

<b>Item No.</b>	<b>Applicant</b>	<b>Parish</b>	<b>Reference No.</b>
1	Norfolk Homes Ltd	ATTLEBOROUGH	3PL/2014/1264/F
2	Abel Homes Ltd	MATTISHALL	3PL/2015/0279/O
3	Mr Colin Kilby	ATTLEBOROUGH	3PL/2015/0486/F
4	Mr Mark Tasker	NORTH ELMHAM	3PL/2015/0576/F
5	Mr & Mrs D Hipperson	NORTH LOPHAM	3PL/2015/0637/O
6	Mr & Mrs Alan Bainbridge	ROCKLANDS	3PL/2015/0640/F

## **BRECKLAND COUNCIL - PLANNING COMMITTEE - 21-09-2015**

<b>ITEM</b>	<b>1</b>	<b>RECOMMENDATION : APPROVAL</b>
<b>REF NO:</b>	3PL/2014/1264/F	<b>CASE OFFICER:</b> Gary Hancox
<b>LOCATION:</b>	ATTLEBOROUGH Phase 3, 4 & 5 Land at Carvers Lane	<b>APPN TYPE:</b> Full <b>POLICY:</b> Out Settlemnt Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> N <b>TPO:</b> N <b>LB GRADE:</b> N
<b>APPLICANT:</b>	Norfolk Homes Ltd Weybourne Road Sheringham	
<b>AGENT:</b>	Cornerstone Planning Limited Ridgeview Barn Church Loke	
<b>PROPOSAL:</b>	Erection of 91 no. dwellings, access roads, alterations to Carvers Lane, open space, landscaping & assoc. works	

### **KEY ISSUES**

Principle  
Viability  
Highways  
Trees and Landscaping  
Design  
Public Open Space  
Amenity  
Flood risk / drainage  
Ecology

### **DESCRIPTION OF DEVELOPMENT**

The application seeks full planning permission for 91 dwellings together with access roads, alterations to Carvers Lane, and the provision of public open space. The development would comprise 9 x 1 bed dwellings, 34 x 2 bed dwellings, 27 x 3 bed dwellings, 21 x 4+ bed dwellings. A total of 27 units (30%) would be provided as affordable housing. The application proposes a principle area of open space adjacent to the western boundary with an equipped area of play together with general outdoor play space (0.31 hectares); alteration to Carvers Lane to create a green lane providing enhanced pedestrian and cyclists amenity; landscaped/amenity space comprising the extended margins to Carvers Lane (0.14 hectares); and an enhanced and landscaped bund (0.32 hectares) along the western side of the site. The application site includes three distinct parcels (phases 3, 4 and 5) which together comprise 3.73 hectares of land.

The alterations to Carvers Lane include the restriction of sections of Carvers Lane to non-motorised vehicles only. Access is to be provided from three locations, principally via West Carr Road to the south with a new loop road connecting to Bryony Way and providing access to Phases 4 and 5 of the development. Phase 3 would be accessed from two existing estate roads,

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Honeysuckle Way and Bracken Drive.

The application is supported by various technical reports and evidence comprising Design and Access/Planning Statement; Desk Study and Risk Assessment; Landscape and Visual Appraisal; Statement of Community Involvement; Noise Assessment; Archaeological Desk Based Assessment; Arboricultural Impact Assessment and Method Statement; Phase 1 European Protected Species Survey; Flood Risk Assessment and Transport Statement.

A draft Section 106 legal agreement is being prepared, and obligations relate to affordable housing, public open space and financial contributions towards schools and libraries.

### **SITE AND LOCATION**

The application site is located on the north-western edge of Attleborough between Carvers Lane and the A11 Trunk Road. The site lies adjacent the Settlement Boundary of the town. The site comprises arable/pasture land, generally flat with the exception of a slight slope down from east to west towards the A11. To the west of Carvers Lane is the built up edge of Attleborough comprising, in the main, modern housing development. Consented development to the south of West Carr Road (reference 3PL/2012/0958/H) for 375 dwellings and employment development (Taylor Wimpey) is presently under construction.

### **EIA REQUIRED**

No

### **RELEVANT SITE HISTORY**

3PL/2012/0958/H - Erection of 375 dwellings with associated parking, garages and landscaping (Full) and outline for employment development - Approved

### **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.04	Infrastructure
CP.05	Developer Obligations
CP.06	Green Infrastructure
CP.09	Pollution and Waste
CP.10	Natural Environment
CP.11	Protection and Enhancement of the Landscape
CP.12	Energy

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CP.13	Accessibility
CP.14	Sustainable Rural Communities
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.15	Renewable Energy
DC.16	Design
DC.17	Historic Environment
DC.19	Parking Provision
NPPF	With particular regard to paragraphs 7,8,14, 47, 49 and 55

### **CIL / OBLIGATIONS**

Contributions required towards education and library provision as follows:

Education Contribution of £392,946. These contributions would be put towards the following identified projects:

- \* Nursery provision, increase capacity for local nursery providers
- \* Attleborough Infant School, contribute to new classroom to increase capacity of school (Project A).
- \* Attleborough Junior School, contribute to new classroom to increase capacity of school (Project A).
- \* Attleborough Academy, contribute to new classroom to increase capacity of school (Project A).

Library Provision of £243 per dwelling (total, £22,113) from this development to aggregate with contributions from other development to build an extension at Attleborough library. If the extension does not proceed or the contribution from this development is not required a fall back contribution of £60 per dwelling for use towards library stock, equipment and ICT provision at Attleborough library would be required.

Provision of 30% affordable housing on site.

In addition Norfolk Fire Services has indicated that the proposed development would require 2 fire hydrants.

### **CONSULTATIONS**

#### **ATTLEBOROUGH TC -**

Object on the grounds of density, possible closure of local road which would impact greatly on the town. Flood risk, concerns over sewerage provision as most houses have no mains sewerage and have septic tanks. It is also noted that a substantial number of houses have been built since

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the noise survey was undertaken in 2006 and feel a new one should be carried out.

### **NORFOLK COUNTY COUNCIL HIGHWAYS**

No objection, subject to conditions.

### **TREE AND COUNTRYSIDE CONSULTANT**

No objection.

I am happy with the amended tree survey and that the re-categorisation does give a more accurate account of the trees on site. I still feel that some dwellings are closer to retained trees than would be ideal although the management proposals should address this. Planting proposals are thorough and in keeping. If development is to go ahead then please condition:

- Operations to site shall take place in complete accordance with the approved Arboricultural Impact Assessment (AIA)
- Tree Protection Plan (TPP)
- Arboricultural Method Statement (AMS).

### **ENVIRONMENTAL PLANNING**

The application forms an extension to the previously approved site, and is being put forward based on Paragraph 47 of the NPPF and the Councils inability to demonstrate a five year housing land supply. Paragraph 29 of the NPPF is relevant which states that policies on housing numbers cannot be considered up to date and as such the application needs to be considered having regard to Paragraph 14 of the NPPF in the context of sustainable development.

Footnote 11 to paragraph 47 is also relevant in that sites should be available now, offer a suitable location for development and be achievable with a realistic prospect that housing will be delivered on the site site within five years and in particular that development of the site is viable.

Policy DC11 (Open Space) also needs to be considered as part of this application. Owing to the size of the application on site open space is required, which is indicated on the site layout plan. Consideration should be given to the location of the open space to ensure that it is overlooked by the development and is developed in accordance with best practice as set out by Fields in Trust.

Similarly owing to the size of the site, Core Strategy Policy DC14 (Energy Generation and Efficiency) requires 10% of the energy requirement to be provided through on-site and/or decentralised renewable sources.

### **HOUSING ENABLING OFFICER**

Having looked at the above application I can confirm that the site area and numbers proposed trigger the affordable housing threshold as per policy DC4 of the adopted Core Strategy. At present a 40% affordable housing provision is required on sites of 0.17ha or above, or capable of accommodating 5 or more dwellings, modified to 11 dwellings by a change in Government guidance in November 2014. This is then further split into 70% being made available for rent and 30% for shared ownership or any other intermediate product that meets the intermediate

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definition within NPPF, meets an identified need in the District and is agreed by the Council. 40% of 91 units is equal to 36 units, with 25 units being made available for rent and 11 for shared ownership. The precise mix of affordable units is to be agreed by the authority via the S106 or affordable housing scheme.

I note that the applicant has submitted a proposal which, in summary, provides 30% affordable housing, with a split of 60% rented to 40% intermediate products. This is below the provision required by policy DC4 and contrary to the tenure split as per policy DC4. A viability appraisal has been submitted by the applicant's agent Cornerstone Planning. It is however, important to note that this has not been verified by an external assessor such as the District Valuer as is typically the case. As such the Council have been unable to establish if there are genuine viability issues within the site that would prevent the Council's policy requirement of DC4 from being delivered. I therefore recommend that the Council's policy provision i.e. 40% affordable housing, is sought until such time as the viability appraisal is considered. To meet the identified need in Breckland, these units should be predominantly smaller, 1- and 2-bedroom homes.

### **ENVIRONMENTAL HEALTH OFFICERS**

No objections subject to conditions

### **CONTAMINATED LAND OFFICER**

No objection subject to a precautionary condition in case a potential source, as yet unknown, of contamination is found during ground works.

### **ECOLOGICAL AND BIODIVERSITY CONSULTANT**

No objections subject to conditions.

### **ANGLIAN WATER SERVICE**

Development would lead to an unacceptable risk of flooding downstream. A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures. A condition is requested requiring the drainage strategy covering the issues to be agreed.

### **ENVIRONMENT AGENCY**

No objection, subject to details of surface water drainage being provided.

### **HIGHWAYS ENGLAND**

Highways England raises no objection based on the assurance from the developer that all works to provide, amend or enhance noise attenuation bunds or fences is carried out wholly on the development site and no works are intended within the public highway verge to the A11 Trunk Road.

### **HISTORIC ENVIRONMENT OFFICER**

The proposed development site lies in an area where archaeological remains of prehistoric and medieval date and undated cropmarks have previously been recorded. Consequently there is

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potential that further heritage assets with archaeological interest (buried archaeological remains) may be present at the site and that their significance will be affected by the proposed development. A condition is recommended requiring a programme of archaeological work in accordance with National Planning Policy Framework paragraph 135.

### **RAMBLERS ASSOCIATION: NORFOLK AREA**

None

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

No objection in principle, however improvements to layout of scheme are suggested.

### **EAST HARLING I D B**

No objection. Norfolk Homes will be required to enter into an Agreement for Consent to Discharge with the IDB for which an appropriate Development Contribution is payable.

### **NATURAL ENGLAND**

No objection.

### **LEAD LOCAL FLOOD AUTHORITY**

As of the 15 April 2015 Norfolk County Council (as Lead Local Flood Authority) became the Statutory Consultee for Surface Water Drainage. This was previously a role that was undertaken by the Environment Agency (EA). As the EA were the Statutory Consultee during the original period of consultation their comments are still valid. However, additional drainage drawings and a revised Flood Risk Assessment have been provided by the applicant, and therefore the LLFA have been consulted. Comments from the LLFA will be updated at planning committee.

### **PRINCIPAL PLANNER MINERAL & WASTE POLICY - No Comments Received**

### **ENVIRONMENTAL SERVICES OFFICER - No Comments Received**

### **AIR QUALITY OFFICER - No Comments Received**

## **REPRESENTATIONS**

At the time of writing this report, 120 letters of objection have been received together with a petition with 220 signatories from local residents raising the following main points of concern:

- \* Loss of hedgerows/trees
- \* Closure of Carvers Lane
- \* Flooding/Drainage
- \* Opening up of Bryony Way/Honeysuckle Way/West Carr Way (narrow estate roads), increase in traffic, pollution and noise, deliveries/rubbish collection, emergency vehicles
- \* Loss of parking space at beginning of cycle path
- \* Highway safety

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- \* Loss of wildlife habitat
- \* Congestion in Attleborough will increase/congestion onto A11
- \* Lack of facilities, play areas
- \* Impact on market value of properties
- \* Will the developers be providing traffic calming measures/crossings
- \* Noise impacts from A11, proposed changes to existing sound barrier
- \* Impacts during construction phase
- \* Potential restriction of HGV access to BoDo engineering
- \* Light pollution
- \* Air pollution
- \* Noise pollution
- \* Increase the possibility of fly-tipping
- \* Access for heating oil deliveries, septic tank servicing and refuse collection will be restricted

(Note the above is only a representation of the key objections to the development from local residents. The full objections can be viewed on the Council's website).

Two letters of support have also been received commenting as follows:

- \* Attleborough desperately needs inexpensive and affordable housing, Chapel Road which joins Carvers Lane was blocked off at the end several years ago and is used and appreciated by many walkers and cyclists.
- \* The proposals would make good use of otherwise vacant land between the town and the A11
- \* The proposed enhancement works to Carvers Lane are well conceived and will only enhance its green lane character, preventing through vehicular traffic and allowing it to be enjoyed fully by pedestrians and cyclists, with improved links to the town centre, schools etc.
- \* The access proposals are well thought out and would in no way create increased traffic or pedestrian hazards
- \* The development retains virtually all the existing trees and hedges to the benefit of the visual appearance/character and wildlife
- \* The development is in all other respects very sustainable

### **ASSESSMENT NOTES**

1.0 The application is referred to Planning Committee as it relates to a major development, contrary to the development plan.

#### 2.0 Principle

2.1 For decision making purposes, as required by Section 38(6) of the Planning & Compulsory Purchase Act 2004, the Development Plan comprises the Adopted Core Strategy and Development Control Policies Development Plan Document, together with the Site Specific Allocations DPD. Material considerations in respect of national planning policy are the NPPF and the more recently published National Planning Practice Guidance.

2.2 The application seeks consent for the erection of 91 residential dwellings outside of any defined Settlement Boundary. For this reason the proposal conflicts in principle with Policies DC02 and CP14 of the Core Strategy and Development Control Policies Development Plan Document (2009), which seek to focus new housing with defined Settlement Boundaries.



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However, paragraph 49 of the National Planning Policy Framework (NPPF) states that where an authority does not have an up to date five year housing land supply (at present the District figure is 3.8 years), the relevant local policies for the supply of housing as referred to above should not be considered up to date and that there is a presumption in favour of sustainable development. Housing applications should be granted permission unless any adverse impacts would significantly outweigh the benefits.

2.3 The NPPF identifies three dimensions of sustainable development:

- Economic, in terms of building a strong economy and in particular by ensuring that sufficient land of the right type is available in the right places
- Social, by supporting, strong vibrant and healthy communities by providing the supply of housing required to meet future need in a high quality environment with accessible local services and
- Environmental, through the protection and enhancement of the natural, built and historic environment.

2.4 Paragraph 8 of the NPPF also stresses that these roles should not be undertaken in isolation because they are mutually dependent; therefore a balanced assessment against these three roles is required.

2.5 In terms of the economic and social criteria, the proposal would make a positive contribution to the housing supply shortfall. A total of 64 open market dwellings would be provided together with 27 affordable housing units. The proposal would also provide some short-term economic benefits through its construction. The Core Strategy has identified Attleborough as having potential for substantial growth, harnessing economic expansion along the A11 corridor between Cambridge, Thetford and Norwich and providing the necessary balance of housing to support the enhancement of the Snetterton Heath employment site. It has had the most active commercial market outside Thetford and Dereham in recent years and it also has access to main line rail connections. It has a range of services commensurate with its position as a lower order centre and is able to serve the day to day needs of local residents.

2.6 Environmentally, although outside a Settlement Boundary, the proposed development would adjoin existing development. The proposal would not be isolated from existing development and would not have a significant detrimental impact on the wider landscape. The subject parcels of land are visually well contained, located between the A11 corridor and existing development.

2.7 Footnote 11 of the NPPF confirms that the site should be in a sustainable location, available now, and have a realistic prospect of being developed within five years.

2.8 The application has been put forward by a house builder and is a full application effectively extending an existing development. There is no reason to believe that the site is not available now or could not be deliverable within a timely manner. However, if Members are minded to approve the application, it would be appropriate that the permission time limit is reduced and this would be in accordance with other applications in Breckland approved under the five year supply. It is considered appropriate to impose a two year period for commencement of development in order to reaffirm the deliverability of the scheme.

2.9 In terms of location it is considered that the site is sustainable; however this is subject to the environmental impacts of the proposal being acceptable when balanced against the benefits. Although the NPPF's presumption in favour of sustainable development applies, paragraph 14 of

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the NPPF states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the framework taken as a whole; or, specific policies in the Framework indicate that development should be refused. A site needs to be acceptable in terms of highway access, impact on highway infrastructure, flood risk, landscape character, design and layout and ecological impact. These issues are considered later in this report.

### 3.0 Development Viability

3.1 The application proposes 30% affordable housing, which is below the level set out within Core Strategy Policy DC4 (Affordable Housing Principles). A Viability Assessment has been provided. However, this has not been independently assessed by the District Valuer as the applicants have declined to provide the necessary undertaking to pay the Council's fees in this respect.

3.2 Notwithstanding the above, the opinion of officers is that taking into account the significant off-site highway works proposed as part of the changes to Carvers Lane, some reduction in the level of affordable housing required by Policy DC04 is not an unreasonable expectation. However, the non-compliance with Policy DC04 in this regard counts against the scheme.

3.3 The 30% affordable housing, including mix and tenure, will be secured by way of a suitably worded S106 legal agreement.

### 4.0 Highways

4.1 Generally, it is considered that the site is in a sustainable location with good links for all modes of transport to local facilities, work opportunities and schools. The application proposes three main access points serving each phase, these being Honeysuckle Way, Bryony Way and West Carr Lane via the southern most section of Carvers Lane. Carvers Lane would be stopped up to vehicular traffic, creating a 'Green Lane' suitable for use by pedestrians and cyclists.

4.2 The Highway Authority has agreed a suitable package of mitigation measures which include the provision of a footway on the north side of West Carr Lane and the closure or improvement of various parts of Carvers Lane to vehicular traffic with alternative access to existing properties through the site, via Bryony Way and Honeysuckle Way. Consequently, the Highway Authority raises no objection subject to conditions covering estate roads; garages; construction traffic (parking); construction traffic management and routing/exceptional wear and tear; wheel cleaning facilities; off site highway improvements and implementation and that no works shall commence on the site until the Traffic Regulation Order for the prohibition of motor vehicles on various sections of Carvers Lane has been secured.

4.3 It is noted that local residents and the Town Council have raised concern in respect of the closure of a local road and the loss of a through route from West Carr Lane to Blackthorn Road, a route that could be used by emergency vehicles. Further concerns have been raised by the occupier of the small engineering company at the northern end of Carvers Lane in respect of the ability of HGV's to turn around once Carvers Lane is stopped up. All of these concerns have been considered by the Highway Authority who maintain no objection to the scheme subject to the aforementioned conditions being implemented. More specifically in respect of the

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traffic/access concerns that have been raised, the following is observed:

a) a through route from West Carr Lane to Blackthorn Road will be maintained, albeit routing through residential areas. The introduction of a Green Lane will bring social and environmental benefits.

b) a route north to south for emergency vehicles will be retained

c) BoDo Engineering has occasional visits by large HGV's, and it is understood that the majority of these vehicles are able to turn around at the front of the premises. Any vehicles that can't undertake this manoeuvre will be able to leave the site to the south via Honeysuckle Way.

4.4 Overall, the application is considered to accord with paragraph 32 of the NPPF, which states that 'development should only be refused on transport grounds, where the residual cumulative impacts of development are severe'.

### 5.0 Trees and Landscaping

5.1 The landscaping elements of the scheme are critical to ensuring an appropriate character outcome, particularly in respect of the existing trees that line Carvers Lane. A detailed tree survey and report (recently updated) has informed the design and layout of the scheme. Key design principles include:

- The majority of existing mature trees and hedgerows along Carvers Lane to be retained and protected during development and incorporated into the scheme as a green link and cycle route.
- Open spaces providing a multifunctional landscape buffer creating biodiversity opportunities.
- Additional planting forming key elements of the design of the character areas within the development.

5.2 The Tree and Countryside Consultant has considered the tree survey and report (as amended) and is content that they now give an accurate account of the trees on site, and whilst some dwellings are closer to retained trees than would be ideal, the management proposals should address this concern. No objection is raised to the development in principle, which accords with Policy DC12 of the Core Strategy.

### 6.0 Design

6.1 Both Core Strategy Policy DC16 and Section 7 of the NPPF require high quality design, and great importance is attached to the design of the built environment, with it seen as a key aspect of sustainable development. The design and access statement submitted with the application explains how the scheme has been influenced by a contextual and character appraisal of the site and the surrounding area.

6.2 The design of the layout has resulted from consideration of the need to maintain and enhance the characteristics of Carvers Lane, accesses and the phasing of road closure and construction. The design and layout of the proposed housing development follows widely

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accepted urban design principles and would create an attractive residential environment. The scheme is laid out to create well-defined streets and spaces with a clear distinction between public and private areas, ensuring that rear boundaries are secure and that houses are orientated to maximise the natural surveillance of streets (in particular Carvers Lane), parking areas and play spaces.

6.3 The scheme provides a variety of housing types, sizes and tenure to meet identified need. Proposed house designs would be broadly traditional in form with external materials reflecting the local palette. Car parking is generally well designed with most parking provided in curtilage and away from street frontages.

6.4 A site of this size would also need to provide 10% of its energy from a renewable source as set out within Core Strategy Policy DC14 (Energy Generation and Efficiency). This can be achieved by way of a suitably worded condition should planning permission be granted.

6.5 The green infrastructure and biodiversity of the site is proposed to be enhanced through the retention of established trees and hedgerows, environmental enhancements to Carvers Lane, and new tree and hedgerow planting within the site.

6.6 Overall in terms of design quality the scheme is considered acceptable and accords with Core Strategy Policy DC16 and the relevant requirements of section 7 of the NPPF.

### 7.0 Public Open Space

7.1 Approximately 3100 square metres of open space is being provided and will accommodate play equipment for children up to the age of 12 years. The open space is multifunctional and with the additional planting will provide for a landscape buffer to the A11 and a green backdrop to the central phase of the development. The area will also be overlooked by built development. Linked to this open space is the provision of the 'Green Lane', further enhancing the recreational amenity on offer to local residents. Although no open space is provided within the north development parcel, this site is close to the open space being provided as part of the adjoining eastern development that is nearing completion.

7.2 The amount of open space (incorporating play areas) being provided on site accords with the requirements of Core Strategy Policy DC11, and its location and layout will provide an appropriate level of amenity for the proposed development.

### 8.0 Amenity

8.1 In terms of layout the scheme has been generally designed to avoid any significant adverse effects. There would be no direct overlooking of private amenity space of existing dwellings.

8.2 However, in terms of noise, there are potential impacts on the amenities of future occupiers of the site in terms of its proximity to the A11 Trunk Road to the west. There is an existing soil bund and vegetation along the length of the western boundary of the site with the A11, and this is proposed to be retained and enhanced with additional landscaping. A full acoustic survey has been submitted by the applicants which includes noise mitigation measures such as 3m timber fencing to the north east boundary and 1.5 metre timber fencing at the top of the bund to the A11.

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Specific individual plots will also benefit from noise mitigating boundary treatments (e.g. plot 34, where there would be a 2.4 metre high brick wall to the garden boundary). This mitigation is in accordance with the requirements of the Environmental Health Officer, and a suitably worded condition will ensure its delivery.

### 9.0 Flood Risk/Drainage

9.1 The site lies within Flood Zone 1 and the application is accompanied by a Flood Risk Assessment and Drainage Strategy. The Environment Agency initially raised objection to the proposal. However, a letter from ASD Engineering dated 14th January 2015 indicates that the surface water drainage system has been altered so that the proposed system is isolated from the existing watercourse. The amended system will ensure satisfactory capacity is provided to capture and store all stormwater on the site.

9.2 However, whilst no longer objecting to the proposal, the Environment Agency recommend that prior to approval, the revised surface water drainage system is submitted to the Local Planning Authority and this has been requested from the applicant. In addition, concerns remain that little consideration has been given to the surface water flood risk to the site from the adjacent area. Anecdotal evidence from nearby residents also identifies that at least part of the area floods due to overland flow of surface water onto the site.

9.3 As of the 15 April 2015 Norfolk County Council (as Lead Local Flood Authority) became the Statutory Consultee for Surface Water Drainage. This was previously a role that was undertaken by the Environment Agency (EA). As the EA were the Statutory Consultee during the original period of consultation their comments are still valid. However, additional drainage drawings and a revised Flood Risk Assessment (FRA) have been provided by the applicant, and therefore the LLFA have been consulted. The revised FRA brings together all additional information and alterations previously agreed, the updated detailed drainage design, modelling to support the design to the appropriate standards of rainfall events and drain down times of the system, treatment of highway drainage through particular SuDS components prior to the final discharge point, and changes to the attenuation SuDS components. The FRA explains further that any exceedance flows generated during 1 in 100 year storms will be contained and conveyed through the development within the adoptable highways. The site generally falls towards the Public Open Space and the lowest point is located adjacent to the watercourse between Phases 4 and 5. To ensure that properties are protected from any residual risk of flooding it is proposed that Finished Floor Levels have a minimum of 300mm freeboard above surrounding ground levels and, where appropriate, 300mm above surface water drainage flood levels.

9.4 In terms of surface water management, the FRA explains that the main sewerage network will be offered to Anglian Water for adoption under Section 104 of the Water Industry Act. The foul systems, including the pumping stations, will also be offered to Anglian Water under the same agreement. Discussions have already begun with Anglian Water to establish the outline parameters for this agreement.

9.5 Comments from the LLFA in respect of the updated FRA will be updated at Planning Committee. Conditions requiring full details of foul and surface water drainage to be submitted to, and approved in writing by, the Local Planning Authority will be appended to any permission granted.

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### 10.0 Ecology

10.1 A Biodiversity and Protected Species Report accompanies the application. The Consultant Ecologist has raised no objection subject to a condition requiring a method statement being submitted prior to construction that would address potential impacts on protected species, in particular reptiles. This can be required by condition.

### 11.0 Prematurity

11.1 Local concerns regarding infrastructure capacity and the prematurity of the development are acknowledged, but these concerns must be set against the fact that the proposed development would provide significant financial contributions towards education and library services, as well as off site highway improvements. Recent appeal decisions relating to major residential proposals elsewhere in the country indicate generally that, in the absence of a 5 year land supply, objections based on prematurity are likely to be set aside by Inspectors in favour of the economic and other benefits of development, other than where the adoption of a new plan is imminent. It is considered therefore that a refusal ground based on prematurity could leave the Council vulnerable to an award of costs at appeal.

### 12.0 Conclusion

12.1 The proposed development conflicts with local planning policies which seek to prevent housing development outside defined settlement boundaries. However, these policies cannot be considered up-to-date due to the current shortfall in housing land and can therefore be given little weight. In this situation, the presumption in favour of sustainable development set out in the NPPF means that permission for development should be granted unless any adverse impacts of so doing would demonstrably outweigh the benefits or specific policies in the Framework indicate that development should be restricted.

12.2 The closure of Carvers Lane to vehicular traffic as a through route will result in a longer distance to travel from West Carr Road to Blackthorn Road through a residential area, and will also bring with it additional traffic using local estate roads. However, the benefits of the creation of an attractive Green lane for use by pedestrians and cyclists outweighs any harm in this regard.

12.3 Although no information has been provided to demonstrate the viability of the development at this stage to indicate whether or not it will be able to deliver the 40% affordable housing element, this is not considered to be a reason to refuse the application. A shorter time limit of 2 years for the submission of the reserved matters application and 1 year following the approval of the reserved matters application for the start of development is recommended in order to ensure that the scheme makes an early contribution to the supply of housing in the area.

12.4 Although outside the development boundary the proposed development would be well related to the existing pattern of development and would not result in significant intrusion into the rural setting of the town. It would also be within easy reach of a range of local services and facilities. The scheme would add to the mix of housing available in the area, including affordable housing, and make a positive contribution towards the supply of housing in the District. The construction of the development would also contribute to the local economy, albeit temporarily. However, in the medium term the new residents will make a positive contribution towards the

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local economy. Only limited harm would be caused to the character of the area and to local amenity, and this would not significantly and demonstrably outweigh the benefits of the scheme. It is concluded therefore that the proposal would represent a sustainable form of development.

12.5 It is recommended that planning permission is granted subject to conditions and a Section 106 Obligation which would include obligations relating to affordable housing (including a review mechanism), public open space provision and contributions towards education and library services.

12.6 Delegated authority is requested for the application to be refused by the Council's Planning Manager if the legal formalities in respect of the Section 106 are not completed within three months of the date of this decision or that the Planning Manager has the authority to agree another more appropriate timescale for the completion of any agreement.

### **RECOMMENDATION** Planning Permission

### **CONDITIONS**

- 3007** Full Permission Time Limit (2 years)
- 3047** In accordance with submitted
- MT02** External materials as approved
- DE08** Slab level to be arranged
- 3920** Landscaping
- 3920** Estate Road Condition
- HA01** Standard estate road conditions
- HA02** Standard estate road condition
- HA03** Road Surfacing
- A**
- HA03** Standard estate road condition
- B**
- HA23** Garages- size and retention for parked vehicles
- HA28** Construction traffic (parking)
- HA29** Construction traffic management and routing/ exceptional wea
- A**
- HA29** Construction traffic management and routing/ exceptional wea
- B**
- HA30** Wheel washing facilities- temporary for construction vehicle
- A**
- HA30** Wheel washing facilities- temporary for construction vehicle
- B**
- HA39** Highway improvements-offsite A
- A**
- HA39** Highway improvements off-site B
- B**
- HA40** Traffic regulation orders
- 3946** Contaminated Land - Unexpected Contamination
- 3920** Ecology Method Statement

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- 3920** Noise
- 3920** Foul Water Drainage
- 3920** Surface Water Drainage
- 3920** Construction Method Statement
- 3920** Hours of construction
- 3920** Archaeology
- 3920** Renewables
- 3920** Fire Hydrants
- 3920** Tree Protection and AIA
- AN30** When off-site road improvements are required
- AN36** Street lighting
- 9850** Section 38 Agreement
- 3996** Note - Discharge of Conditions
- 4000** Variation of approved plans
- 2000** NOTE: Application Approved Without Amendment
- 2014** Criterion E - Planning Apps Where Approved



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<b>ITEM</b>	<b>2</b>	<b>RECOMMENDATION : APPROVAL</b>
<b>REF NO:</b>	3PL/2015/0279/O	<b>CASE OFFICER:</b> Jemima Dean
<b>LOCATION:</b>	MATTISHALL Land Off Cedar Rise	<b>APPN TYPE:</b> Outline <b>POLICY:</b> Out Settlemnt Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> Y <b>TPO:</b> N <b>LB GRADE:</b> N
<b>APPLICANT:</b>	Abel Homes Ltd c/o Agent	
<b>AGENT:</b>	David Futter Associates Ltd. Arkitech House 35 Whiffler Road	
<b>PROPOSAL:</b>	Residential development	

### **KEY ISSUES**

Sustainable development  
Impact on the landscape character and appearance of the area  
Impact on conservation area  
Public open space  
Access and highway impact  
Impact on amenity  
Planning contributions  
Public rights of way  
Archaeology  
Drainage and flood risk

### **DESCRIPTION OF DEVELOPMENT**

The application seeks outline permission for residential development on greenfield land to the south of Cedar Rise, Mattishall.

The application proposes residential development with all matters reserved apart from access.

The following documents were submitted with the application:

- \* Design and Access Statement
- \* Planning Statement
- \* Flood Risk and Drainage Assessment
- \* Phase 1 Geo & Environmental Assessment
- \* Arboricultural Impact Assessment
- \* Phase 1 Survey and Ecological Appraisal
- \* Community Involvement Statement

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Indicative plans have been submitted illustrating a layout for 35 dwellings with an area of public open space to the east of the application site and a second to the west. Access is shown as a continuation of Cedar Rise. The indicative plan shows a generally detached form of dwelling development apart from attached bungalows along the northern portion of the site.

The application proposes:

- \* 40% affordable housing provision;
- \* Access from Dereham Road via Cedar Rise;
- \* Public open space;
- \* Rerouting of existing Public Right of Way;
- \* Footpath link from Cedar Rise to the diverted public footpath.

### **SITE AND LOCATION**

The site is located on the southern edge of Mattishall. The site area extends to approximately 1.8 hectares. The site's northern boundary forms the Mattishall Settlement Boundary.

The site is located on the fringe of Mattishall village, bordered to the east by mature trees and the Mattishall footpath no. 14. Beyond this a school playing field for use in association with Mattishall Primary School. To the south of the site is native informal hedging and a ditch. West of the site is an established coniferous hedgerow. The Mattishall footpath no. 21 runs directly through the site.

There is existing residential development beyond the northern boundary comprising Cedar Rise, and beyond the north west of the site comprising Willow Close. The site is well related to the existing settlement. The site is located to the south east of the Mattishall Conservation Area.

The immediate neighbourhood to the north and northwest of the site is characterised largely by 1960's single storey and two storey dwellings. The application site currently comprises agricultural land. Surrounding land use other than residential and the nearby school is largely agricultural. The site and surrounding landscape is generally flat with a slight fall to the south.

### **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

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CP.01	Housing
CP.04	Infrastructure
CP.05	Developer Obligations
CP.09	Pollution and Waste
CP.10	Natural Environment
CP.12	Energy
CP.14	Sustainable Rural Communities
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.15	Renewable Energy
DC.16	Design
DC.17	Historic Environment
DC.19	Parking Provision
NPPF	With particular regard to paragraphs 14, 47 and 49
NPPG	National Planning Practice Guidance

### **CIL / OBLIGATIONS**

40% affordable housing - split 70/30 between rent and intermediate products.

Education contributions towards Primary and 6th Form provision.

Norfolk Fire Services require one hydrant to be provided on site.

Contributions towards libraries of £60 per dwelling.

A minimum of one Local Area for Play (LAP) to be provided on site.

A draft S106 Agreement is being prepared and has been agreed with the applicant in order to secure the above requirements.

Public Open Space will be provided on-site in accordance with Policy DC11.

### **CONSULTATIONS**

#### **MATTISHALL P C -**

1. The Parish Council does not support this application.
2. Mattishall is currently designated as a service centre with no significant new development. The Parish Council is confident that a majority of Mattishall residents who hold an opinion on

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development matters would like this status to remain unchanged. For this reason alone as the representative body for Mattishall the Parish Council opposes the proposed development.

3. There has been a significant participation in the planning process by local residents, especially those who live close to the proposed development. There have been 130 representations by individuals to Breckland Council, all of which are opposed to the development. Over 40 people attended the Parish Council meeting on 2nd February when Abel Homes Ltd presented its proposal.

4. The proposed development site is outside the development boundary for Mattishall that was set out in the Breckland 2009 Core Strategy. Breckland Council is currently preparing a new Local Plan. The Parish Council believes that the integrity of the new Local Plan will be compromised if substantial development is permitted before the Plan is finished.

5. The Parish Council is mindful of the projected increase in population in Breckland. It therefore accepts that the Breckland Local Plan currently in preparation is likely to allocate new housing to Mattishall. With this in mind the Parish Council is undertaking a Neighbourhood Development Plan. A Neighbourhood Plan Working Group has been formed and work on the plan has begun.

6. The intention of the Localism Act 2011 in creating Neighbourhood Development Planning was to give local communities the ability to shape development in their area. The Parish Council believes that to allow significant development whilst the Neighbourhood Plan is being prepared is contrary to the intention and spirit of the 2011 Localism Act. Substantial development in Mattishall should await the production of the new Breckland Local Plan and the Neighbourhood Development Plan for Mattishall.

7. The Parish Council does not wish to express an opinion on the merits of this specific proposed development (either the location, the layout, or the type and number of dwellings) because to do so would be to pre-judge the findings of the consultation taking place for the Neighbourhood Plan. For the Parish Council to form an opinion ahead of the Neighbourhood plan consultation would be contrary to the fundamental principle of Neighbourhood Planning.

8. Nevertheless the Parish Council as the representative of the residents of Mattishall wishes to draw attention to the main points expressed by those opposed to the development. These are:

- i. The road through Mattishall is congested and cannot deal with additional traffic.
- ii. The proposed road improvement included in the application are likely to make traffic congestion worse because cars will park to drop off and collect children on both sides of the road if there is a pavement on the south side. The proposed 6M width is not enough to accommodate parking on both sides.
- iii. The sewage system has capacity problems already and will not cope with additional volume.
- iv. The school and the doctors' surgery are running at full capacity and cannot accommodate extra people in their present accommodation.
- v. Cedar Rise is unsuited to additional traffic, both during the construction phase and after the houses are built.
- vi. The bus service is at full capacity during peak periods, and unable to transport additional commuters to Norwich.
- vii. There is little employment in Mattishall relative to its population. Most residents of the proposed new housing would travel to work outside Mattishall, and based on current experience most will travel by car or van. This will create significant extra car movements within Mattishall, and also extra vehicle movements on the roads around Mattishall.
- viii. There are other proposed developments that will impact on traffic in Mattishall. A Cumulative Impact Traffic Assessment should be carried out to ascertain whether these developments are sustainable.

9. The Parish Council is aware of significant housing development proposals from different developers on three other sites in Mattishall. This application and these other proposals should be considered as a whole in the light of the emerging Breckland Local Plan, and the Mattishall Neighbourhood Plan. To approve this application on an ad hoc basis is not how the planning

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system is intended to work.

Conclusion - The Parish Council considers that this application should be refused.

### **NORFOLK COUNTY COUNCIL HIGHWAYS**

No objection subject to conditions.

### **ENVIRONMENT AGENCY**

No objection subject to conditions.

### **ANGLIAN WATER SERVICE**

In terms of wastewater Anglian Water confirms that there is capacity to deal with the extra flows.

No objection is raised subject to conditions relating to foul and surface water drainage.

### **HISTORIC ENVIRONMENT SERVICE**

No objection - an archaeological trial trench evaluation has been carried out at the proposed development site. Further small-scale archaeological work in the area of Trench 2 is recommended.

### **OBLIGATIONS OFFICER, NORFOLK COUNTY COUNCIL**

The County Council would have an objection if funding for Education and Library Provision is not adequately addressed.

### **TREE AND COUNTRYSIDE CONSULTANT**

No objection in principle. An arboricultural impact assessment, method statement and tree protection plan will be required.

### **HOUSING ENABLING OFFICER**

Although the application form lists all 35 homes as market homes, the Design and Access Statement lists 21 market and 14 affordable, and I have made my comments on this basis. The proposed 14 units would appear to meet Breckland's adopted policy DC4 which requires 40% affordable housing, split 70/30 between rent and intermediate products. We would expect the properties to be transferred to a Registered Provider at a price which assumes no public subsidy is available.

### **ECOLOGICAL AND BIODIVERSITY CONSULTANT**

No objection.

### **CONTAMINATED LAND OFFICER**

No objection subject to conditions.

### **ENVIRONMENTAL HEALTH OFFICERS**

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No objection subject to conditions.

### **RAMBLERS ASSOCIATION: NORFOLK AREA**

The Ramblers object to this proposal, as it would totally change the character of Mattishall FP21, which currently crosses open agricultural land, but would now be diverted from its historic course to run along the estate roads. The impact of the loss of open views and the rural nature of the land crossed would be compounded by diversion onto tarmacked roads with no views other than housing.

### **FLOOD AND WATER MANAGER**

No objection. It is recommended the condition recommended by the Environment Agency with regard to surface water drainage is amended.

### **HISTORIC BUILDINGS CONSULTANT**

No objection - the proposed development would not lead to either harm or loss of significance of the applicable designated heritage assets.

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

No objection - comments relating to design.

## **REPRESENTATIONS**

Over 150 representations have been received in response to the application raising the following issues:

- Loss of agricultural land
- Lack of local facilities
- Lack of infrastructure such as doctors, schools, pharmacy
- Drainage / flood risk
- Sewage system not adequate / smell from sewage
- Loss of countryside / greenfield site / rural area
- Reduce property value
- Impact on neighbouring residents
- Application site is beyond the settlement boundary
- Should wait for Mattishall Neighbourhood plan to be finalised
- Bus service at full capacity
- No employment in Mattishall
- Loss of rural footpaths
- Archaeological impact
- No supermarkets in Mattishall
- Unsustainable location
- Impact on wildlife
- Impact on privacy / loss of views
- No need for housing in this location

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- Disproportionate amount of social housing / all in same location
- Not in keeping with surrounding development
- Proposed Open Space offer little benefit to very few houses
- Lack of community involvement
- Cumulative impact of residential development in the area must be considered
- Danger to existing trees
- Proposed development is too big
- Cedar Rise not suitable road
- Highway safety: insufficient off-street parking; construction traffic; parking at school is dangerous; extra traffic; traffic congestion especially at peak times; dangerous road; people ignore speed limits; exacerbate existing traffic problem; on-kerb parking will increase; concern around proposed road widening.

### **ASSESSMENT NOTES**

1.0 This application is referred to the Planning Committee as it is a major application and contrary to the development plan.

#### 2.0 Sustainable Development

2.1 For decision making purposes, as required by Section 38(6) of the Planning & Compulsory Purchase Act 2004, the Development Plan comprises the Adopted Core Strategy and Development Control Policies Development Plan Document, together with the Site Specific Allocations DPD. Material considerations in respect of national planning policy are the NPPF and the more recently published National Planning Practice Guidance.

2.2 The site is located outside the Settlement Boundary in an area of open countryside (as defined by policies SS1, DC2, CP1, and CP14 of the Core Strategy and Development Control Policies Development Plan Document 2009), where development is heavily restricted. The application is clearly contrary to these policies. Furthermore, the site is not being put forward for 100% affordable housing under the rural exceptions policy DC5. The proposal should therefore be refused unless there are material considerations that dictate otherwise. The lack of a 5-year housing supply within Breckland district carries significant weight in the consideration of the application.

2.3 Paragraphs 47 and 49 of the National Planning Policy Framework (NPPF) state that where an authority does not have an up to date five year housing land supply (at present the District figure is 3.72 years), the relevant local policies for the supply of housing as referred to above should not be considered up-to-date and that housing applications should be considered in the context of the presumption in favour of sustainable development.

2.4 The Government defines sustainable development as having three dimensions. These dimensions give rise to the need for the planning system to perform a number of roles:

- economic, in terms of building a strong economy and in particular by ensuring that sufficient land of the right type is available in the right places;
- social, by supporting, strong vibrant and healthy communities by providing the supply of housing required to meet future need in a high quality environment with accessible local services, and;

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- environmental, through the protection and enhancement of the natural, built and historic environment.

2.5 Paragraph 8 of the NPPF stresses that these roles should not be undertaken in isolation because they are mutually dependent; therefore a balanced assessment against these three dimensions is required.

2.6 In terms of economic and social sustainability, Mattishall is identified as a Service Centre and contains adequate services and facilities to meet the day to day requirements of existing residents. Mattishall contains a number of services and facilities including: a primary school; post office; butchers, newsagent, a public house, fish and chip shop; churches; a café; doctors surgery; and recreation areas.

2.7 Dereham is approximately 6 miles to the west of the application site. In terms of public transport Mattishall is served by a regular bus service that runs seven days a week (the number 4 - Swanton Morley - Dereham - Mattishall - Norwich). The site is within easy walking distance, by footpath, of the nearest bus stops. The bus services linking the site to Dereham's local amenities would provide an alternative to the car, consistent with the social and environmental dimensions to sustainable development. These considerations weigh in favour of the proposal.

2.8 Paragraph 55 of the NPPF states housing should be located where it will enhance and maintain the vitality of existing rural communities and help sustain facilities in the surrounding settlements. The site is on a public transport route with bus stops in close proximity to Cedar Rise. The NPPF states that local planning authorities should avoid new isolated homes in the countryside. The proposed dwellings would form part of the existing settlement and would not be isolated when considered in this context.

2.9 Paragraph 47 of the NPPF requires new sites for housing development to be deliverable, which is defined as being available now, suitable in terms of location, and be achievable in respect of housing being developed on the site within the next five years. Although there are no known barriers affecting the site, as no financial viability appraisal has been submitted with the application, there is some degree of uncertainty as to the viability of a fully policy compliant scheme, and this counts against the proposal. To ensure the deliverability of the development a planning condition would require a reduced permission time period.

### **3.0 Impact on the Landscape Character and Appearance of the Area**

3.1 Policy CP11 of the Core Strategy seeks to ensure that the landscape of the District will be protected for the sake of its own intrinsic beauty and its benefit to the rural character. Development within the District is also expected to be of the highest design quality in terms of both architecture and landscape. It should have regard to good practice in urban design and fully consider the context within which it sits. It should embrace opportunities to enhance the character and appearance of an area and contribute to creating a sense of local distinctiveness.

3.2 The proposal would represent a significant change in the nature and appearance of the land to which the application relates, and the assessment to be made is whether the impact on the land would be significantly harmful to the local area. The site is however closely related in a visual sense to the main body of the village as it abuts the urban edge of existing development.



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3.3 The Breckland Landscape Character Assessment (2007) indicates that the site is located largely within an area known as the 'Central Breckland Plateau' where urban edge expansion of key settlements should be monitored to ensure that any development is appropriate to local historic vernacular and materials. Attention should be paid to the open, elevated and exposed landscape, with open fields often forming the horizon. The remaining part of the site to the west falls within 'Wensum and Tud Settled Tributary Farmland' where new development should reflect the existing material and stylistic vernacular within the settlements. Distinctive vernacular building materials include Norfolk red brick and clay lump. Development and boundary treatments to the settlement edges would require careful attention and the landscaping strategy should take account of these requirements. Materials of the proposed development would be considered as part of the reserved matters application.

3.4 One of the core planning principles in the NPPF is that planning should 'take account of the different role and character of different areas, and this includes recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it' (paragraph 17).

3.5 The application site and the immediate landscape surrounding it is slightly undulating with open views across agricultural land toward the site from the south particularly whilst travelling along Thynne's Lane to the south of the site. Whilst the southern boundary of the site comprises native hedgerow it is fairly sporadic providing limited screening in this direction, particularly in winter months. The screening of the development from the south would need to be carefully considered in a landscaping strategy.

3.6 The indicative layout submitted with the application illustrates 14 bungalows proposed along the northern boundary of the site. This would accommodate the affordable housing element of the scheme. Due to the terracing of the bungalows and extensive hardstand areas set aside for car parking to the front of the terraces, the development at this location results in a very car dominated environment along the road frontage. This design outcome will not be supported at the reserved matters stage of the development process. Parking spaces to the sides of dwellings would provide a more traditional and appropriate streetscene response.

3.7 The proposed density of development, as depicted in the indicative layout plan of 35 dwellings (19 dph) would be similar to that of Cedar Rise. Whilst it is appreciated that the layout plan is indicative only it is thought that in terms of density the layout to the northern boundary of the plan is arguably too high in this context, whilst the layout to the south is more akin to the existing established pattern of development. Reducing the density along the northern boundary, which may include incorporating detached dwellings in lieu of the indicative terraces, would provide a more site responsive design. The site clearly has the potential to accommodate residential development, however the final density may not be as high as that shown on the submitted indicative layout plan.

### **4.0 Impact on Conservation Area**

4.1 The site is located just beyond the southern periphery of the Mattishall Conservation Area. Development within the District is expected to preserve and enhance the character and appearance of conservation areas in accordance with Policy DC17 of the Core Strategy. The Historic Buildings Consultant considers the proposed development would not lead to either harm or loss of significance of the applicable designated heritage assets and raises no objection to the proposal.

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4.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

4.3 Mature trees and other established planting at the southern edge of the conservation area provide effective screening separating the site in a visual sense from the neighbouring land and nearby conservation area.

4.4 The proposed residential development would preserve the character and appearance of the Mattishall Conservation Area, in accordance with Policy DC17 of the Core Strategy, the NPPF and sections 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### 5.0 Public Open Space

5.1 Developments of 25 dwellings or more should provide on-site open space and provide for maximum surveillance of these areas. Residential development of 25 dwellings or more require a minimum of one Local Area for Play (LAP) to be provided within the application site. Open Space is best located where it is overlooked by the fronts of nearby dwellings. Children's play areas and facilities should be located within walking distance of where they live. However, they should not be located so close to dwellings as to cause noise or nuisance problems for residents

5.2 The indicative layout shows two principal areas of public open space; one central to the site and the other adjoining the eastern boundary. The design and location of on-site provision of children's open space would require careful consideration at the detailed design stage. It is however considered that the location of the public open space as shown on the indicative layout is acceptable in principle.

### 6.0 Access and Highway Impact

6.1 The applicant proposes enhancements to the existing road network around the access to Cedar Rise. It is proposed to provide an extension to the footpath to Cedar Rise along the Dereham Road to Mattishall Primary School (in front of numbers 10-26 Dereham Road) providing a safer pedestrian travel route. In order to address concerns regarding 'pinch points' along Dereham Road relating to the new footpath, a 6 metre carriageway is proposed along this route. It is also proposed to extend the western footway around the bellmouth of Cedar Rise and provide crossing facilities onto the northern footway leading to local amenities. The site access itself would extend to meet the footpaths already situated in Cedar Rise providing a link from new to old. The Highway Authority consents to the proposed road network enhancements, noting the works will provide for a significant improved pedestrian environment.

6.2 With regard to highway safety and access, it is recognised there is considerable local concern with respect to the proposed development, particular attention focusing on the suitability of Dereham Road and Cedar Rise to cater for the development. The Highway Authority accept Dereham Road at school drop off and pick up times is witness to on-street parking and increased traffic levels, however the Authority considers the residual impacts of the development on the local road network not to be severe.

6.4 Comments have been made in response to the indicative layout and subject to detailed

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design checking, which can be carried out at the reserved matters stage, the Highway Authority is satisfied the proposal offers acceptable improvements and would have no objection in highways terms to the proposed development. Conditions and informatives as recommended by the Highway Authority would be attached to the planning permission.

### 7.0 Impact on Amenity

7.1 Concerns have been raised locally that the scheme constitutes overdevelopment and would also detract from the character of the existing development in the immediate locality and cause undue harm to the residential amenities of the occupants of nearby properties by way of overlooking and loss of privacy.

7.2 The direct impact on the amenity of local residents is limited to the northern and north western boundaries of the site where proposed housing would adjoin existing residential development. These boundaries provide limited existing screening with many properties along Cedar Rise and Cedar Close currently having open views into the application site.

7.3 The indicative layout submitted with the application illustrates a scheme with single storey dwellings to the northern boundary at a distance of at least 6 metres. The full impact on residential amenity would be assessed at the reserved matters stage. Careful attention would be needed to ensure an acceptable level of amenity is maintained to that of existing and proposed dwellings. It is considered that properties along the northern boundary should be limited to single storey as shown on the indicative layout. The landscaping strategy should also include additional buffer planting along the north and western boundaries of the site.

### 8.0 Planning contributions

8.1 The applicants have advised that they will comply with the affordable housing policy requirement of 40% and meet all other required obligations. Whilst this may be the case and there are no foreseen difficulties that would prohibit the delivery of these obligations there is no assurance that these obligations will be met.

8.2 Viability is part informed by the land value which the landowner is prepared to accept to bring the scheme forward. In this case the applicant is fully aware of the requirement to provide for 40% affordable housing and if planning permission is granted then any subsequent purchaser will be fully aware of that requirement and it will no doubt inform the value of the site. The Council would usually require a viability appraisal. The applicant has not provided this information.

8.3 There is currently pressure for places at Dereham 6th Form Centre and Mattishall Primary School is considered to be at capacity. Contributions are to be sought for Primary and 6th Form provision.

8.4 Norfolk Fire Services has indicated that the proposed development would require one hydrant for the residential development at a cost of £892.00.

8.5 A contribution towards library provision is required at approximately £60 per dwelling to the Dereham Library.

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8.6 The requirements above would need to be addressed in order to make the development acceptable in sustainable terms through the delivery of necessary infrastructure. The funding of this infrastructure would be through a S106 Agreement. The Council's solicitors have been instructed on this matter.

### 9.0 Public Rights of Way

9.1 Public Rights of Way (PRoW) in this area are well used locally and informal routes have developed along side the designated paths. The existing informal footpath link that currently exists along the western boundary has been formalised as part of the proposal joining the footpath with Cedar Rise.

9.2 FP14, which follows the eastern edge of the proposed site is an old hedged lane and holds landscape value locally. There are opportunities for surface enhancements, hedgerow and ditch management which would enhance green infrastructure at this location.

9.3 FP21 would be directly affected by the proposed development as it currently traverses the subject site. The indicative plan shows a rerouting of FP21. It is proposed to align FP21 with the proposed internal estate road whilst also connecting to the existing section of Cedar Rise to the north. There is scope to revise the arrangement of the open space network and align the revised footpath location within this network. This more detailed matter is most appropriately assessed at the reserved matters stage. The Ramblers Association will have opportunity to further input on this matter as part of the consultation associated with the reserved matters application.

### 10.0 Archaeology

10.1 The application site is in an area of archaeological potential approximately 75 metres south of the findspot of a Roman coin hoard. Metal detecting on the site has also recovered late Saxon and post medieval artefacts and an adjacent field has produced artefacts dating from the Middle Palaeolithic to the post medieval periods including an unusual Iron Age skull pendant. Other known sites in the area include a medieval moated site approximately 250 metres to the north and medieval common edge settlement approximately 350 metres to the west.

10.2 An archaeological evaluation was undertaken in order to establish the archaeological significance of the site, in accordance with paragraphs 128 and 141 of the National Planning Policy Framework.

10.3 The results of the evaluation confirmed the presence of below ground archaeological features and although many features were widely scattered and post medieval to modern in date, one trench produced a cluster of features including ditches, pits and postholes which produced mixed dating evidence. In the light of this further small-scale archaeological work is recommended by the Historic Environment Service and if planning permission is granted this would be secured by planning condition.

### 11.0 Drainage and Flood Risk

11.1 The site falls within Flood Zone 1. The Flood Risk Assessment (prepared by Frith Blake Consulting Ltd. dated March 2015) includes a sustainable surface water drainage strategy and a

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foul drainage strategy to drain the development.

11.2 With regard to surface water drainage the Environment Agency considers that the submitted FRA is acceptable and supports the application subject to a condition. The requested condition relates to a submitted surface water drainage strategy to be submitted and provides a list of criteria to be met.

11.3 As of the 15 April 2015 Norfolk County Council (as Lead Local Flood Authority - LLFA) became the Statutory Consultee for Surface Water Drainage. The LLFA response highlights that the EA Surface Water Flood Map indicates small watercourses and ditches that are not shown on the EA Fluvial Flood Map as the catchments are too small. The Surface Water Flood Map indicates that the majority of flooding which could be associated with the watercourse / ditch to the south and southwest of the site is outside of the indicative development area. However, it is noted that plots 28 to 35 could potentially be affected by flooding during a significant flood event.

11.4 A number of mitigation measures are suggested by the LLFA which include: amending the layout to allow for maintenance of the watercourse which is likely to require vehicular access; exchanging some of the plots numbered 28 to 35 with public open space; and requiring floor levels on all properties to be raised by a minimum of 300 mm. The LLFA also suggest the removal of permitted development rights within proximity of the watercourse to prevent unintentional alterations or blockage to the watercourse. This restriction is most appropriately addressed at the reserved matters stage. The LLFA request that the condition suggested by the EA is amended to address these issues. In terms of SUDS management this would be incorporated in to the overall surface water drainage strategy.

11.5 With regard to foul drainage the land is in the catchment of Mattishall water recycling centre and is considered by Anglian Water to have capacity for these flows. It is requested by Anglian Water that a foul water drainage strategy to include mitigation measures is submitted to and approved by the local planning authority prior to development. This can be secured by planning condition.

### 12.0 Other Issues

12.1 The Council's Contaminated Land Officer raises no objection to the proposal subject to the imposition of recommended contamination conditions relating to imported or reused topsoil and contamination risk. Subject to these conditions it is considered that the scheme would accord with Policy CP9 of the Breckland Core Strategy.

12.2 Environmental Health raises no objection subject to conditions relating to surface and foul water disposal, and construction related conditions.

12.3 In relation to ecology, no objection is raised by the Ecological and Biodiversity Consultant provided the requirements as set out in the Phase I Survey and Ecological Appraisal (including Great Crested Newt Assessment) (Anglian Ecology, 2015) are adhered to throughout the development.

12.4 Concerns have been raised locally about the capacity of the local primary school to accommodate additional pupils. Contributions are sought by Norfolk County Council, to fund additional primary school and sixth form places. This would be secured by the proposed S106

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Agreement. There is no substantive evidence to suggest that the proposal would result in significant adverse effects on local health infrastructure.

12.5 Details of waste and recycling bins can be dealt with at the detailed design stage. In accordance with Policy DC14, a condition requires the development to supply at least 10% of the energy required through on-site and/or decentralised renewable sources.

### 13.0 Conclusion

13.1 Given the current shortfall in the supply of housing land in the District, local planning policies which seek to prevent development outside settlement boundaries can be given little weight. In this situation, the NPPF states permission should be granted unless any adverse effects of so doing would significantly and demonstrably outweigh the benefits.

13.2 The proposal will impact the amenity of existing residential development to the north and north west of the site, and also, to the character of the area due to the loss of openness. This harm can be mitigated by an appropriate siting, layout and design together with a landscaping strategy, the details of which would be carefully considered at the reserved matters stage.

13.3 The proposal would make an important contribution to the supply of housing, including affordable housing; a factor which must be given considerable weight given the thrust of national planning policy regarding housing provision. The development would also be appropriately designed and with proposed enhancement to the existing roads would not unacceptably impact the local highway network.

13.4 Taking all matters into consideration it is concluded that the harm likely to be caused by the proposal would not be such that it would significantly and demonstrably outweigh the benefits of the development. In accordance with paragraph 14 of the NPPF, it is therefore recommended that permission is granted subject to conditions and to the completion of a section 106 agreement. However, delegated authority is also requested to refuse the application if the legal formalities in respect of the Section 106 are not completed within three months of the date of this decision or that the Planning Manager has the authority to agree another more appropriate time scale for the completion of any such agreement.

### **RECOMMENDATION**

**Outline Planning Permission**

### **CONDITIONS**

- 3005** Outline Time Limit (2 years)
- 3047** In accordance with submitted
- 3058** Standard Outline Condition
- HA05** Standard outline highways condition
- HA39** Highway improvements-offsite A
- A**
- HA39** Highway improvements off-site B
- B**

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- HA29** Construction traffic management and routing
- A**
- HA29** Construction traffic management and routing
- B**
- 3920** EA / Flood Water Management
- 3920** Flood Water Management
- 3920** Anglian Water
- 3920** Anglian Water
- 3920** Archaeology
- 3920** Ecology
- 3920** Contaminated land
- 3920** Contaminated land
- 3920** EHO Surface water
- 3920** EHO Foul water
- 3920** EHO Main sewer
- 3920** EHO Capacity of treatment works
- 3920** EHO Construction - delivery hours
- 3920** EHO Construction work hours
- 3920** EHO Noise Impact Assessment
- 3920** EHO Dust
- 3405** Fencing/walls - details and implementation
- 3941** Renewable Energy
- 3925** Fire Hydrants
- 3923** Contaminated Land - Informative (Extensions)
- 4000** Variation of approved plans
- 3996** Note - Discharge of Conditions
- AN60** NOTE NCC Inf 1 When off-site road improvements are required
- 3920** Tree protection
- 3992** Open space provision on site
- 3992** Non-standard note re: S106

## **BRECKLAND COUNCIL - PLANNING COMMITTEE - 21-09-2015**

<b>ITEM</b>	<b>3</b>	<b>RECOMMENDATION : APPROVAL</b>
<b>REF NO:</b>	3PL/2015/0486/F	<b>CASE OFFICER:</b> James Platt
<b>LOCATION:</b>	ATTLEBOROUGH Land adjacent to Hawthorndon London Road	<b>APPN TYPE:</b> Full <b>POLICY:</b> Out Settlemnt Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> N <b>TPO:</b> N <b>LB GRADE:</b> N
<b>APPLICANT:</b>	Mr Colin Kilby Hawthorndon London Road	
<b>AGENT:</b>	Lucas Hickman Smtih 21 Town Green Wymondham	
<b>PROPOSAL:</b>	Proposal for three two-storey dwellings	

### **KEY ISSUES**

Sustainable development  
Impact on amenity  
Impact on the local character of the area  
Highway safety

### **DESCRIPTION OF DEVELOPMENT**

The application seeks full planning permission for the erection of three two storey detached dwellings on land to the rear of Hawthorndon, London Road, Attleborough. The proposal will provide a new private access off London Road and a public footway to the front of the site. An existing Cherry Laurel Hedge, Oak, Ash and Walnut Tree are proposed to be removed.

### **SITE AND LOCATION**

The proposed site forms part of the existing rear amenity space serving a residential property known as Hawthorndon. The proposal is located outside of the defined Attleborough Settlement Boundary. The surrounding area is generally characterised by both residential development and agriculture, with access gained to the proposed site via London Road. The site is bounded by residential development to the north and east and agricultural land to the south.

### **EIA REQUIRED**

No



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### **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

DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.16	Design
NPPG	National Planning Practice Guidance
NPPF	With particular regard to para.7

### **CIL / OBLIGATIONS**

Not applicable as the site area is below the 0.17 hectare threshold and the proposal comprises less than 5 residential units.

### **CONSULTATIONS**

#### **ATTLEBOROUGH TC -**

No objections but note that the site is outside of the settlement boundary.

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

No objection subject to conditions.

#### **CONTAMINATED LAND OFFICER**

No objection.

#### **ASSET MANAGEMENT**

No objections.

#### **TREE AND COUNTRYSIDE CONSULTANT**

No objections subject to conditions.

#### **HISTORIC ENVIRONMENT OFFICER**

No objection subject to conditions.

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### **REPRESENTATIONS**

None

### **ASSESSMENT NOTES**

1.0 The application is referred to Planning Committee as a departure from the Development Plan.

#### 2.0 Sustainable development

2.1 The application site lies outside of any defined Settlement Boundary. The development of the site for housing would therefore conflict with Core Strategy Policy CP14, which seeks to focus new housing within defined settlement boundaries. However, as the Council cannot currently demonstrate a 5 year supply of housing land, Policy CP14 cannot be considered to be up-to-date insofar as it relates to the supply of housing land and can be given little weight.

2.2 In this situation, the presumption in favour of sustainable development set out in the National Planning Policy Framework (NPPF) means that permission for development should be granted unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate that development should be restricted.

2.3 As per paragraph 7 of the NPPF, there are three dimensions to sustainable development: economic, social and environmental. The NPPF states that these roles should not be undertaken in isolation, because they are mutually dependent.

2.4 The NPPF indicates that rural housing should be located where it will enhance or maintain the vitality of rural communities and that isolated houses in the countryside should be avoided. Additionally, the Government's Planning Practice Guidance (NPPG) notes that all settlements can play a role in delivering sustainable development and that blanket policies restricting housing in some rural settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.

2.5 The social role of sustainable development seeks to ensure, amongst other matters, the creation of a high quality built environment with accessible local services. Attleborough is subject to a variety of services and has the potential to meet all everyday needs, including shopping, employment and education. The town centre is located approximately one mile to the north east and the site connects with the town centre via a public footpath. Attleborough is subject to a range of public transport services, connecting the town with the City of Norwich. A bus service operating half hourly and train service operating hourly connect the two settlements. The 'Flexibus' service operated by Norfolk County Council is an additional public transport option which offers a 'ring and ride' service that follows a route set by pre-booked requests and which can pick up and drop off at pre-determined locations. This service operates Monday to Friday 9am - 4.30pm only. The bus stop nearest to the site is located on Dodds Road, approximately 100m to the north of the site. The application proposes to extend the existing footpath on London Road to the application site. The local amenities available in Attleborough are accessible and within walking distance to the site, providing all everyday needs. In addition bus and train services would provide an alternative to the car, consistent with the social and environmental dimensions to sustainable development. These considerations weigh in favour of the proposal.

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2.6 The proposal would make a positive, albeit modest, contribution towards the provision of housing in the area, and its construction would provide some short term economic benefits. With regard to availability and deliverability, whilst this is an outline application, the site is within the applicant's ownership and available now, making the development deliverable within a reduced period of 2 years to meet the housing shortfall. The above observations confirm the proposal supports the economic dimension to sustainable development. Again, these considerations weigh in favour of the proposal.

2.7 The environmental role of sustainable development seeks to, in part, contribute to protecting and enhancing the natural, built and historic environment. Consideration of a proposal's impact on the character and appearance of the area within which it is situated is therefore integral to the environmental dimension of sustainable development. Hawthorndon forms parts of a cluster of linear development on the western side of London Road. The property is bounded by residential development to the north and agricultural land to the south and represents a clear edge between development and the open countryside beyond. Given the relationship of the site to adjoining linear development, the plot very much presents as a backland development site. The eastern side of London Road is of a more varied form with Haverscroft Industrial Estate running perpendicular to the highway, appearing as backland development and interrupting the generally linear form. In addition the industrial estate provides an established edge to development. The proposal would alter the linear form of development the western side of London Road, however would run perpendicular to the road, mirroring development opposite the site. The proposed dwellings would not extend beyond the southern boundary of Hawthorndon, providing a clear building line, thus maintaining the established edge to development. The extremities of the site are subject to trees and hedging providing extensive screening. The existing screening combined with the manicured appearance of the plot, promotes a particularly enclosed, domestic character. The introduction of dwellings would preserve the domestic character of the site, whilst having a limited impact upon the wider rural setting and countryside. In light of this site-specific context, it is concluded that the development will not appear visually intrusive and would not result in an isolated development in the countryside.

### 3.0 Impact on local character and amenity

3.1 Development in the vicinity of the site comprises mainly detached dwellings set back from the road within generous sized plots. Architectural styles vary, but most properties are of broadly traditional design. The proposed siting of the dwellings would maintain the established pattern of development east of the site. The generous front setbacks enable the retention of the existing hedge to the south of the site, mitigating the visual impact of the proposal. The two storey scale of the dwellings is consistent with the two storey scale of neighbouring dwellings. Although the proposed dwellings are of a contemporary design, the incorporation of traditional materials, including brick, clay pantile and timber, is considered suitably sensitive to its context. The pitched roof forms adopt a traditional profile.

3.2 For the above reasons the development would not intrude into the open countryside. It is concluded therefore that the proposal would be sympathetic to the character of the local area and not cause any significant harm to the setting of the site, and in these respects would be consistent with Core Strategy Policy DC16.

3.3 Although the site is bounded by existing residential properties to the east, no material effects on the living conditions of neighbours are anticipated given the existing planting, design and

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orientation of the new dwellings and the degree of separation from adjacent dwellings. A condition requiring obscure glazing to first floor windows to the proposals rear elevations will adequately mitigate any overlooking to an acceptable level. In amenity terms the proposal is considered consistent with Core Strategy Policy DC1.

### 4.0 Highway Safety and Access

4.1 Access to the proposed site would be provided by a new access arrangement off London Road. The Highway Authority raises no objection subject to standard planning conditions being imposed regarding visibility splays, access details etc.

### 5.0 Trees and Landscaping

5.1 The proposal would see the removal of an Oak tree and Cherry Laurel hedge to the south east and an Ash tree and Walnut tree to the north of the site. The trees to be removed are of little arboricultural value. Additional planting is proposed, including a native hedge to the west of the site and a number of singular trees. A gap of 600mm either side of the proposed access has been identified for additional planting, an appropriate landscaping condition shall secure such a scheme.

5.2 The proposed access due to its length would provide an extensive area of hard surfacing. A condition requiring details of hard landscaping shall ensure an appropriate scheme is provided.

### 6.0 Ecology

6.1 The ecological impact of the development will be near negligible due to the following factors: the site comprises domestic grassland; only two trees and a hedge are to be removed; landscape planting will in the longer term provide a net ecological benefit.

### 7.0 Archaeology

7.1 The proposed development site lies adjacent to an area in which artefacts of Roman and medieval date have previously been recorded. Archaeological excavations to the north have also revealed prehistoric and medieval to post medieval features. Consequently there is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance would be affected by the proposed development. The Historic Environment Service requests works to be undertaken in accordance with a submitted archaeological written scheme. This requirement can be addressed by condition.

### 8.0 Conclusion

8.1 The proposal would conflict with Policy CP14 due to its location outside a defined Settlement Boundary. However this policy can be afforded little weight due to the present shortfall of housing land in the District. In social and environmental terms Attleborough has accessible local

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services, providing for day to day needs of future occupants. In economic terms the development supports growth and the local economy albeit in a modest manner. The proposal constitutes a development that will result in an acceptable character response having regard to the form and character of the surrounding area, consistent with the environmental dimension of sustainable development. The balance of consideration therefore lies in support of the application and it is recommended for approval subject to conditions.

### **RECOMMENDATION**

**Planning Permission**

### **CONDITIONS**

- 3007** Full Permission Time Limit (2 years)
- 3047** In accordance with submitted
- 3140** Prior approval of slab level
- 3212** No additional windows at first floor
- 3214** Obscure glass
- 3302** No P.D. for extensions, roof alterations, porches
- 3106** External materials and samples to be approved
- 3405** Fencing/walls - details and implementation
- 3408** Landscaping - details and implementation
- 3410** Hardlandscaping - details and completion
- 3418** Tree Protection Plan - Ground Protection Mats
- 3419** "No-dig" construction through Root Protection Area
- HA08** New access - construction over verge
- HA24** Provision of parking and servicing - when shown on plan
- HA30** Wheel washing facilities- temporary for construction vehicle
- A**
- HA39** Highway improvements-offsite A
- A**
- HA39** Highway improvements off-site B
- B**
- 3385** Archaeological condition
- 3385** Archaeological condition
- 3385** Archaeological condition
- 4000** Variation of approved plans
- 3996** Note - Discharge of Conditions
- 2000** NOTE: Application Approved Without Amendment
- 2014** Criterion E - Planning Apps Where Approved

## **BRECKLAND COUNCIL - PLANNING COMMITTEE - 21-09-2015**

<b>ITEM</b>	<b>4</b>	<b>RECOMMENDATION : APPROVAL</b>
<b>REF NO:</b>	3PL/2015/0576/F	<b>CASE OFFICER:</b> James Platt
<b>LOCATION:</b>	NORTH ELMHAM 59a Caravan Eastgate Street	<b>APPN TYPE:</b> Full <b>POLICY:</b> Out Settlemnt Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> Y <b>TPO:</b> N <b>LB GRADE:</b> N
<b>APPLICANT:</b>	Mr Mark Tasker 59a Caravan, Eastgate Street	
<b>AGENT:</b>	A Squared Architects Ltd 1 Netherconesford 93-95 King St	
<b>PROPOSAL:</b>	Erection of new dwelling	

### **KEY ISSUES**

Sustainable development  
Impact on amenity  
Impact on the character and appearance of the North Elmham Conservation Area  
Trees and landscaping  
Ecology  
Highway safety

### **DESCRIPTION OF DEVELOPMENT**

The application seeks full planning permission for the erection of a single storey, one bedroom dwelling at 59a, Eastgate Street, North Elmham. The proposal seeks to utilise the existing vehicle access off Eastgate Street. Trees are proposed to be removed along the eastern boundary and replaced with planting to be agreed with Council.

### **SITE AND LOCATION**

The proposed site is comprised of agricultural land, providing access to the applicant's small holding to the north. The site is occupied by a caravan that the applicant suggests they have inhabited for over 10 years. The use has not been lawfully established by a Lawful Development Certificate. The proposal is located within the North Elmham Conservation Area and partially located outside of the defined North Elmham Settlement Boundary. The surrounding area is characterised by residential development, with access gained to the proposed site via Eastgate Street. The site is bounded by residential development to the east and west, agricultural land to the north and the highway to the south.

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### **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

DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.16	Design
NPPG	National Planning Practice Guidance
NPPF	With particular regard to para.7

### **CIL / OBLIGATIONS**

Not Applicable

### **CONSULTATIONS**

**NORTH ELMHAM P C - No Comments Received**

**NORFOLK COUNTY COUNCIL HIGHWAYS**

No objection subject to conditions.

**CONTAMINATED LAND OFFICER**

No objection subject to condition.

**HISTORIC BUILDINGS CONSULTANT**

No objection.

**TREE AND COUNTRYSIDE CONSULTANT**

No objection subject to condition.

**PRINCIPAL PLANNER MINERAL & WASTE POLICY - No Comments Received**

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### **REPRESENTATIONS**

One letter of support has been received.

### **ASSESSMENT NOTES**

1.0 The application is referred to Planning Committee as a departure from the Development Plan.

#### 2.0 Sustainable development

2.1 The majority of the application site lies outside of any defined Settlement Boundary. The development of the site for housing would therefore conflict with Core Strategy Policy CP14, which seeks to focus new housing within defined settlement boundaries. However, as the Council cannot currently demonstrate a 5 year supply of housing land, Policy CP14 cannot be considered to be up-to-date insofar as it relates to the supply of housing land and can be given little weight.

2.2 In this situation, the presumption in favour of sustainable development set out in the National Planning Policy Framework (NPPF) means that permission for development should be granted unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate that development should be restricted.

2.3 As per paragraph 7 of the NPPF, there are three dimensions to sustainable development: economic, social and environmental. The NPPF states that these roles should not be undertaken in isolation, because they are mutually dependent.

2.4 The NPPF indicates that rural housing should be located where it will enhance or maintain the vitality of rural communities and that isolated houses in the countryside should be avoided. Additionally, the Government's Planning Practice Guidance (NPPG) notes that all settlements can play a role in delivering sustainable development and that blanket policies restricting housing in some rural settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.

2.5 The social role of sustainable development seeks to ensure, amongst other matters, the creation of a high quality built environment with accessible local services. Local services in North Elmham include a public house, shop, village hall, church, doctors surgery, takeaway food restaurant and a school. Supplementing these services are the more comprehensive range of amenities in Dereham, which include shopping, employment and education facilities. Dereham is located approximately four miles to the south and the site connects with the town via a designated bus service route. This service connects Fakenham with Dereham and operates hourly, although noting services from North Elmham do not operate from 2:00pm onwards. The 'Flexibus' service operated by Norfolk County Council is an additional public transport option which offers a 'ring and ride' service that follows a route set by pre-booked requests and which can pick up and drop off at pre-determined locations. This service operates Monday to Friday 9am - 4.30pm only. The bus stop nearest to the site is located on Eastgate, only 100m to the east of the site. Although it is noted that Eastgate Street has no public footpath, the road is subject to a 30mph speed limit with a good level of visibility for pedestrians. The bus services linking the site to Dereham's local amenities would provide an alternative to the car, consistent with the social and environmental dimensions to sustainable development. These considerations



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weigh in favour of the proposal.

2.6 The proposal would make a positive, albeit modest, contribution towards the provision of housing in the area, and its construction would provide some short term economic benefits. With regard to availability and deliverability, whilst this is an outline application, the site is within the applicant's ownership and available now, making the development deliverable within a reduced period of 2 years to meet the housing shortfall. The above observations confirm the proposal supports the economic dimension to sustainable development. Again, these considerations weigh in favour of the proposal.

2.7 The environmental role of sustainable development seeks to, in part, contribute to protecting and enhancing the natural, built and historic environment. Consideration of a proposal's impact on the character and appearance of the area within which it is situated is therefore integral to the environmental dimension of sustainable development. The plot abuts the North Elmham Settlement Boundary and is bounded by housing to the east and west. The plot lies behind a defined and established linear corridor of residential development. Given the relationship of the site to this corridor of development, the plot very much presents as a backland development site. The surrounding area is however subject to similar forms of backland development, including development at 57 Eastgate Street and 73a and 73c Eastgate Street. The proposed dwelling would be set behind the existing properties at 59, 61 and 63 Eastgate Street, obscuring views of the development from the streetscene. In light of this site-specific context, it is concluded that the development will not appear visually intrusive and would not result in an isolated development in the countryside.

### **3.0 Impact on amenity and the character and appearance of the Conservation Area**

3.1 The built form of development in the vicinity of the site is particularly varied, characterised by dwellings with significant set backs and others by their proximity to the highway. However with respect to scale and design, the area comprises mainly detached two storey houses of broadly traditional architectural styles. The proposed siting of the dwelling would maintain the established pattern of development west of the site. The generous front setback limits views of the dwelling from the street whilst also enabling the retention of areas of planting to the south of the site. The modest proportions of the dwelling and its location set well behind the principal front building line of neighbouring dwellings ensures that the proposal will adopt a subordinate presence in the street scene and North Elmham Conservation Area more generally. Although the proposed dwelling is not of a traditional design, the incorporation of traditional materials, including pantile and timber, is considered suitably sensitive to its context.

3.2 It is noted that the Historic Buildings Consultant raises no objection to the proposal.

3.3 For the above reasons the development would not intrude, in a visual sense, into the open countryside or North Elmham Conservation Area. It is concluded therefore that the proposal would be a sympathetic addition, preserving the character of the Conservation Area. In these respects the proposal is consistent with Core Strategy Policies DC16 and DC17.

3.4 Although the site is bounded by existing residential properties to the east, no material effects on the living conditions of neighbours are anticipated given the scale, design and orientation of the new dwelling and the degree of separation from adjacent dwellings. In amenity terms the

## **BRECKLAND COUNCIL - PLANNING COMMITTEE - 21-09-2015**

proposal is considered consistent with Core Strategy Policy DC1.

### 4.0 Highway Safety and Access

4.1 Access to the proposed site would be provided by the existing access arrangement off Eastgate Street.

4.2 The proposal provides a one bedroom dwelling and would see the removal of the existing caravan from the site, the proposal would therefore not result in an intensification of the existing use. The Highway Authority raises no objection subject to standard planning conditions being imposed regarding visibility splays, access details etc.

4.3 A condition removing Permitted Development rights for the erection of extensions and outbuildings will prevent the provision of additional accommodation without the submission of a formal application. The provision of additional bedrooms would most likely result in multiple occupants, thus increasing expected vehicular movements, leading to an intensified use of the existing access.

### 5.0 Trees and Landscaping

5.1 The proposal will necessitate the removal of trees central to the site. The Tree Consultant has reviewed the submitted arboricultural information and due to the poor form and positioning does not object to the proposed removal of the trees. Landscaping of the site is proposed that will adequately offset the visual impact that will result from the proposed tree removal, the details of this shall be secured by way of condition.

### 6.0 Ecology

6.1 The ecological value of the site is considered to be near negligible due to the following factors: the site is comprised of an extended area of access and parking and manicured grassland; the Ash trees present on the site are of poor form and positioning and the site is bounded by residential development, within a residential area.

### 7.0 Conclusion

7.1 The proposal would conflict with Policy CP14 due to its location outside a defined Settlement Boundary. However this policy can be afforded little weight due to the present shortfall of housing land in the District. In social and environmental terms North Elmham has accessible local services which are supplemented by a good range of local services accessible by public transport within 4.2 miles of the site at Dereham. In economic terms the development supports growth and the local economy albeit in a modest manner. The proposal constitutes a development that will result in an acceptable character response having regard to the form and character of the surrounding area, consistent with the environmental dimension of sustainable development. The balance of consideration therefore lies in support of the application and it is recommended for approval subject to conditions.

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**RECOMMENDATION** Planning Permission

### **CONDITIONS**

- 3007** Full Permission Time Limit (2 years)
- 3047** In accordance with submitted
- 3140** Prior approval of slab level
- 3304** No P.D. rights for extensions, sheds, etc
- 3552** Remove caravan prior to occupation of dwelling
- 3106** External materials and samples to be approved
- 3712** Parking laid out prior to use
- 3408** Landscaping - details and implementation
- 3415** Trees and hedges
- 4000** Variation of approved plans
- 3996** Note - Discharge of Conditions
- 2000** NOTE: Application Approved Without Amendment
- 2014** Criterion E - Planning Apps Where Approved

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<b>ITEM</b>	<b>5</b>	<b>RECOMMENDATION : APPROVAL</b>
<b>REF NO:</b>	3PL/2015/0637/O	<b>CASE OFFICER:</b> Hamish Lampp
<b>LOCATION:</b>	NORTH LOPHAM Kings Head Lane	<b>APPN TYPE:</b> Outline <b>POLICY:</b> Out Settlemnt Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> N <b>TPO:</b> N <b>LB GRADE:</b> N
<b>APPLICANT:</b>	Mr & Mrs D Hipperson c/o Roberts Molloy Bressingham	
<b>AGENT:</b>	Roberts Molloy Associates 3 Church Lane Bressingham	
<b>PROPOSAL:</b>	New dwellings with parking and turning. Highways access off Kings Head Lane	

### **KEY ISSUES**

Sustainable development  
Amenity impact  
Highway safety  
Ecology

### **DESCRIPTION OF DEVELOPMENT**

Outline planning permission (with appearance, landscaping, layout and scale being reserved matters) is sought for residential development on land located at the western end of Kings Head Lane, North Lopham. Vehicle access from Kings Head Lane is proposed at the southeastern corner of the site, adjacent an accessway serving an Anglian Water installation. An indicative site plan (NLK 01C) has been provided showing three, two storey dwellings accessed via a shared driveway to the front of each dwelling (following the southern boundary of the site). The plan demonstrates how the required visibility splays (as recommended by the Highway Authority) and access can be met without the removal of the southern hedgerow.

### **SITE AND LOCATION**

The application site comprises an open field (0.60ha) located on the western periphery of the village of North Lopham. The North Lopham Settlement Boundary lies adjacent to the eastern site boundary. The site is bounded on its eastern side by dwellings that form part of the built up form of the village. Land to the north, west and south is in arable cultivation. Kings Head Lane is a two lane local road with a footpath on its northern side.

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### **EIA REQUIRED**

No.

### **RELEVANT SITE HISTORY**

None relevant.

### **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.13	Accessibility
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.16	Design
NPPG	National Planning Practice Guidance
NPPF	With particular regard to paras 7, 14 and 55

### **CIL / OBLIGATIONS**

Affordable housing provision is secured through a S106 agreement 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 respect to Policy DC4 (Affordable Housing), the applicant has submitted evidence demonstrating that the site circumstances are such that on-site affordable housing provision is not practical or suitable in wider sustainability terms. The applicant has agreed to enter a s106 agreement that will secure off-site monetary contributions in lieu of on site provision.

In respect to Policy DC11 (Open Space), no local open space projects are identified and therefore no open space monetary contribution is sought.

### **CONSULTATIONS**

#### **NORTH LOPHAM P C -**

No objections in general but concern that the proposed site is outside the building line & no mention of "change of use" of virgin agricultural land.

#### **ECOLOGICAL AND BIODIVERSITY CONSULTANT**

No objection subject to standard condition.

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### **TREE AND COUNTRYSIDE CONSULTANT**

No objections.

### **ENVIRONMENTAL HEALTH OFFICERS**

No objection subject to standard condition.

### **NORFOLK COUNTY COUNCIL HIGHWAYS**

I refer to the revised Drawing No NLK 01C.

The revised details include acceptable visibility onto the Bridleway. I note that the application is submitted in Outline with only Access included for consideration. I would, however, advise that I will require any Reserved Matters application to include a communal turning area suitable for use by delivery vehicles.

If your Authority is minded to grant permission please include the standard highway outline conditions.

### **ANGLIAN WATER SERVICE**

No comments on this application.

## **REPRESENTATIONS**

Four objections received based on the following grounds: increase in traffic on narrow lane; flooding; development in the green belt; six dwellings is too many; drainage; precedent for future dwellings in open countryside.

## **ASSESSMENT NOTES**

1.0 The application is referred to Planning Committee as a departure from the Development Plan.

2.0 Sustainable development

2.1 The application site lies outside of any defined Settlement Boundary. The development of the site for housing would therefore conflict with Core Strategy Policy CP14, which seeks to focus new housing within defined settlement boundaries. However, as the Council cannot currently demonstrate a 5 year supply of housing land, Policy CP14 cannot be considered to be up-to-date insofar as it relates to the supply of housing land and can be given little weight.

2.2 In this situation, the presumption in favour of sustainable development set out in the National Planning Policy Framework (NPPF) means that permission for development should be granted unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate that development should be restricted.

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2.3 As per paragraph 7 of the NPPF, there are three dimensions to sustainable development: economic, social and environmental. The NPPF states that these roles should not be undertaken in isolation, because they are mutually dependent.

2.4 The NPPF indicates that rural housing should be located where it will enhance or maintain the vitality of rural communities and that isolated houses in the countryside should be avoided. Additionally, the Government's Planning Practice Guidance (NPPG) notes that all settlements can play a role in delivering sustainable development and that blanket policies restricting housing in some rural settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.

2.5 The social role of sustainable development seeks to ensure, amongst other matters, the creation of a high quality built environment with accessible local services. North Lopham includes a primary school, church, shop, post office, pub and village hall. The site is within easy walking distance of the village amenities. A footpath on Kings Head Lane commences approximately 100m from the site, connecting the development to the The Street. These considerations weigh in favour of the proposal.

2.6 The proposal would make a positive, albeit modest, contribution towards the provision of housing in the area, and its construction would provide some short term economic benefits. With regard to availability and deliverability, whilst this is an outline application, the site is within the applicant's ownership and available now, making the development deliverable within 5 years to meet the housing shortfall. Time limits can be reduced, in accordance with other applications in Breckland approved under the five year supply. It is considered appropriate to impose a two year period for commencement of development in order to reaffirm the deliverability of the scheme. The economic dimension to sustainable development will be adequately realised.

2.7 The environmental role of sustainable development seeks to, in part, contribute to protecting and enhancing the natural, built and historic environment. Consideration of a proposal's impact on the character and appearance of the area within which it is situated is therefore integral to the environmental dimension of sustainable development. The plot contributes to the open countryside. It currently comprises an open field with an open landscape to the north, west and south. This said, the built up form of the village is located immediately to the east and the wooded area to the west provides a form of visual enclosure to the site. The hedgerow along the site frontage to Kings Head Lane also adds to the sense of enclosure, albeit only in part.

2.8 The close visual relationship of the site to the body of the village and the existing sense of visual enclosure that the site exhibits will mitigate the harm the development will cause to the open setting of the broader locale. This said, the openness of the site to the west is such that it demands a low slung form of development to ensure it nestles into the countryside and lessens the visual impact. Substantial two storey form of development, like that shown on the indicative plan, would dominate the setting. The generous spacing as shown on the indicative plan would accentuate the visual prominence of each dwelling. Two storey dwellings to the east are observed, however these sit in a different context, forming an integral part of the existing body of the village. The level of visual intrusion will be less than significant provided development takes the form of not more than three, single storey dwellings. Planning conditions can secure these design requirements.

2.9 The site is large enough to accommodate three dwellings whilst providing adequate amenity space for future residents as well as associated car parking, proposed shared driveway and

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landscaping. The plot is sufficiently proportioned to ensure the introduction of three dwellings at this location could be undertaken, subject to limitations regarding scale, in a manner that responds favourably to Core Strategy Policy DC16.

2.10 The proposed shared driveway arrangement is an acceptable design response and one that is consistent with the design objectives of Core Strategy Policy DC16.

### 3.0 Amenity Impact

3.1 Impact upon amenity is a reserved matter which would be considered at the detailed planning stage should outline planning permission be granted. However, it is considered that the indicative site plan satisfactorily demonstrates that dwellings, private open space and associated car parking can be accommodated without giving rise to significant overlooking, overshadowing, loss of light, or privacy with respect to adjacent dwellings. There is sufficient scope to site and treat windows in a manner that would satisfactorily mitigate any undue overlooking impact (although unlikely to be required for single storey development). Wall heights can be adequately controlled if deemed to be necessary. Through careful siting of buildings, overshadowing and loss of light impacts can be appropriately mitigated.

### 4.0 Highway safety

4.1 The Highway Authority raises no objection subject to standard planning conditions being imposed regarding visibility splays, access details etc. The submitted site plan shows that the required visibility splays can be achieved without removal of the existing hedgerow that extends along the site's southern boundary.

4.2 Residents raise concerns regarding an increase in traffic along Kings head Lane and the suitability of the lane for increased traffic. The Highway Authority raises no objection regarding the likely increase in traffic generated by the proposal and do not consider it necessary to upgrade the lane. It is concluded that the local road network is capable of absorbing the additional traffic generated by the development.

4.3 The Highway Authority requires a communal turning area suitable for use by delivery vehicles. The Authority states that this can be addressed at the reserved matters stage. There is ample scope to provide the required turning area and it is agreed that this is most appropriately addressed at the detailed design stage.

### 5.0 Ecology

5.1 The submitted Ecology Report has been reviewed by the Ecological Consultant and no concerns are raised.

### 6.0 Other

6.1 Flooding concerns are raised however the site is not in a designated area prone to flooding (Flood Zones 2 and 3). Drainage can be adequately managed through appropriate engineering.



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The scale of development will unlikely challenge, to an unacceptable level, the capacity of existing infrastructure. Details of surface water and foul water disposal will be sought through appropriate conditions.

6.2 Precedent is a concern commonly raised by residents. However, precedent is very rarely able to be relied upon as it requires two plots to share a near identical site context. Each site context is nearly always different and therefore each application has its own set of circumstances and merits.

6.3 The land in question is classified as Grade 3 agricultural land. Given the modest plot size relative to the availability of Grade 3 land in the district, the proposal will have a negligible impact on the agricultural productivity of the broader rural locale.

### 7.0 Conclusion

7.1 The proposal would conflict with Policy CP14 due to its location outside a defined settlement boundary. However this policy can be afforded little weight due to the present shortfall of housing land in the District. The site is sufficiently served by local amenities within walking distance. The development supports growth and the local economy albeit in a modest manner. The proposal will result in an acceptable character response provided development is limited to three single storey dwellings, consistent with the environmental dimension of sustainable development. Highway safety and ecology impacts are not unacceptable. The proposal constitutes sustainable development. The balance of consideration therefore lies in support of the application and it is recommended for approval subject to conditions.

### **RECOMMENDATION**

**Outline Planning Permission**

### **CONDITIONS**

- 3005** Outline Time Limit (reduced time limit)
- 3058** Standard Outline Condition
- 3202** Single storey dwellings only
- 3946** Contaminated Land - Unexpected Contamination
- 3802** Precise details of surface water disposal
- 3804** Precise details of foul water disposal
- HA05** Standard outline highways condition
- HA08** New access - construction over verge
- HA20** Provision of visibility splays - conditioned
- AN60** NOTE NCC Inf 1 When off-site road improvements are required
- 2014** Criterion E - Planning Apps Where Approved
- 3996** Note - Discharge of Conditions
- 4000** Variation of approved plans
- 2000** NOTE: Application Approved Without Amendment

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<b>ITEM</b>	<b>6</b>	<b>RECOMMENDATION : APPROVAL</b>
<b>REF NO:</b>	3PL/2015/0640/F	<b>CASE OFFICER:</b> Jemima Dean
<b>LOCATION:</b>	ROCKLANDS Land South of The Spinney Low Road	<b>APPN TYPE:</b> Full <b>POLICY:</b> Out Settlemnt Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> N <b>TPO:</b> N <b>LB GRADE:</b> N
<b>APPLICANT:</b>	Mr & Mrs Alan Bainbridge The Spinney Low Road	
<b>AGENT:</b>	Stephen A C Bush The Corner Lodge 2 Church Lane	
<b>PROPOSAL:</b>	Detached dwelling & garage	

### **KEY ISSUES**

Principle of development  
Local character impact  
Amenity impact  
Highway safety  
Ecology

### **DESCRIPTION OF DEVELOPMENT**

The application seeks full planning permission for a detached one and a half storey dwelling within the garden of The Spinney, a single storey detached dwelling. The proposed dwelling would be provided with a detached double garage with storage. A new access would be created to the west, directly onto Low Road. The dwelling and garage would have a combined floor space of 152 square metres. Materials would comprise bricks and tiles with details to be agreed.

### **SITE AND LOCATION**

The application site is 0.2 hectares in size and lies to the east of Low Road, Rockland All Saints, to the south of the village and the B1077, Attleborough Road. The site is located immediately outside the settlement boundary. The site forms part of a County Wildlife Site.

### **EIA REQUIRED**

No

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### **RELEVANT SITE HISTORY**

3PI/2010/0276/F - New garage, extension to dwelling including change of use of land to garden & new vehicular access. Approved.

### **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.11	Protection and Enhancement of the Landscape
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.16	Design
DC.19	Parking Provision
NPPF	With particular regard to paragraphs 14, 47 and 49
NPPG	National Planning Practice Guidance

### **CIL / OBLIGATIONS**

Not Applicable

### **CONSULTATIONS**

#### **ROCKLANDS P C -**

Rocklands Parish Council has NO OBJECTION to this planning application as agreed at the Parish Council Meeting held on Monday 6th July 2015.

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

No objection subject to conditions.

#### **HISTORIC BUILDINGS CONSULTANT**

No objection.

#### **ECOLOGICAL AND BIODIVERSITY CONSULTANT**

No objection.

#### **ENVIRONMENTAL HEALTH OFFICERS**

No objections or comments on the grounds of Environmental Protection.

#### **CONTAMINATED LAND OFFICER**

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No objections or comments on the grounds of contaminated land, providing the development proceeds in line with the application details.

### **NORFOLK WILDLIFE TRUST**

Support comments of the Breckland Council Ecological and Biodiversity Consultant.

### **REPRESENTATIONS**

Five representations have been received in support of the application.

### **ASSESSMENT NOTES**

1.0 This application is referred to the Planning Committee as it is contrary to the development plan.

#### 2.0 Sustainable development

2.1 The application site lies outside of the defined Settlement Boundary of Rockland All Saints. The development of the site for housing would therefore conflict with Core Strategy Policy CP14, which seeks to focus new housing within defined settlement boundaries. However, as the Council cannot currently demonstrate a 5 year supply of housing land, Policy CP14 cannot be considered to be up-to-date insofar as it relates to the supply of housing land and can be given little weight.

2.2 In this situation, the presumption in favour of sustainable development set out in the National Planning Policy Framework (NPPF) means that permission for development should be granted unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate that development should be restricted.

2.3 The NPPF indicates that rural housing should be located where it will enhance or maintain the vitality of rural communities and that isolated houses in the countryside should be avoided. Additionally, the Government's Planning Practice Guidance (NPPG) notes that all settlements can play a role in delivering sustainable development and that blanket policies restricting housing in some rural settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.

2.4 The social role of sustainable development seeks to ensure, amongst other matters, the creation of a high quality built environment with accessible local services. Rockland All Saints includes a public house, a shop with post office, a primary school and village hall. The proposed development would be approximately 2.5 miles from Great Ellingham, a Local Service Centre as identified in the Council's Spatial Strategy (Policy SS1). Great Ellingham contains adequate services and facilities to meet day to day requirements and supplements the amenities on offer in Rocklands All Saints. The proposal supports the social dimension of sustainable development.

2.5 Rockland All Saints is served by a daily bus service, the service links the village to Watton

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and Attleborough. The 'Flexibus' service also serves Rockland All Saints. Operated by Norfolk County Council it is an additional public transport option which offers a 'ring and ride' service that follows a route set by pre-booked requests and can pick up and drop off at pre-determined locations. This service operates Monday to Friday 9am - 4.30pm.

2.6 Whilst some harm would be caused due to the need to travel by car to access the broader range of local services in Great Ellingham, this harm would be small given the short distance involved. It is concluded that the proposal responds appropriately to the environmental dimension of sustainable development. These considerations weigh in favour of the proposal.

2.7 The proposal would make a positive, albeit modest, contribution towards the provision of housing in the area, and its construction would provide some short term economic benefits. With regard to availability and deliverability, whilst this is an outline application, the site is within the applicant's ownership and available now, making the development deliverable within 5 years to meet the housing shortfall. It is appropriate that the time limits are reduced and this would be in accordance with other applications in Breckland approved under the five year supply. It is considered appropriate to impose a two year period for commencement of development in order to reaffirm the deliverability of the scheme.

### 3.0 Character Impact

3.1 Although outside of the Rockland All Saints Settlement Boundary, the plot is immediately adjacent and bounded to the north by existing residential development. The plot contributes to the domestic setting of the adjacent northern dwelling and as such does not constitute open countryside. The dwelling is limited to one and a half storey, consistent with other nearby dwellings. In light of this site-specific context, it is concluded that the dwelling will not appear visually intrusive and would not result in an isolated development in the countryside. The proposal represents an acceptable character outcome, again responding favourably to the environmental dimension of sustainable development.

### 4.0 Design

4.1 The proposed dwelling is limited to one and a half storey with a maximum height of 6 metres, consistent with neighbouring built form. The site is large enough to accommodate the proposed dwelling whilst providing adequate amenity space for future residents. The proposal would not result in a cramped form of development having regard to the layout of neighbouring development.

4.2 The plot is sufficiently proportioned to ensure the proposed dwelling responds favourably to Core Strategy Policy DC16. Detail of materials would be secured by planning condition.

### 5.0 Amenity Impact

5.1 The scale of the development and separation distances to neighbouring dwellings ensures there will be no unacceptable overlooking, overshadowing, loss of light or privacy impacts.

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### 6.0 Highway Impact

6.1 The Highway Authority recommend conditions relating to vehicular access, visibility splay, on-site car parking/turning and an informative relating to works within the public highway. The formation of the access would require the removal of a recently planted hedgerow along the highway. No trees would be removed to provide for the access. Replacement planting at the site frontage will offset the landscape impact associated with the loss of the hedgerow.

### 7.0 Ecology

7.1 The Ecology Consultant has concluded that the development would be unlikely to have a significant ecological impact provided the recommendations in the General Mitigation Section of the Ecological and Protected Species Survey (Eco-check, 2015) report are adhered to throughout the development. This can be addressed by planning condition.

### 8.0 Conclusion

8.1 The proposal would conflict with Policy CP14 due to its location outside a defined settlement boundary. However this policy can be afforded little weight due to the current shortfall of housing land in the District. Any harm caused to sustainability, local character, amenity, highway safety and ecology would not demonstrably and significantly outweigh the benefits of development. The application is therefore recommended for approval subject to conditions.

**RECOMMENDATION** Planning Permission

#### **CONDITIONS**

- TL01** Time Limit - two years
- 3047** In accordance with submitted
- MT03** External wall and roof materials to be agreed
- HA08** New access - construction over verge
- HA20** Provision of visibility splays - conditioned
- HA24** Provision of parking and servicing - when shown on plan
- 3920** Ecology
- 4000** Variation of approved plans
- 3996** Note - Discharge of Conditions
- 2000** NOTE: Application Approved Without Amendment
- AN61** NOTE NCC Inf 2 When Vehicular access works required
- 2014** Criterion E - Planning Apps Where Approved