

BRECKLAND COUNCIL - PLANNING COMMITTEE - 12th June 2017

Item No.	Applicant	Parish	Reference No.
1	Gladman Developments Ltd	MATTISHALL	3PL/2015/0498/O
2	Mr John Trappes Lomax	HOCKHAM	TRE/2016/0316/TCA
3	Mr & Mrs Osborne	SHROPHAM	3PL/2017/0165/F
4	Mr Neil Turner	SHIPDHAM	3PL/2017/0379/F
5	Mr A L Gaskin	ATTLEBOROUGH	3PL/2017/0376/F
6	Shadwell Estate Company Ltd	BRETTENHAM	3PL/2017/0199/F
7	Beres Development Ltd	WRETHAM	3PL/2016/0939/VAR
8	Serruys Property Company Ltd	WATTON	3PL/2017/0370/D

ITEM: 1	RECOMMENDATION: APPROVAL
REF NO: 3PL/2015/0498/O	CASE OFFICER Chris Hobson
LOCATION: MATTISHALL Land south of Dereham Road	APPNTYPE: Outline POLICY: Out Settlemnt Bndry ALLOCATION: CONS AREA: N LB GRADE: N TPO: N
APPLICANT: Gladman Developments Ltd Alexandria Way Congleton Business	
AGENT: Gladman Developments Ltd Alexandria Way Congleton Business	
PROPOSAL: Erection of up to 50 residential dwellings with associated infrastructure	

REASON FOR COMMITTEE CONSIDERATION

This application is referred to Planning Committee as it is contrary to the development plan and raises issues of significant local concern.

KEY ISSUES

It is noted that there has been a significant amount of objections to the proposal from local residents raising a number of issues. The Parish Council also objects to the development of the site. Taking these comments into account, the main issues that need to be considered are:

Development plan and material considerations
Principle of development and deliverability
Access & highway impact
Ecology
Impact on the landscape character and appearance of the area
Amenity
Drainage & flood risk
Affordable housing, viability and deliverability

DESCRIPTION OF DEVELOPMENT

This application seeks outline planning permission for up to 50 dwellings and associated works, with all matters save for access being reserved. The proposal comprises the following:

- Vehicular and pedestrian access off Dereham Road, (revised from previous proposal)
- Proposed new Public Right of Way leading through the site from Dereham Road out in to the open countryside to the south;
- 50 dwellings (40% affordable housing, 20 dwellings)
- Community allotments and orchard;

-- New structural landscaping including trees and vegetation

The application has been amended from the originally submitted scheme of up to 65 dwellings to address the issues raised by the Planning Inspectorate in dismissing an appeal for up to 90 dwellings on the application site, planning reference 3PL/2014/1143/O.

SITE AND LOCATION

The application site comprises 3.2 hectares of arable farmland at the western edge of the village. The site is bounded by Dereham Road to the north and Old Hall Road to the west. Existing residential dwellings front onto Dereham Road opposite the site and to the east is Rayners Farm and its associated fields and buildings. To the south is open countryside. The perimeter of the site is mainly comprised of field hedging and trees and wet ditches. It is an open field and is relatively flat, although there is a gentle fall towards Dereham Road. The existing dwellings on the north side of Dereham Road are a mix of two storey and single storey, the majority of which having been built within the last 30-40 years. Planning permission for three dwellings on an adjoining site to the west of the site has recently been granted and are currently being constructed.

The site is wholly outside the settlement boundary, the edge of which is approximately 200 metres to the east. Mattishall itself is approximately four miles to the east of Dereham and 13 miles west of Norwich.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2014/1143/O - Outline application for 90 dwellings - Refused January 2015. Currently subject of an appeal. Dismissed. Inspectors conclusion below:

"The implications of flooding for possible development are unresolved and until such time as the accompanying risks and necessary mitigation are fully modelled, the development capacity of the site remains an open question. The implications are not a subsequent detail remaining to be resolved. Rather, the implications of flooding will significantly shape and inform the reserved matters, particularly layout, scale and landscaping. They would also influence the eventual density of development.

The Development Framework Plan indicates housing within the areas of greatest risk of surface water flooding, and within the lower lying part of the site to the north-west, and the available development land is finite. If this area of built development were to be displaced, it would have implications for layout and physical form elsewhere. The DFP indicates a filtered edge to the site linking to adjacent open countryside to the south. This would be a very necessary feature of the scheme and would take the form of public open space, allotments and a community orchard. Given an undoubted need to retain such a relationship to adjacent land to the south, displacement could, in turn, have implications not just for layout of the built area but also for the overall scale of built development which could be accommodated within the site. A similar implication would also arise in relation to possible re-location of the proposed water retention facilities from the northern side of the site.

Similarly, the overall design approach indicated by the DFP involving a strong built frontage to Dereham Road is also open to some question. If the main frontage to Dereham Road is not to accommodate built

form, this would have the benefit of removing a potentially hard urban edge to the development in views south, but it would similarly reduce the available space for built form.

Aside from matters of character and appearance, the dispute between the parties relates to the possible implications for such development of potential flooding and more particularly, whether that matter should be resolved in advance of any decision to grant planning permission. The appellant contends the matter can be deferred for later submission, whilst the Council maintains the significance of the issue to be such that it requires address at the outset.

I recognise that the process of seeking outline planning permission is about first seeking to establish principles of development in order to allow other more detailed matters to follow. I also accept that any satisfactory scale of development would, in its literal interpretation, meet the terms of 'up to' 90 or of 'up to' 65 dwellings as appropriate. Such terms do, however, expressly define an upper threshold of development. Any subsequent permission would carry with it an acceptance that particular number of dwellings might be accommodated and to which formulation of the subsequent reserved matters would inevitably be directed. From the evidence before me, I am not satisfied that a threshold of either 90 or 65 dwellings would be acceptable in planning terms.

The advice of the Framework is that decision-making should be pro-active and that conditions should be used to make unacceptable development acceptable. The Framework and Guidance are also clear as to the tests of appropriate conditions and I consider it would be unreasonable to condition the scale of a development as part of a permission in the absence of knowing whether such development could be physically accommodated in the first place.

I do not regard outstanding questions relating to flooding and associated matters as a secondary, incidental consideration but as a primary determinant of the scale and form of any future satisfactory development of the site. It also follows that, although the Council's decision identified concerns around density, a meaningful and realistic assessment of the density of any scheme can only be made once a developable area of land has been identified.

Whilst I have no doubt as to the appellant's commitment to fully and appropriately address such matters, the full extent of the risk remains undefined at this time and I am unable to reasonably conclude the implications for any future development of the site. In particular, from the evidence before me, I am unable to reconcile what amount and form of development is likely to be acceptable relative to the serious constraints to development arising from flooding and associated matters and whether such a scheme would be consistent with the descriptions of development as proposed.

Whilst not forming part of the Council's reasons for refusing planning permission, the subsequent evidence of the LLFA and of interested third parties clearly demonstrates the significant unresolved harm which accompanies the application as submitted. The application in its current form carries too much uncertainty and too much accompanying risk for such a scheme as proposed to be regarded as a sustainable development compliant with the terms of the Framework. Furthermore and in any event, my assessment is that the seriousness of the unresolved flooding issue is such that the adverse impacts of the scheme significantly and demonstrably out-weigh the benefits.

At the heart of the Framework is a presumption in favour of sustainable development. I find the proposed scheme would fail to comply with that expectation having regard to the development plan and to the Framework as a whole and that a refusal of planning permission would accord with section 38(6) of the Planning and Compulsory purchase Act 2004 and with paragraph 12 of the Framework."

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 and National Planning Policy Guidance have also been taken into account, where appropriate

CP.11	Protection and Enhancement of the Landscape
CP.13	Accessibility
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.04	Affordable Housing Principles
DC.11	Open Space
DC.13	Flood Risk
DC.14	Energy Efficiency
DC.16	Design
DC.17	Historic Environment
NP	Neighbourhood Plan
NPPF	With particular regard to paras. 8, 14, 32, 47, 49, 128, 141, 143
SS1	Spatial Strategy

Mattishall Neighbourhood Plan 2017-2036 and Examiners Report May 2017

Policy ENV1 Conservation Areas and Heritage

Policy ENV2 Important Views and Vistas

Policy ENV3 Trees, Hedgerows and boundaries

Policy ENV5 Distinct Villages

Policy ENV6 Tranquillity and dark skies

Policy ENV7 Protecting and enhancing the local environment

Policy ENV8 Walking, cycling and horse riding

Policy ENV9 Flood risk and drainage

Policy HOU1 Size of individual developments

Policy HOU2 Phasing of development

Policy HOU3 Housing types

Policy HOU4 Affordable Housing

Policy HOU5 Village Character

Policy HOU6 High quality and energy efficiency

Policy HOU7 Building for life

Policy HOU9 Parking spaces for new properties

Policy TRA1 Safe and sustainable transport

National Planning Policy Framework (NPPF)

With particular regard to paras 11 - 14, 17, 32, 34, 35, 47, 49, 58, 63 - 65, 93-96, 100 - 103, 109 203 - 206 & 215.

NPPG National Planning Practice Guidance

Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990

OBLIGATIONS/CIL

Any permission granted would be subject to a S106 Legal Agreement. This would require the following obligations:

Education contribution towards provision of sixth form, and primary education facilities;
Library contribution - £3,750 (equivalent to £75 per dwelling);
Provision of 40% affordable dwellings, (20 dwellings), including an appropriate housing mix;
On-site public open space, including childrens play facilities, allotments, orchard
Off-site highway works

CONSULTATIONS

MATTISHALL P C

Object to the application for the following reasons:

1. Mattishall is a service centre village and not allocated significant growth.
2. There are significant objections locally.
3. The proposed development would be contrary to localism act.
4. A neighbourhood plan is being produced.
5. The site is located outside the settlement boundary.
6. There are significant infrastructure issues locally, in particular inadequate highway infrastructure resulting in reduced safety, congestion and traffic concerns.
7. Inadequate foul and surface water drainage infrastructure resulting in increased flooding.
8. Increased demand on health and education services.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection, subject to conditions.

Comments on amended scheme:

Comments remain as originally stated, no objections subject to conditions.

NHS ENGLAND MIDLANDS & EAST (EAST)

No objections subject to a financial contribution to mitigate for additional demand in the local area.

TREE AND COUNTRYSIDE CONSULTANT

No objections subject to conditions.

HOUSING ENABLING OFFICER

No objections subject to the provision of 40% affordable housing, and provision of affordable housing mix of 65% affordable rent and 35% shared ownership/equity.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No objections subject to conditions.

Comments on amended scheme:

Comments remain broadly similar to those previously given but note that the ecological data is now almost 3 years old. Therefore, in addition to the requirements for conditions to be included covering working methods, restriction clearance works, we would also recommend that the applicant is required to provide an update to the ecology work prior to construction. This should describe any changes in the ecological situation that may have occurred, and detail any impacts on the development that might arise from the changes. Appropriate mitigation should be included.

ENVIRONMENTAL HEALTH OFFICERS

No objection, subject to conditions.

CONTAMINATED LAND OFFICER

No objection, subject to site investigation survey.

AIR QUALITY OFFICER

No objection.

KEN HAWKINS, THE RAMBLERS

No objections subject to conditions.

NATURAL ENGLAND

No objection.

SPORT ENGLAND

No comments made.

NORFOLK COUNTY COUNCIL - MINERAL & WASTE POLICY

No objection, subject to a condition regarding mineral safeguarding.

CRIME REDUCTION & ARCHITECTURAL LIAISON OFFICER

No objections, although note that the proposed play space should be located more centrally.

BRECKLAND ASTRONOMICAL SOCIETY

Object to the proposed development.

FLOOD & WATER MANAGEMENT TEAM

The LLFA comment that whilst the principle of development at this location may be acceptable, they have concerns about whether 65 houses and associated infrastructure is achievable within the development site based on the information submitted by the applicant. Consequently the LLFA object to the development, unless the applicant either provides a new layout plan to show all development outside the areas at risk of flooding as shown on the 1 in 100 year surface water flood map, i.e. the low lying parts of the site), or provide a significant amount of information to demonstrate how the development for 65 houses could take place without being at risk of flooding or increase the risk flooding elsewhere.

Comments on updated information and revised scheme:

The LLFA's previous objection was based on the lack of information regarding the risk to the development from flooding originating off site and the ability of the development to attenuate additional runoff up until the 1 in 100 plus climate change event due to loss of storage. The hydraulic modelling mentioned above confirmed that subject to the installation of a perimeter drain to prevent surface water encroaching north there is suitable flood free land in a 1 in 100 year plus climate change event available for development. Please note it was also important for the modelling to confirm that there was not additional flood risk to adjacent properties as a result of any mitigation proposed to enable the flood free land for the housing and attenuation requirements. We are therefore able to remove our objection subject to conditions being attached to any consent if this application is approved.

FLOOD & WATER MANAGEMENT TEAM

Comments awaited and to be reported.

ENVIRONMENTAL PLANNING

No Comments Received

PUBLIC RIGHTS OF WAY OFFICER

No Comments Received

Historic Environment Service - No objections.

Norfolk Rivers IDB - The development will increase the rate and/or volume of water being discharged (compared to the status quo) into the River Tud, an application will therefore need to be made to the Board seeking consent under the terms of its Byelaw 3. Request the applicant confirm that the downstream drainage network has been assessed and is capable of receiving the flows proposed from the development.

Officers note: The LLFA have raised no objections to the proposals and note that the flows from the developed site would be less than the existing greenfield run off rate. The LLFA also note that there are suitable connections into the surrounding watercourses.

REPRESENTATIONS

Over 100 letters of objection have been received to the originally submitted scheme from local residents raising the following main points of concern:

- Development not sustainable
- Drainage would not be able to cope
- Increased demand on already stretched facilities, including the school and the surgery
- Infrastructure will not be able to cope
- Additional traffic would add to an already congested road
- Not the right location for development
- Housing not needed
- Development of this size would be detrimental to the quality of life of the village
- Flood risk, (site already floods)
- Development is high density outside the settlement boundary
- School is already over-subscribed
- Impact on local wildlife
- Highway safety
- Dereham Road is not cycle friendly. Most people will use their car.
- The development will create a suburb not the rural village it is now
- Will de-value property
- Existing sewerage problems
- Occupants of the housing would not be part of the village
- Little employment in mattishall relative to its population.

(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.)

Over 60 further representations have been received raising objections to the amended application. The objections raised highlight the same matters as set out above and highlight that these remain relevant to the

amended scheme being proposed.

Cllr Dimoglou has raised the following objections to the proposed development:

- the application has previously been dismissed by the Planning Inspectorate and subject to a large number of objections.

ASSESSMENT NOTES

1.0 This application is referred to Planning Committee as it is contrary to the development plan and raises issues of significant local concern.

2.0 Development plan and material considerations

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 Policy Guidance.

2.2 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:

2.3 "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.

2.4 Where evidence in Local Plans **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".**

2.5 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'.

2.6 It is the Council's opinion that the Central Norfolk Strategic Housing Market Assessment (2015), the Council's 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.

2.7 The inspector did state that the decision of which method to apply does relate to assumptions regarding the timescales for the delivery of the Sustainable Urban Extensions, (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 five year supply position.

2.8 Finally, the Inspector stated that she "could not confidently conclude that a five 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 consider 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 be afforded limited weight.

2.9 It is noted that the application site has been included as a preferred site allocation for housing development within the Council's Preferred Site Options, (September 2016), consultation document prepared as part of the emerging Breckland Local Plan. It is considered that as this has not been submitted or been subject to examination only limited weight can be given to this document.

2.10 It is acknowledged that the Mattishall Neighbourhood Plan is now at an advanced stage having undergone formal consultation and examination following which a report has been issued by an independent Inspector. Therefore, it is considered that the plan and its policies as recommended by the examiner can be given some albeit limited weight as it has not yet been to referendum and been adopted.

2.11 The appeal decision relating to the dismissal of an appeal against refusal of outline permission for up to 90 dwellings (reference 3PL/2014/1143/O) is clearly also an important material consideration which will be discussed in further detail in the respective sections of the report.

3.0 Principle of development and deliverability

3.1 The site is located outside the settlement boundaries in an area of open countryside on the edge of Mattishall, (as defined by policies SS1, CP01 and CP14 of the Core Strategy and Development Control Policies Development Plan Document 2009), where development is heavily restricted. The proposed development would therefore conflict with the objectives of policies CP01, CP14 and DC02 of the development plan.

3.2 Planning law requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. It is necessary to consider therefore whether in this case any such material considerations, including national planning policy, would justify a departure from policy.

3.3 Paragraph 49 of the NPPF states that housing applications should be considered in the context of a presumption in favour of sustainable development. The NPPF defines sustainable development in broad terms by reference to economic, social and environmental considerations and indicates that planning should seek gains in relation to each element. 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. In order to promote sustainable development in rural areas, the NPPF also indicates that housing should be located where it will enhance or maintain the vitality of local communities.

3.4 In terms of economic and social sustainability, the Core Strategy classifies Mattishall as a Local Service Centre Village in the Settlement Hierarchy, (Policy SS1); as such it is defined as containing adequate services and facilities to meet the requirement of their existing residents. Policy SS1 outlines the strategy for Local Service Centre Villages, which will be primarily be around service protection and enhancement and development to meet local needs. The Site Specific Policies and Proposals DPD allocates land to meet the housing requirements of the Core Strategy. The Plan does not allocate any sites for development in or around Mattishall, however a total of 2,716 dwellings were required to be delivered across 'all other parishes', which could include Mattishall.

3.5 The applicants' own assessment of existing local facilities within the village identifies the following:

- a primary school, (0.7 miles away from the site)
- a secondary school, (3 miles away from the site)
- Rashes Green employment area, (4.2 miles away from the site)
- Mattishall Post Office, (0.8 miles away from the site)
- Butchers, newsagent, PH and fish & chip shop, (0.8 miles away from the site)
- Doctors surgery, (0.8 miles away from the site)
- Hospital, (4.2 miles away from the site, in Dereham)

3.6 Although not ideally located in terms of access to facilities, it is acknowledged that any site on the edge of a settlement will almost always have some shortcomings, in respect of proximity to facilities which are more centrally located. Taking into account the site's proximity to services and facilities, the site is acknowledged to be in a location which is both sustainable and suitable for housing development, hence it's allocation as a preferred site in the 'Preferred Site Options and Settlement Boundaries' consultation document, (September 2016).

3.7 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. The applicant has indicated that all 50 dwellings could be delivered in three years, following the approval of all relevant reserved matters and conditions. However,

reserved matters would not be submitted until the site has been marketed and sold to a developer. The issue of viability is discussed later in this report.

4.0 Impact on the landscape character and appearance of the area

4.1 One of the core planning principles listed in the NPPF says 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).

4.2 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.

4.3 Clearly, the proposal would represent a significant change in the nature and appearance of the site and the assessment to be made is whether the impact on the land would be significantly harmful to the local area. Whilst acknowledging that this application has been amended to reduce the level of development from 65 dwellings to 50 dwellings, the number of dwellings proposed and the layout of the development would still result in the introduction of a significant amount of built form on to what is an open piece of land. The density of the proposed development would be approximately 16 dwellings per hectare (dph) across the whole site and a density of 24 dph across the built part of the site. Although still higher than the density of the dwellings to the north of Dereham Road this would reflect and be in keeping with the density of existing development to the east of the site and accord with the requirements of policy DC2 of the Core strategy which sets an appropriate density of approximately 22 - 30 dph for such locations. The submitted development framework plan also allows for public open space, allotments, orchard and attenuation basins to provide a soft edge to the site as it abuts the open countryside immediately to the south and west.

4.4 A Landscape and Visual Impact Assessment, (LVIA), has been submitted with the application but it is not accompanied by any photomontages or street scene views to show how the development would be viewed within its surroundings. Furthermore, as the application is in outline only, matters of detailed layout, design, scale and appearance are not for consideration at this stage. Nevertheless, it is noted that there will be a change in the quality of views looking south from Dereham Road and looking east from Old Hall Road, and as noted by the Inspector in dismissing the previous appeal the contribution of the site to the open rural setting of this part of the village would be lost. The views from the footpath to the south of the site must also be taken into consideration. However, given that there is already a backdrop of existing development when viewed from this footpath, the proposed dwellings would not have a significant detrimental impact on the landscape quality. Notwithstanding the earlier mentioned shortcomings of the LVIA, its conclusions, that the impact on landscape character would be localised and would not significantly harm the wider landscape setting beyond Mattishall are accepted.

4.5 A development of 50 dwellings would mark a departure from the existing open character and appearance of the site, and as noted by the Inspector in the previous appeal decision a proposal would result in the intrusion of built form into the open countryside conflicting with the environmental dimension of

sustainable development and the aspirations in the NPPF to recognise the intrinsic character and beauty of the countryside. There would also be conflict with policies DC2 and CP11 of the Core Strategy.

4.6 With respect to the policies ENV2 ENV5 and, HOU1, in the Mattishall Neighbourhood Plan and Examiners Report, a carefully designed scheme of 50 dwellings that includes the provision of public open space, orchard and allotments to the southern boundary would provide a soft edge to the development as it abuts the open countryside to the south, and retains an open gap to Old Hall Road to the west is unlikely to have a significantly harmful urbanising effect on the village or result in coalescence with surrounding settlements. Appropriate landscaping and a density of development along the frontage of the site that takes account of the low densities and scale of development adjoining the site will further help to mitigate the impact of the development.

5.0 Access and highway impact

5.1 Vehicular access to the site is proposed via a single priority junction off Dereham Road. This access point is located within the 30 mph speed limit zone. The access arrangement has been amended following the refusal of the previous scheme and a mitigation package addresses the transport impacts of the development. This package includes:

- Extending the 30mph speed limit to the west to make sure the site access is well within the speed limit area.
- The provision of a traffic calming feature to the east of the site entrance which also provides an uncontrolled pedestrian crossing, to give safe access to the footway on the northside of the carriageway for the walk to school route.
- The provision of a footway along the site frontage to link up to the footway at the bus stop near Rayners Way.
- The provision of a footway on the south side of Dereham Road to provide the missing section from the Primary School entrance westwards to the Church.
- Bus stops close to the site will be provided with shelters.

5.2 From the comments received from local residents and the Parish Council, it is clear that there is considerable unease about the level of development proposed at the edge of the village, which it is considered would lead to a significant increase in traffic heading in and out of the village to other centres of work. Concern has also been expressed about the fact that Mattishall is already used as a rat run to avoid the A47, particularly if this road is blocked and that to add further traffic would be unsustainable.

5.3 However, paragraph 32 of the NPPF states that, 'development should only be refused on transport grounds, where the residual cumulative impacts of development are severe'. NCC Highways have been consulted in respect of the highway impact of the development and they have confirmed that the level of impact would not be severe and that a refusal reason based on the site being unsustainable in terms of highway impact could not be substantiated.

5.4 Subject to the above mitigation package being secured by a suitably worded condition, the Highway Authority raises no objection to the application, which is considered to accord with the NPPF in this regard.

6.0 Ecology

6.1 Both Core Strategy Policy CP10 and the NPPF require that development should contribute to a net gain in biodiversity, with an emphasis on improving ecological networks and linkages where possible.

6.2 The majority of the ecology of the site is contained within the site boundary hedgerow habitat. The boundaries of the site are marked by hedgerows, mature trees, open farmland and ditches. A pond is present in the north east of the site, surrounded by scrub and mature trees. Field margins of seeded, species-poor semi-improved grassland and ruderal vegetation are present at the site and field boundaries.

6.3 Offsite, to the south and west are further arable fields and ponds, to the north are arable fields and existing residential properties and to the east is a single residential property with a large garden.

6.4 The application is accompanied by an Ecological Appraisal which explains that the proposals include the retention of trees and hedgerow at the site and field boundaries along with habitats associated with the pond and the wet ditch. The development will incorporate these features into the proposed green infrastructure within three areas of public open space or 'Greens'. A balancing feature will also be incorporated into the development in the north west of the site. Species-rich grassland will be incorporated into areas of public open space to enhance the biodiversity of the site and where possible planting within the site will seek to provide additional wildlife habitat suitable for urban areas. An area of allotments and a community orchard are also proposed within the south of the site.

6.5 In order to provide a net gain in biodiversity and to accord with the requirements of the NPPF and Core Strategy Policy CP10, mitigation in addition to the above scheme elements is proposed. This includes both native and ornamental planting to encourage biodiversity, provision of bird boxes, bat boxes and species rich grassland.

6.6 It is noted that the ecological impact of the original scheme of 65 dwellings was assessed by the Council's Ecological Consultant, who considered that the Ecological Appraisal submitted by the applicant was sufficient and raised no objections provided that the development is undertaken in-line with the details included within the documents. The County Ecologist has highlighted that the original comments remain relevant but that the data is nearly 3 years old. The County Ecologist has subsequently recommended conditions securing the submission and approval of updated reports prior to the commencement of development. Accordingly applicant has been preparing updated ecological reports, and a condition has been recommended requiring these to be submitted within reserved matters applications.

6.7 Natural England, (the Government's advisor on such matters), also has no objection to the scheme, which is considered to accord with the Core Strategy Policy CP10 and the relevant requirements of the NPPF.

6.8 Having regard to the above, subject to the County Ecologist raising no objections to the proposed

development, it is considered that the proposed development

7.0 Amenity

7.1 With the exception of one of the three new dwellings adjacent to the east boundary of the site and Rayners Farm, there are no properties that directly border the site. The framework plan submitted with the application demonstrates that a layout could be achieved, that includes appropriate separation distances between existing and proposed development and that the amenities of existing and future residents could be secured. It is likely that there would be no direct impact on the amenity of neighbouring occupiers in terms of overlooking or loss of light.

7.2 There would be some harm to the amenities of local residents close to the proposed access to the site, in terms of increased traffic and pedestrian movements, as well as a reduction in the general landscape amenity enjoyed by existing residents. However, given the character of the area and existing traffic levels, it is not considered that significant harm would be caused.

7.3 The provision of allotments and open space would be of benefit to the village and could be an addition to existing amenity. However, the proposed allotments would be located at a remote part of the western edge of the village, away from its centre and the majority of village residents. This means that the degree of benefit of this facility is reduced.

8.0 Drainage and flood risk

8.1 With regards to surface water implications it is noted that the County Council as Lead Local Flood Authority, (LLFA), previously raised objections to development at the site and that an appeal relating to the site was dismissed as a result of flood risk issues not being satisfactorily resolved. The original Flood Risk Assessment accompanying the application has been revised and additional information submitted in order to address the reasons for refusal, together with a reduced extent and number of dwellings being proposed. The LLFA have replaced the Environment Agency as the statutory consultee in respect of flood risk and SUDS matters. The LLFA have commented that following the revisions and additional information submitted by the applicants and subject to conditions, a development of up to 50 dwellings and associated infrastructure would be achievable within the development site without increasing the flood risk elsewhere. Consequently, it is considered that it has been demonstrated that a development of up to 50 dwellings could take place without being at risk of flooding or increase the risk flooding elsewhere, in accordance with the policies set out in the Core strategy, the Mattishall Neighbourhood Plan and NPPF.

8.2 With regards to foul water, the applicants have indicated that foul water flows will be connected to the mains sewerage system, which discharges to Mattishall treatment works. Assuming that there is adequate capacity in the network to accommodate these flows, (taking into account the additional flows scheduled to be accommodated from the Dumpling Green proposed development in Dereham), then the application would accord with Policy DC13 and the relevant sections of the NPPF. Anglian Water have previously commented that the foul water network does not have available flows to cater for the additional foul water discharge from the site, unless an appropriate drainage mitigation strategy can be agreed. They are happy for this to be required and implemented by way of a suitably worded condition attached to any permission.

9.0 Affordable Housing, viability & deliverability

9.1 Core Strategy Policy DC04 requires that to meet District housing needs the Council will require 40% of the total number of housing units to be provided and maintained as affordable housing within all new residential development on sites which, the Local Planning Authority determines has a capacity for five or more dwellings; or comprises an area of 0.17 ha or more.

9.2 The applicants are offering the provision of 40% affordable housing and are willing to enter into a S106 Legal Agreement to secure its provision. On this basis and subject to the Agreement of a suitable affordable housing mix, the application accords with the requirements of Core Strategy Policy DC04.

10.0 Other matters

10.1 A number of the concerns raised by local residents highlight the ability of the highway, social and economic and general infrastructure of the village to cope with the additional housing development being proposed within this application and previously permitted sites. However, no objections have been raised by statutory consultees in this respect subject to contributions being provided and conditions. Subject to conditions and mitigation proposed the necessary foul water infrastructure can be achieved, and highway infrastructure would be adequate. Financial contributions secured through a legal agreement would be made to the expansion / improvement of local school accommodation, as well as to local library services to mitigate for the additional demand on local services from the additional dwellings.

10.2 With respect to the additional demand for health services, the NHS have been consulted and have requested that a financial contribution of £23,667 be secured from the proposed development to provide for increased capacity and facilities at the Mattishall surgery. The applicants response and intention with respect to this will be reported to committee. On site public open space including allotments and orchard would be provided as part of the proposed development and enhancements and improvements to the surrounding footpath network would be secured by condition and Legal Agreement.

10.3 Paragraph 112 of the NPPF states that Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. It is noted that the proposed development would result in the loss of grade two, good quality agricultural land. The area of land to be lost at 3.2 HA is relatively small and it is noted that it is well below the threshold of 20 HA for consultation with Natural England. Whilst it is noted that the site would result in the loss of agricultural land considered to be of the best and most versatile, it is noted that the amount lost would not be significant when considering the large amount of equal quality agricultural land within the surrounding area and district. Furthermore, it is not considered that the proposals would result in a significant shortfall in the availability of the high quality agricultural land in the surrounding area and District.

10.5 Policy CS16 of the Norfolk Minerals and Waste Core Strategy requires that in mineral safeguarding areas, development proposals are supported by appropriate investigations to determine whether there are any mineral resources of economic value and whether they can be extracted economically prior to the commencement of development. The site is partly underlain with sand and gravel resources which are safeguarded under the Norfolk Minerals and Waste Core Strategy. However, the Mineral Planning Authority

have raised no objections subject to a condition to require a report to be submitted within reserved matters applications containing further investigations and if necessary a appropriate schemes to re-use and any important mineral resources. Therefore, subject to a condition to this effect the proposed development would not in principle sterilise an important and economically valuable mineral resource, in accordance with policy CS16 of the Norfolk Minerals and Waste Core Strategy.

10.2 The comments raised by both Mattishall Parish Council and local residents have been taken into account in the consideration of the application where applicable.

11.0 Conclusion

11.1 It is accepted that given the site is located outside of the settlement boundary of Mattishall the proposed development would conflict with core policies within the adopted development plan that seek to sustainably manage housing growth, (policies CP14, DC02). There would also be a detrimental impact on the character and appearance of the site and immediate context from the loss of open countryside, contrary to policies CP11 and DC2 of the Core Strategy. Planning law requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.

11.2 The National Planning Policy Framework, (NPPF), is clear and explicit that Local Planning Authorities should consider favourably sustainable development. The site is considered to be in a sustainable location, close to existing facilities and local employment and as such has been proposed as a preferred site within the emerging plan. A development of 50 dwellings would mark a departure from the existing pattern of development in this part of the village, but, its impact would be localised and subject to an appropriate design and layout it is considered would not give rise to over-riding harm to the character and appearance of the wider landscape. It is also noted that some intrusion of built form into the countryside is inevitable to deliver the housing growth needed in the district.

11.3 The benefits of the development can be summarised as follows:

- Significant contribution to strengthening the Council's 5 year supply position;
- Subject to viability, 40% (20) of the dwellings would be affordable;
- Job creation during the construction phase;
- Increased local expenditure;
- Increase in Council Tax receipts;
- New Homes Bonus;
- Small gain in biodiversity;
- Provision of orchard and allotments;

11.4 With regards to other matters highlighted in the dismissed appeal for 90 dwellings at the site, the Lead Local Flood Authority, (LLFA), have reviewed the additional information submitted by the applicant to address previous objections raised concerning surface water flooding. As set out above the LLFA have removed their objection and subject to conditions it is considered that the proposals would not result in the significant increased risk of flooding elsewhere and would ensure that the dwellings would be safeguarded from unacceptable risk of flooding.

11.5 Whilst only limited weight can be given to the emerging plan it nevertheless shows a direction of travel and the proposal would make a significant contribution to the 10% growth identified for the village in the next plan period. Having regard to the above, it is considered that in this instance the significant benefits deriving from the development would outweigh the harm caused by way of conflict with development plan policy and the proposal would help address need for growth in a sustainable location and would form sustainable development when taking into account the development plan and the policies of the NPPF as a whole.

12.0 RECOMMENDATION

12.1 That the application be approved subject to the conditions below, the entering into a Section 106 Agreement to secure the planning obligations set out above, and a Section 278 Agreement to secure the off-site highway works.

RECOMMENDATION

Outline Planning Permission

CONDITIONS

3003	Early delivery of Housing Time limit	
3058	Standard Outline Condition	
3028	Limited to 50 dwellings	
3047	In accordance with submitted	
3948	Top Soil	
3920	Updated ecology reports within reserved matters applications	
HA39B	Highway improvements off-site B	
3996	Note - Discharge of Conditions	
2014	Criterion E - Planning Apps Where Approved	
AN60	NOTE NCC Inf 1 When off-site road improvements are required	
AN63	NOTE Contamination	
AN66	NOTE NCC Inf 7 Street lighting	
AN72	Note Legal agreement re: afford hsg, p open space & fin cont	
3385	Archaeological condition	This condition will require to be discharged
3944	Contaminated Land - Desk Study/Site Investigation	This condition will require to be discharged
3802	Precise details of surface water disposal	This condition will require to be discharged
3804	Precise details of foul water disposal	This condition will require to be discharged
HA05	Standard outline highways condition	This condition will require to be discharged
HA22	Driveway length	This condition will require to be discharged
HA23	Garages- size and retention for parked vehicles	This condition will require to be discharged
HA28	Construction traffic (parking)	This condition will require to be discharged

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HA29A	Construction traffic management and routing/ exceptional wea	This condition will require to be discharged
HA29B	Construction traffic management and routing/ exceptional wea	This condition will require to be discharged
HA30A	Wheel washing facilities- temporary for construction vehicle	This condition will require to be discharged
HA39A	Highway improvements-offsite A	This condition will require to be discharged
HA40	Traffic regulation orders	This condition will require to be discharged
HA50	Non standard highway condition	This condition will require to be discharged
3946	Contaminated Land - Unexpected Contamination	This condition will require to be discharged

ITEM: 2	RECOMMENDATION:
REF NO: TRE/2016/0316/TCA	CASE OFFICER Hugh Coggles
LOCATION: HOCKHAM Scotsgate Farm Cottage Watton Road Great Hockham Norfolk	APPNTYPE: Tree Work App CA POLICY: ALLOCATION: N CONS AREA: Y LB GRADE: N TPO: N
APPLICANT: Mr John Trappes Lomax 131 Southgate Street Bury St Edmunds	
AGENT: Savills Hardwick House Agricultural Hall Plain	
PROPOSAL: Fell Beech - Tree getting too big and overshadowing both this property and Smithy Cottage next door	

REASON FOR COMMITTEE CONSIDERATION

Formal objection to the serving of Tree Preservation Order 2017 No.1

KEY ISSUES

Suitability of tree for Tree Preservation Order

DESCRIPTION OF DEVELOPMENT

On 22nd December 2016 the Council recieved a 211 notice for the removal of the Beech tree.

SITE AND LOCATION

Scotgate Farm Cottage, Watton Road, Great Hockham, Norfolk IP24 1PB

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 and National Planning Policy Guidance have also been taken into account, where appropriate

DC.12

Trees and Landscape

OBLIGATIONS/CIL

Not Applicable

CONSULTATIONS

GREAT HOCKHAM P C

No Comments Received

REPRESENTATIONS

None

ASSESSMENT NOTES

A Tree Evaluation Method for Preservation Orders,(TEMPO), assessment of the tree was undertaken which gave the tree a score of 16+ which means that it definitely merits a TPO. The beech tree was considered to have a good remaining lifespan and represents a large and significant specimen. It is considered expedient in the interests of the amenity of the locale to promote the retention of the tree by imposition of a TPO.

RECOMMENDATION

CONDITIONS

ITEM: 3	RECOMMENDATION: REFUSAL
REF NO: 3PL/2017/0165/F	CASE OFFICER Lisa ODonovan
LOCATION: SHROPHAM Greenacres Watton Road	APPNTYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: N CONS AREA: N LB GRADE: N TPO: N
APPLICANT: Mr & Mrs Osborne Greenacres Watton Road	
AGENT: Lewis & Tyrrell Architects 10 Stepping Lane Norwich	
PROPOSAL: Erection of dwelling with outhouse studio, store & associated changes to frontage	

REASON FOR COMMITTEE CONSIDERATION

The application is brought to committee at the request of the Ward Representative.

KEY ISSUES

Principle of development / Sustainability
Impact on the character and appearance of the area
Amenity impact
Highway safety
Ecology / Natural Environment

DESCRIPTION OF DEVELOPMENT

The application seeks permission for the erection of a two-storey dwelling, with a flat roof entrance hall link to a single storey element which will return within the site, to the rear.

The dwelling will be two storey only to the north-east section and will be single storey pitched roof and flat roof elsewhere. The dwelling will accommodate two bedrooms with a home office / guest bedroom. Two of these will be within the first floor element with the master bedroom with en-suite and walk-in wardrobe being positioned within the single storey element to the north-west of the site.

A small section of boundary wall, with a double timber gate entrance and hedging is also proposed to the front, (north), elevation.

Materials proposed are: Red mix bricks, timber cladding, dark grey, flat profile roof tile, dark grey aluminium windows. Brick detailing is also proposed at ground floor to the front, (north) and rear, inside, side wall, (south-west).

SITE AND LOCATION

Greenacres is a one and a half storey dwelling situated on a large, trapezium shaped site along Watton Road. The dwelling has been positioned so that it sits at an oblique angle facing north-east. The site falls outside of any defined settlement boundary and forms a part of a small group of three dwellings. Agricultural land lies to the north and south. Access comes directly from Watton Road.

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 and National Planning Policy Guidance have also been taken into account, where appropriate

CP.10	Natural Environment
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.12	Trees and Landscape
DC.16	Design
DC.19	Parking Provision
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
SS1	Spatial Strategy

OBLIGATIONS/CIL

Not Applicable

CONSULTATIONS

SHROPHAM P C

Shropham Parish Council unanimously supports this application particularly strongly. All members of the Parish Council state emphatically the very strong and important roles played by the applicants in the life of the village and that it would be a sad day if they were forced to move elsewhere. Positive comments are also expressed about the proposed new home fitting in with neighbouring properties.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to conditions.

CONTAMINATED LAND OFFICER

I have considered the application and would not raise any contaminated land comments, based on both the accuracy of the information provided and the current records of contaminated land issues we hold to date.

TREE AND COUNTRYSIDE CONSULTANT

No objection subject to condition.

ECOLOGICAL AND BIODIVERSITY CONSULTANT No Comments Received

REPRESENTATIONS

Site notice erected: 24-02-2017

Consultation letters issued: 17-02-2017

21 letters of support received: Active members of the community, appropriate infill, good separation distance to neighbouring dwelling, no overlooking.

7 letters of objection received: Outside the settlement boundary, additional traffic and noise and disturbance, proximity to neighbour, loss of privacy via overlooking, loss of views and poor drainage.

ASSESSMENT NOTES

1.0 Principle of development / Sustainability

1.2 The application site is located outside of the any defined Settlement Boundary, as designated by the adopted Core Strategy and Development Control Policies Development Plan Document, (2009). For this reason the proposal conflicts in principle with Policies DC02 and CP14, which seek to focus new housing within defined Settlement Boundaries. The application is therefore assessed against the benefits provided in relation to the sustainable development tests as set out in the NPPF.

1.3 The NPPF identifies three dimensions of sustainable development:

- Economic, in terms of building a strong economy and in particular by ensuring that sufficient land is of the right type and is available in the right places.
- Social, by supporting, strong 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.

1.4 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.

1.5 Economic - whilst the land is in the applicant's ownership and is therefore available and would cause some economic benefit by way of providing jobs in relation to the construction, the small scale of development means that this will be minimal. The land lies outside of the settlement boundary, therefore,

this land is not considered to be the right type or within the right place as defined by paragraph 7 of the NPPF.

1.6 The social role of sustainable development seeks to ensure, amongst other matters, the creation of a high quality built environment with accessible local services. Shropham is approximately 120 metres to the east of the development site and is classified as a rural settlement through Policy SS1 of the adopted Core Strategy and Development Control Policies DPD. These villages contain limited services and facilities. The spatial strategy states that these villages are not capable of supporting consequential growth as they rely on higher order settlements for the majority of these services and facilities. The occupiers of any new dwellings here would therefore be highly reliant on car use to get to higher order settlements.

1.7 The nearest Service Centre village is Great Ellingham which is approximately four miles to the north-east and the nearest Market Town, which would provide many of the day-today facilities and services is approximately six miles to the north-east along predominantly unlit roads with no pavement. The likelihood is therefore high for car use to reach these services. In addition, there is no regular bus service in Shropham village which would enable the use of public transport to reach these higher order settlements.

1.8 Environmental - It is accepted that there are other dwellings to the north-east and north-west of the site and also that the dwelling will be situated in what is currently garden land and will therefore not intrude further into open countryside, however, it is not considered that these issues will materially outweigh the harm caused by approving further development in an unsustainable location.

1.9 In light of the above factors, the proposal is not considered to offer significant benefits in order to outweigh the harm caused by approving the erection of an additional dwelling contrary to the above mentioned policies and taking account of paragraphs 7, 8, 11, 12, 13 and 14 of the NPPF.

2.0 Impact on character and appearance

2.1 Amended plans have been received in respect of the design, the main changes are:

- materials, from buff brick to red mix brick and timber cladding. With timber board detailing on two window openings to the front.
- a full brick wall to the front has been omitted and replaced with a small walled section with hedging either side.
- nominal changes to size of openings, additional ground floor window to the front elevation.

2.1 The dwelling proposed comprises a relatively modern design which incorporates brick detailing to the front elevation, with high gables, dark grey roof tiles and dark grey aluminium windows and a flat roof car port and porch. The dwellings either side, whilst varying in terms of their design and materials are relatively traditional, i.e; standard pitched, rendered dwelling to the south-east and the host dwelling comprising of a one and half storey red brick and tile dwelling, again using pitched gables. The design of the dwelling was amended to take account of the original concerns raised in respect of its urban aesthetic, whilst the proposed design is primarily unchanged, the material changes and omission of the full brick wall to the front elevation and replacement with a hedge, all help to soften the impact of the proposed dwelling on the street scene, as

a result, the proposal is considered to accord with the design aspects of Policy DC16.

2.2 Notwithstanding the above, the proposal introduces a dwelling on a relatively narrow plot in an area characterised by dwellings set within wide spacious plots. The dwelling to the east, Northfields, sits on a plot measuring 29m in width, with the host dwelling, Greenacres sitting on a plot that will measure 50m in width, and the remaining dwelling within this small cluster of development, Tall Trees, west of Greenacres sits within a plot measuring 34m wide at the narrowest point fronting the road. The proposed dwelling will be positioned on a plot measuring 19m wide and will have a large frontage, almost filling the plot width, the result is a cramped form of development out of character with the established, spacious pattern of development, contrary to Policy DC16 and paragraph 17 of the NPPF.

3.0 Amenity Impact

3.1 Whilst the concerns of the nearby property have been considered, on balance, the proposal is considered acceptable in amenity terms. The proposed north-east elevation, nearest to the property at Northfields, is primarily single storey with the only first floor window in the two storey element being a roof light proposed to serve a bathroom. This alongside the orientation of the plot, which will ensure that any shadow cast will be over the application site itself, and the separation distances between the dwelling and the neighbouring properties, will help to ensure that impact on the level of amenity currently enjoyed by the neighbouring dwellings, particularly in respect of overlooking, loss of light and over-dominance will be minimal. The plot will also provide sufficient private amenity space for the future occupiers. The proposal is therefore considered to accord with Policy DC01.

4.0 Highway safety

4.1 The Highways Authority was consulted on the submission, it was noted that the site is located outside of the main village and away from public transport, goods and services. It is therefore considered that any resident would be primarily reliant on travelling by car. Notwithstanding this, conditions requiring the vehicular access to be provided as shown, in accordance with highway specification, restrictions in relation to any means of obstruction and the parking, turning and access being laid out, levelled surfaced and drained in accordance with the approved plan are required on any forthcoming approval. As a result, the proposal is not considered to cause any undue harm in respect of highway safety.

5.0 Other matters

5.1 Ecology / Bats - The ecology team were consulted on the application and advised that the Preliminary Ecological Appraisal, (Eco-Check, December 2016), sufficiently address biodiversity issues relating to the above application. They also asked that it be determined whether the two oak trees with the potential to support bat roosts are to be impacted by the works, prior to a decision being made on this planning application, as further works may be required. It was subsequently advised that the two oak trees are being retained and will not be impacted by the proposal. No further comment was made in this respect. A condition would be attached if permission were forthcoming to ensure that development proceeds in line with Sections 7, 8, 9 and 10 of the report. In light of the above, the application is considered to accord with Policy CP10.

5.2 Trees - The application is not considered likely to have an adverse impact on any significant trees on site, subject to works being carried out in accordance with the approved Arboricultural Impact Assessment, (AIA), Tree Protection Plan, (TPP) and Arboricultural Method Statement, (AMS) supplied by Greenleaf, dated December 2016. The Tree and Countryside Officer has raised no objection subject to this being conditioned. As a result, the application is considered to accord with Policy DC12.

5.3 Letters of support - It should be noted that whilst it is commendable that the applicant's are so active in the community, this is not in itself a material planning consideration and can be given little weight in the determination.

6.0 Conclusion

6.1 The site is outside of any settlement boundary and therefore the provision of an additional dwelling would not accord with Policies SS1, CP14 and DC02 of the adopted Breckland Council Core Strategy and Development Control Policies DPD. The development would not accord with the Development Plan and there are no material considerations that would outweigh this harm. As a result the proposed development is therefore not considered sustainable and would be contrary to paragraphs 12, 13, 14 and 17 of the NPPF. In addition, the proposal results in a cramped form of development out of character with the established pattern of development, contrary to Policy DC16 and paragraph 17 of the NPPF.

RECOMMENDATION

Refusal of Planning Permission

REASON(S) FOR REFUSAL

9044	Policy not met outside settlement
9900	Form and character
2002	Application Refused Following Discussion - No Way Forward
2009	Criterion E - Planning Apps Where Refused

ITEM: 4	RECOMMENDATION: REFUSAL
REF NO: 3PL/2017/0379/F	CASE OFFICER: Debi Sherman
LOCATION: SHIPDHAM Red Roofs King Row	APPNTYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: N CONS AREA: N LB GRADE: N TPO: N
APPLICANT: Mr Neil Turner Red Roofs, King Row Shipdham	
AGENT: Clayland Architects The Glass House Lynford Gardens	
PROPOSAL: Erection of One Bungalow	

REASON FOR COMMITTEE CONSIDERATION

This application is referred to Committee at the request of the Ward Representative.

KEY ISSUES

Principle of Development
Impact on character and appearance of the area
Impact on amenity

DESCRIPTION OF DEVELOPMENT

It is proposed to demolish a number of run down outbuildings, clear the extensive vegetation on site and erect a detached three bedroom bungalow. The bungalow would have a ridge height of 5.8m.

The new dwelling would be self contained with its own garden, vehicular access and parking but located in proximity to the existing chalet bungalow. A number of existing outbuildings on the adjacent site would also be removed.

SITE AND LOCATION

The application site is located in a relatively remote location set outside of the village of Shipdham at the end of a single track, unmade road. The area is predominantly agricultural in nature, interspersed with a limited number of dwellings in the wider vicinity.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL20160210F - Application for two dwellings, withdrawn.

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 and National Planning Policy Guidance 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.12	Trees and Landscape
DC.16	Design
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
SS1	Spatial Strategy

OBLIGATIONS/CIL

Not Applicable

CONSULTATIONS

CLLR LYNDA TURNER

This application is supported by neighbours, parish council, Breckland Housing officer, GP and both district councillors. The house on same site in which applicant currently lives cannot be adapted to meet applicants medical needs including wheelchair accessibility. The proposed dwelling on same brownfield site meets all medical needs and is designed as a house for life for the applicant and his carers, (family members). There will be no adverse effect on the surrounding countryside, no extra traffic etc. There have been planning permissions for other dwellings including new build in the same lane. The applicant wants to stay in the village with the same community and medical support he enjoys now but in a dwelling fit for purpose.

In addition to my previous comments, following a recent stay in hospital, Mr Turner was unable to return home until he was physically able to manage in his current unsuitable home - thus bed blocking. This just added stress for him, and did not release his bed for another.

SHIPDHAM P C

Shipdham Parish Council considers that as it stands at the moment, the site is a mess and the proposed development will only improve this.

NORFOLK COUNTY COUNCIL HIGHWAYS

The site is located in an isolated rural setting remote from local services and public transport facilities and that any residents would therefore be reliant on travelling by car to access these on a daily basis. However, if minded to grant permission suggest conditions.

ENVIRONMENTAL HEALTH OFFICERS

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

REPRESENTATIONS

Representations received as follows:

- medical needs of applicant highlighted and need for suitable accommodation to provide adequate care
- would improve the appearance of the site

ASSESSMENT NOTES

1.0 Principle of development

1.1 The application is currently made on the basis that the personal needs of the applicant are such that the existing property he lives in 'Red Roofs' is not suitable for his needs and as such an exception should be made in planning terms to facilitate the erection of a new dwelling to meet those personal needs. Information has been sought to clarify a number of matters relating to the nature of the proposal and the personal circumstances of the applicant. It is further noted that the applicant's daughter would remain in the existing dwelling 'Red Roofs' to provide care. What is not clear is why an annexe could not facilitate the applicant's needs without the need to create a new dwelling. In the absence of information to clarify this point and explain why a three bedroom dwelling is required, the scheme has to be considered on the basis of a new dwelling in the countryside and assessed in those terms.

1.2 It is clear the site is located in a remote location outside of the village of Shipdham. Therefore it is contrary to Policies SS1, DC02 and CP14 of the Core Strategy and Development Control Policies Development Plan Document 2009. The principle of the proposal is therefore not accepted.

1.3 In a recent 'written representations' appeal decision in respect of the Council's refusal of a development of one dwelling in the countryside the Inspector made reference to the Local Planning Authority as not being able to demonstrate the robustness of the Council's five year housing land supply. This appeal decision is a material planning consideration in the determination of this application, especially with regards to the Council's five year housing land supply. However, it is important to note that given the nature of the appeal, the Inspector had only limited access to information demonstrating the deliverability of individual housing sites.

1.4 Furthermore, it is considered that the Inspector gave insufficient weight to the Central Norfolk Strategic Housing Market Assessment, (2015); (the Council's latest assessment of housing need), especially given that 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.

1.5 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".

1.6 On this basis, it is considered by the Council that this appeal decision can only be afforded very limited weight.

1.7 Paragraph 12 of the NPPF states that the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. It is highly desirable that local planning authorities should have an up-to-date plan in place.

1.8 The Council's Core Strategy and Development Control Policies Document is considered up-to-date and therefore the material considerations are assessed in line with the sustainable development 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
- environmental, through the protection and enhancement of the natural, built and historic environment.

1.9 In terms of economic and social criteria, the proposal would provide one residential dwelling, which would make a limited contribution to the housing supply. The proposal would provide limited short-term economic benefits through labour and supply chain demand required during construction. However, given the small scale nature of the development these benefits are not considered to be significant and not definitive in this instance. It should be noted if the application is approved to ensure the deliverability of the development a planning condition would require a reduced time period for commencement.

1.10 The social role of sustainable development seeks to ensure, amongst other matters, the creation of a high quality built environment with accessible local services. Shipdham is defined as a 'service centre village' in the settlement hierarchy set out in the Council's Core Strategy. Such settlements are generally considered to be suitable for some growth due to their size. The issue in this case is that the site is not in walking distance of the village and as such to access services and facilities there would be further reliance on the car.

1.11 Similarly, access to bus services would not be readily accessible from the site. For these reasons whilst the current proposed occupier may have limited need of such facilities, future occupants of the dwelling would rely on the use of the private car to gain access to local facilities to meet everyday needs. This would not accord with the core planning principle in paragraph 17 of the National Planning Policy Framework which

is to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling. The proposal would also not accord with paragraph 34 of the Framework in terms of ensuring the need to travel will be minimised and the use of sustainable transport modes will be maximised. Further to this paragraph 55 states that housing should be located where it will maintain the viability of rural communities and isolated dwellings in the countryside should be avoided.

2.0 Impact upon character and appearance of area

2.1 The environmental role of sustainable development seeks to, in part, contribute towards protecting and enhancing the natural, built and historic environment. Consideration of a proposals impact on the character and appearance of the area within which it is situated is therefore, integral to the environmental dimension of sustainable development, as is design. Core Strategy Policy CP11 says, amongst other things, that the countryside will be protected for its intrinsic beauty and rural character and that the design of new development should be sympathetic to landscape character, informed by the Council's Landscape Character Assessment, (LCA). Core Policy DC02 deals with housing mix and density, whilst Policy DC16 promotes good design.

2.2 The application site is currently in a poor state of repair which contributes little to its surroundings. The proposed bungalow would be relatively low level and in light of the proposed site clearance would be unlikely to appear visually intrusive in the landscape. However, the creation of an additional dwelling unit with associated domestic paraphernalia would have an additional impact on the character of the area and as such is considered to be unwelcome in this otherwise rural landscape.

3.0 Impact upon amenity

3.1 In terms of neighbour amenity, the proposal would not result in overlooking, loss of light, privacy, overshadowing or a dominant form of development.

4.0 Impact upon highway safety

4.1 The Highways Authority note the site is located in a village which is remote from shops, schools, employment and other amenities there is no footway provision to the front of the site and therefore any resident would be likely to walk in the carriageway. In the event planning permission is granted conditions are suggested.

5.0 Other matters

5.1 The Contaminated Land Officer recommends approval providing the development proceeds in line with the application details and subject to the imposition of a condition relating to unexpected contamination.

6.0 Conclusion

6.1 The site is outside the village of Shipdham by some distance. Whilst the personal circumstances of the applicant are noted, this in itself does not justify the grant of planning permission for a new dwelling,

particularly where other options exist such as the erection of an annexe to provide accommodation with less intrusive impacts in the long term. Further given the nature and size of the development for only one dwelling this site is unlikely to contribute significantly to the delivery of housing and a five year housing land supply and therefore the proposal does not accord with Policies SS1, CP14 and DC02 of the adopted Breckland Council Core Strategy and Development Control Policies DPD. The development would not accord with the Development Plan and there are no material considerations that would outweigh this harm. As a result the proposed development is therefore not considered sustainable and would be contrary to paragraphs 12, 13, 14 and 17 of the NPPF.

RECOMMENDATION

Refusal of Planning Permission

REASON(S) FOR REFUSAL

9900 Unsustainable Development outside settlement boundary

ITEM: 5	RECOMMENDATION: APPROVAL
REF NO: 3PL/2017/0376/F	CASE OFFICER Lisa ODonovan
LOCATION: ATTLEBOROUGH Land adj. The Paddocks Leys Lane	APPNTYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: N CONS AREA: N LB GRADE: N TPO: N
APPLICANT: Mr A L Gaskin Beech Tree House Sheppard Way	
AGENT: Jon Venning Architect Hardwick House Ipswich Road	
PROPOSAL: Erection of two storey detached dwelling with garage & parking	

REASON FOR COMMITTEE CONSIDERATION

The application is brought to Committee as the recommendation is contrary to Policy.

KEY ISSUES

Principle of development
Impact upon the character and appearance of the area
Impact upon neighbour amenity
Highway safety
Other issues

DESCRIPTION OF DEVELOPMENT

The application seeks permission for the erection of one, two storey detached dwelling and garage on land to the west of The Paddocks, Leys Lane, Attleborough. Other residential dwellings are situated to the east and west with a saw mill to the south.

SITE AND LOCATION

The site is located to the south of the town centre and the main railway line which divides Leys Lane. Vehicular access to Leys Lane south of the railway line is via Slough Lane, off the B1077. The site is outside the Settlement Boundary. It is semi rural, close to Attleborough, within a loose knit group of dwellings and commercial buildings.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2016/1558/F - Erection of two dwellings with associated parking spaces - Withdrawn

3PL/2010/0381/F - C/U to six residential gypsy pitches, each pitch with a utility / day room building and hard standing - Permission

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 and National Planning Policy Guidance have also been taken into account, where appropriate

DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.12	Trees and Landscape
DC.16	Design
DC.19	Parking Provision
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
SS1	Spatial Strategy

OBLIGATIONS/CIL

Not Applicable

CONSULTATIONS

ATTLEBOROUGH TC

Approved.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to conditions.

CONTAMINATED LAND OFFICER

No objection subject to condition.

TREE AND COUNTRYSIDE CONSULTANT

No comments.

ENVIRONMENTAL HEALTH OFFICERS

I have looked at the application submitted and, based on the information provided to me at this time; there are no objections or comments on the grounds of Environmental Protection, providing the development proceeds in line with the application details.

EAST HARLING I D B

No Comments Received

PRINCIPAL PLANNER MINERAL & WASTE POLICY No Comments Received

REPRESENTATIONS

Site notice erected: 05-04-2017

Consultations issued: 31-03-2017

Advertised in the Press: 10-04-2017

One letter received raising no objection subject to there being a 3 metre distance between the new house and the dwelling to the east. Having measured on the site plan at 1:500, there appears to be a distance of 3.5m from the east, side elevation to the side boundary.

ASSESSMENT NOTES

1.0 Principle of development

1.1 The application seeks full planning permission for the erection of one, two storey dwelling on land outside of the Attleborough Settlement Boundary. For this reason the proposal conflicts in principle with Policies SS1, DC02 and CP14 of the Core Strategy and Development Control Policies Development Plan Document, (2009), which seek to focus new housing within defined Settlement Boundaries. The application site is however located adjacent to the Attleborough Settlement Boundary which is identified by Policy SS1 as a growth area.

1.2 The NPPF identifies three dimensions of sustainable development:

- Economic, in terms of building a strong economy and in particular by ensuring that sufficient land is of the right type and is available in the right places.
- Social, by supporting, strong 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.

1.3 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.

1.4 In terms of the economic and social criteria, the land is in the applicant's ownership and is therefore available and would cause some economic benefit by way of providing jobs in relation to the construction, the land is closely related to the existing Attleborough Settlement Boundary, (approximately 180m to the north) and is surrounded to east and west by other residential properties, one serving a gypsy and travellers caravan site and will therefore not appear as isolated development.

1.5 Attleborough benefits from frequent bus services linking the town to Wymondham and Norwich which would be likely to derive some support from the development also and will also enable the future occupiers to be less reliant on car use. The application is therefore considered in line with paragraph 55 of the NPPF.

1.6 Environmentally - The site is situated in close proximity to the existing Attleborough Settlement Boundary, the site is in a semi-rural location within a loose knit group of existing development. There are other residential uses immediately to the east and west of the site. As such the site is considered to be appropriate infill. The site is not considered an important gap within the street scene. The proposal would not extend the existing development into an undeveloped area. Whilst this will result in some loss of character, the harm would be limited given the following factors:

- the visual containment of the site by existing development;
- generous proportions of the plot will maintain a spacious character;
- the proposal would not intrude into the open countryside and would not be isolated; and,
- the proposal would not cause material harm to the character and appearance of the area.

1.7 The combination of all of these environmental factors together and not in isolation result in the proposal satisfying the environmental role of sustainable development.

1.8 It is concluded that the proposal would not result in an isolated development in the countryside. The scheme would provide an additional dwelling, generate some economic activity and be developed without causing significant harm to the character and appearance of the area.

2.0 Impact on the character and appearance of the area

2.1 The dwelling proposed is of a typical proportion and scale for the area. It comprises of typical pitched roofs and will be positioned so that it faces Leys Lane. The materials proposed are brick and concrete pantiles, whilst specifics have not been provided, the principle of the use of these materials have been established by other development nearby. Full details can be conditioned to ensure that the colour and type will be appropriate. The building line will be sympathetic to the dwellings either side and there will be a good distance between the front elevation and the roadside frontage which will reduce the impact on the streetscene. As a result of these factors, the proposal is considered acceptable in terms

3.0 Impact on neighbour amenity

3.1 The orientation and positioning of the dwelling within the plot will ensure that impact on the level of residential amenity currently enjoyed by the neighbouring occupiers are not adversely impacted upon, particularly in respect of loss of light and over-dominance. In addition, window placement has been sensitively considered, particularly in respect of first floor windows in the side elevations, i.e. facing neighbouring dwellings. Only two are proposed and both will serve bathrooms / en-suite, therefore overlooking is also unlikely to be an issue in this instance. In addition, the proposal incorporates sufficient space to park and turn at the front of the dwelling whilst also retaining a sufficient private, rear garden area. In light of the above factors, the proposal is considered to accord with Policy DC01 and paragraph 17 of the NPPF.

4.0 Highway safety

4.1 The Norfolk County Council Highways Engineer was consulted on the proposal as the submission

includes a new access onto Leys Lane. It was noted that the site forms part of the site approved under planning reference 3PL/2010/0381 for a development of mobile homes and that sixth access is proposed immediately adjacent to the access approved under that application. Whilst it would be preferable for the site to be served by the mobile homes access it is not considered that a highway objection could be substantiated in this location, if it was not.

4.2 Leys Lane has recently been improved by some localised widening and a passing bay. I therefore also consider it would be difficult to object to the principle of an additional dwelling in this location in highway safety terms. The application was considered acceptable subject to conditions requiring: the access as approved being provided and retained; rights relating to the erection of any means of enclosure being removed; visibility splays being provided and the access, parking and turning are being laid out, levelled, surfaced and drained in accordance with the approved plan. These will be attached to any forthcoming approval, the application is therefore considered acceptable in relation to highway safety implications.

5.0 Other issues

5.1 The Tree and Countryside Officer made no comments on the proposal.

5.2 The Environmental Health Team made no objections or comment.

5.3 The Contaminated Land Officer has raised no objection subject to a condition relating to unexpected contamination.

6.0 Conclusion

6.1 Whilst outside of the Settlement Boundary, the application site is located adjacent to the Attleborough Settlement boundary which is considered to be acceptable for growth. The increase of one dwelling is not considered to generate significant additional impacts and the proposed dwelling presents a similar form and character to the other dwellings in close proximity. The application is recommended for approval subject to conditions.

RECOMMENDATION

Planning Permission

CONDITIONS

3006	Full Permission Time Limit (2 years)
3047A	In accordance with submitted plans NEW 2017
HA08	New access - construction over verge
HA24	Provision of parking and servicing - when shown on plan
AN61	NOTE NCC Inf 2 When Vehicular access works required
4000	Variation of approved plans

BRECKLAND COUNCIL - PLANNING COMMITTEE - 12th June 2017

3996	Note - Discharge of Conditions	
2000	NOTE: Application Approved Without Amendment	
2014	Criterion E - Planning Apps Where Approved	
MT03	External wall and roof materials to be agreed	This condition will require to be discharged
HA14	Access gates - restriction	This condition will require to be discharged
HA21	Provision of parallel visibility splay	This condition will require to be discharged
3946	Contaminated Land - Unexpected Contamination	This condition will require to be discharged
LS10	Implementation of submitted boundary treatment	This condition will require to be discharged
DE08	Slab level to be arranged	This condition will require to be discharged

ITEM: 6	RECOMMENDATION: APPROVAL
REF NO: 3PL/2017/0199/F	CASE OFFICER Heather Byrne
LOCATION: BRETENHAM Land East of Melton Paddocks	APPNTYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: N CONS AREA: N LB GRADE: N TPO: N
APPLICANT: Shadwell Estate Company Ltd C/O Agent	
AGENT: KWA Architects (Cambridge) Ltd Chalk Farm High Street	
PROPOSAL: Change of use to equine use and erection of two new yards inc. dwelling & garage, American barn, straw barn, horse walker to each & access roads	

REASON FOR COMMITTEE CONSIDERATION

The application is a major application.

KEY ISSUES

Principle of development
Essential and functional need
Impact upon character and appearance of area
Impact upon amenity
Impact upon highway safety
Impact upon ecology

DESCRIPTION OF DEVELOPMENT

This application seeks consent for the change of use of land from agricultural to equestrian use and the erection of two independent yards at Melton Paddocks. The proposal would also involve the demolition of two existing barns. Each of the proposed yards would consist of:

- A three bedroom workers dwelling;
- A 20 box American barn which incorporates ancillary facilities including vets, mess, tack and everyday feed, hay and bedding;
- A hay and bedding barn;
- A horse walker;
- A muck bunker; and
- A loading ramp.

In addition site one would benefit from a lunge ring and site two would benefit from a turnout barn.

The proposal would utilise the existing access to Melton Paddocks from the A1066, with a new internal road

being provided to access each yard.

SITE AND LOCATION

The application site is located outside of any defined Settlement Boundary and currently forms a number of agricultural fields to the east of Melton Paddocks. The site is bounded to the north by the A1066, to the east by agricultural land, to the south by agricultural land and woodland and to the west by the existing Shadwell Estate at Melton Paddocks.

To the north east of the site on the opposite side of the A1066 is the SPA and SSSI. To the north, approximately 320m from the site is the SPA Stone Curlew Buffer Zone, which also lies approximately 750m to the west of the site.

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 and National Planning Policy Guidance have also been taken into account, where appropriate

CP.10	Natural Environment
CP.11	Protection and Enhancement of the Landscape
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.12	Trees and Landscape
DC.16	Design
DC.19	Parking Provision
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
SS1	Spatial Strategy

OBLIGATIONS/CIL

Not Applicable

CONSULTATIONS

BRETtenham/KILVERSTONE P C

The Parish Council made the following comments:

- Concerns raised that this application might lead to further similar applications, which the Parish Council considered would not be appropriate;
- Concerns as the site is only 50m from SSSI, (albeit with a road in between);
- The removal of nearly 100 hectares of agricultural land seems excessive, especially as the horses are more likely to eat specialised food rather than just grazing; and
- Application should be considered by Planning Committee if recommended for approval.

PUBLIC RIGHTS OF WAY OFFICER

No comments on rights of way issues.

CONTAMINATED LAND OFFICER

Recommend approval providing the development proceeds in line with the application details and subject to the imposition of a condition relating to unexpected contamination to alleviate environmental concerns.

HISTORIC BUILDINGS CONSULTANT

No objection.

NORFOLK COUNTY COUNCIL HIGHWAYS

Based on the information provided the Highways Authority would not wish to raise an objection in principle to the proposal; however, they request the existing field access points on the A1066 are suitably and permanently closed so that all traffic enters and leaves via the main entrance to the stud. Visibility would also need to be improved to the main access. If approved conditions should be imposed relating to visibility splays, access, parking, servicing etc, and an informative relating to the boundary with the public highway.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

The proposals include building two stable yards within this 112 hectare site which is currently used for arable farming and pig rearing. The remaining areas of the site do not appear to be largely altered other than using the arable fields for horse pasture rather than the current farming practices. Initially further information was requested to determine whether the proposal is likely to have a significant effect on the SPA. A further letter was provided from Aurum Ecology and the Ecology Consultant states they have reviewed all the documents submitted in support of the application and are satisfied that sufficient information has now been provided with regard to potential impacts on the SPA. If approved conditions should be imposed relating to no additional lighting; mitigation measures; and construction of new roads.

TREE AND COUNTRYSIDE CONSULTANT

Operations on site shall take place in complete accordance with the approved Arboricultural Impact Assessment, (AIA), Tree Protection Plan, (TPP) and Arboricultural Method Statement, (AMS), as supplied by agb project number P2713.1.0. No works shall take place within the identified root protection areas unless carried out under arboricultural supervision as specified in item 6.3 of the approved Arboricultural Impact Assessment, (AIA), Tree Protection Plan,(TPP) and Arboricultural Method Statement, (AMS), as supplied by agb project number P2713.1.0.

HARLING P C

No Comments Received

THE GARDEN TRUST

No Comments Received

NATIONAL GRID

No Comments Received

REPRESENTATIONS

Three local representations have been received making the following comments:

- The site comprises part of an Agricultural Tenancy Agreement;
- Detrimental impact on the sensitive habitats of the Brecklands and the SPA, in particular Stone Curlew;
- Overdevelopment;
- Reduction in productive arable land;
- Adjacent to Peddars Way;
- Assessment under the Habitat Regulations;
- Would undermine the viability of an existing and long-established farming business and employment;
- Would result in the loss of Grade 3 agricultural land; and
- Substantial change to the character of the landscape.

ASSESSMENT NOTES

1.0 Reason for Committee

1.1 The application is a major application.

2.0 Principle of development

2.1 This application seeks consent for the change of use of land from agricultural to equestrian use and the erection of two independent yards at Melton Paddocks. The proposal would also involve the demolition of two existing barns. Each of the proposed yards would consist of:

- A three bedroom workers dwelling;
- A 20 box American barn which incorporates ancillary facilities including vets, mess, tack and everyday feed, hay and bedding;
- A hay and bedding barn;
- A horse walker;
- A muck bunker; and
- A loading ramp.

In addition site one would benefit from a lunge ring and site two would benefit from a turnout barn.

The proposal would utilise the existing access to Melton Paddocks from the A1066, with a new internal road being provided to access each yard.

2.2 The site is in the open countryside outside of any defined Settlement Boundary where there is a presumption against new residential development unless there are special circumstances as set out in Policy CP14. The policy states that dwellings required in association with rural enterprises, where it complies with

the requirements of national guidance, shall be permitted. Paragraph 28 of the NPPF gives support to economic growth in rural areas in order to create jobs and prosperity. Paragraph 55 indicates that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as, the essential need for a rural worker to live permanently at or near their place of work in the countryside.

2.3 The application states the proposed development would improve the quality of the facilities at Melton Paddocks and allow for the businesses expansion. It would also create a suitable environment for the health and safety of those working on the yard. The application states despite the current level of facilities Shadwell cannot accommodate the number of horses it owns and it regularly has up to 84 horses stabled off site in yards under third party care, which is not ideal and a costly way of stabling the horses.

2.4 The facilities would be used to stable Shadwell's private broodmares and their foals during the Northern Hemisphere breeding season. Shadwell's global racing and breeding enterprises involve both Thoroughbred and Arabian horses. The application states from their UK base, they stand top-class Group winning stallions; care for their private broodmare band; co-ordinate the racing of over 400 horses, (both Thoroughbred and Arabian), across Europe and support a comprehensive schedule of race and event sponsorship to support the sport of horse racing globally.

2.5 Shadwell is a major local employer and makes a significant contribution to the local economy, with 79 staff members being employed within Breckland to directly care for the horses stabled within the District, which does not include managers, groundsmen, or administration staff.

2.6 The application states by providing onsite accommodation a responsible full-time employee would be onsite at all times in the event of an emergency; to facilitate 24 hour a day security and supervision, to provide for the highest standards of care and protection for the horses stabled on site. The application also states that each yard would generate employment for up to five people. Further details regarding the need for the accommodation are highlighted below.

2.7 The submitted Design and Access Statement states equestrian enterprises are labour intensive. At Shadwell the staff ratios are between one staff member to three horses to one staff member to five horses and is considered to operate at a higher ratio of staff to horses than most equine operations in order to offer the very best level of care and to ensure its business is viable and successful. It is stated that Thoroughbred racehorses are valuable animals and the management of a large thoroughbred stud is very labour intensive, particularly during foaling from January to June and during the late summer and autumn in preparing yearlings and other horses for the sales which take place from October to December.

2.8 During the breeding season horses can go into foaling at any time and during this it is stated that a qualified and competent worker is available to deal with any welfare needs and / or emergencies should they arise. This not only includes during the foaling process itself but before and after to ensure that both the broodmare and the foal are healthy. The application also states that broodmares in foal need relative calm and quiet, and therefore must be kept away from flighty young stock. Weanlings must be kept separated from their broodmares to ensure the effective weanling process. New stock must be kept isolated from existing stock to avoid the risk of disease spreading.

2.9 It also states that thoroughbred racehorses are highly strung and more subject to panic, which is potentially dangerous and / or fatal to valuable stock. Additionally, young stock in their early months are prone to defects and injury and being highly strung may require immediate remedial action. Therefore, continued staff supervision is necessary throughout the process of racehorse breeding.

2.10 Infections and diseases can result in poorer quality stock which is less valuable and less successful at racing but ultimately, infections can cause the loss of both mares and foals and can lead to the demise of the enterprise and have a significant effect on the horse breeding industry.

2.11 Therefore to reduce the risks the yards must be distributed across the premises so that isolation, pre-foaling mares, post-foaled mares, weanlings, yearlings and barren mares are kept apart. The Shadwell's Mare, Foal and Young Stock Checking Protocol has been provided, which demonstrates the level of care staff are expected to give the horses.

2.12 Within the Design and Access Statement it states it is common practice on stud farms to have smaller isolated yards rather than large scale yards all in one location, with the most significant reason being the need to reduce the risk of infection spreading between stock, in particular EHV-1, (Equine Abortion Virus). This infection causes respiratory disease in young horses, abortion in pregnant mares and paralysis in horses of all ages and types. This is a highly infectious disease which can lead to the loss of valuable stock. The creation of isolated yards ensures that if the infection is brought into the yard it is kept only within the immediate stock and not spread to the wider stock which could devastate a stud. The provision of a dedicated access route which doesn't require vehicles to drive through any other yards, including the main yard and the isolation stables already serving Melton Paddocks, is proposed for the same biosecurity reasons.

2.13 In addition to biosecurity reasons, the applicant states the use of separate yards also means that paddocks are in closer proximity to the yards in which horses are stabled. Horses, in particular broodmares, require access to large expanses of land for exercise. In regards to the stables, these would provide 40 stables with the stable sizes complying with BHS recommendations for the size of stables in relation to horse welfare.

2.14 The Additional Information submitted states although there is existing residential accommodation within the Shadwell site, these are fully occupied and could not meet the need for a dedicated worker to live onsite at the proposed yard, particularly in light of Shadwell's own protocol and recent changes to recommended biosecurity policy. It is stated the dwellings have been located in close proximity to the proposed yards to allow immediate intervention in the event of an emergency and to meet biosecurity requirements.

2.15 Whilst it is noted the application includes a large area for change of use from agricultural to equestrian, (101 hectares), it is considered such a large area is required for the reasons highlighted above to allow for the proper functioning of the stud.

2.16 In light of the above it is considered the provision of a single dwelling at each of the proposed yards is essential for the welfare, management, emergency and biosecurity needs of the business. Subject to a condition restricting the occupation of the dwellings to a person employed by the Shadwell Estate Company, the proposal is considered consistent with paragraph 55 of the NPPF.

3.0 Impact upon character and appearance of area

3.1 The application site consists of 101 hectares which is currently used for arable farming and pig rearing and is Grade 3, which is good to moderate quality agricultural land. The application involves the creation of two yards with the remaining area being used as paddocks.

3.2 Whilst it is noted the application site consists of a large area of agricultural land, it is considered as this is not of high quality; would be easily reversible given the use of the majority of the land for paddocks; and the overall appearance of the site would not be significantly altered the proposal is deemed acceptable.

3.2 The second yard, which is the yard located further north within the site is located approximately 140 metres south of the public highway it is considered given the expansive nature of the site and the existing landscaping consisting of mature tree belts and hedgerows that the proposal would not have a significant adverse impact on the landscape character of the area and would assimilate well into the countryside.

3.3 In terms of scale, design and appearance, the dwellings have been designed as modest three bedroom chalet style dwellings, which are considered appropriate to the needs of the Yard Manager. If approved a condition would be imposed removing permitted development rights, to ensure the size of the dwelling remains commensurate with the yard and to retain control over any future proposals on the site. Also precise details of materials have not been provided and therefore a condition would be imposed for these to be agreed to ensure the proposal is in keeping with the surrounding landscape.

3.4 The proposed Lunge Ring and Horse Walker would be used for controlled exercise for the horses, which are common pieces of equipment on equine yards. The Turn Out Barn would be used to allow horses to have more space to roam than in their stable even during inclement weather and allows horses to benefit from contact with one another in accordance with their natural herding instinct. The Hay and Bedding Barn would be used to bulk store supplies reducing the need for regular delivery supplies. The day-to-day bedding, hay and feed would be kept within the American Barn for ease of use. Such buildings are standard within an equestrian yard and it is considered these would not impact upon the landscape character of the area for the reasons highlighted above.

4.0 Impact upon amenity

4.1 In terms of neighbour amenity the two yards are located a significant distance away from any residential properties and given existing landscaping/boundary treatments it is considered the proposal would not impact significantly upon amenity in terms of loss of light, privacy, overlooking, outlook, or by being overbearing.

5.0 Impact upon highway safety

5.1 The Highways Authority states based on the information provided the Highways Authority would not wish to raise an objection in principle to the proposal; however they request the existing field access points on the A1066 are suitably and permanently closed so that all traffic enters and leaves via the main entrance to the stud. Visibility would also need to be improved to the main access.

5.2 If approved conditions should be imposed relating to visibility splays, access, parking, servicing etc, and an informative relating to the boundary with the public highway.

5.3 The Public Rights of Way Officer had no comments on rights of way issues.

6.0 Impact upon ecology

6.1 The Ecological and Biodiversity Consultant states the proposal includes building two stable yards within the site which is currently used for arable farming and pig rearing. The remaining areas of the site do not appear to be largely altered other than using the arable fields for horse pasture rather than the current farming practices. Initially further information was requested to determine whether the proposal is likely to have a significant effect on the SPA. It is noted that such issues have been raised within the local representations.

6.2 A further letter was provided from Aurum Ecology and the Ecology Consultant states they have reviewed all the documents submitted in support of the application and are satisfied that sufficient information has now been provided with regard to potential impacts on the SPA. If approved conditions should be imposed relating to no additional lighting; mitigation measures; and construction of new roads.

7.0 Other matters

7.1 The Tree Consultant states operations on site shall take place in complete accordance with the approved Arboricultural Impact Assessment, (AIA), Tree Protection Plan, (TPP) and Arboricultural Method Statement, (AMS). No works shall take place within the identified root protection areas unless carried out under arboricultural supervision as specified in item 6.3 of the approved Arboricultural Impact Assessment, (AIA), Tree Protection Plan, (TPP) and Arboricultural Method Statement, (AMS).

7.2 The Contaminated Land Officer recommends approval providing the development proceeds in line with the application details and subject to the imposition of a condition relating to unexpected contamination to alleviate environmental concerns.

8.0 Conclusion

8.1 In conclusion the application is considered to accord with Policy DC02 of the Core Strategy and the NPPF and therefore is recommended for approval, subject to the imposition of conditions.

RECOMMENDATION

Planning Permission

CONDITIONS

3007	Full Permission Time Limit (3 years)	
3047A	In accordance with submitted plans NEW 2017	
PD07	No PD for classes A B C D & E	
OR09	Occupancy restriction	
HA09	Existing access - closure	
HA24	Provision of parking and servicing - when shown on plan	
3920	Tree Condition - AIA,TPP,AMS	
3920	Tree Condition - Supervision	
3920	Ecology - mitigation measures	
3920	Ecology - Road construction	
3994	Note - highway boundary	
3994	Note - Wildlife Act	
MT03	External wall and roof materials to be agreed	This condition will require to be discharged
HA20	Provision of visibility splays - conditioned	This condition will require to be discharged
3946	Contaminated Land - Unexpected Contamination	This condition will require to be discharged
ER01	Full details of external lighting	This condition will require to be discharged

ITEM: 7	RECOMMENDATION: APPROVAL
REF NO: 3PL/2016/0939/VAR	CASE OFFICER Chris Hobson
LOCATION: WRETHAM Stonebridge Camp Thetford Road Stonebridge	APPNTYPE: Variation of Cond's POLICY: Out Settlemnt Bndry ALLOCATION: N CONS AREA: N LB GRADE: N TPO: N
APPLICANT: Beres Development Ltd Peak House Greaves Road	
AGENT: Mr Charles Dunn Coda Planning Ltd 70-71 Cornish Place	
PROPOSAL: Development of Stonebridge Camp inc. erection of 27 dwellings (revised scheme)	

REASON FOR COMMITTEE CONSIDERATION

This application has been called in to be considered at Planning Committee by a local Ward Member.

KEY ISSUES

The impact of the proposed revised house types and layout on the following matters,
Design and character of surrounding area;
Public open space provision;
Neighbour Amenity;
Highway safety and traffic implications;

DESCRIPTION OF DEVELOPMENT

This application seeks permission to vary conditions 2 and 8 of planning permission 3TL/2011/0030/TL, to allow for minor material amendments to the layout of the development and the proposed house types. The development proposed includes the demolition of existing former military buildings and the erection of 27 dwellings, a new access and estate road and an area of public open space.

SITE AND LOCATION

The application site is located on the southern edge of Stonebridge, East Wretham and extends to approximately 1.6 hectares. The site was formerly used as a military camp and includes a large number of now disused buildings and hardstandings. The site is adjoined to the north by established housing and elsewhere by open countryside. Work to clear the site and construct the site access has commenced.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3OB/2016/0007/OB - Modification of s106 agreement in respect of affordable housing requirements. Approved.

3OB/2015/0009/OB - Modify S106 of 3TL/2011/0030/TL to allow works to commence prior to details of a sale to a registered provider being submitted. - Approved.

3DC/2015/0173/DOC - Discharge of conditions 3, 5, 6, 8, 10, 11, 14, 15, 17, 18, 19, 20, 22 & 23 of 3TL/2011/0030/TL - Discharged in part and full.

3TL/2011/0030/TL - Extension of time limit on permission 3PL/2007/1569/F - Erection of 27 dwellings (Approved).

3PL/2007/1569/F - Erection of 27 dwellings (2,3, 4 & 5 bed units) & assoc. work (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 and National Planning Policy Guidance have also been taken into account, where appropriate

Policy CP06 Green Infrastructure
Policy CP10 Natural Environment
Policy CP11 Protection and Enhancement of the Landscape
Policy CP13 Accessibility
Policy DC01 Protection of Amenity
Policy DC02 Principles of New Housing
Policy DC11 Open Space
Policy DC12 Trees and Landscape
Policy DC13 Flood Risk
Policy DC16 Design
Policy DC19 Parking Provision

National Planning Policy Framework (NPPF)

With particular regard to paras 11 - 14, 17, 32, 34, 35, 47, 49, 58, 63 - 65, 93-96, 100 - 103, 109 203 - 206 & 215.

OBLIGATIONS/CIL

The permission is subject to the obligations secured in the original legal agreement, (dated 22nd October 2008), as varied by way of more recent deed of variations dated 28th January 2013, and 17th June 2016 under permissions 3OB/2015/0009/OB and 3OB/2016/0007/OB.

The revised obligations include the following matters:

- Affordable housing comprising 6 dwellings, suspended for 3 years;
- Public Transport contribution of £3,000;
- Traffic management contribution £15,000;

- Library contribution £1,620;
- Village Hall contribution of £80,000;
- Open space provision, and on going maintenance contribution;

CONSULTATIONS

WRETHAM P C

Object to the proposed development for the following reasons:

- Insufficient parking on site, which would result in on street parking, and parking on areas of public open space.
- Overall appears more urban in character.
- Concerns regarding maintenance of the section of private drive;
- Prominent location of sub-station;
- Public open space reduced with loss of pagoda, play equipment and planting;
- Loss of footpaths through the site;

NORFOLK COUNTY COUNCIL HIGHWAYS

Request various amendments to the size and layout of parking areas, turning areas; indication of required visibility splays and provision of parking spaces to parking standards.

Comments on amended plans are awaited and will be reported to committee.

FLOOD & WATER MANAGEMENT TEAM

No comments to make.

TREE AND COUNTRYSIDE CONSULTANT

No objections.

ENVIRONMENTAL HEALTH OFFICERS

No objections subject to conditions.

CONTAMINATED LAND OFFICER

No objections.

NATURAL ENGLAND

No comment to make on application.

CRIME REDUCTION & ARCHITECTURAL LIAISON OFFICER

There is good natural surveillance across the site of parking areas and public space. However, some concerns regarding plots 13, 15, 20 and 24 which would benefit from an additional side window on to the parking areas. Plots 6, 24 and 26 would benefit from a fence being topped with trellis to discourage climbing.

NORFOLK FIRE AND RESCUE SERVICE

No objections subject to provision of fire hydrant on site.

NORFOLK WILDLIFE TRUST

No Comments Received

ANGLIAN WATER SERVICE

No Comments Received

ENVIRONMENT AGENCY

No Comments Received

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No Comments Received

HOUSING ENABLING OFFICER

No Comments Received

REPRESENTATIONS

The application was publicised by notice at the application site, and letters sent to neighbouring residents.

One representation has been received raising objections for the following reasons:

- Revisions to parking arrangements would result in on street parking, parking in front of dwellings and on areas of open space;
- The loss of footpaths, pagoda and play equipment would lessen the value of the scheme;
- The proposals appear urban rather than rural.

ASSESSMENT NOTES

Given that the proposals relate to minor material amendments to an existing planning permission, it is considered that the main issues for consideration are the impact of the amendments on the design of the scheme, the landscaped public open space and any neighbour amenity and highway safety issues.

1.0 Design, Impact on Character and Appearance of the Surrounding Area

1.1 The proposals seek permission for various minor material amendments including slight amendments to the external elevations to each the house types, the swapping of the house types at plots 18, 21, 23, 25, 26, 27, and minor changes to the siting and orientation of the proposed dwellings. Other alterations include the loss of garages at plots and amendments to parking and turning areas across the site. The proposed changes to the elevations include amendments to the brick and render finishes, the provision of pitched roof porches to plots, addition of arched lintels to plots 1, 5, and 9, and addition of brick headers to plots 11, 15, 18, 21, 22, 25, 26 and 27.

1.2 The proposals to slightly re-orientate and re-site a number of the plots across the site would retain the overarching character of the development, with the majority of dwellings set around and fronting on to the circular estate road, with differentiated levels of set back and smaller closely related clusters of two or three dwellings set behind in the north, east and southern corners of the site. The substitution of the house types across the site would still provide for a balanced mix of the previously approved house types across the application site.

1.3 The proposed amendments to provide hard surfaced parking areas to the frontage of plots 1-8 rather than a rear parking area as previously permitted ensures natural surveillance and safer parking areas for future residents. However, it is noted that this results in a greater extent of hard surfaced areas along the frontage within a prominent location along the new estate road. The scheme has been amended to introduce new tree, hedgerow and grassed areas along the frontages and between plots 1 - 8 to break up and reduce the extent of parking areas.

1.4 The proposed amendments are considered to be sympathetic with the original design approach and

style of the dwellings and individually and cumulatively are not considered to detract significantly from the overall design quality of the proposed dwelling. The amendments are considered to accord with the requirements of Core Strategy Policy DC16 as well as paragraphs 59 and 63 of the NPPF.

2.0 Implications on Public Open Space

2.1 Following the detailed design of the surface water drainage measures that would now be incorporated under the open space and viability constraints resulting from significant abnormal costs, the proposed allocated play area has been removed from the proposed scheme and the overall size of public open space also slightly reduced. Otherwise, the large central area of public open space is retained as previously permitted including the provision of a covered seating area with footpaths amended to provide a circular loop around the site and to link into the footpath along the Thetford Road frontage. Overall the size of the public open space would still accord with the space requirements within policy DC11 of the Core Strategy. The proposed landscaped public open space would also still incorporate the various ecological enhancement and mitigation measures including tree planting, wildflower planting, a hibernaculum and bird and bat boxes.

2.2 Whilst the open space along the frontage of the site would be reduced in depth, the scheme has been amended within this application to retain a landscaped frontage to the site with tree planting to be provided in front of the side boundary walls at plots 1, 26 and 27. A footpath link would also now be provided across the public open space to provide links to the footpath along the frontage of the site.

2.3 Overall it is not considered that the proposals result in significant over-riding harm to the quality and usability of the public open space at the site. The existing legal agreement would continue to secure the submission and approval of a detailed open space specification and contributions towards its on-going maintenance. It is however noted that the failure to provide a local area of play, (LAP), would conflict with the requirements of policy DC11 which requires a LAP to be provided on schemes of 25 or more dwellings.

3.0 Neighbour Amenity Implications

3.1 The proposed amendments to the proposed layout would not significantly change the location and height of the dwellings previously permitted. As a result, there would be no significant additional harm caused to the privacy, outlook and daylight of surrounding residents. The main alteration would involve removing a rear parking area from the northern boundary of the site adjacent to the access lane and dwelling to the north of the site. Therefore, moving the parking area away from this boundary would represent a minor improvement in neighbour amenity terms to the previously approved layout.

3.2 Therefore, having regard to the above it is considered that the proposals would not result in an unacceptable impact on the amenity of the existing surrounding residents and would provide for acceptable levels of amenity for and future occupants the application in accordance with the requirements of Core Strategy Policy DC01.

4.0 Highway Safety and Traffic Implications

4.1 The proposed development would utilise the same access to the site as previously permitted and the

estate road layout, and arrangement of short cul-de-sacs is largely the same as previously permitted. The Highways Authority have reviewed the amended proposals and highlighted a number of suggested amendments. The scheme has subsequently been amended to address those points raised. However, it is not considered that the amendments to the residential development would cause severe impacts on the capacity of the surrounding network. The layout also provides for safe access could be provided and sufficient vehicular parking would be provided for each dwelling within their curtilage.

6.2 Having regard to the above it is considered that the proposed amendments to the internal layout of the site would be acceptable and 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 Conclusion

5.1 The proposed amendments to the layout and appearance of the dwellings are considered to be sympathetic with the original design approach and are not considered to detract significantly from the overall design quality of the proposed scheme. The proposed amendments would not result in any significant harm caused to highway safety and the amenity of neighbouring residents or future occupiers. Whilst the overall quality of the public open space would not be significantly compromised, the failure to provide a LAP on site would conflict with policy DC11 of the Core Strategy. However, it is noted that paragraph 205 of the NPPF requires LPA's to be sufficiently flexible to prevent planned development stalling when taking into account revisions to obligations and changes in viability. In this respect it is noted that the affordable housing obligations were suspended for three years as a result of a viability report being submitted that demonstrates that the development could not viably provide for affordable housing and would still provide for a deficit, with a profit level significantly below reasonably expected profit levels. Therefore, overall the proposed amendments are considered to accord with the requirements of Core Strategy Policies DC01, DC12, DC16 and DC19 as well as policies within the NPPF.

6.0 Recommendation

6.1 The application is therefore recommended for approval subject to the conditions below.

RECOMMENDATION

Planning Permission

CONDITIONS

3047A	In accordance with submitted plans NEW 2017
MT03	External wall and roof materials as approved
PD09	No alterations to garage
3750	Ecological mitigation as approved
HA03A	Road Surfacing
3750	Surfacing in accordance with approved phasing details
3750	Non-standard highways condition

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3860	Surface water drainage completed as approved	
3860	Management of drainage as approved	
3920	Construction Management Plan implemented as approved	
3943	Contamination found during development	
3920	Fire hydrants provided as approved	
3920	Non-standard condition	
3992	Non-standard note re: S106	
3996	Note - Discharge of Conditions	
4000	Variation of approved plans	
2001	Application Approved Following Revisions	
DE08	Slab level as approved	This condition will require to be discharged
MT09	Flintwork Panel to be submitted	This condition will require to be discharged
AR01	Archaeological work as approved	This condition will require to be discharged
3403	Screen fencing &/or walling to be built	This condition will require to be discharged
3408	Landscaping implemented as approved	This condition will require to be discharged
HA01	Standard estate road conditions	This condition will require to be discharged
HA02	Standard estate road condition	This condition will require to be discharged
HA03B	Surfacing in accordance with approved details	This condition will require to be discharged
3949	Contamination / Remediation scheme completed as approved	This condition will require to be discharged

ITEM: 8	RECOMMENDATION: APPROVAL
REF NO: 3PL/2017/0370/D	CASE OFFICER Rebecca Collins
LOCATION: WATTON Plaswood Products Ltd Griston Road	APPNTYPE: Reserved Matters POLICY: In Settlemnt Bndry ALLOCATION: N CONS AREA: N LB GRADE: N TPO: N
APPLICANT: Serruys Property Company Ltd c/o Agent	
AGENT: David Futter Associates Ltd Arkitech House 35 Whiffler Road	
PROPOSAL: Residential development of 31 units comprising of 18 flats, 13 houses, estate road, parking areas and open space	

REASON FOR COMMITTEE CONSIDERATION

The application has been referred to committee as it is a major planning application.

KEY ISSUES

Principle
Appearance and scale
Landscaping
Other matters
Conclusion

DESCRIPTION OF DEVELOPMENT

The application is a reserved matters application for 31 dwellings, open space and associated works, comprising 13 houses and 18 flats. Matters of access and layout were submitted for consideration at outline planning application stage. Therefore, only matters of appearance, landscaping and scale are to be considered through this reserved matters application.

SITE AND LOCATION

The application site comprises a former industrial site with an area of 0.67 hectares. The site contained buildings previously used for manufacturing, which ceased some time ago and the site has stood vacant.

The site is a flat site, with no buildings within it. Adjacent to the east of the site and off Griston Road is a buff brick substation and then a red brick single garage. Surrounding these and to the east are two and a half story dwellings constructed of red brick or rendered. To the west of the site are existing industrial buildings, some two storey, some single storey constructed of a variety of materials including dark buff bricks, render, under concrete roof tiles or corrugated metal roofs. Also, off Griston Road is a two storey flint fronted, detached residential dwelling. There are also residential properties opposite the application site, currently set

behind brick walls and high hedges.

Currently the boundaries of the site are marked by two metre herringbone fencing with wooden post and rail fencing to the rear. The footway to the front of the site is in need of repair.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2014/1314/O - Outline planning permission for 13 houses and 18 flats - Approved.

3OB/2014/0005/OB - Removal of planning obligations - Refused.

3PL/2012/0503/O - 31 dwellings - Approved

3PL/2009/0122/F - 24 dwellings with associated works - Undetermined.

3PL/2008/0607/F - Residential development- Refused and Dismissed at Appeal.

3PL/2005/0782/F - Residential development and ancillary works- Refused.

3PL/1989/0452/F - Factory and office extension to existing premises - 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 and National Planning Policy Guidance have also been taken into account, where appropriate

CP.01	Housing
CP.10	Natural Environment
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.11	Open Space
DC.12	Trees and Landscape
DC.16	Design
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
SS1	Spatial Strategy

OBLIGATIONS/CIL

A S106 Agreement was entered into at outline planning permission stage to require a review of the viability for contributions to affordable housing and education and for the provision of open space.

CONSULTATIONS

WATTON TOWN COUNCIL

No Objection.

RAMBLERS ASSOCIATION: NORFOLK AREA

No objection, providing Watton FP10, (Wood Lane), is kept open throughout any works and any damage to it is repaired without delay.

NORFOLK COUNTY COUNCIL HIGHWAYS

The Highways Authority made comments with regards to the initial layout submitted. The applicants have amended the plans and the Highways Authority are content with the revised information subject to the footways either side of the site to be widened.

HOUSING ENABLING OFFICER

As per the viability appraisal with the outline and subsequent S106, the site is not able to provide affordable housing at present values.

CONTAMINATED LAND OFFICER

No objections subject to a conditions with regards to contamination.

MINISTRY OF DEFENCE

No safeguarding objections to this proposal.

ANGLIAN WATER SERVICE

No Comments Received

ENVIRONMENTAL HEALTH OFFICERS

No Comments Received

PUBLIC RIGHTS OF WAY OFFICER

No Comments Received

REPRESENTATIONS

One letter has been received from a neighbouring property querying whether the "open space" to the immediate south of the site will be fenced in for use by the sites new residents only. They also disagree with the findings of the submitted noise assessment, as in the past 10 years, the factory has not operated out of hours and therefore the noise assessment should be re-calculated to include working hours impacts only. Finally an earth bund with a smaller acoustic barrier is favoured over a 4 metre high acoustic fence as this could be blown down.

ASSESSMENT NOTES

1.0 Principle

1.1 The principle of residential development in this location was established by the granting of outline planning permission, application reference 3PL/2014/1314/O for 13 houses and 18 flats. Matters of access and layout were also agreed at outline application stage. Therefore, only matters of appearance, landscaping and scale are considered as part of this reserved matters application.

2.0 Appearance and scale

2.1 The outline planning permission approved a layout of three detached dwellings to the frontage of the site, two facing north with one facing east on to the approved access into the site, side onto the Highway at Griston Road. These detached properties are two and a half stories, to be constructed of cream render or red brick, similar in appearance to that of the neighbouring development. The proposals include one dormer window which slightly unbalances the view to the front of the properties. This was, however, shown on the layout plan at outlined application stage. The plans for plot two have been amended slightly to include two windows and two false windows, to improve the view to the side elevation of this property within the street scene. This along with low railings to the street and some landscaping will help in terms of street scene and to tie the development with the neighbouring development.

2.2 The proposal includes a linear block running the majority of the length of the eastern boundary and a shorter block running along the far, southern boundary of the site. The eastern block is primarily two storey with two-storey flats and a two and half storey gable projecting element to its northern end. There is a gap then for parking and proposed is a terrace of four two storey dwellings. The application proposes red brick with some render detailing to projecting gables on the longer block to break up the appearance of the block. The northern terrace consist of three pairs of two and half storey dwellings connected by single storey garages. These are to be constructed of red brick with first floor render detailing to the middle block.

2.3 The appearance of development is largely as shown on the plans and indicative plans, as submitted at outline application stage. Albeit quite a mass of development on the eastern boundary of the site and also to the northern, the proposed layout was previously agreed. The neighbouring existing development consists of dwellings up to two and half stories and subject to the submission of exact materials to be used then the proposal is considered acceptable and in character with the surrounding area. On this basis the proposal is considered in accordance with Policies 6 and 7 of the NPPF and Policy DC16 of the adopted Core Strategy.

2.4 There is sufficient distances between properties within the site and existing neighbouring properties so as not to impact amenity in accordance with paragraph 17 of the NPPF and Policy DC01 of the adopted Core Strategy.

3.0 Landscaping

3.1 The layout of the site was previously agreed at outlined application stage. The applicants state that the landscaping will comprise of low level planting to the frontage of all properties, railings to the open space with ornamental trees within these spaces. Condition 20 of the outline planning permission requires exact details of the landscaping to be submitted and approved. On the basis that the layout was previously agreed, including the open spaces and the exact details of species and planting are still to be submitted then on this basis the information provided with regards to landscaping is considered acceptable and in accordance with policy DC12 of the adopted Core Strategy.

4.0 Other matters

4.1 The neighbouring property has queried the boundary treatment around the application site. There is a condition on the outline planning permission requiring details of boundary treatments to be submitted and approved. The applicants have confirmed that they are in ownership of the adjoining open space and therefore there is no reason the two spaces can not be used in connection with each other and not

individually fenced. This condition is considered sufficient to control this matter.

4.2 The submitted noise report submitted suggests either an acoustic fence or a bund and fence should be erected along the western boundary of the site to protect the future occupants of the development from noise from the neighbouring industrial uses. A condition has been added to the outline planning permission requiring further details of these appropriate acoustic measures to the western boundary to be submitted and approved, as previously recommended by Environmental Protection. Additional conditions were also added to the outline consent requiring acoustic glazing to properties, hours of works and surface water drainage measures. These conditions are considered sufficient to protect the amenity of neighbouring properties and future occupants in accordance with paragraph 17 of the NPPF and Policy DC01 of the adopted Core Strategy.

5.0 Conclusion

5.1 On the basis of the approved outline scheme, the proposals for appearance, scale and landscaping are considered acceptable and in accordance with National and Development Plan Policies. Therefore, the proposal is recommended for approval subject to conditions on the outline planning consent and further conditions applied to this consent.

RECOMMENDATION

Approval of Reserved Matters

CONDITIONS

2001	Application Approved Following Revisions
3012	Approval of Reserved Matters condition
3047A	In accordance with submitted plans NEW 2017
3920	Non-standard condition
3992	Non-standard note re: S106
3996	Note - Discharge of Conditions