

BRECKLAND COUNCIL

PLANNING COMMITTEE - 29th OCTOBER 2012

REPORT OF DIRECTOR OF COMMISSIONING

(Author: Chris Raine, Senior Development Control Officer)

OLD BUCKENHAM: PROPOSED RESIDENTIAL DEVELOPMENT AT LAND AT SHRUBLANDS, ATTLEBOROUGH ROAD,

Applicant: David Alston (Norfolk) Ltd

Reference: 3PL/2012/0193/F

DEFERRED ITEM REPORT

It should be noted that since this item was deferred prior to the Planning Committee meeting of the 9th of July 2012 the proposal has been the subject of an appeal against non-determination by the applicant and, as such, this report is presented to the Planning Committee so as to ascertain the views of Members on the acceptability of the scheme. A copy of the original report is attached

This item was scheduled to be heard by the Planning Committee on the 9th July 2012 but was deferred prior to the meeting at the request of the Chairman of the Planning Committee in liaison with the Council's Planning Manager as the applicant made the Council aware that they were going to provide an economic appraisal for the site. This was to enable them to demonstrate that the level of new build proposed at the site was a proportionate response to the development costs associated with the residential conversion for the existing redundant farm buildings when considering the development costs and resulting values of the site as a whole. This financial appraisal forms one part of the assessment associated with determining whether a project can be considered to be enabling development, which allows a Local Planning Authority to consider approving a planning application which is contrary to planning policy, where the benefits of a scheme in relation to a heritage asset would outweigh the harm.

The report has now been subject of assessment from the District Valuer who concludes that the applicant has adequately demonstrated that the level of new build is a proportionate response to the level of expenditure associated with the site, including the conversion works, taking account of the resulting values of the scheme as a whole. Notwithstanding the conclusions of the economic appraisal, it should also be noted that the District Valuer has concluded that it is possible to provide the financial contribution towards affordable housing and/or recreation as calculated by the Local Planning Authority. The planning application as submitted indicated a willingness to provide these contributions and a draft S106 agreement is in place. Clarification has been sought from the applicant that they are still agreeable to making these contributions and this will be confirmed verbally to members of the committee at the meeting.

Given that it has been demonstrated that the new build element of the scheme is necessary to "cross fund" the barn conversion element, coupled with the fact that the buildings have some historic and architectural merit and occupy a relatively prominent location within the countryside, the officer is satisfied that the scheme can be considered to constitute enabling development. With this in mind it is necessary to weigh this against the relevant planning policy requirements, primarily the sustainability credentials of the scheme.

As can be seen from the assessment contained within the previous committee report, the scheme is considered to be acceptable with reference to those policy requirements relating to design, impact upon the character and appearance of the rural landscape, impact upon neighbour amenity, highway safety, flooding & drainage, protected species and trees.

The key area of concern highlighted within the previous committee report, related to sustainability. The report concluded that the proposal could not be considered to be sustainable when assessed against the three roles of sustainability as set out in the NPPF. This conclusion was based upon the proposal at that time and without the benefit of financial information in relation to enabling development. Given the change of opinion in relation to enabling development as referred to above, it is necessary to re-appraise the scheme against the aims of the NPPF with regard to sustainability.

The three roles in relation to sustainability as set out in the NPPF are as follows:

- Economic role
- Social role
- Environmental role

With regard to the economic role, the proposal would make some contribution to the local economy. In addition, the NPPF also stresses that development must be in the right locations. Whilst the isolated nature of the site away from local services is not ideal, it is necessary to weigh this against the fact that the scheme is considered to be an enabling development which sees the conversion of historic farm buildings which by their nature are located in this rural location. On balance, it is considered that the proposal satisfies the economic role.

With regard to the social role, the proposal would meet acknowledged housing need and contribute financially to affordable housing and recreation within the locality. However, it does not provide easy access to local services. On balance, it is considered that the proposal does not make a social contribution, but does fully satisfy the social role.

With regard to the environmental role, the conversion works would secure the long term future of an attractive group of former agricultural buildings which occupy a prominent position within the rural landscape and, as such, protect and enhance the historic environment. However, this must be weighed against the isolated nature of the site which would have an over-reliance on the private car which in turn cannot be considered to achieve the desire to use natural resources prudently. It is considered that there are some environmental benefits to the scheme, but the scheme cannot be considered to wholly fulfil this role.

In assessing the sustainability credentials of the scheme as a whole, when considering the three roles highlighted above, it is considered that the proposal is sustainable.

CONCLUSION

In conclusion, it is evident that the concerns expressed in the original committee report, which related to the new build element of the scheme only, have been addressed through the submission of the economic appraisal and, as such, the proposal is considered to be acceptable in planning terms and would have been recommended for approval if the appeal had not been lodged.

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| ITEM | 2 | RECOMMENDATION : REFUSAL |
| REF NO: | 3PL/2012/0193/F | CASE OFFICER: Chris Raine |
| LOCATION: | OLD BUCKENHAM Land at Shrublands Attleborough Road | APPN TYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N |
| APPLICANT: | David Alston (Norfolk) Ltd C/o Agent | |
| AGENT: | EJW Planning Ltd Lincoln Barn Norwich Road | |
| PROPOSAL: | Remove steel grain store, demo. of 4 bungalows, convert agric. barns to 8 residential units & erect 10 dwellings | |

KEY ISSUES

Principle of development
Conversion of buildings
Replacement dwellings
New build dwellings
Affordable housing
Highway related matters

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for the following:
- demolition of 4 existing bungalows and an existing large commercial/agricultural building;
- the erection of 10 new dwellings (including 4 replacement dwellings)
- conversion of buildings to 8 new dwellings
The entire scheme provides the following mix of properties:
4 x 5 bed dwellings; 2 x 4 bed dwellings; 5 x 3 bed dwellings; 2 x 2/3 bed dwellings; 4 x 2 bed dwellings and a 1 bed dwelling.
The site is accessed at two points from the adjacent Attleborough Road.
The application would also facilitate the removal of an existing grain store from the site.

SITE AND LOCATION

The site is a large parcel of land located within the countryside between Attleborough and New Buckenham and is located adjacent to the western side of Attleborough Road which provides access to the site. The south-eastern part of the site consists of two pairs of semi-detached

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single storey dwellings; in the eastern part of the site, immediately adjacent to the Attleborough Road carriageway, is a collection of redundant traditional agricultural buildings; in the northern part of the site is a further group of traditional farm buildings and the western part contains a large modern agricultural building. With regard to adjacent land uses there is an existing detached two storey dwelling with extensive curtilage to the north.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2011/0440/F - Demolition of mid 20C bungalows, conversion of barns to 8 dwellings and erection of 15 dwellings - Refused.

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

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| CP.01 | Housing |
| CP.10 | Natural Environment |
| CP.11 | Protection and Enhancement of the Landscape |
| 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.11 | Open Space |
| DC.14 | Energy Efficiency |
| DC.16 | Design |
| DC.17 | Historic Environment |
| DC.20 | Conversion of buildings in the countryside |

CONSULTATIONS

OLD BUCKENHAM P C -

Outside the settlement boundary, no access to key local services, over reliance on private cars, also no adequate access to public transport.

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ENVIRONMENT AGENCY

Object unless attenuation pond is re-positioned or flood plain compensation is provided.

NORFOLK COUNTY COUNCIL HIGHWAYS

Highway Authority recommends that permission be refused on grounds of failure to provide off site facilities to link with local services, inadequate access to public transport provision; unsustainable location

HISTORIC BUILDINGS CONSULTANT

No comment.

TREE & COUNTRYSIDE CONSULTANT

There is a need to provide further investigation work in relation to protected species on-site (bats) and the results should be reported to the Council.

CONTAMINATED LAND OFFICER

No objection subject to conditions.

HOUSING ENABLING OFFICER

Following discussions with the applicant, a commuted sum equivalent to the 40% of the dwellings has been agreed. Due to the location of the application site the Strategic Housing Team believe that it is not well located to services etc. for affordable housing on-site and believe there are sites closer to services that would better serve the housing needs of the village. A commuted sum in this specific case would assist in providing an equivalent number of affordable units in a more sustainable location.

STREETSCENE

The access roads look extremely tight, although dimensions appear not to have been given. The access roads look tight and winding and I have doubts a refuse vehicle can easily and safely navigate them. Moreover, it will be likely that the refuse vehicle could stray slightly off the track and damage the grass, as this will be a private unadopted road (I think) we will be liable for any repairs. Additionally, although turning circles have been provided for at the end of the roads, these look insufficient to be able to turn an 18 tonne vehicle around. It is also likely that residents and visitors would use the turning circles as additional parking areas. I would need wider roads than those indicated, and larger turning areas, with the turning areas marked off as no parking zones. Failure to do so may result in the refuse vehicle being unable to adequately access the sites and subsequently refusing to drive up there. This would mean residents would be told to bring their bins to the roadside, which would not be received well.

ARCHITECTURAL LIAISON/CRIME - No Comments Received

NORFOLK LANDSCAPE ARCHAEOLOGY - No Comments Received

NORFOLK WILDLIFE TRUST - No Comments Received

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NORFOLK COUNTY COUNCIL STRATEGY - No Comments Received

REPRESENTATIONS

Objections have been received, a summary of which is as follows:

Outside of the Settlement Boundary; traffic on the adjacent carriageway is fast flowing; no access to public transport; set a precedent for others within the locality; existing residents will be evicted and the barns are not capable of conversion.

Attleborough Community Team reiterates concerns regarding piecemeal development before the adopted of the ASHAAP

ASSESSMENT NOTES

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

Principle of Development

* The scheme consists of three distinct elements, namely the conversion of former agricultural buildings, "replacement" dwellings for those scheduled to be demolished and new additional dwellings in the countryside.

Conversion of Buildings

* The principle of converting agricultural buildings is acceptable in planning terms in accordance with the NPPF and Policy DC20 of the Breckland Core Strategy.

* Criterion A of DC20 requires the assessment of the proposal in relation to the impact upon the character and appearance of the rural landscape and requires it to make a positive contribution to the appearance of the locality. In this instance it is considered that the conversions are sufficiently sympathetic to the traditional nature and appearance of the buildings. The Historic Buildings Consultant agrees with this conclusion.

* Criterion B requires residential conversions to have reasonable access to local key services and facilities. In this instance the site is a significant distance from local services and facilities. However, Policy DC17 of the Adopted Core Strategy allows for the conversion of buildings in locations where they would not normally be considered acceptable if the buildings exhibit particular historic or architectural merits. In this instance the group of buildings are an attractive collection, some of which occupy prominent public views and they are recognised by Norfolk Landscape Archaeology as a priority in the regional research framework for archaeology as a disappearing building type. On the basis of these factors it is considered appropriate to forego the sustainability concerns relating to the conversion of the buildings and, as such, not raise a concern in relation to Criterion B.

* Criterion C requires developments to have appropriate access to the highway network and for that local highway network to be capable of dealing with the demands of the development proposed. It is considered that the conversion would comply with this requirement.

* Criterion D requires the building/s scheduled for residential conversion to be substantially intact and capable of conversion without significant extension or re-building. In this instance, it is evident, as demonstrated in the application, that the buildings are capable of conversion and do not require significant extensions.

* With regard to ecology, previously conducted protected species surveys have concluded the likely presence of bats and as such an inspection is required. The agent has agreed to undertake a visual inspection as requested by the Tree and Countryside Consultant and the results of this will be reported verbally.

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* On the basis of the above assessment, and assuming that the protected species surveys do not result in any negative findings, the conversion element of the proposal is acceptable in planning terms.

Replacement Dwellings

* The "replacement" dwellings are also consistent with planning policy including Policy DC3 of the Breckland Core Strategy.

* They are considered to be proportionate to the dwellings which are to be replaced; the existing dwellings are occupied (no case for abandonment); appropriately located on the basis of the existing plots and there is no net increase in the number of properties. Their design and appearance relates satisfactorily to those proposed adjacent buildings and the wider rural landscape.

* On this basis it could be argued that the four dwellings marked as T3a - d would be acceptable on the basis of this policy.

New Build Dwellings

* In relation to the new build dwellings, given that the site is outside of the Settlement Boundary for Old Buckenham, there is a general presumption against new residential development unless there are special circumstances eg agricultural worker's dwelling, in accordance with Policies SS1 and DC2 of the Breckland Core Strategy and the National Planning Policy Framework (NPPF).

* Notwithstanding this, it is evident that the District does not benefit from having a 5 year supply of housing land and the NPPF makes provision, in principle, for Local Planning Authorities to positively consider sites that are not within defined Settlement Boundaries. The NPPF also highlights a presumption in favour of sustainable development. Clearly this must be balanced against other planning issues eg protection of the countryside, good design etc.

* In this instance the agent acknowledges that the site is outside of any Settlement Boundary, however it is suggested that there is a need to consider this against the following:

- Enabling development for the conversion of the former agricultural buildings;
- Presumption in favour of sustainable development from the NPPF;
- Significant shortfall of housing within the district;
- It is deliverable;
- Removal of a large modern agricultural building from the landscape;
- High quality design helps contribute to sustainable nature of the proposal.

* In assessing the proposal against the three roles set out in the NPPF it is considered that whilst the proposal would meet acknowledged housing need, it does not provide accessibility to local services and therefore cannot satisfy the social role. The closest available facilities are in Old Buckenham, approximately 1.7km away and Attleborough town centre, approximately 2.8km away. In addition there are inadequate pedestrian links to both of these settlements which means that there would be an over-reliance on the private car.

* Whilst the proposal would make some contribution to the local economy, the NPPF stresses that development must be in the right locations. Given the isolated nature of the site away from local services it is not considered that the proposal fulfils the economic role as set out in the NPPF.

* In terms of the environmental role, the conversion works would secure the long term future of a traditional group of outbuildings. This must be weighed against the isolated nature of the site which would lead to over-reliance on the private car which in turn cannot be considered to achieve the desire to use natural resources prudently.

* In balancing the proposal against these 3 roles, it is considered that the scheme cannot be considered to be sustainable.

* In relation to enabling development, it is evident that the buildings have some historic and

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architectural merit and occupy a relatively prominent location within the countryside, however this needs to be weighed against the aforementioned concerns relating to sustainability. Furthermore, despite a request to the agent, no details have been provided to highlight that the level of expenditure associated with the conversion works outweigh the resulting values of the resulting residential units and how exactly the new build elements of the scheme relate to any potential shortfall. On balance, it is considered that the scheme is not an acceptable enabling development.

* The fact that the scheme can be delivered quickly and the scheme would result in the removal of a large modern building from the rural landscape is acknowledged but do not outweigh the above concerns.

* On balance, the new build part of the scheme is considered to be unacceptable in planning terms.

Affordable Housing

* The application requires an affordable housing contribution in accordance with Policy DC4 and the Housing Team is satisfied that the proposed commuted sum is acceptable. This would be secured through a legal agreement, which would also include a recreation contribution as required by Policy DC11 of the Breckland Core Strategy, which the applicant is also agreeable to.

Highway Related Matters

* There has been significant concern expressed with regard to the highway safety implications of the scheme. The Highway Authority has objected on the grounds of the development failing to provide sufficient off-site facilities for pedestrians, cyclists and people with disabilities to link with existing local services; the proposal does not have adequate access to public transport provision and the site is in an unsustainable location. However, there is no objection on technical grounds eg visibility etc.

Other Issues

* Policy DC14 of the Adopted Core Strategy requires developments of this size to provide at least 10% of the energy they require from on-site and/or decentralised renewable sources. It is considered appropriate to use a planning condition to secure such a provision.

* The Environment Agency has requested that the attenuation pond be repositioned or flood plain compensation be provided. The agent has agreed that it can be repositioned.

* The Streetscene Team has expressed reservations at the ability for refuse collection vehicles to enter the site due to the limited width of the proposed roadway within the site and the lack of sufficient turning provision which may lead to future residents being asked to take their bins to the site access. The agent has been made aware of this potential issue for future residents and they are happy to accept this.

Conclusion

* In conclusion, the proposal as submitted, by virtue of the additional units, represents an unacceptable development in planning terms and is, therefore, recommended for refusal.

RECOMMENDATION

Refusal of Planning Permission

REASON(S) FOR REFUSAL

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- 9900** Conversion/replacements acceptable
- 9900** Six additional dwellings unsustainable