loss of four affordable dwellings.

**Conclusion**

As set out in the original committee report, the proposed development is considered acceptable, and is recommended for approval.

**RECOMMENDATION:** It is recommended that planning permission is granted subject to conditions as set out in the original report.

**BRECKLAND COUNCIL - PLANNING COMMITTEE - 25-11-2013**

<b>ITEM</b>	<b>2</b>	<b>RECOMMENDATION : APPROVAL</b>
<b>REF NO:</b>	3PL/2013/0510/F	<b>CASE OFFICER:</b> Viv Bebbington
<b>LOCATION:</b>	WATTON Thetford Road	<b>APPN TYPE:</b> Full
<b>APPLICANT:</b>	Hopkins Homes Limited Melton Park House Scott Lane	<b>POLICY:</b> In Settlement Bndry
<b>AGENT:</b>	Hopkins Homes Limited Melton Park House Scott Lane	<b>ALLOCATION:</b>
<b>PROPOSAL:</b>	Erection of 110 dwellings with associated open space	<b>CONS AREA:</b> N <b>TPO:</b> Y
		<b>LB GRADE:</b> N

**KEY ISSUES**

Principle  
Development viability  
Impact on amenity  
Impact on trees  
Layout and design  
Drainage  
Highways

**DESCRIPTION OF DEVELOPMENT**

The proposal seeks full planning permission for the erection of 110 dwellings, 28 of which would be affordable, together with the creation of 6600 sq.m. of public open space. An additional 2.42ha of land would be transferred to the neighbouring Wayland Academy for their educational use.

The development would be mainly accessed by a new estate road off Thetford Road which serves 96 of the proposed dwellings. The remaining 14 dwellings would be served by 3 individual private drives.

**SITE AND LOCATION**

The site is located within the Settlement Boundary approximately 400m to the south of the town centre, immediately to the west of Thetford Road (A1075). To the north and east is residential development, to the south and south west open countryside and to the north west Wayland Academy.

The site is currently agricultural land which is included in the Settlement Boundary and allocated

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## **BRECKLAND COUNCIL - PLANNING COMMITTEE - 25-11-2013**

for residential development in the Site Specific Policies and Proposals Development Plan Document.

### **EIA REQUIRED**

No

### **RELEVANT SITE HISTORY**

No relevant site history

### **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 have also been taken into account, where appropriate

CP.01	Housing
CP.05	Developer Obligations
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.04	Affordable Housing Principles
DC.11	Open Space
DC.12	Trees and Landscape
DC.13	Flood Risk
DC.14	Energy Efficiency
DC.16	Design
DC.17	Historic Environment
NPPF	With particular regard to paras.56, 57, 59 and 135

### **CIL / OBLIGATIONS**

Affordable housing provision is secured through S106 to meet local affordable housing needs. The Council seeks to enter into Planning Obligations to provide necessary local infrastructure requirements on development sites. This could include, where necessary, for development to deliver site specific open space, connection to utility services (as required by legislation), habitat protection/ mitigation, transport improvements and archaeology. In relation to open space, the Council has identified a shortfall of outdoor sports provision and children's play space across the district. The evidence for this shortfall is found in the Council's Open Space assessment. Therefore, to remedy the identified shortfall, the Council seeks Unilateral Undertakings to provide contributions towards open space improvements under the provisions of adopted Policy DC11 where developments would not meet the threshold for on-site provision. In light of the evidenced shortfall of open space, the Council considers that these contributions are demonstrably improving open space provision in areas of evidenced shortfall and therefore comply with Regulation 122 of the CIL Regulations.

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## **BRECKLAND COUNCIL - PLANNING COMMITTEE - 25-11-2013**

The Council is intending to implement CIL in 2014. As such, the payment of CIL and S106 obligations will be used for different requirements, and developments will not be charged for the same items of infrastructure through both obligations and the levy. Once adopted, CIL funds will replace contributions towards off-site infrastructure.

### **CONSULTATIONS**

#### **WATTON TOWN CLERK -**

The Council have no objection to the layout of the development site but request that the following conditions be added:-

- a) That there must be a roundabout at the bend by Barn Ruche to help ease the traffic flow
- b) A 30mph speed limit 50 yards approaching the roundabout from the Thetford direction
- c) Signs indicating a new development
- d) A footpath on the West side from the cycle/footpath entrance to the rear of the school to the southern boundary of the new development, towards the roundabout.

#### **ENVIRONMENT AGENCY**

No objection subject to conditions

#### **NORFOLK COUNTY COUNCIL HIGHWAYS**

No objection subject to conditions

#### **KEN HAWKINS, THE RAMBLERS**

We support the comment from Highways suggesting that it is desirable that a 1.8m wide footway should be provided alongside the A1075 to connect with the public right of way to the south, and note that the Transport Statement indicates that the southern extent of the footway extension will be agreed with the Highway Authority. We would also wish to ensure that Watton FP7 is kept open throughout building works and any damage to it is repaired without delay.

#### **NATURAL ENGLAND**

No objection

#### **CRIME REDUCTION & ARCHITECTURAL LIAISON OFFICER**

Comments provided to applicant in respect of Secured by Design scheme

#### **TREE & COUNTRYSIDE CONSULTANT**

No objection subject to conditions

#### **HOUSING ENABLING OFFICER**

No objection - Accepts fully the 25% provision of affordable housing.

#### **STREETSCENE**

Comments made re presentation of bins for waste and recycling collection

**BRECKLAND COUNCIL - PLANNING COMMITTEE - 25-11-2013**

**CONTAMINATED LAND OFFICER**

No objection subject to conditions

**ENVIRONMENTAL HEALTH OFFICERS**

No objection subject to conditions

**PUBLIC RIGHTS OF WAY OFFICER**

FP 7 lies adjacent but outside the application boundary and is therefore unaffected. No objection on PROW issues

**HISTORIC ENVIRONMENT OFFICER**

An archaeological evaluation should be undertaken and the results submitted prior to determination of the planning application in order to establish the significance of the site, in accordance with National Planning Policy Framework (2012), (paras 128 and 141). In this case evaluation should take the form of a geophysical survey of the development area

**ECONOMIC AND STRATEGY OFFICER**

Obligation requirements provided

**REPRESENTATIONS**

The following is a summary of representations received:-

Roundabout should be provided at corner with Barn Ruche to serve the development; lack of infrastructure; increased highway congestion; increased pressure on schools and medical provision; increased pressure on foul and surface water disposal; lack of employment opportunities; sufficient housing within town; previous refusal for residential development in 1994

**ASSESSMENT NOTES**

\* The application is referred to Planning Committee as it is a major application.

**Principle**

\* The site is within the Settlement Boundary and is allocated for residential development in the Adopted Site Specific Policies and Proposals Development Plan Document 2012 and therefore the principle of residential development is considered acceptable and in accordance with policy.

**Development viability**

\* It is proposed to provide 25% of the development as affordable housing. The applicant contends that the provision of 40% affordable housing, in line with Policy DC 4, would not produce a viable development. A full viability appraisal has been submitted to substantiate this contention. Independent advice on this matter has been sought from the District Valuer who has confirmed that a policy compliant scheme would be unviable and that the Council should seriously consider the 25% offer. This would provide a total of 28 affordable houses.

\* On this basis it is recommended that, in this instance, an exception be made and a lower amount of affordable housing agreed.

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## BRECKLAND COUNCIL - PLANNING COMMITTEE - 25-11-2013

### Impact on trees

\* The layout has been revised to address the close proximity of the development to the mature trees on the western boundary. The Tree and Landscape Consultant has raised no objection to the proposal subject to conditions in respect of tree protection and landscaping.

### Layout and design

\* The layout has been designed to provide for a higher density of development on the northern boundary adjacent the existing development and a lower density along the eastern and southern boundaries to respect the form and character of the area. The three individual private drives serve small groups of dwellings facing Thetford Road to ensure that the proposal relates well and assimilates into the existing pattern of development in the area.

\* In terms of design and appearance the majority of the buildings are two storeys, however there are a number of single storey dwellings positioned in the northern part of the site near the open space and 2 ½ and 3 storey forms used to provide a visual enclosure at the end of vistas and focal points. The buildings are well detailed and designed

\* The proposal provides for 6600sq.m of open space which is consistent with policy. There are two areas of open space, one in the northern part of the site near the school and one in the southern part.

### Impact on amenity

\* There is a sufficient degree of separation between the proposed and existing dwellings to ensure that the development does not significantly affect the amenity of the existing dwellings in terms of overlooking and loss of amenity.

\* The lower density on the eastern and southern boundaries together with the retention of trees and hedges and the location of open space in the south east corner of the site ensures that there is a softer edge to the development to protect the visual amenity of the area.

\* The Environmental Protection Officer has raised no objection subject to conditions to protect residential amenity.

### Highway issues

\* The Highway Authority is satisfied that the proposed estate road and 3 private drives onto Thetford Road provide suitable entrance points onto that road and are acceptable methods of serving the development and, as such, has raised no objection to the proposal subject to conditions.

### Drainage

\* The Environment Agency has raised no objection subject to conditions

### Other issues

\* A condition has been imposed, in accordance with Policy DC14, to ensure that the proposal provides 10% of its energy from renewable sources.

\* Conditions in respect of land contamination issues, both in terms of both the risk to human health and controlled waters, have been imposed

\* The geophysical survey to evaluate the archaeological interest has been undertaken and the results will be reported verbally.

### Conclusion

\* The application site is considered suitable for the proposed scale of residential development. It relates well to the form and character of the existing development. It is recommended that the application is approved subject to conditions and a Section 106 agreement. The Section 106

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**BRECKLAND COUNCIL - PLANNING COMMITTEE - 25-11-2013**

agreement would include obligations relating to affordable housing, education, public open space provision and contributions towards library services.

**RECOMMENDATION**

**Planning Permission**

**CONDITIONS**

- 3007** Full Permission Time Limit (3 years)
- 3048** In accordance with submitted
- 3920** Surface water drainage scheme to be agreed
- 3920** Land contamination condition
- 3920** Land contamination condition
- 3920** Land contamination condition
- 3920** Surface water disposal scheme condition
- 3920** No piling or other methods of penetrative foundations
- 3920** Estate road management condition
- HA01** Standard estate road conditions
- HA02** Standard estate road condition
- 3920** Off site highway works condition
- 3920** Off site highway works condition
- HA40** Traffic regulation orders
- 3920** Non-standard highway condition
- 3920** Protection of Watton FP7 footpath
- 3414** Fencing protection for existing trees
- 3408** Landscaping - details and implementation
- 3920** Non-standard archaeological condition
- 3920** Construction method statement required condition
- 3944** Contaminated Land - Desk Study/Site Investigation
- 3920** Renewable energy
- 3920** Fire hydrant provision
- 3994** Section 106
- 4000** Variation of approved plans
- 3996** Note - Discharge of Conditions
- 2000** NOTE: Application Approved Without Amendment

**SUPPLEMENTARY REPORT**

**ITEM 1: SAHAM TONEY: Cley Lane: Erection of 29 new dwellings: Clayland Estates Limited: Reference: 3PL/2013/0869**

*(See Pages 13-21)*

Conclusion: Please add the following to the final paragraph

"The Section 106 agreement shall be signed and completed within three months of the date of the decision or delegated authority to be given to the Planning Manager to refuse the application or agree a further time period for the conclusion of the legal requirements, with the written approval of the applicant(s), as appropriate".

**ITEM 4: NORTH ELMHAM: Station Yard: Residential development for 19 dwellings: Mr. H.S. Thompson: Reference: 3PL/2013/1045/O**

*(See Pages 31-35)*

Planning history of the site

3PL/2007/1688/O - Residential development - Committee resolution on 17<sup>th</sup> March, 2008 to grant planning permission subject to a Section 106 agreement to secure affordable housing and Norfolk County Council contributions.

Application referred to Committee on 8<sup>th</sup> March, 2010 as negotiations to secure the contributions had stalled. Committee resolved to allow a further 9 months to finalise the Section 106 agreement

Application referred to Committee on 1<sup>st</sup> November, 2010 as the Section 106 had not been finalised. Committee resolved to approve the application subject to a Section 106 agreement.

Application referred to Committee on 30<sup>th</sup> September, 2013 as the Section 106 had not been finalised. Committee resolved to refuse the application on grounds of failure to execute the legal agreement.

Consultations

A further letter from Mid Norfolk Railway Preservation Trust has confirmed that they are in agreement, in principle, to the alterations of the level crossing however they highlight technical and ownership issues which may affect the deliverability of the scheme.

**ITEM 5: LITCHAM: Rear of 8 Church Street: Proposed residential development : Mr. Richard Bailey: Reference: 3PL/2013/1111/O**

*(See Pages 36-42)*

The most recent indicative site plan dated 02/01/2014 which included cross hatching of the entrance to the drive has been withdrawn and does not form part of the current application. The application will be considered having regard to drawing number 3102.05 dated 02/10/2013. Notwithstanding this, the Highways Authority is not objecting to the scheme.

It has been pointed out that the existing planting along the southern boundary of the site is not within the ownership or control of the applicant.

A further letter of representation has been received from the owner of the property to the north raising issues in respect of access and parking and specifically in relation to impact on the boundary wall to that property which is old and of flint/lime construction.

Conclusion: Please add the following to the final paragraph

" ..... the date of the decision or delegated authority to be given to the Planning Manager to refuse the application or agree a further time period for the conclusion of the legal requirements, with the written approval of the applicant(s), as appropriate".