

ITEM:		RECOMMENDATION:	REFUSAL
REF NO:	3PL/2017/1351/F	CASE OFFICER	Debi Sherman
LOCATION:	SWAFFHAM Swans Nest Site, Land East of Brandon Road, Swaffham	APPNTYPE:	Full
APPLICANT:	Abel Homes Ltd Neaton Business Park Norwich Road	POLICY:	In Settlemnt Bndry
AGENT:	Abel Homes Ltd Neaton Business Park Norwich Road	ALLOCATION:	N
PROPOSAL:	Erection of 98 dwellings (Phase 3) at Swans Nest with access from Brandon Road		
		CONS AREA:	N
		LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

The application constitutes a major development.

KEY ISSUES

Principle of development
Affordable Housing
Impact on the area
Amenity
Highways
Open Space
Flood Risk/Drainage

DESCRIPTION OF DEVELOPMENT

The application seeks approval of a full application for the development comprising 98 dwellings on part of the overall site subject of the outline permission 3PL/2012/0576/O. The full application for which approval is sought includes: access; appearance; landscaping; layout and scale.

The mix of dwellings encompasses a wide range of house types comprising: open market housing (total 72) to include

23no. x 2 bed dwellings
34no. x 3 bed dwellings
15no. x 4 dwellings;

Social housing (total 26) to include
8no. x 1 bed dwellings
16no. x 2 bed dwellings

2no. x 3 bed dwellings.

Most of the development would be of two storeys, but a number of chalet bungalows and bungalows (22%) are also proposed.

Vehicular access to the site would be taken off Brandon Road via existing estate roads within Phase 1 of the original development.

The scheme also proposes a LEAP and wildflower meadow in the south eastern corner of the site.

SITE AND LOCATION

The application site (3.88 ha in area) is located on the southern edge of Swaffham and is situated to the east of Brandon Road. The site is currently agricultural land with a mature hedgerow running from east to west across the middle of the site.

To the north and west of the site is existing residential development whilst planning permission has been granted for a large residential scheme further to the south of the site. To the east of the site is mainly grassland and open fields.

The adjacent site is subject of an outline application with a resolution to grant planning permission for a further phase of residential development under reference no. 3PL/2016/0068/O for up to 175 dwellings and associated open space.

The application site comprises part of the larger Swans Nest Site which was granted outline planning permission for residential development for 250 dwellings in 2014 under planning reference 3PL/2012/0576/O.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2012/0576/O - for outline planning permission for 250 dwellings - approved 2013 (including Section 106).

3PL/2014/0359/D - Residential development of 82 dwellings (Phase 1) - approved 2014.

3PL/2016/0298/D - Erection of 70 dwellings (Phase 2) - approved 2016.

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.04	Infrastructure
CP.05	Developer Obligations
CP.08	Natural Resources
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.04	Affordable Housing Principles
DC.11	Open Space
DC.12	Trees and Landscape
DC.13	Flood Risk
DC.16	Design
DC.19	Parking Provision
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

OBLIGATIONS/CIL

A Section 106 agreement was completed in relation to outline planning permission 3PL/2012/0576/O which required the provision of 27% affordable dwellings, three locally equipped areas for play, a sports field, parkland and meadowland, library contributions, public transport contributions, public rights of way contributions and recreation contributions.

This site generates requirements for 256,168 GDP education contribution consisting of 104,796 GDP for early education and 151,372 GDP for junior education.

Two fire hydrants are required at a cost of 1,630 GDP

A library contribution of 1630 GDP is also required.

The NHS require a contribution towards health services in the locality of 35,489 GDP.

The current application provides for 26 units of affordable housing (equivalent to 27%), a local equipped area for play and open space for outdoor sports with a wild flower meadow generally in accordance with the Section 106 attached to the outline planning permission for the wider site.

CONSULTATIONS

SWAFFHAM TOWN COUNCIL

The Town Council are largely satisfied with the explanation given in relation to the re-location of the open space, the distance from existing properties, the design and density issues.

ENVIRONMENT AGENCY

No objection.

ANGLIAN WATER SERVICE

The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

NATURAL ENGLAND

Natural England is of the opinion that there will not be significant recreational effects to the above sites arising from proposed development at this time. Natural England consider that there is a risk that in future sites within this radius may contribute to cumulative recreational impacts to Breckland SPA, in particular to the forest elements of the SPA (Breckland Forest SSSI).

Natural England does not object to the proposed development but wants to reiterate to Breckland Council of the need to strategically review the cumulative recreational impacts of new residential developments when within 7.5km of the Special Protected Area.

CRIME REDUCTION & ARCHITECTURAL LIAISON OFFICER

The Crime Reduction and Architectural Liaison Officer informed the Design and Access Statement does not make reference to any proposed crime prevention measures for the development. The Officer would encourage the preventative security measures and standards found with the ACPO Secure by Design (SBD New Homes 2016) to be adopted for this development.

Abel Homes assured that Secured by Design principles have been applied in that 1.8m closed board fencing is being used for rear and side boundaries, all attenuation is underground and continuing from phases 1 and 2 PAS 24 doors and windows are to be installed.

Plots 205 and 206 which are abutting the area of public open space, measures have been taken to implement defensive barriers and planting to ensure that ball games do not adversely affect the occupants of these plots.

NATIONAL AIR TRAFFIC SERVICES

no safeguarding objection to the proposal

NHS ENGLAND MIDLANDS & EAST (EAST)

A developer contribution will be required to mitigate the impacts of this proposal. NHS England calculates the level of contribution required, in this instance to be 35,489 GDP. Payment should be made before the development commences. NHS England therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 planning obligation.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objections subject to conditions.

This phase of development requires the following financial contributions to be secured by a S106 Agreement, similar to previous approvals at Swans Nest as follows:

A contribution of 14,700 GDP (150.00 GDP per dwelling) towards public transport.

A Travel Plan, Travel Plan Bond of 49,000 GDP (500 GDP per dwelling) and a Travel Plan Monitoring Fee of 2500 GDP

OBLIGATIONS OFFICER, NORFOLK COUNTY COUNCIL

No objections subject to the provision of required contributions

FLOOD & WATER MANAGEMENT TEAM

The Flood & Water Management Team advise due to the site being located above a Principal Aquifer and within a Source Protection Zone (SPZ) that the developer should address risks to controlled waters from contamination at the site. This is through the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination.

If the development proposes to use deep infiltration systems including boreholes and other structures that bypass the soil layer the Flood & Water Management Team wish to be re-consulted.

TREE AND COUNTRYSIDE CONSULTANT

No objections subject to conditions to ensure protection during construction.

HOUSING ENABLING OFFICER

S106 agreement related to the original permission 3PL/2012/0576/O mandates 27% affordable housing across the site, with overage on the remaining 13% should the site achieve profit targets. The proposed 26no affordable homes on a site of 98 will achieve the required percentage. The affordable housing mix proposed is acceptable and will meet identified need in the area

ECONOMIC DEVELOPMENT

No objections, however from an economic perspective more housing requires more infrastructure which is a continuous problem across the district.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

Mitigation requirements.

CONTAMINATED LAND OFFICER

No objections subject to condition

AIR QUALITY OFFICER

No objections on grounds of Local Air Quality Management

HISTORIC ENVIRONMENT OFFICER

No objection subject to condition

CIVIL AVIATION AUTHORITY

No Comments Received

ENVIRONMENTAL PLANNING

No Comments Received

PUBLIC RIGHTS OF WAY OFFICER

No Comments Received

REPRESENTATIONS

Sixteen Letters of representation have been received which raise the following issues:

- lack of facilities infrastructure in Swaffham such as doctors and dentists
- changes from the original outline layout
- poor design and not cohesive with Phases 1 & 2
- uplift in numbers from the original scheme
- removal of public open space (POS) to build an additional 14 dwellings
- ecological implications of scheme
- lack of visitor parking
- surface water drainage issues - the POS in Phase 1 often waterlogged

- poor quality open spaces compared to other phases
- loss of privacy, loss of light, overshadowing and loss of view as a result of development
- density excessive
- wider highway impacts in Swaffham
- not facilitating cycling as a mode of transport
- disturbance in the area as a result of construction traffic
- new housetypes not seen in other phases with a reduction in garaging
- hedge and boundary issues require clarification on northern boundary
- dwellings do not correspond with orientation of dwellings built in Phase 1
- shingle driveways unwelcome, block paving in Phase 1
- insufficient information in relation to boundary treatments

ASSESSMENT NOTES

Principle of development

The principle of residential development is established by the outline planning permission granted in 2014. The current application is submitted as a full application on the basis that the original outline permission is time expired but as Phase 1 and Phase 2 have been built out remains a material consideration.

The Section 106 attached to the outline planning permission secured affordable housing, open space, library, public transport, public rights of way and recreation contributions.

Assessment of the proposed development has taken into account local and national planning policy relating to housing design, layout, residential amenity and protection of trees. Relevant NPPF, and Core Strategy Policies DC1 (Amenity), DC2 (Housing), DC4 (Affordable housing), DC11 (Recreation), DC12 (Trees) and DC16 (Design).

There are no objections in principle to the development of this site for residential purposes on the basis that it complies with the overarching the outline permission in terms of obligations and general form of development.

Affordable Housing

The level of affordable housing provision accords with the requirements of the S106 agreement at 27%. No objections are raised by the Strategic Housing Service are raised in respect of the level of affordable housing provided, the mix and tenure.

Impact on surrounding area

The development of the site for housing would be in keeping with the established character of the area. The density of development proposed (27 DPH net and 25 DPH gross) would be consistent with most surrounding development, as would the general pattern of development proposed. The suburban character of the area would be maintained. This would be similar to the existing development to the east and south and would marry up with the earlier phases of development built out and under construction at present.

The proposed layout and design of the development is considered to be acceptable. It is considered that the informal pattern of the development and the use of a variety of house types would help to offset any sense of overdevelopment. Houses would be arranged to create varied street scenes. House designs would be

contemporary in form and materials. It is thought the design would fit in and would complement the built form that surrounds it.

Issues have been raised regarding the development of the eastern most extremity of the site. Under the outline permission for the whole development site this was identified as public open space. This scheme has now come forward with development in this area which is understood to have been necessary to facilitate surface water drainage arrangements for the site. There are no objections in landscape and character terms as the site would abut the scheme for up to 175 dwellings which is subject to a resolution to grant (subject to completion of S106 agreement) to the south of the site. The amenity impacts are considered below.

Amenity

The scheme has been the subject of revisions to address some issues relating to potential impacts on adjacent existing residents on the western boundary of the site where it abuts the Phase 1 scheme. In general terms the most sensitive boundary to the north would be built at single storey only and overall where two storeys are proposed it is considered that reasonable separation distances are achieved.

As referenced above concerns have been raised regarding the siting of dwellings on the eastern most part of the site. This has been assessed and it is considered that the siting and layout of the proposed dwellings are such that there would not be material adverse impacts on the living conditions of adjacent residential occupiers.

Highways

The provision of car parking is considered acceptable, with most market housing properties benefiting from off street parking and a garage. The affordable units would have off street parking with no garage provided. In terms of access, the proposed road layout and footpath/cycleway links would ensure that the development has reasonable permeability to other phases of the wider development.

The Highway Authority has raised no objection to the proposed development and the proposal accords with Core Strategy Policy DC19.

Open Space

The development forms Phase 3 of a development originally granted for 250 dwellings. In building out Phases 1 & 2 open space was provided to accord with the requirements of children's play space and outdoor sports provision in accordance with the requirements of Policy DC11.

In considering children's play space Phase 1 and 2 collectively meet the requirement for play space, exceeding their requirements. Phase 3 meets its requirement of 0.16 hectares in the form LEAP and wild flower meadow.

In terms of outdoor sports provision a sports field was provided as part of Phase 2 of 1.13 hectares which meets the requirements of all three Phases of the overarching development site. The requirement overall was for 0.94 hectares and this is exceeded.

On this basis, it is considered that the requirements of Policy DC 11 have been met in relation to this scheme.

Surface Water Drainage

The scheme proposes to deal with surface water flooding by providing underground attenuation features under the proposed LEAP and wild flower meadow and permeable surfacing.

The LLFA have raised objections to the proposed drainage strategy and raise concerns relating to the following:

- Inadequate consideration for all sources of flooding, specifically the surface water flood risk that effects a large proportion of the site, originating offsite.
- The current proposal includes around new 20 dwellings at risk of surface water flooding up to a depth of 600mm and would increase the risk off flooding elsewhere.
- Inadequate drainage strategy which does not consider the storage of the additional water originating offsite or locating the drainage features where they would not be overwhelmed by the surface water flow path originating offsite.
- Lack of clarity on the discharge rate from the site which is dependent on approval from Anglian Water.
- National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) has not been followed to show how the most vulnerable elements of the development have been placed in areas of lowest flood risk (surface water) on the site

The applicant has provided additional information to seek to overcome these objections which is currently under consideration by the LLFA. However at the time of writing this report, the objection from the LLFA must be given due consideration and without confirmation that the concerns of the statutory consultee can be addressed, it cannot be shown that adequate measures can be put in place to mitigate the risks of surface water flooding as a result of this development.

Conclusion

Policy DC2 of the Adopted Core Strategy Document relates to principles of new housing development advising on appropriate mix and density. Policy DC16 is concerned with matters relating to design. The development as proposed is considered to fall in accord with these policies and the overall layout and design of the proposed development is thought to be acceptable. The scheme would comply with the terms of the outline permission granted in 2014, and positively reflects the current development within Phase 1 and 2 in terms of design and layout.

However, the concerns relating to ability of the development proposal to adequately address and mitigate potential flood risk issues as a result of surface water flooding are such that the application is recommended for refusal at this time.

RECOMMENDATION

Refusal of Planning Permission

REASON(S) FOR REFUSAL

9902 **Non-std reason for refusal**
The development as proposed, makes inadequate provision to manage local flood risk,

surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events
and ensuring the surface water drainage system operates as designed for the lifetime of the development contrary to Core Strategy Policies CP05, CP08 and DC13 and the NPPG, NPPF, particularly Paragraphs 103 and 109.