

BRECKLAND COUNCIL

DEVELOPMENT CONTROL COMMITTEE - 1ST NOVEMBER 2010

REPORT OF DEPUTY CHIEF EXECUTIVE

(Author: Chris Raine, Senior Development Control Officer)

NORTH ELMHAM: PROPOSED RESIDENTIAL DEVELOPMENT, STATION ROAD

Applicant: Clients of Land & New Homes

Reference: 3PL/2007/1688/O

DEFERRED ITEM REPORT

At the Development Control Committee on the 17th of March 2008 Members agreed to approve the application subject to the applicant entering into a S106 legal agreement to secure the necessary affordable housing and Norfolk County Council contributions. Subsequently, the application was referred back to the Committee on the 08th March 2010 as negotiations to secure the aforementioned contributions had stalled, and it was therefore recommended that the application be refused. The Committee felt it appropriate to allow the applicant a further 9 months to finalise the S106 legal agreement.

The applicant has now confirmed that it is not possible to secure the previously agreed access arrangements from the site onto the Station Road carriageway. This is due to the applicant being unable to reach an agreement with adjacent landowners in order to secure agreed visibility splays. This has resulted in a revised access being put forward to the Local Planning Authority for consideration. This has subsequently been assessed by the Highway Authority who have confirmed the following:

"In order to achieve the 2.4m x 90m splays shown on the previously approved plan, it has already been necessary to make the significant compromise of narrowing the existing B1145 carriageway to 6m in the vicinity of the site entrance. Irrespective of the dimensions of the visibility splays, the survey drawings in my possession would suggest that the frontage of both semi-detached dwellings would need to be set back in order to accommodate a 6.0m carriageway and provide the 1.8m wide footway across the site frontage.

Whilst I accept that the site is within a 30mph speed limit and could potentially be considered a 'Street' as defined by *Manual for Streets*, I cannot accept that the actual speed of traffic on the main road would justify any reduction in the previously approved visibility splay requirements and certainly not down to the 2.4m x 35m dimensions that are being promoted by the applicants. I consider that there would be no point in carrying out a traffic speed survey since it is wholly apparent that the 85 percentile traffic speed is in excess of the prevailing speed limit."

CONCLUSION

It is considered that in light of the above highway concerns, the application is recommended for refusal.

BRECKLAND COUNCIL

DEVELOPMENT CONTROL COMMITTEE – 17TH MARCH 2008

REPORT OF THE DEVELOPMENT SERVICES MANAGER

AUTHOR: Chris Raine – Senior Development Control Officer

**NORTH ELMHAM: SITE ADJACENT 7 STATION ROAD - PROPOSED
RESIDENTIAL DEVELOPMENT SITE**

REFERENCE: 3PL/2007/1688/O APPLICANT: LAND & NEW HOMES

DEFERRED ITEM REPORT

At the Development Control Committee on the 4th of February 2008 Members deferred the item to allow officers to gain further information on:

- Foul Drainage
- Railway Crossing and Highway Issues
- Layout
- Noise

Consequently, the agent has submitted a revised indicative layout plan, Design and Access Statement and supporting written statement.

Each of the above points will now be addressed in turn.

Foul Drainage

The applicant has contacted Anglian Water and they in turn have prepared a “Pre-Development Report” for the site. This report concludes that in relation to Foul drainage, it is envisaged that foul only flows can be accommodated from a maximum of 21 dwellings based on gravity flows. Further consideration must be given on capacity should flows require pumping from the site.

Whilst this conclusion on capacity cannot be guaranteed until the site has secured a valid planning approval, it is considered that the applicant has so far as possible fully considered the issue of foul drainage and contacted the requisite bodies in relation to this issue.

Since the item was deferred, the Local Planning Authority have been in receipt of a survey from local residents specifying dates and properties at which problems with foul drainage have occurred in the past. The Officer has contacted Anglian Water to confirm that the author of the Pre-Development Report at Anglian Water is aware of the power failure issue which has caused the above problems, and they have confirmed that they are aware of these problems. However, in normal conditions the foul system can adequately accommodate the minimal foul flows a small development of this size will generate from gravity flows. Furthermore, surface water flows from the proposed development have been stated as discharging to soakaways, which will not impact on the existing system and therefore not exacerbate problems we have in times of rainfall.

In conclusion, it is considered that the applicant has fully investigated the issue of foul drainage and gained assurances from the appropriate organisation that the scheme adequately addresses this issue, and that historic problems relating to the failure of the pumping station is a technical fault which is the responsibility of Anglian Water and not an issue which the developer is accountable for.

Railway Crossing and Highway Issues

As part of their submission, the applicant commissioned a Transport Assessment, this is referred to in the Applicants Design and Access Statement and confirms that it is proposed to narrow the width of the B1145 carriageway at the new junction to 6m. This will reinforce the calming effect of the level crossing and together with modifications to the crossing gates, will allow a 2.4m x 90m visibility splay to be provided. Narrowing will also allow for the construction of a 1.8m wide footway on the northern side of the B1145 adjacent to the proposed development. This will improve pedestrian access between the site and the Eastgate Street junction. The combination of the new footway and modification to the level crossing gates will also allow improvement to the Eastgate junction to the west of the crossing.

On the issue of highway safety, the Council are aware of concerns from local residents relating to pedestrian safety and in particular children crossing the railway behind the gates and how this scheme would result in the loss of this. The applicant's plans (drawings 2697.SK02 and SK03) detailing the revisions to the crossing show that a pedestrian route behind the gates will be retained.

The Highway Authority have already confirmed that the visibility splays are acceptable, the field access which previously raised a concern has now been removed from the plans and the access road is satisfactory.

Layout

The applicant has revised their indicative detailed layout plan in favour of a more concept based approach and revised their Design and Access Statement. This approach is based upon identifying constraints within the site and the immediate locality ie trees, adjacent commercial premises and railway line, and how this dictates appropriate forms of development without providing a detailed plan indicating the exact number of units, plot sizes, position and orientation. It is considered that this satisfactorily demonstrates an appropriate means of developing the site to the satisfaction of the Local Planning Authority. However, it is considered appropriate to attach a planning condition to any subsequent outline consent which requires an applicant to submit a Design Statement to support the detailed proposal put forward under a Reserved Matters application.

Noise

Whilst the Environmental Health Officer has confirmed that they have no fundamental concern at the compatibility of the adjacent commercial premises with the proposed residential site, it is considered appropriate to add an additional condition to those previously stated which requires the submission of a noise survey which takes account of the adjacent commercial premises prior to the submission of any subsequent reserved matters application.

Conclusion

It is considered that the applicant has provided the requisite information and as such this demonstrates that the proposal is acceptable in planning terms and is therefore recommended for approval subject to a S106.

BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 04-02-2008

ITEM	4	RECOMMENDATION : APPROVAL
REF NO:	3PL/2007/1688/O	
LOCATION:	NORTH ELMHAM Site adjacent 7 Station Road	APPN TYPE: Outline POLICY: In Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Land & New Homes 30 Market Place Dereham	
AGENT:	Parsons & Whittleby Ltd 1 London Street Swaffham	
PROPOSAL:	Proposed residential development site	

KEY ISSUES

1. Impact upon the character and appearance of the surrounding area
2. Highway safety
3. Trees
4. Neighbour amenity
5. Affordable housing and other contributions
6. Drainage.

DESCRIPTION OF DEVELOPMENT

The application seeks outline planning permission for a residential development with all matters reserved, with the exception of means of access. An indicative layout has been submitted in support of the application; this makes reference to the provision of 21 dwellings. This number is also referred to within the Design and Access Statement.

SITE AND LOCATION

The site is a large assymmetric parcel of land that is currently vacant. It is free from buildings and is accessed via Station Road which runs parallel to the southern boundary of the site. To the east and south of the site are existing residential dwellings and to the west are commercial premises, disused station building, platform and track. There are some mature trees to the rear part of the site.

RELEVANT SITE HISTORY

- 3PL/1990/0423 3 temporary portacabins used for office space. Approved.
3PL/1990/0137 Change of use to manufacture of GRP products. Approved.

BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 04-02-2008

POLICY CONSIDERATIONS

The following National Planning Guidance and Saved Policies of the Breckland Local Plan have been taken into consideration in the determination of this application:

PPS1: Delivering Sustainable Development

PPS3: Housing

HOU.4 Within the Settlement Boundaries of villages identified for Individual dwellings or small groups of housing, development will be permitted where it will enhance the form, character and setting of the village.

TRA.5 Where development would endanger transport safety, generate traffic that would be detrimental to the transport network, require highway improvements that would conflict with conservation considerations or attract traffic that would have an adverse effect on residential amenity, it will not be permitted.

CONSULTATIONS

NORTH ELMHAM P C

Comments please see letter on file.

NORFOLK CONSTABULARY - Request financial contribution.

No objection subject to revisions and conditions attached to any approval.

NETWORK RAIL - No objection.

NORFOLK COUNTY COUNCIL - Require financial contributions ie education and library services.

COUNCIL'S ENVIRONMENTAL HEALTH OFFICER - no objection subject to conditions.

Detailed design should consider adjacent railway line, despite it not being used ie position of windows, mechanical trickle ventilation.

COUNCIL'S CONTAMINATED LAND OFFICER - No objection subject to conditions.

COUNCIL'S ENVIRONMENTAL PLANNING OFFICER - No objection subject to affordable housing contribution.

COUNCIL'S HOUSING ENABLING AND PROJECTS OFFICER - 6 Affordable units are considered appropriate.

NORFOLK INTERNAL DRAINAGE BOARD - their prior consent may be required dependant on run-off method used.

COUNCIL'S TREE AND COUNTRYSIDE OFFICER - A more detailed assessment of the trees should be provided.

BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 04-02-2008

REPRESENTATIONS

Neighbour concerns expressed on the following grounds:

Density is too high, sewage problems in the locality, road network is inadequate, surface water and foul water drainage concerns, highway safety and pedestrian concerns and local services will be placed under pressure.

ASSESSMENT NOTES

- * The application is reported to Committee as it is a major development.
- * The site is located within the Settlement Boundary for North Elmham and as such the principle of re-development is acceptable.
- * In terms of the highway implications of the scheme, the Highway Authority have confirmed that it has no fundamental objection to the scheme, subject to minor revisions relating to the access and road configuration. Amended plans are awaited.
- * In terms of the impact of the proposal upon the character and appearance of the locality, Whilst all other matters are reserved other than access, the applicant has provided an indicative plan which demonstrates that the site is capable of accommodating a residential development of the scale illustrated; 21 dwellings. This equates to approximately 28 dwellings per hectare, which is broadly compatible with PPS3 which requires the efficient use of land for residential development and indicates a minimum threshold of 30 dwellings per hectare balanced against securing a development appropriate to the surrounding area and having regard to site constraints ie trees. It is considered that the plan demonstrates that the site is capable of accommodating a development of the scale proposed. However, any detailed scheme may differ from this in the interests of good design.
- * By virtue of the scale of development, a number of financial contributions are required. This will necessitate the completion of an appropriately worded Section 106 agreement which the applicant is willing to enter into. Furthermore, the applicant has agreed to provide 6 affordable units on-site to the satisfaction of the Local Planning Authority which will also be included within the Section 106 agreement. This will contribute towards addressing the concerns of residents regarding the development placing strain upon local services.
- * Concerns over drainage have been raised. Norfolk Internal Drainage Board have confirmed that they have no fundamental objection to the proposal, however, it is considered appropriate to require full details of foul and surface water drainage methods to be agreed prior to commencement of development in order to address these concerns.
- * There is a disused railway track to the west of the site. As a result of this Network Rail were consulted and they have confirmed that they have no objections. Furthermore, Environmental Health have also been consulted and concluded that they have no fundamental objection subject to conditions relating to the exact design and position of the dwellings (which will be secured at reserved matters stage) in relation to the adjacent railway track and the commercial units which lie beyond.
- * In conclusion, subject to the applicant entering into a Section 106 Legal Agreement, the proposal meets with relevant planning policy and as such is recommended for approval.

RECOMMENDATION

Outline Planning Permission

BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 04-02-2008

CONDITIONS

- 3005** Outline Time Limit (3 years)
- 3058** Standard Outline Condition
- 3060** Standard outline landscaping condition
- 3046** In accordance with submitted plans
- 3106** External materials and samples to be approved
- 3402** Boundary screening to be agreed
- 3750** Detailed plans of roads, footway, foul/surface water
- 3750** No works to be carried out/other than accordance with plans
- 3750** Roads & footway constructed to binder course level
- 3750** Estate road junction with Station Road laid out, constructed
- 3920** Time restriction for power tools, vehicles or machinery
- 3920** No burning of waste material on site
- 3920** Time restrictions for vehicles bringing material onto site
- 3920** Asbestos/hazardous materials disposed off
- 3802** Precise details of surface water disposal
- 3804** Precise details of foul water disposal
- 3944** Contaminated Land - Desk top study
- 3943** Contamination found during development
- 3994** Subject to Section 106 Legal Agreement
- 3998** NOTE: Reasons for Approval
- 4000** Saved Local Plan Policies

North Elmham Parish Council

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Development Services Department
Breckland Council
Elizabeth House
Walpole Loke
Dereham, Norfolk, NR19 1EE

10th December 2007

Dear Sir/Madam,

3PL/2007/1688/0 (Land & New Homes)

On Saturday 8th December, the Parish Council - accompanied by a large number of parishioners and the applicant (Mr H S Thompson) - carried out a site meeting.

The Parish Council is not averse to some development of the land in question. However, in view of the proposal to erect 21 homes on this site, they wish to express the following concerns:

(a) Highways Access/Egress. It is understood that it is the intention to narrow the B1145 significantly in order to accommodate the splays on either side of the access road. The Norfolk County Council *Safe Route to School*, which was created a number of years ago, crosses the B1145 (Station Road) at this point before turning into Eastgate Street. In view of the proposed alterations to the road layout and the greatly increased traffic activity once this development is completed, the Parish Council believes that a light-controlled pedestrian crossing should be installed as part of the works and that a pedestrian access across the tracks should be created inside the crossing gates on the north side, rather than on the road side.

(b) Drainage & Sewerage. This area of the village has long suffered from drainage problems and many homes in Wensum Drive and along the north side of Station Road have often experienced garden and lower floor flooding from raw sewage during periods of heavy rain. If the system cannot cope at the moment, how much worse would it get with a further 21 properties linked up? The Parish Council assumes that it is part of the planning process to consult Anglian Water about such matters!

(c) Village Services. The village school and surgery are already under significant pressure from numbers. A further 21 properties containing, say, 60+ people of various ages will increase this pressure still further. Are such matters considered when large developments are permitted in small villages?

(d) Mid-Norfolk Railway. The detailed plans for this project include the provision of a platform and ticket office for the Mid-Norfolk Heritage Railway, which has aspirations to re-open the line from Dereham to County School, through North Elmham. The Councillors are concerned that this proposal makes no provision whatsoever for car parking at the railway. They simply ask the question as to where passengers will park when using the train (bearing in mind that this site is a considerable walking distance from most of the village). It is understood that the applicant owns land to the south-west of the crossing, which might make a suitable area for car parking.

Yours faithfully,



John A. Lee
Clerk to the Parish Council

Copy to: Mr W Borrett, District Councillor (Upper Wensum Ward)
Mrs I Floering Blackman, County Councillor (Elmham & Mattishall Ward)

