

Item. 9(x) pages 275 - 285

Location: Chapel Farm Dereham Road, Whinburgh

Proposal: Residential Development (Five dwellings and garages)

REFERENCE: 3PL/2019/0015/O

Applicant: Mr John Manoukian

Author: Mark Simmonds

CONSULTATION RESPONSES

Ward Member, Councillor Ian Martin:

The Report places great weight on the Planning Appeal which deemed the site to be sustainable for 3 houses, and on the basis of the Inspector's decision then deems those considerations to outweigh the Objections of Highways and the Parish Council. At the time the emerging Local Plan was still seeking to designate Yaxham as a Local Service Centre, and this and the services on offer "including a shop [and] pub" appear to have helped influence the Inspector's decision. You will appreciate the disappointment felt that, despite all our endeavours, the Case officer still appears to believe that Yaxham is to be such a Local Service Centre and still has such facilities. He has therefore not reduced the weight attributed to these points in the Examiner's consideration of the earlier Appeal. I therefore ask that a supplementary report is issued to the Planning Committee correcting Yaxham's status under both the current Plan and the new Local Plan as a village/settlement with boundaries and not an LSC, noting that since the successful appeal Yaxham has neither a shop or a pub; and considering whether this reduces the weight to be given to the Inspector's comments in granting the previous appeal.

OFFICER COMMENTARY/UPDATE:

The Yaxham Neighbourhood Plan (YNP) was 'made' on the 22nd June 2017. (Date of referendum: 4th May 2017). The site is outside the Neighbourhood Plan Area. Paragraph 1.7 sets out that no sites are allocated as part of the plan.

ASSESSMENT

Yaxham Neighbourhood Plan

The site falls outside the YNP Area and therefore this Neighbourhood Plan is considered to be of limited weight as a material consideration for this particular application. Furthermore, the lack of a five year supply of housing at district level engages the tilted balance at paragraph 11 of the NPPF, in favour of residential development where harm is not significant or demonstrable.

The YNP does not allocate any sites for housing and therefore, any conflict with the plan would not be considered to outweigh any benefits (para 14 NPPF).

Status of Yaxham Settlement - Correction

The Committee Reports details Yaxham as Service Centre Village – it has been correctly pointed out that it is not, this is corrected here in this Supplemental Report. Yaxham is a rural village in the adopted plan and a village with boundary in the emerging plan. Cllr Martin also advises that the Pub and shop in Yaxham have closed.

The above corrections do not alter the recommendation of approval as the harm is not considered to significant and demonstrably outweigh the benefits, particularly when considered against the sites extant permission for 3 dwellings.

Whilst there was an error in the appeal decision, which also incorrectly detailed Yaxham as a Service Centre village, it was not this reason solely which resulted in the Inspector finding the development to be acceptable, as shown in the below extract.

“7. The appeal site is around 1.4 km to the south of Yaxham village, which the Council inform me is a proposed Service Centre Village and I note has a number of local services, including a shop, café, hall, pub, sports field and primary school. There is not a footpath to this village, but the distance and nature of the road makes travel by cycle feasible. Any trips by car to this village would be short and, as the appellant points out, the appeal site adjoins existing housing whose residents can be assumed to already access such services by cycle or short car journeys.

8. The larger town of Dereham that provides a full range of services is around 4-5 km to the north west (depending on a measurement to the centre or edge). There is a limited bus service from outside the appeal site to Dereham which would provide an option for future occupants to travel other than private car, but I accept the majority of trips to and from the site to Dereham would be by car.

10. I consider the location of the appeal site will enable a choice for future occupants to access local shops and services by means of transport other than the private car. Any journeys made by car to reach the service centres of Yaxham or Dereham would be the same as the current residents of Whinburgh (and little different from the residents of nearby Yaxham), and those would only be a short distance. As expressed in the Framework, this degree of connection by public transport or cycling is suitable for this rural area and, furthermore, the new dwellings have the opportunity to support the services in Yaxham due to the close proximity to that village”

The site is not in a very sustainable location, however, is only a short drive (0.9 mile) from Yaxham which has a school, village hall, playing field, restaurant and church. A wide range of services and facilities is available in Dereham which is a 5 mile drive. The location of the site for a small number of dwellings is therefore a moderate harm of the proposal.

This moderate locational harm does not significantly and demonstrably outweigh the benefits of the provision of 5 houses, which would contribute towards the 5 year land supply; the support to village services in Yaxham and other local villages; and the increased land efficiency when compared to the extant planning permission for 3 units as per guidance provided at paragraph 118(d) and 123 of the NPPF.

RECOMMENDATION The recommendation remains the same as the main report - Approval with conditions as set out.