

ITEM:		RECOMMENDATION: APPROVAL
REF NO:	3PL/2019/0011/F	CASE OFFICER Mark Simmonds
LOCATION:	SAHAM TONEY Meadows Farm Chequers Lane Saham Toney	APPNTYPE: Full
APPLICANT:	Mr & Mrs McDow Meadow Farm, Chequers Lane Saham Toney	POLICY:
AGENT:	Patterson DESIGN Ltd Suva House Attleborough	ALLOCATION: N
PROPOSAL:	Development of 3No. contemporary detached dwellings and garaging on land at Meadow Farm	CONS AREA: N
		LB GRADE: Within Curtilage G2*
		TPO: N

REASON FOR COMMITTEE CONSIDERATION

This application is referred to Committee as the proposal is recommended for approval contrary to policy.

KEY ISSUES

- Principle of Development
- Saham Toney Neighbourhood Plan
- Impact upon the Character and Appearance of the Surrounding Area
- Amenity Impact
- Impact on Ecology
- Impact on Trees
- Access and Highway Safety Implications
- Flood Risk and Drainage Implications
- Other matters

DESCRIPTION OF DEVELOPMENT

This application seeks full planning permission for the erection of 3no. detached dwellings and garaging. The location of the proposed dwellings has been amended, with a new 'red edged' site plan to avoid an area of surface water flood risk.

SITE AND LOCATION

The site comprises an area of 0.49 hectares on land at Meadows Farm, Chequers Lane, Saham Toney.

EIA REQUIRED

Not required.

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.01	Housing
CP.10	Natural Environment
CP.11	Protection and Enhancement of the Landscape
CP.13	Accessibility
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

OBLIGATIONS/CIL

Not applicable.

CONSULTATIONS

SAHAM TONEY P C

Object to the amended proposals and note their original comments still apply.

Saham Toney Parish Council discussed this plan at its meeting on the 4th February 2019 and unanimously agreed to object for the following reasons:-

- The site was not put forward when the call for sites was published for the Neighbourhood Plan. The site will therefore not undergo independent site assessment to determine suitable sites to be allocated in the Saham Toney Neighbourhood Plan.
- There is a bend in the road on Chequers Lane where the new access is to be created. This could be a risk factor and is almost immediately close to a previous application.
- The site is outside the current settlement boundary and not immediately adjacent to it.
- Non compliant to HOU04.
- Paragraph 77 of the NPPF requires housing developments in rural areas to support local needs. This application is not in compliance with the Saham Toney House Needs Assessment 2018.
- The application is within 20 metres of a water course and is at a high risk of surface water flooding.

- Brecklands Core Strategy Policy CP1 states no new dwellings in Saham Toney between 2012 and 2026.
- Chequers Lane is not suitable for village expansion owing to its strong rural character. (Character Assessment 2019).
- There are no public footpaths or space to create these on Chequers Lane. The site does not meet the Governments maximum walking distance from services and public transport. The site is further than 800 metres from services and facilities in the village.
- The site is a backyard development
- The same objections apply to this plan as for the recent Tythe Barn application number 3PL/2018/1583/O.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

The updated Preliminary Ecological Appraisal (Gray Ecology; April 2019) is fit for purpose and meets the requirements of British Standard BS42020:2013 Biodiversity - Code of Practice for Planning and Development. The mitigation measures proposed will reduce the likelihood of impacts on ecological receptors to acceptable levels.

If you are minded to approve this application, we recommend that you condition:

- The proposed development must proceed in-line with the recommendations in section 6 of the Preliminary Ecological Appraisal report (Gray Ecology; April 2019).
- Prior to the commencement of development, a biodiversity enhancement plan shall be submitted and approved in writing by the local planning authority, detailing the enhancement measures outlined in principle in section 7 of the Preliminary Ecological Appraisal report (Gray Ecology; April 2019) for biodiversity on site. The biodiversity enhancement plan should include details of numbers and locations of bird boxes, bat boxes and habitat enhancements. The measures shall be carried out strictly in accordance of the approved scheme.
- Construction Environmental Management Plan

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) prepared by Plandescil (revised May 2019).

No other operations shall commence on site in connection with the development until the tree protection works and any pre-emptive tree works required by the approved AIA or AMS have been carried out and all tree protection barriers are in place as indicated on the TPP. Works shall not commence until written confirmation has been obtained from the appointed arboriculturalist to confirm that tree protection is in place as specified.

The protective fencing shall be retained in a good and effective condition for the duration of the construction of the development and shall not be moved or removed, temporarily or otherwise, until all site works have been completed and all equipment, machinery and surplus materials removed from site, unless the prior written approval of the local planning authority has been sought and obtained.

NORFOLK COUNTY COUNCIL HIGHWAYS

The site lies some distance from the village footpath network which would link pedestrians with amenities such as the school, village hall and pub and there would not appear to be sufficient land within the intervening highway verge to facilitate a new footway between the site and the existing provision. The site does, however, lie within cycling distance of all of these amenities and I am mindful of the Appeal decision in relation to the application for 10 dwellings off Ovington Road (3PL/2016/0766/F App/F2605/W/17/3176900), where the inspector concluded "...I do not consider the extra walking journeys

that would be generated would be sufficient to justify the provision of a pavement. Indeed as most of the other roads in the village do not benefit from pavements, as with many rural settlements, the regular use of the roads by

pedestrians is common and drivers would be well aware of the need to take appropriate care" On that basis, and given the scale of the development proposed, I consider it would be difficult to substantiate an objection to the proposal on the lack of satisfactory pedestrian facilities in the vicinity of the site.

The layout plan does not include dimensions but I am happy that this matter can be dealt with by way of conditions for the avoidance of doubt. If Planning permission is granted then this is subject to conditions.

ENVIRONMENT AGENCY

We have reviewed the information provided and have no formal comment to make on this application but offer the following guidance: The site is located above a Principal Aquifer. The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination, which can be found here: <https://www.gov.uk/government/publications/managing-and-reducing-land-contamination> If the development proposes to use deep infiltration systems including boreholes and other structures that by-pass the soil layer we would wish to be re-consulted.

HISTORIC BUILDINGS CONSULTANT

I note that an application for Listed Building Consent (3PL/2019/0012/LB) has been made in tandem with this Full application. However, unless the proposal includes the demolition of any existing pre 1st July 1948 curtilage structures then in my opinion an LBC application is not required for this proposal. However, what is required under this Full application is a heritage impact assessment concentrating on the potential impact of this proposal on the setting of the listed building.

A Heritage Statement was submitted and there are no objections or further comments following the submission of the final amended plans.

REPRESENTATIONS

A Site Notice was displayed 07-02-2019 to 28-02-2019.

Four neighbours were directly notified along with the leader of The Saham Toney Neighbourhood Plan Steering committee.

Four representations were received, three objecting to the proposals and one with comments relating to inadequate access and flooding issues. Their comments are summarised below;

This application is for three properties along Chequers Lane, one of the main routes through the village, which is a narrow, rural lane with no footpaths. There are already two approved applications for development along Chequers Lane on land adjacent to Stanway Farm:

3PL/2015/0242 for 5 houses; work has commenced on 1 house;

3PL/2017/1423 for three houses; no work has commenced.

3PL/2018/1583/O for four houses currently in consultation period.

There is also a proposal for ten houses on land at Grange Farm (STNP 1) being reviewed by AECOM as part of the Saham Toney Plan Call for sites.

The site is not within or immediately adjacent to the settlement boundary as defined within Policy HOU4 of

the emerging Breckland Local Plan.

As part of the emerging Neighbourhood Plan for Saham Toney, a Landscape Character Assessment, a Fringe Sensitivity Assessment and a Key Views Assessment have been undertaken by a landscape consultant. These Assessments were formally accepted by the parish council on 4th February 2019 and these assessments now constitute material considerations when planning applications are being reviewed. These documents are available on the Saham Toney Neighbourhood Plan website, www.stnp2016.org.

The site of the proposed development is where two of the settlement fringe areas (Chequers Lane and Mill Corner - north) merge. The assessment results for Chequers Lane states:
Chequers Lane is not suitable for village expansion owing to its strong rural character and intact scattered settlement pattern - this area has not been subject to extensive 20th century infill that has taken place elsewhere in the parish and retains a rural feel. It has strong landscape structure and retention of its trees and hedges is key to its character. The area would be less sensitive to small scale development in the form of conversions or occasional single plots, that are carefully integrated.
On this basis, it is not appropriate to allow a development of 3 contemporary properties on Chequers Lane.

This application does not address any of the requirements of Saham Toney's housing needs as identified in the 2018 Saham Toney Housing Needs Assessment - submitted as evidence for the Saham Toney Neighbourhood Plan; Reg 14 pre-submission.

The emerging Neighbourhood Plan seeks to allocated sites for housing development. A very well publicised "call for sites" ran for 8 weeks from 22nd August to 18th October, resulting in 16 sites being submitted and these sites are being independently reviewed. This application should be subject to the same level of robust review as the 16 sites submitted.

Policy TR01 requires that any development seeks to "...minimise the need to travel." The site is well outside the recommended 800 metres radius for shops (Saham no longer has a village shop). It is beyond 2000 metres from the nearest secondary school in Watton. The site exits onto Chequers Lane, which is narrow, with limited visibility, and is very unsuitable - even dangerous - for any pedestrian use.

We are not convinced by the submitted application that the full potential impact of flooding on downstream properties has been addressed.

The site is located between the pre-enclosure Howard's Green and Saham Low Commons, and so is of potential archaeological interest. The Saham Toney Asset Register specifically lists two sites of archaeological relevance (items NHE ID 8730 and 8731 on the Norfolk Heritage Explorer register). These are items 113 and 114 on the Saham Asset Register and are quoted as probably having been located on the original Meadow Farm land. No development should be undertaken before that possibility has been researched by appropriately qualified specialists.

- Pressure to cut down trees - therefore removal of necessary indigenous woodland which is under pressure everywhere. Which in the end damages wildlife and the environment.
- As indicated in the application paperwork I do not like to see listed structures being adversely affected.
- Chequers lane is a dangerous road with no footpath.
- Greed by landowner. Jumping on the supposed 'need for housing bandwagon'.
- Saham Toney does not need this development at this time as the village is in the process of developing its own village plan in conjunction with Breckland Council. A call for plans was made and this applicant did not apply and now wants to circumvent the process. Applications outside these village proposals should be put on hold until the village plan is adopted.

The Leader of the Saham Toney Neighbourhood Plan Steering Committee Work Group objects to the proposals and has submitted a detailed report with comments which can be seen in the submitted document. The objection by Saham Toney Parish Council is referenced in the objections.

Following amendments to plans further comments were received requesting that updated reports be submitted to reflect the new location.

ASSESSMENT NOTES

1.0 Principle of Development

1.1 This application seeks full planning permission for the erection of three dwellings and garaging.

1.2 The site is located outside of any settlement boundary in an area of open countryside on the edge of Saham Toney. For this reason, the proposal conflicts in principle with Policies DC2 and CP14 of the Core Strategy and Development Control Policies Development Plan Document (2009), which seek to focus new housing within defined Settlement Boundaries. However, paragraph 11 of the NPPF (2019) states that where an authority does not have an up-to-date Development Plan or five year housing land supply, the relevant local policies for the supply of housing, as referred to above, should not be considered up-to-date and that housing applications should be considered in the context of the presumption in favour of sustainable development.

1.3 Paragraph 10 of the NPPF (2019) states that at the heart of the Framework is a presumption in favour of sustainable development. Paragraph 11 further states that proposed development that accords with an up-to-date Local Plan should be approved without delay, and where there are no relevant development plan policies, or the policies which are most important for determining applications are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

1.4 The Council cannot demonstrate a current 5 year housing land supply and therefore the Core Strategy and Development Control Policies Document relating to housing land supply are not considered up-to-date and therefore the material considerations are assessed in line with the sustainable development roles within paragraph 8 of the NPPF (2019):

- economic, to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- social, to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- environmental, to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

1.5 Paragraph 9 states that these roles should not be undertaken in isolation, because they are mutually dependent and that the planning system should play an active role in guiding development to sustainable

solutions. A balanced assessment against these roles is, therefore, required.

1.6 In terms of the economic criteria, the proposal would provide three new dwellings and would therefore make a small 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.

1.7 The social role of sustainable development seeks to ensure, amongst other matters, the creation of a high quality built environment with accessible local services. The proposal seeks to provide three new dwellings on the application site. In determining this application the council noted that although outside the defined settlement limit of Saham Toney, the proposed development would be within close proximity, with the primary school approximately 0.8 miles and 1000m to the nearest bus stop. Additionally, a wider range of facilities in nearby Watton, approximately 1.4 miles away. The need for short car journeys to access Watton is therefore considered a minor negative of the proposal.

1.8 Saham Toney is classed as a Service centre village within the Breckland core Strategy, it says that these villages contain adequate services and facilities to meet the day-to-day requirement of their existing residents. The Breckland Local Plan is currently in the process of being signed off, therefore, this is a material consideration for this application but with limited weight. This Local Plan confirms that Saham Toney is one of 16 settlements identified as having 3/4 of the services and facilities listed and that as a location with a greater level of services and facilities compared to other rural areas will see a higher level of development when compared to other rural areas over the plan period.

1.9 The assessment within the Local Plan has had regard to the distance of services and facilities from the designated settlement boundary/village core- and should only be considered to be available when they are within a recognised acceptable walking distance- taken to be 800m.

1.10 Taking into consideration all the above, the application site is considered to be a sustainable location for some form of new development.

1.11 With respect to the environmental aspect of sustainable development further discussion of the environmental implications and the effects of the proposed additional dwellings on the character and appearance of the area are considered in detail below.

1.12 The environmental role of sustainable development seeks to, in part, contribute to protecting and enhancing the natural, built and historic environment. Policy DC16 requires all new development to achieve the highest standard of design. As part of this, all design proposals must preserve or enhance the existing character of an area. Consideration will also be given to the density of buildings in a particular area and the landscape/townscape effect of any increased density.

1.13 Saham Toney Neighbourhood Plan

1.14 Objections have been received stating that the development proposed is outside the Saham Toney Neighbourhood Plan (STNP) area and that the site was not put forward under the 'call for sites' exercise.

Whilst the STNP is a material consideration and is acknowledged, and it is recognised that this site falls outside of the STNP area this does not weigh sufficiently in the balance to warrant refusal. The lack of a five year supply of housing at district level engages the tilted balance in favour of sustainable development and as the STNP is not yet 'Made' and does not yet allocate housing sites the NPPF guidance is clear that the

exemption to paragraph 11d is not brought in to effect:

National Planning Policy Framework (2019) Paragraph 14:

"In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply

:

- a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;
- c) the local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 73); and
- d) the local planning authority's housing delivery was at least 45% of that required⁹ over the previous three years".

Therefore, the exemption against the presumption in favour of sustainable development set out in the footnote to paragraph 11 does not come into the determination and the proposals are considered to be sustainable development which is supported by the guidance in the National Planning Policy Framework (2019).

It should be further noted, that the STNP is not 'Made' and has not been through an Examination In Public. Only minimal weight can be given to the STNP at this time.

1.15 The site is within the area covered by POLICY MAP 1: Saham Toney's Areas Of High Sensitivity To Development, but is not in the area designated as a strategic gap to Watton.

1.16 Saham Toney Parish Landscape Character Assessment (STPLCA).

1.17 The STPLCA has been adopted by the Parish Council and is a material consideration of moderate weight in the planning balance.

1.18 The site appears to be within Character Area 4 "Ploughboy Farmland" situated on the east from Ploughboy Lane to the Parish Boundary, the Character Area is described as "fine grain, small fields, settlement scattered on west side within well vegetated settings".

1.19 The development is not considered to be unacceptably harmful to the landscape and it is not considered that any non-compliance with the STPLCA warrants refusal of the application as it does not outweigh the benefits of providing high quality housing in a sustainable location in the absence of a five year housing land supply at the District level.

2.0 Impact on the Character and Appearance of the Surrounding Area

2.1 The environmental role of sustainable development seeks to, in part, contribute to protecting and enhancing the natural, built and historic environment. Consideration of a development's impact on the character and appearance of the area within which it is situated is, therefore, integral to the environmental dimension of sustainable design, as is its design.

2.2 Policy DC16 expects that all new development should achieve the highest standards of design. All design proposals must preserve or enhance the existing character of an area. Policy CP11 on Protection and Enhancement of the Landscape sets out that the landscape of the District will be protected for the sake of its own intrinsic beauty.

2.3 The Saham Toney Parish Council Landscape Character Assessment (2019) indicates that Chequers Lane is an area highly sensitive in landscape terms and low to moderately sensitive in visual terms. It says that the area is not suitable for village expansion owing to its strong rural character and intact scattered settlement pattern. It also says that the area would be less sensitive to small scale development in the form of conversions or occasional single plots, that are carefully integrated.

2.4 The proposed development would be south of the existing Meadows Farm. Slightly further north to north-east of Meadows Farm is Saham Tythe Barn. To the east would be open land and to the south is an area of dense woodland then further scattered built form beyond that. Scattered built form also lies to the west adjacent to Chequers Lane.

2.5 The Design and access statement describes the design to be contemporary and distinctive.

- Plots 1 & 2 are proposed to be 4-bedroom detached dwellings with detached double garages.
- Plot 3 is proposed to be 5-bedroom, detached, with a detached double garage.
- Plot 1 is 1889 sq.m and sits to the south of the proposed site.
- Plot 2 is 1000 sq.m and sits to the centre of the proposed site.
- Plot 3 is 939 sq.m. and sits to the north of the proposed site, Meadows Farm sits to the north of this plot.

2.6 A mix of brick, timber, render and powder coated aluminium with slate roofs has been proposed in the construction of the dwellings exterior to help break up the massing and provide a contemporary feel. The roof massing utilises a series of separate roofs and gables providing interest and effective in minimising the appearance of the bulk of the dwellings. The second storeys also make use of vaulted ceilings to minimise the eaves heights without compromising the interior space.

2.7 The proposed site layout has taken into consideration the existing trees and landscaping and been designed to work around the existing mature trees on site. It is also proposed to supplement this with new planting to screen the access and the dwellings from Meadow Farm to the north. Each plot has generous amenity space and are located at a distance from each other to provide a good level of privacy and preventing any overlooking and loss of amenity. The design also shows that there are smaller windows on the relevant elevations which also prevents any overlooking.

2.8 The proposed new driveway off Chequers Lane is to be laid using gravel, a permeable sustainable surface which will be a 4.8m winding drive to work around the existing landscaping, with a turning head near plot 3. Due to a drainage brook running approximately north to south 15m from Chequers Lane, it is proposed to build a new bridge over to be engineered to appropriate standards to ensure emergency vehicles and refuse vehicles can access the site. Built in electric car charging points have also been proposed for each dwelling.

2.9 As a result, the proposals are considered to have due regard to and comply with Policies DC16, CP11 and the NPPF (2019).

2.10 Giving regard to the Saham Toney Parish Council Landscape Character Assessment (2019), the proposals are of a small scale in terms of the number of the dwellings proposed, careful consideration into the materials and use of different materials whilst retaining the existing landscaping and proposing additional screening is all considered to help integrate the dwellings into the landscape without any harm.

3.0 Amenity Impact

3.1 Policy DC1 seeks to protect residential amenity and that all new development must have regard to amenity considerations and states that development will not be permitted where there are unacceptable effects on the amenity of neighbouring residents and future occupants.

3.2 The application site sits to the east of Saham Toney to the south of Meadow Farm, to the north of White House, and to the east of Rosecroft. Meadows Farm is the nearest built form to the north but is of a generous distance away, heavy screening with a variety of new tree planting is proposed to the northern boundary of plot 3. White House is the next closest built form but benefits from a dense woodland providing a natural screen between the site and this property which runs across the southern boundary of the proposed site.

3.3 As previously noted in the design details, there are sufficient distances between the proposed dwellings and careful consideration has been given to the design and layout of the plots to ensure no overlooking or loss of privacy to future residents.

3.4 In conclusion, there would be no loss of privacy and no overlooking for existing or future residents. Therefore, it is considered that the proposals comply with policy DC1 of the Core Strategy and Paragraph 127 of The NPPF (2019).

4.0 Impact on Ecology

4.1 Both Core Strategy Policy CP10 and the NPPF (2019) require that development should contribute to a net gain in biodiversity with an emphasis on improving ecological networks and linkages where possible. The National Planning Policy Framework (2019) and policies CP6, CP8, CP10 and CP11 all promote the conservation and enhancement of biodiversity through sustainable development.

4.2 The Natural Environment Team have been consulted and advised that the updated Preliminary Ecological Appraisal (Gray Ecology; April 2019) is fit for purpose and meets the requirements of British Standard BS42020:2013 Biodiversity - Code of Practice for Planning and Development. The mitigation measures proposed will reduce the likelihood of impacts on ecological receptors to acceptable levels. Subject to conditions.

4.3 As a result, the proposal complies with Policies CP6, CP8, CP10 and CP11 and the NPPF (2019), subject to conditions.

5.0 Impact on Trees

5.1 Policy DC12 seeks to protect the district's trees and hedges.

5.2 An Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement has been prepared by Plandescil (revised May 2019). The Tree and Countryside Consultant has been consulted and has no objections subject to operations being carried out in complete accordance with the details submitted.

5.4 As a result, the proposal complies with Policy DC12, subject to conditions.

6.0 Access and Highway Safety Implications

6.1 The NPPF (2019) requires new developments to provide safe and suitable access to the site for all people. Policy CP4 seeks to ensure that all access and safety concerns are resolved in new developments. Policy DC19 sets out the car parking requirements.

6.2 The Highways Authority advised that the site lies some distance from the village footpath network which would link pedestrians with amenities such as the school, village hall and pub and there would not appear to be sufficient land within the intervening highway verge to facilitate a new footway between the site and the existing provision. The site does, however, lie within cycling distance of all of these amenities and they are mindful of the Appeal decision in relation to the application for 10 dwellings off Ovington Road (3PL/2016/0766/F Appeal 3176900) where the inspector concluded "...I do not consider the extra walking journeys that would be generated would be sufficient to justify the provision of a pavement. Indeed as most of the other roads in the village do not benefit from pavements, as with many rural settlements, the regular use of the roads by pedestrians is common and drivers would be well aware of the need to take appropriate care".

On that basis, and given the scale of the development proposed, it is considered difficult to substantiate an objection to the proposal on the lack of satisfactory pedestrian facilities in the vicinity of the site.

6.3 With regards to traffic generation, the proposal will inevitably result in some additional vehicular traffic on the surrounding highway network and additional traffic slowing and turning into and out of the site access. However, it is not considered that a residential development of the size indicated would cause severe impacts on the capacity of the surrounding network. The indicative layout also demonstrates that sufficient vehicular parking could be provided for each dwelling on site.

6.4 Therefore, the proposals comply with policy DC19, CP4 and the NPPF (2019), subject to conditions.

7.0 Flood Risk and Drainage

7.1 Policy DC13 relates to flood risk and paragraph 163 of the NPPF (2019) stipulates that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as appropriate) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

7.2 The application site is located within Flood Zone 1 and is, therefore, within an area at lowest risk of

flooding from various sources including that from rivers, surface water, tidal, reservoir and canal sources. However, from the comments of the LLFA on a previous application, the site sits adjacent to areas of medium-high risk of surface water flooding.

7.3 The Saham Neighbourhood Plan has produced evidence based flood maps which show surface water flooding to be at low to medium risk to the west of the site. Amended plans were submitted to avoid this area and the new site location is a very low risk area.

8.0 Other Matters

8.1 Historic Environment:

The Historic Environment Team have been consulted and requested a heritage impact assessment concentrating on the potential impact of this proposal on the setting of the listed building, as the proposed development is within close proximity of a Grade II Listed Building 'Meadows Farm'.

8.2 A Heritage Impact Assessment has been submitted and the Historic Environment Team have no objections to the proposed amended scheme.

8.2 Contamination

The Contamination Officer has been consulted and has no objections subject to conditions.

8.3 The Environment Agency have been consulted and offer the following guidance:

The site is located above a Principal Aquifer. The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination, which can be found here: <https://www.gov.uk/government/publications/managing-and-reducing-land-contamination> If the development proposes to use deep infiltration systems including boreholes and other structures that by-pass the soil layer we would wish to be re-consulted.

9.0 Conclusion

9.1 In terms of the overall planning balance, given that the Council does not have a five-year housing land supply, the site is located in relative proximity to services and facilities, three dwellings could be accommodated on the site. It is therefore considered that these tip the balance in their favour and the application is recommended for approval.

RECOMMENDATION

Recommend approval, subject to conditions.

CONDITIONS

- 1 Full Permission Time Limit (2 years)**
The development must be begun not later than the expiration of TWO YEARS beginning with the date of this permission.
Reason for condition:-
As required by section 91 of the Town & Country Planning Act 1990 (as amended) and to ensure the deliverability of the scheme to contribute to the five year housing land supply.
- 2 In accordance with submitted plans NEW 2017**

The development must be carried out in strict accordance with the application form, and approved documents and drawings as set out in the table at the end of this notice.

Reason for condition:-

To ensure the satisfactory development of the site.

3

Ecology 1

Prior to the commencement of development, a biodiversity enhancement plan shall be submitted and approved in writing by the local planning authority, detailing the enhancement measures outlined in principle in section 7 of the Preliminary Ecological Appraisal report (Gray Ecology; April 2019) for biodiversity on site. The biodiversity enhancement plan should include details of numbers and locations of bird boxes, bat boxes and habitat enhancements. The measures shall be carried out strictly in accordance of the approved scheme.

Reason for condition:-

The details are required to be agreed prior to the commencement of the development for the protection of ecology and protected species, in accordance with Policy CP10 of the adopted Breckland Core Strategy and Development Control Policies Development Plan Document (2009) and the NPPF (2018).

4

Ecology 2

The proposed development must proceed in-line with the recommendations in section 6 of the Preliminary Ecological Appraisal report (Gray Ecology; April 2019).

Reason for condition:-

For the protection of ecology and protected species, in accordance with Policy CP10 of the adopted Breckland Core Strategy and Development Control Policies Development Plan Document (2009) and the NPPF (2018).

5

Construction Environmental Management Plan

No development shall take place (including demolition ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following:

- Risk assessment of potentially damaging construction activities;
- Identification of 'biodiversity protection zones';
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
- The location and timing of sensitive works to avoid harm to biodiversity features;
- The times during construction when specialist ecologists need to be present on site to oversee works;
- Responsible persons and lines of communication;
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- Use of protective fences, exclusion barriers and warning signs.
- Mitigation measures outlined in principle in section 6 of the Preliminary Ecological Appraisal report (Gray Ecology; April 2019).

The approved CEMP: Biodiversity shall be adhered to and implemented through the construction phases strictly in accordance with the approved details, unless agreed in writing by the local planning authority."

Reason for condition:-

The details are required to be agreed prior to the commencement of the development for the protection for the protection of ecology and protected species, in accordance with Policy CP10 of the adopted Breckland Core Strategy and Development Control Policies Development Plan Document (2009) and the NPPF (2018).

6 Non-standard landscaping condition

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) prepared Plandescil (revised May 2019). No other operations shall commence on site in connection with the development until the tree protection works and any pre-emptive tree works required by the approved AIA or AMS have been carried out and all tree protection barriers are in place as indicated on the TPP.

Works shall not commence until written confirmation has been obtained from the appointed arboriculturalist to confirm that tree protection is in place as specified.

The protective fencing shall be retained in a good and effective condition for the duration of the construction of the development and shall not be moved or removed, temporarily or otherwise, until all site works have been completed and all equipment, machinery and surplus materials removed from site, unless the prior written approval of the local planning authority has been sought and obtained.

Reason for condition:-

The works are required to be undertaken prior to the commencement of the development in order to safeguard the protection of trees from the outset of the development, in accordance with Policy DC 12 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

7 Indicated landscaping to be implemented

The landscaping shown on the plan accompanying the application shall be carried out during the first planting season October/March immediately following the commencement of works on site. Any trees or plants which within a period of 5 (five) years from the completion of the landscaping die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason for condition:-

In the interests of the satisfactory appearance of the development and to comply with Policy DC16 of the Core Strategy.

8 New access (over verge/ditch/watercourse/footway)

Prior to the first occupation of the development hereby permitted the vehicular access shall be constructed to a minimum width of 4.8m for its first 10m in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority in, where it crosses the highway verge in accordance with the highways specification TRAD 4 and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposal of separately so that it does not discharge from or onto the highway.

Reason:-

To ensure construction of a satisfactory access and to avoid carriage of extraneous material

or surface water from or onto the highway in the interests of highway safety and to comply with Policy CP4 of the Core Strategy.

This condition will require to be discharged

9

Provision of parking and servicing areas

Prior to the first occupation of the development hereby permitted the proposed access parking and size 3 turning area shall be laid out, demarcated, leveled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason:-

To ensure the permanent availability of the parking/maneuvering areas, in the interests of satisfactory development and highway safety.

This condition will require to be discharged

10

Provision of visibility splays - condition/approved plan

Prior to the first occupation/use of the dwellings hereby permitted visibility splays measuring 2.4 metres x 59 metres shall be provided to each side of the access where it meets the highway. The splays shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.

Reason:-

In the interests of highway safety in accordance with the principles of the NPPF and Policy CP4 of the Core Strategy.

This condition will require to be discharged

11

Precise details of surface water disposal

Prior to the commencement of any works above slab level precise details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority.

Only such agreed system or works shall be used in connection with this approval.

Reason for condition:-

The details are required to minimise the possibilities of flooding from the outset of the development.

This condition is imposed in accordance with Policies DC 1 and DC 13 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009

This condition will require to be discharged

12

Precise details of foul water disposal

Prior to the commencement of any works above slab level precise details of the means of foul water disposal shall be submitted to and approved in writing by the Local Planning Authority.

Reason for condition:-

The details are required to protect the local environment from the development. This condition is imposed in accordance with Policies DC 1 and DC 13 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009

This condition will require to be discharged

15

NOTE NCC Inf 2 When Vehicular access works

required

This development involves works within the public highway that can only be carried out by Norfolk County Council as Highway Authority unless otherwise agreed in writing.

It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. Please note that it is the Applicants' responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Advice on this matter can be obtained from the County Council's Highway Development Management Group.

Please contact Kay Gordon 01362 656211.

If required, street furniture will need to be repositioned at the Applicants own expense.

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

Please be aware it is the applicants responsibility to clarify the boundary with the public highway. Private structures such as fences or walls will not be permitted on highway land.

The highway boundary may not match the applicants title plan. Please contact the highway research team at highway.boundaries@norfolk.gov.uk for further details.