

BRECKLAND COUNCIL

PLANNING COMMITTEE – 8th MAY 2017

SUPPLEMENTARY REPORT

DEFERRED ITEM: Agenda Item 7 (a)

DEREHAM: LAND NORTH OF NORWICH ROAD

Variation of conditions 12 & 13 on 3PL/2013/0976/F - Foul & waste water

Applicant: Taylor-Wimpey

Reference: 3PL/2015/0916/F

RECOMMENDATION: APPROVAL

Updated Information Regarding Completions and Occupations

Further to paragraphs 2 and 5 of the Planning Enforcement report the applicant has confirmed that as of the 2nd May 2017, 179 dwellings are complete and occupied; 25 are under contract but not yet complete or occupied; leaving 24 dwellings still not subject to contract.

The following text relates to the following applications:

- 3PL/2016/0770/F
- 3PL/2017/0130/O
- 3PL/2017/0168/O
- 3PL/2017/0288/F

Notwithstanding the content of each individual report, this text has been prepared to address paragraph 49 of Policy 6 of the NPPF, which states '*relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites*' and to address recent appeal decisions with regards to the Councils position and their five year housing land supply.

Two recent appeal decisions have made reference to the Local Planning Authority not being able to robustly demonstrate that it has a five year housing land supply. These appeal decisions are material planning considerations in the determination of this application. The inspector at a hearing appeal stated that the most appropriate vehicle for determining strategic housing land supply issues such as evidence base, the Liverpool v Sedgefield method for calculating five year supply and the Objectively Assessed Housing Need (OAN) is during an examination of a Local Plan. As set out in Section 38(6) of the Planning and Compulsory Purchase Act (2004) and the NPPF, the determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise. Following on from this, paragraph 30 of the national Planning Practice Guidance (PPG), the starting point for calculating a five year land supply, states:

“Considerable weight should be given to the housing requirement figures in adopted Local Plans, which have successfully passed through the examination process,

unless significant new evidence comes to light. It should be borne in mind that evidence which dates back several years, such as that drawn from revoked regional strategies may not adequately reflect current needs.

Where evidence in Local Plans [such as the housing requirement in the Breckland Core Strategy (2009)] has become outdated and policies in emerging plans are not yet capable of carrying sufficient weight, information provided in the latest full assessment of housing needs should be considered”.

In the most recent appeal the Inspector stated that ‘the RSS based target, [as set out in the adopted Core Strategy] now significantly predates the emerging OAN approach advocated by the Council, and that the OAN approach has been accepted by other Inspectors. I am also mindful that the emerging plan is still at a very early stage, and to reach a conclusion on whether Liverpool or Sedgefield is most appropriate in this case would require me to make early assumptions in relation to the timescale for the longer term delivery of Strategic Urban Allocations, which I am reluctant to do’.

It is the Council’s opinion that the Central Norfolk Strategic Housing Market Assessment (2015), the Councils latest assessment of housing need, is a material planning consideration, which clearly sets out the position with regards to these matters and is an up to date assessment which should be afforded maximum weight. This document sets out that using the OAN and either methodology for calculating five year supply the Council can demonstrate a five year supply of housing land.

The inspector did state that the decision of which method to apply does relate to assumptions regarding the timescales for the delivery of the SUEs. Work is continuing between the local authority and developers of the SUEs to reflect their future projections. These will be used in any update to the to the five year supply position.

Finally, the Inspector stated that she “could not confidently conclude that a 5 year supply has been demonstrated” and decided to apply “substantial weight” to the contribution that the proposal would make to ‘housing supply’. Based on the information and evidence as set out above, at this time, the Council does considered it can robustly demonstrate a five year land supply and due weight can be given to relevant policies for the supply of housing, which can be considered up-to-date. On this basis the recent appeals should only been afforded limited weight.

Agenda item 8 – Schedule Item 1

DEREHAM: Land at Greenfields Road

Applicant: Orbit Homes (2020) Limited

Reference: 3PL/2016/1397/F

PLANNING COMMITTEE – 8TH MAY 2017

SUPPLEMENTARY REPORT

CONSULTATIONS

KEN HAWKINS, THE RAMBLERS

States there are established walking routes, concerns about clarity of routes on submitted plans. Concerns about creating a through route for vehicular traffic via Greenfields Road and creation of a 'rat run'.

HIGHWAYS AUTHORITY

No objections subject to conditions

ASSESSMENT NOTES

Following the completion of the main report, further revised plans have been submitted which seek to address the issues raised by the Tree and Countryside Officer and the Highway Authority.

The concerns of the Tree and Countryside Officer have been addressed by relisting the turning head outside of the root protection area of the TPO Oak Tree.

Further comments have come from the Highway Authority. No objections are raised in general terms although comments remain outstanding regarding the proposed traffic calming scheme.

RECOMMENDATION:

- A) – Delegated authority to the Executive Director Place to GRANT planning permission subject to the completion of a S106 legal agreement –

HEADS OF TERMS as follows –

- 25% affordable housing
- Education contribution
- Libraries contribution
- Primary health care contribution
- Travel plan monitoring contribution

AND the following conditions -

1. Full Permission time Limit
2. In accordance with submitted plans
3. Archaeological condition
4. Construction Management Plan
5. External materials to be approved
6. In accordance with Arboricultural Impact Assessment
7. Fencing/walls – details & implementation
8. Trees/hedges to be retained
9. Indicated landscaping to be implemented
10. Lighting pollution
11. Foul water Strategy
12. Ecological Management Plan
13. Surface Water drainage condition
14. Contaminated Land – Site Investigation/Remediation
15. Contaminated Land – Unexpected Contamination
16. Provide access and parking
17. Visibility splays
18. Works to the Highways Network
19. Interim Travel Plan
20. Full Travel Plan
21. ADDITIONAL HIGHWAYS CONDITION(S) AS NECESSARY

AND

- B)** – Delegated authority to the Executive Director Place to REFUSE planning permission if the S106 legal agreement is NOT completed within 3 months of the date of the Resolution to Grant planning permission