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To The Chairman and Members of the  
Planning Committee

All other Members of the Council – for  
information

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Date 15 September 2016

## AGENDA SUPPLEMENT

Dear Sir/Madam

### PLANNING COMMITTEE - MONDAY 19 SEPTEMBER 2016

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

Item No	Report Title	Page Nos
6.	<b><u>Urgent Business</u></b>	118 - 120
	WATTON: Land South of Mallard Road: Proposed residential development: Applicant: Mark Dakeyne, Janet Strickland-Miller, Nicholas Rickett & Tesni Properties: Reference: 3PL/2015/0254/O	
9.	<b><u>Schedule of Planning Applications</u></b>	121 - 124

Additional information for the following Planning Applications:

<u>Item No</u>	<u>Applicant</u>	<u>Parish</u>	<u>Page No</u>
4	R Paterson	Shipdham	56-60
7	Mellor Metals Ltd	Great Ellingham	77-91

Yours faithfully

*Helen McAleer*

Senior Democratic Services Officer



## **AGENDA ITEM 6: URGENT BUSINESS**

### **REPORT OF DIRECTOR OF PLACE**

(Author: Nick Moys, Principal Planner)

### **PROPOSED RESIDENTIAL DEVELOPMENT, LAND SOUTH OF MALLARD ROAD, WATTON**

**Applicant: Mark Dakeyne, Janet Strickland-Miller, Nicholas Rickett & Tesni Properties**

**Reference: 3PL/2015/0254/O**

1. This report concerns a proposal for up to 177 dwellings on land to the south of Mallard Road, Watton. Outline planning permission for the development was refused in April 2016.
2. An appeal has been lodged against this refusal, which will be considered at a local inquiry in due course. The Council must submit its Statement of Case to the Planning Inspectorate by 19 October 2016.
3. Outline permission was refused on the following grounds:
  - that the proposal would result in a significant extension of built development outside the settlement boundary for Watton, causing harm to the character and appearance of the area;
  - that the scheme could adversely affect the integrity of the Breckland SPA; and
  - that the proposal would place unacceptable additional burdens on local healthcare facilities.
4. On appeal the Council must produce evidence to substantiate all reasons for refusal. Any failure to do so, or reliance on generalised assertions about a proposal's impact, which are not supported by objective analysis, would leave the Council vulnerable to an award of costs for unreasonable behaviour.
5. On the basis of the evidence currently available there are concerns that it would not be possible to properly substantiate the third reason for refusal relating to local healthcare facilities. Although the potential effects of development on local infrastructure, including healthcare, is a material consideration, it is understood that one of the key difficulties experienced by the Watton Medical Practice is a shortage of doctors. This is a widespread problem that falls within the remit of the health authorities and is a matter over which planning has no direct influence. No consultation response was received from NHS England on the planning application, although objections were raised by Watton Medical Practice for the reasons set out above.
6. Effects of healthcare facilities were considered at another recent appeal in Watton for a development of 78 dwellings, where the Inspector found that increased pressures on local GP services did not justify rejection of the proposal<sup>1</sup>. An extract from the appeal decision is appended to this report.

Although the scale of the current appeal proposal is larger, it is considered that, in the absence of any further evidence, the findings of the Inspector are also applicable here. This matter was also addressed in another appeal in Watton for 180 dwellings, where again the Inspector found no basis to reject the proposal based on its likely effects on local healthcare provision<sup>2</sup>.

7. Taking these matters into account, and bearing in mind relevant guidance on the conduct of appeals<sup>3</sup>, it is considered that it would be advisable for the Council to formally withdraw the reason for refusal relating to effects on healthcare provision. The appeal would then be contested by the Council on the two remaining grounds relating to effects on the character of the area and ecology.
8. **RECOMMENDATION:** To withdraw the reason for refusal relating to effects on healthcare provision, and to advise the Planning Inspectorate and appellant accordingly.

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<sup>1</sup> Planning appeal reference APP/F2605/W/15/3140922 (Hopkins Homes Ltd).

<sup>2</sup> Appeal reference APP/F2605/W/15/3137812 (Gladman Developments Ltd).

<sup>3</sup> National Planning Practice Guidance on appeals and the Procedural Guide: Planning appeals – England, The Planning Inspectorate (March 2016).

## APPENDIX

### Extract from appeal decision APP/F2605/W/15/3140922

40. Particular concerns were raised in respect of primary health care. The Watton Medical Practice (WMP) has fewer GPs now than it had in 2012, despite the growth in housing. This led to WMP having to 'de-register' a large number of patients who were judged to have GP facilities available to them in other settlements. Local residents are concerned about the length of time it can take to get an appointment to see a GP. At the hearing it became apparent that the underlying problem is one of recruitment – there are many GP vacancies across Norfolk and there have been problems in attracting GPs to work in Watton.
41. Whilst I appreciate the concerns of local residents on this point, I must also bear in mind that no objections have been raised directly in relation to this appeal (on health provision grounds) by the Council, NCC, WMP or any NHS organisation. The problem appears to be widespread and any solution will, similarly, need to be a high level one. Whilst the pressure on local GP services is a material consideration, it has not been shown that this is a matter which in itself justifies turning away the appeal.

### Extract from appeal decision APP/F2605/W/15/3137812

26. Many thought that the infrastructure in Watton would be unable to cope. Anglian Water has a duty to deal with foul sewage, through improvements to the system if necessary; the broad principle is that the situation should be no worse than before the development was constructed, not that development should resolve any existing problems. The highway authority considers that the existing road network can accommodate the traffic generated by this proposal, along with that from other committed developments; it also considers the proposed roundabout a benefit, in that it would slow traffic on the A1075. Watton is a market town considered capable of accommodating a substantial amount of new housing development; if anything, that development could bring an improvement to the High Street because of the greater population. The statement from Watton Medical Practice says that, in 2012, there were eight GPs for 12,000 patients but now there are only four doctors – which raises the question of whether it is reduction in the number of GPs that is causing a problem rather than an increasing number of patients.

## **AGENDA ITEM 9**

**REPORT AT SCHEDULE ITEM 4: SHIPDHAM: 32 & 34 Letton Road: Demolition of two existing dwellings and erection of three dwellings with access & parking: Applicant: R Paterson: Reference: 3PL/2016/0225/F**

### **REPRESENTATIONS:**

#### **Shipdham Parish Council**

At a meeting of the Parish Council 12th September 2016. No Objection. The PC understands the importance of the particular features with historical value and suggest that these are included in any new build designs.

## **AGENDA ITEM 9**

### **REPORT AT SCHEDULE ITEM 7: GREAT ELLINGHAM: Mellor Metals, Attleborough Road: Development of up to 75 dwellings: Applicant: Mellor Metals Ltd: Reference 3PL/2016/0648/O**

The applicant has written requesting details and clarification of the required S106 payments for:

- Education
- Libraries, and
- Public open space.

Those details are being confirmed and will be reported verbally.

The applicant also indicates that the provision of fire hydrants could be achieved by condition and not through a S106 Agreement. The following condition is added to the recommendation:

Prior to the commencement of any works above slab level a scheme shall be submitted for the provision of fire hydrants, (served by mains water supply), serving the development. No dwelling shall be occupied until the hydrant(s) have been provided in accordance with the scheme as approved to the satisfaction of the Local Planning Authority in consultation with the Norfolk Fire Service.

Reason for condition:            In order to secure the provision of fire hydrants.

A plan numbered: 1297/HWY/042C together with a safety audit has been received. This shows footpath connections to the school. The views of the Highways Authority are reported below.

Further to the previous response dated 15 June 2016, and the subsequent revised drawings submitted by the applicant the Highway Authority is pleased that the access arrangement and off site highway improvements have now been revised to address all the previous concerns in principle. It is noted from the Road Safety Audit that some comments were raised however they are satisfied that these are detailed design considerations which can be resolved at later date should the planning application be approved.

In light of the above, it is confirmed that the Highway Authority is now satisfied with the proposals as submitted and would be happy to remove its holding objection to the application.

It would however request that the following conditions are included on any consent notice issued:

No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the

development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.

Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard.

No works shall commence on the site until such time as detailed plans of the roads, footways, cycleways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.

Reason: To ensure satisfactory development of the site and a satisfactory standard of highway design and construction.

Before any dwelling is first occupied the road(s), footway(s) and cycleway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory development of the site.

Prior to the first occupation of the development hereby permitted a visibility splay, (measuring 4.5 x 120 m to each side of the new access where it meets the highway), shall be provided in full accordance with the details indicated on the approved plan, (Drawing no. 1297/HWY/042 rev C). The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety.

Development shall not commence until a scheme detailing provision for on site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

Reason: To ensure adequate off-street parking during construction in the interests of highway safety.

No works shall commence on site until the details of wheel cleaning facilities for construction vehicles have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To prevent extraneous material being deposited on the highway.

Notwithstanding the details indicated on the submitted drawings no works shall commence on site until a detailed scheme for the off-site highway improvement works as shown indicatively on Drawing no. 1297/HWY/042 rev C have been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be in the form of a continuous footway link, (including new footway, footway widening and associated crossings), along the B1077 Attleborough Road linking the site to the Primary School and bus stops; improvements to the surface of PROW FP8 linking the site to the village centre, improvements to the surface of PROW FP6; a 1.8 m footway along the entire site frontage and a kerbed island in the centre of the B1077. The development shall be carried out in accordance with the approved details and shall be completed prior to the first occupation of any dwelling on site.

Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.