

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

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

(Author: Nick Moys, Principal Planner)

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

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

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

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

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

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

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

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

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

## APPENDIX

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

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

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

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