

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2019/1184/D	CASE OFFICER	Chris Hobson
LOCATION:	NECTON Land off North Pickenham Road Necton	APPNTYPE:	Reserved Matters
APPLICANT:	Partner Construction Ltd c/o agent	POLICY:	Out Settlemnt Bndry
AGENT:	Mr David Wood Waterfront House 35 Station Street	CONS AREA:	N
PROPOSAL:	Reserved matters application following outline permission - 3PL/2016/0983/O - appearance, layout, scale and landscaping associated with the erection of 46 dwellings, together with the provision of a community park and surface water attenuation pond		
		LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

This application is locally sensitive and seeks to amend the obligations planning committee resolved to secure in the outline application.

KEY ISSUES

Principle of Development;
Access and Highway Matters;
Housing Mix, Size, Tenure;
Design, Layout and Scale;
Landscaping and Arboricultural Implications;
Ecology Considerations;
Drainage and Flood Risk;
Other Material Considerations

DESCRIPTION OF DEVELOPMENT

This application seeks reserved matters approval for the reserved matters including, scale, layout, appearance and landscaping for a residential development of 46 dwellings on land of the former Erne Farm site, North Pickenham Road, Necton. The application now seeks permission for a 100% affordable housing scheme and is made by Partner Construction with the affordable housing proposed to be taken on by Flagship Housing a registered social housing provider.

The proposals provide for 10 no. 1 bed flats; 14 no. 2 bed houses; 6 no. 2 bed bungalows; 14 no. 3 bed houses and 2 no. 4 bed houses. Access would be taken from North Pickenham Road and the layout broadly follows that indicated at outline stage with road heading northwards and estate road heading west with dwellings either side. An area of landscaped open space is located to the western side of the site which

includes a surface water attenuation basin.

The application is submitted along side an application by the same applicant and developer for full planning permission for an additional 27 dwellings, area of open space and attenuation basin (reference 3PL/2019/1183/F). Together these would provide 73 dwellings on the whole site.

SITE AND LOCATION

The site is located adjacent to the south western corner of the village and is located opposite the entrance to Elizabeth Drive. The site previously contained two dwellings and a disused farmhouse and associated outbuildings and a modern bungalow. Access is taken off North Pickenham Road. The site is now open with the buildings demolished and has some mature trees and landscaping located both on its boundaries and within the northern section of the site. Some of the trees on site are subject of Tree Preservation Orders.

The site benefits from outline planning permission (all matters reserved) for 46 dwellings (reference 3PL/2016/0983/O) granted on 30th November 2018.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2016/0983/O - Demolish farmhouse, bungalow & agricultural buildings & erect up to 46 dwellings & provision of a Community Park - Permitted - 30/11/18.

3PL/2019/1183/F - Erection of 27 dwellings with associated access, parking, landscaping and surface water attenuation - Under consideration.

POLICY CONSIDERATIONS

The following policies of the Breckland Local Plan, 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

COM01	Design
COM02	Healthy Lifestyles
COM03	Protection of Amenity
ENV01	Green Infrastructure
ENV02	Biodiversity protection and enhancement
ENV03	The Brecks Protected Habitats & Species
ENV04	Open Space, Sport & Recreation
ENV06	Trees, Hedgerows and Development
ENV07	Designated Heritage Assets
ENV08	Non-Designated Heritage Assets
ENV09	Flood Risk & Surface Water Drainage

GEN01	Sustainable Development in Breckland
GEN02	Promoting High Quality Design
GEN03	Settlement Hierarchy
GEN05	Settlement Boundaries
HOU01	Development Requirements (Minimum)
HOU02	Level and Location of Growth
HOU03	Development Outside of the Boundaries of Local Service Centres
HOU06	Principle of New Housing
HOU07	Affordable Housing
HOU10	Technical Design Standards for New Homes
INF02	Developer Contributions
LBC	Planning(Listed Building & Conservation Areas) Act 1990
NECHA1	Necton Housing Allocation 1 Land off North Pickenham Road (LP010)
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
TR01	Sustainable Transport Network
TR02	Transport Requirements

OBLIGATIONS/CIL

The outline permission was subject to a Section 106 Agreement that secured the following obligations:

- 15% affordable housing provision;
- Provision and maintenance of public open space;
- Provision of permissive paths through the site;
- Financial contribution towards education provision;
- Financial contribution towards library facilities.

The proposals now seek to provide 100% affordable housing and due to viability pressures resulting from the scheme being fully affordable the applicants do not propose to provide financial contributions towards education provision and library facilities.

CONSULTATIONS

NECTON PARISH COUNCIL

Object to the proposals for the following reasons:

- Increase from 46 to 73 dwellings.
- Urban style development not in keeping with character and form of the site and area.
- Integrated housing styles rather than sectional.
- Concerns whether ponds would provide sufficient drainage attenuation.
- Insufficient parking provision and adverse impact on amenity of neighbouring properties.
- Increased traffic generation.
- Loss of trees.
- Design, appearance and materials.

- Layout and density of buildings.
- Impact on nature conservation.

PUBLIC RIGHTS OF WAY OFFICER

No objections.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objections subject to conditions.

FLOOD & WATER MANAGEMENT TEAM

No objections subject to conditions.

HISTORIC BUILDINGS CONSULTANT

No further comments to make beyond the outline permission.

TREE AND COUNTRYSIDE CONSULTANT

An updated Arboricultural implication assessment will be needed to reflect layout changes. Happy with the tree and shrub species but will require more information - sizes at time of planting, planting pit/support specifications and maintenance.

HOUSING ENABLING OFFICER

No objections in the light of the degree of overage provided on the scheme; the evidence I have seen that the chosen RP is prepared to purchase at this level of GIA, and how far along the scheme is and the difficulties in replanning at this late stage.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No objections subject to conditions.

CONTAMINATED LAND OFFICER

No objections subject to conditions to address original comments at outline and checks by developer to ensure no new sources of contamination are present.

ENVIRONMENTAL HEALTH OFFICERS

No objections subject to conditions.

ANGLIAN WATER SERVICE

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space.

We have reviewed the applicants submitted foul drainage strategy and flood risk documentation and consider that the impacts on the public foul sewerage network are acceptable to Anglian Water at this stage. We request that we are consulted on any forthcoming application to discharge Conditions 4.5 and 23 of outline planning application 3PL/2016/0983/O, to which this Reserved Matters application relates, that require the submission and approval of detailed foul drainage information.

NATIONAL GRID

There is apparatus (high or intermediate pressure gas pipeline) in the vicinity of the site. Any works should take into account this apparatus and have regard to guidance concerning development near to such apparatus. Therefore, please notify National Grid of the decision on the application.

HISTORIC ENVIRONMENT SERVICE

The revised Archaeological Written Scheme of Investigation is acceptable.

NATURAL ENGLAND

No comments to make.

CRIME REDUCTION & ARCHITECTURAL LIAISON OFFICER

Make the following comments:

- Concerns regarding the lack of natural surveillance on to the public open space. The proposal shows the space is not overlooked by active windows as nearly all the boundaries are rear gardens. There being only limited surveillance from plot 42 & 43, upper floor of 40/41 and 75. The positioning of amenity/play space to the rear of dwellings can increase the potential for crime and complaints arising from increased noise and nuisance, and as previously commented these area can become a focus for antisocial behaviour.
- Boundaries between public and private space should be clearly defined and open spaces must have features which prevent unauthorised vehicular access.
- Consideration be given to detailed design and landscaping of open space to prevent vehicular access, clearly define public routes and spaces.

Further details of boundary treatments, cycle storage needed.

HIGHWAYS ENGLAND

No objections.

PRINCIPAL PLANNER MINERAL & WASTE POLICY

Norfolk County Council raises no objection to the applications 3PL/2019/1184/D and 3PL/2019/1183/F on the grounds of mineral resource safeguarding, provided that the condition above is included within any grant of planning permission on this site. This is in our capacity as the Statutory Authority for mineral planning in Norfolk. The Mineral Planning Authority would welcome discussion, with the Council and/or the applicants, if there are any queries regarding the requirements included in this response. The applicants should have regard to Norfolk County Councils published Minerals Safeguarding Guidance.

ENVIRONMENT AGENCY

No Comments Received

OBLIGATIONS OFFICER, NORFOLK COUNTY COUNCIL

No Comments Received

NORFOLK RIVERS INTERNAL DRAINAGE BOARD

No Comments Received

REPRESENTATIONS

The application has been publicised by a notice in the local press, an notice displayed on the site and letters sent to neighbouring residents. The Council has received letters of objection from 23 individuals raising the following concerns and issues:

- Too many dwellings proposed across both applications.
- Concerns regarding the retention of and impact on drainage networks and ditches;
- Existing high water table and potential for existing surface water drainage issues to be worsened;
- Lack of viability information for the proposed development;
- Encroachment of development into the countryside;
- The high density of the scheme relative to the village creates a congested layout;
- Lack of design quality;
- Traffic appraisal fails to show traffic southbound along Browns lane which does not have sufficient capacity;
- Safety and visibility at the access is not demonstrated.
- Significant increase over the outline permission and allocation.
- Reliant on cars and as a result increase in traffic along narrow rural lanes.
- Inadequate parking provision for the number of dwellings;

- Harm caused to wildlife and wild birds from loss of habitats;
- Detrimental impact on quality of living in the village;
- Inappropriate layout, scale and density of development;
- Harm caused to the natural environment contrary to the NPPF.
- Harm caused to surrounding trees.
- Harm caused to the privacy of nearby dwellings;
- Loss of daylight to neighbouring dwellings;
- Inadequate local facilities and services to meet the needs of the new development;
- Inadequate foul water system.
- Negative impact on property value.

Officer Response: The impacts on property values are not a material planning consideration.

ASSESSMENT NOTES

1.0 Principle of development

1.1 The principle of residential development was established in this location by the granting of the outline planning permission reference 3PL/2016/0938/O for 46 dwellings with all matters reserved except access. The majority of the site with the exception of units 1 -4 and 32 - 37 in the south-west corner of the site are also in the allocated housing site in the new Local Plan (Necton Housing Allocation 1). Those 10 units not in the allocated site are though within the permitted site benefiting from outline permission (3PL/2016/0938/O). The principle of residential development on the site is therefore considered acceptable. The reserved matters of access, appearance, layout, scale and landscaping and other related material planning considerations, including the implications of the proposals in terms of the number, density, type, mix and layout of the proposals are considered in further detail below.

2.0 Housing Type, Size and Mix

2.1 The application proposes the provision of 46 affordable dwellings (phase 1) on part of the outline site, with the remaining part of outline site and additional land the subject of a full application for a further 27 affordable dwellings (3PL/2019/1183/F) and attenuation basin and open space (phase 2).

2.2 Policy HOU6 of the Core Strategy requires appropriate densities, mix and type of housing and that residential development take sufficient account of the need identified in the strategic housing market assessment (SHMA).

2.3 The proposals provide a mix of dwelling types including single bedroom apartments, two and three bedroom terraced and semi detached homes, two bedroom bungalows and three and four bedroom semi-detached family homes, all with access to parking and appropriate levels of private outdoor amenity space. Whilst there is a higher proportion of two and three bedroom dwellings proposed this is considered to adequately reflect the need in the District identified in the latest Strategic Housing Market Assessment (SHMA). Overall the proposals are considered to provide sufficient mix and balance of house types and sizes to supplement the housing stock locally and meet the needs in the District.

2.4 Policy HOU10 of the emerging Local Plan requires all new housing to meet the Nationally Described Space Standards. The proposed house types would not meet the space standards for the gross internal floor areas and storage areas set out in Table 1 of the standards. However, the proposals seek to deliver a full affordable housing scheme, significantly in excess of both policy requirements and that secured at the outline

stage. The registered provider to take on these homes Flagship Homes have agreed to the house types proposed and the Council's Housing Enabling Officer has raised no objections to the proposals. The additional provision of affordable housing is a significant social benefit from the scheme and has been given significant weight.

2.5 As noted above, the proposals provide for a full affordable housing scheme in excess of the required provision secured through the outline permission and as required in policy HOU7 of the adopted Local Plan. The Council's Housing Officer has reviewed the proposals and considers the proposed affordable housing to be acceptable, providing for a satisfactory mix of type and size of dwellings to meet the particular need in Breckland. The affordable rent and shared ownership dwellings have sufficient spread through the site, noting the specific requirements of the registered provider of social housing (in this case Flagship Housing) to make their ongoing management and maintenance viable. Flagship have provided written confirmation of their acceptance of the proposed scheme.

2.6 Having regard to the above, the proposals are considered to accord with policies HOU6, HOU10, of the Core Strategy, the policies contained within the emerging Local Plan and the policy guidance and objectives set out in the NPPF.

3.0 Appearance, layout and scale

3.1 Policies 12 of the NPPF, GEN02, and COM01 of the Local Plan seek to achieve a high quality design and to protect the landscape. Policies ENV05, GEN2 and COM01 similarly seek to secure high quality design and contribute to and where possible enhance the local environment by recognising the intrinsic character and beauty of the countryside. Policy 11 of the NPPF seeks to make the effective and efficient use of land.

3.2 Amended plans have been submitted during the course of the application to address the concerns of officers with regards to the layout of the development. The proposed layout largely follows the indicative layout shown at outline stage, and incorporates a sweeping estate road running from the north east to the southwest corner. Following amendments the layout now provides for a looser pattern incorporating dwellings with differing building lines; more regular and greater spacing between dwellings; additional planting breaking up hard surfaced parking areas.

3.3 In terms of scale and height, the majority of properties proposed are two storey, with a small number of single storey bungalows proposed to the northeast corner of the site. Given the mix of single and two storey heights of dwellings seen throughout Necton the proposals are not considered to be out of keeping with the scale of dwellings seen within the village and the broader character of the village.

3.4 The density of development is 24.3 dwellings per hectare (dph) across the application site of phase 1, which is in accordance with Policy which requires densities in rural locations and on the edges of settlements to be between 22 and 30 dph. This density is broadly in line with development to the south and east of the site.

3.5 There are a variety of dwelling types, design and materials used within the village of Necton and the residential area to the east. The proposed dwellings include a variety of house types all of conventional form, layout and appearance. The house types include the use of brick and render which reflects the material in the area.

3.6 Following amendments to the scheme it is considered that the proposals would respond to the character and appearance of the surrounding residential area to the north and east.

3.7 The proposed public open space is predominantly located along the western side of the site running north to south and which incorporates the surface water attenuation pond. Improvements have been made to this to show pedestrian routes through this open space, and sensitively designed barriers around the pond. The provision of a narrow informal landscape strip along the southern boundary will help to support and supplement the adjacent permissive path secured in the accompanying Section 106 Agreement. The total open space provided on both this site and that being considered under application 3PL/2019/1183/F would be 0.78 Ha and would meet the policy requirements of 0.41 Ha of on site open space. A plan and scheme detailing the provision and design of an on site Local Area of Play (LAP) within the northern half of the main central area of open space within application (3PL/2019/1183/F) would be secured through the section 106 Agreement. The implementation of a detailed landscaping and planting scheme for the open space areas will be subject of appropriately worded conditions.

3.8 The proposed layout and appearance of the development is therefore considered acceptable and in character with the surrounding area in accordance with Policies GEN02 and COM01 of the Breckland Local Plan and section 12 of the NPPF.

4.0 Landscaping and Trees

4.1 Policy ENV06 of the adopted Local Plan requires that where protected hedgerows are lost, this would only be acceptable where this would allow for substantially improved approach to the design and landscaping of the site and that where this is unavoidable adequate replacement provision of native species would be sought. The Housing Allocation policy for the site in the Local Plan requires that the perimeter hedgerows and trees are retained and enhanced.

4.2 The outline planning permission requires reserved matters application to be supported by a Tree Survey and AIA to ensure those important trees and landscape features are taken into account in the design of the layout and retained. The application has been supported by a Tree Survey and AIA to ensure those important trees and landscape features are taken into account in the design of the layout and retained. Trees and hedgerows along the north, south and east boundaries of the site are to be protected in accordance with this assessment and will provide a good level of screening for the development as well as adjacent properties to the north and south of the site. The proposals therefore comply with the outline permission and site allocation policy in the Local Plan.

4.3 A revised Arboricultural Impact Assessment has been submitted following the request for the Council's Tree Officer. Comments of the Tree Officer on the updated Arboricultural Impact Assessment are awaited and will be reported to committee. The revised layout has taken into account the proximity of the proposed dwellings to the root protection areas and crown spreads of the trees on and adjacent to the site. It is considered that the proposals would now provide adequate outlook and separation to the mature trees on the boundaries of the site. The hedgerow along the North Pickenham Road frontage of the site would now be extended to provide a continuous landscape buffer along the site frontage in accordance with criteria 5 of the housing allocation policy. There are also adequate areas of public open space on site to provide such planting and conditions have been recommended accordingly.

4.4 The application has been supported by detailed landscape proposals for the public open space and site. The Council's Tree Officer has reviewed these and considers the proposed planting scheme to be acceptable. A condition has been included requiring a detailed landscaping to be carried out in accordance with the submitted details.

5.0 Impact on amenity

5.1 Policy COM03 of the Core Strategy seeks all new development to protect the amenity of the area, neighbouring and future occupants. With the intervening highway, public right of way, and buffer provided by the hedgerow and treeline running along the southern boundary of the site, the proposals would retain adequate separation and provide for an acceptable relationship to the existing residential properties to the east and on the opposite side of North Pickenham Road. Therefore, the proposals are unlikely to result in significant amenity impact in terms of overlooking, overbearing or overshadowing for the properties to the north and west of the site.

5.2 There are good separation distances proposed throughout the proposed scheme with sufficient car parking and amenity spaces, as well as new open spaces to protect the amenity of future occupants. On this basis, the proposal is therefore considered in accordance with Policy COM03 of the Local Plan and the amenity of existing and future occupants protected.

6.0 Highway Safety, car parking and accessibility

6.1 Policy TR02 of the Breckland Local Plan requires new development to ensure safe and suitable access. This was assessed at outline application stage and a transport assessment and addendum submitted in this regard. It was considered that the impacts from the development on highway safety were acceptable and no objection was raised by the Highways Authority.

6.2 Policy TR02 and COM01 of the Breckland Local Plan requires the provision of appropriate on site parking provision. Car parking provision has been made for each of the dwellings within curtilage and on an average of two spaces per dwelling with further additional car parking available within proposed visitor spaces. On this basis the proposal is considered in accordance with Policies COM01 and TR02 of the Local Plan.

6.3 Policy 9 of the NPPF requires sustainable transport to be promoted; safe and suitable access to sites; and to give priority to pedestrian and cycle movements.

6.4 This site is included in the Local Plan as a housing allocation 2 for Necton and requires that the principal access is provided from North Pickenham Road. The proposed access is through the new estate road access off the North Pickenham Road and therefore the proposals comply with this policy.

6.5 The Highways Authority have confirmed that they have no objections to the revised proposals and that their comments on minor aspects of the highways layout can be addressed when approvals are sought of the sections of highway to be adopted. Following amendments the proposals include the provision of a footpath along the site frontage to connect to the permissive route to the southwest, and the applicants have agreed to provide for minor off-site highway improvements in order to improve pedestrian connectivity and footpath provision northeast into Necton. These would be secured by condition, and subject to this the proposals would accord with the objectives of the Housing Allocation policy for this site (Necton 1).

7.0 Viability and Planning Obligations

7.1 Policy INF02 of the adopted Breckland Local Plan requires major development such as this provide necessary obligations to fully mitigate for the impacts of the development including such community infrastructure as that secured in the outline permission. A section 106 agreement was entered into at outline application stage which secured contributions for the provision of on site affordable housing; the provision and on going maintenance of public open space and play facilities; financial contributions towards and library services.

7.2 As reported above this application is part of a larger 100% affordable housing scheme that will deliver 73

dwellings with a split of 30% to be shared ownership and 70% to be affordable rent. As a result of the scheme providing 100% affordable housing on site it will be able to lever in grant funding. Despite being able to obtain grant funding from Homes England the applicants contend that the scheme can not viably provide for the financial contributions required towards the provision of education and library facilities in the local area. This position has been supported by a financial viability report.

7.3 This report has been the subject of independent review by the District Valuer (DV) on behalf of the Council. The DV have agreed with the majority of the inputs and assumptions used in analysing the viability of the proposed scheme and conclude based on additional information that the provision of financial contributions towards education and library facilities would make the scheme unviable. Given that this is based on current information, in order to ensure that in the event that the viability position change that any profit is clawed back towards such facilities, it is recommended a clause be inserted into the legal agreement requiring a further viability appraisal be undertaken at a later date.

7.4 In light of the proposals being for a 100% affordable scheme and no financial contributions towards the provision of education and library facilities as a result of the viability of the 100% affordable scheme it is recommended that the permission be subject to a legal agreement securing the proposed full 100% affordable housing and clawback mechanism to ensure should the viability position improve and it become viable financial contributions are secured towards education and library facilities. The priority given towards education provision in line with the County Council's request.

8.0 Other Matters

8.1 Ecology

8.2 Both policy ENV02 of the Local Plan and Policy 15 of the NPPF require that development should contribute to a net gain in biodiversity with an emphasis on improving ecological networks and linkages where possible. An Ecological Impact Assessment and Ecological Design Strategy has been submitted with the application and follows the carrying out of further protected species surveys. This proposes a series of mitigation and enhancement measures, including the provision of bat and bird boxes across the site, tree planting, wildflower meadow planting and the creation of additional wildlife habitats. The Ecologist at Norfolk Environment Team has subsequently raised no objections to the reserved matters application.

8.3 With respect to the sites housing allocation policy in the emerging Local Plan a project level assessment was undertaken at the outline stage, where it was considered that an Appropriate Assessment was not necessary as the site was shielded by existing development under construction and that the nearest parts of the Breckland SPA that could be accessed and used were in private ownership. Therefore, significant impacts on the SPA were unlikely and were screened out.

8.4 A lighting condition will also be placed on the reserved matters to protect ecology, the dark sky status and rural amenity in accordance with section 15 of the NPPF, GEN01, ENV02, and ENV05 of the Breckland Local Plan (adopted).

8.5 Flood Risk and Drainage

8.6 Section 14 of the NPPF seeks to direct new development away from areas at highest risk of flooding and for new development to not increase flood risk elsewhere.

8.7 A site specific Flood Risk Assessment (FRA) has been submitted and the detailed scheme has taken account of all potential sources of flooding and the dwellings located to avoid this in accordance with policy

guidance. Flood and drainage matters were considered at outline application stage and a detailed scheme is required to be submitted by conditions on the outline permission. The Environment Agency were consulted on the outline application and raised no objections subject to conditions. Following the submission of a revised FRA and surface water drainage scheme the Lead Local Flood Authority (LLFA) have raised no objections to the detailed proposals.

8.8 With respect to foul and waste water the housing allocation policy requires any scheme to have appropriate regard to the findings of the Water Cycle Study. A pre-development enquiry was carried out with Anglian Water and details of the required flows and connections into the main public sewer are set out within the submitted FRA. Anglian Water have subsequently been consulted and have raised no objections subject to conditions. The proposals are therefore considered in accordance with Policy 14 of the NPPF, policy ENV09 of the Local Plan and the sites housing allocation policy in the Local Plan.

8.9 Minerals and Ground Conditions

8.10 The site is underlain by sand and gravel which are safeguarded under policy CS16 of the Minerals and Waste Core Strategy. In accordance with the recommendations of the Minerals and Waste Planning Authority a condition has been recommended requiring that further tests are undertaken prior to the commencement of development that would inform a minerals management plan should such tests identify potential for re-use of the minerals on site.

8.11 With respect to potential contamination, it is noted that the existing buildings on the site have now been cleared. There are conditions attached to the outline permission requiring the carrying out of a full site investigation prior to the commencement of development and the approval of and implementation of any necessary remediation measures. The potential impacts from contaminants are therefore satisfactorily addressed through the conditions on the outline permission.

8.12 Heritage and Archaeological Considerations

8.13 The site allocation policy requires that any scheme should preserve or where possible enhance the setting of nearby designated and non-designated heritage assets. Given the significant buffer provided by the mature woodland and tree belt to the nearest heritage assets to the northeast, the intervening built form and wider character of this part of Necton it is considered that the proposals would preserve the setting of nearby heritage assets. The Council's Historic Building Consultant has raised no objections to the proposed development.

8.14 The site has archaeological potential as evidenced by the supporting reports and confirmed by NCC Environment Services, whom have not raised an objection subject to a condition requiring development be carried out in accordance with the approved written scheme of investigation. Accordingly the proposed development is considered to accord with policies ENV07 and ENV08 of the Breckland Local Plan (adopted).

9.0 Conclusion and Planning Balance

9.1 The principle of development on the site as established and approved at outline application stage. The proposed access, appearance, layout, scale and landscaping have all been assessed and amended on the advice of the planning officer and are now considered acceptable and in accordance with adopted Development Plan Policies, those relevant policies in the Local Plan and with regard to the NPPF, as set out above.

9.2 The proposals provide for part (27) of a fully affordable scheme to deliver 73 affordable dwellings and as

a result there would be significant benefits social and economic benefits resulting from the scheme. Weighed against the significant over provision of affordable homes is the failure to provide for mitigation towards education and library needs resulting from the new dwellings as required by policy INF02. However, having regard to the viability evidence put forward and reviewed by the District Valuer on the Councils behalf it is noted that such financial contributions would not be viable in this instance. In light of the guidance set out in the NPPF and NPPG and both the local and national objectives of boosting the supply of housing and the local need for affordable housing, it is considered the significant social and economic benefits from the provision of a substantial number of affordable homes would outweigh the conflict with policy INF02 in this instance, and the proposals are considered to be acceptable.

9.3 For these reasons the application is recommended for approval subject to entering into a section 106 agreement to ensure the scheme delivers the proposed public open space, footpath routes and 100% affordable housing, and provide a clawback mechanism should a subsequent review of viability prove that the scheme can viably provide for contributions towards education and library facilities.

RECOMMENDATION

The application is therefore recommended for approval subject to the completion of a new section 106 agreement and the conditions set out below.

CONDITIONS

1

Approval of Reserved Matters condition

This approval is granted following the grant of Outline Planning Permission reference 3PL/2014/1006/O dated 16th February 2016. The timescales for implementation of the development are set out at condition 1 of the Outline Planning Permission.

Reason for condition:-

The time limit by which the development must be commenced is indicated on that Permission.

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

Standard estate road conditions

No works shall commence above slab level until such time as detailed plans of the roads, footways, cycleways, street lighting, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.

Reason for condition:-

This needs to be a pre-commencement condition to ensure fundamental elements of the development that cannot be retrospectively designed and built are planned for at the earliest possible stage in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the development. In accordance with policies TR01, TR02 and COM01 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

4 Standard estate road conditions

Prior to the occupation of the final dwelling all works shall be carried out on roads/footways/cycleways/street lighting/foul and surface water sewers in accordance with the approved details.

Reason for condition:-

To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway. In accordance with policies TR01, TR02 and COM01 of the Breckland Local Plan (Adopted).

5 Provision of visibility splays - condition/approved plan

Prior to the occupation of the first dwelling within the development hereby permitted, visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.

Reason for condition:-

In the interests of highway safety in accordance with policies TR01, TR02 and COM01 of the Breckland Local Plan (Adopted) and the principles of the NPPF.

This condition will require to be discharged

6 Highway improvements - off-site

Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site until a detailed scheme for the provision and completion of off-site highway improvement works as indicated on Drawing have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the necessary mechanisms for securing necessary consents; detailed drawings of the works; and timescales for their completion. The permitted off-site highway improvement works (including any to Public Rights of Way) shall be completed prior to the first occupation of the development hereby approved or as otherwise approved pursuant to this condition.

Reason for condition:

To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor. In accordance with policies TR01, TR02 and COM01 of the Breckland Local Plan (Adopted).

7 External wall and roof materials to be agreed

No development beyond slab level shall take place until precise details, (including samples where required), of the materials used in the construction of the external walls and roof(s) of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply notwithstanding any indication as to these matters that have been given in the current application. The materials to be used in the development shall be in accordance with the approved details.

Reason for condition:-

To enable the Local Planning Authority to control the colour, tone, texture and appearance of the materials used to ensure the satisfactory appearance of the development, as required by Policy GEN02, COM01 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

8

Drainage condition

Prior to commencement of development, in accordance with the submitted SuDS Maintenance Plan (North Pickenham Road, Necton, Norfolk (Phase 2) with Ref N19004 November 2019), Flood Risk Assessment & Drainage Strategy (North Pickenham Road, Necton, Norfolk (Phase 2) with Ref N19004C August 2019) and drawing number N19004-906 Rev: P1 (First Flood Flow Route Phase 2), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:

I. Detailed infiltration testing in accordance with BRE Digest 365 (or equivalent) along the length and proposed depth of the proposed attenuation basin/s,

II. Surface water runoff rates will be attenuated to 2.8l/s and therefore the total discharge rate for the proposed development will be 7.5l/s as per the overall greenfield runoff rate (Qbar) for the scheme, as stated within section 5 proposed drainage of the amended FRA / Drainage Strategy.

III. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1% annual probability rainfall event including allowances for climate change. A minimum storage volume of 320m³ will be provided in line with section 5 proposed drainage of the submitted amended FRA.

IV. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the: 3.33% annual probability critical rainfall event to show no above ground flooding on any part of the site. 1% annual probability critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.

V. The design of the attenuation basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% annual probability rainfall event.

VI. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.

VII. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C697, 2007), or the updated The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

VIII. A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development.

Reason for condition:-

Details are required prior to works above ground level to prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning

Policy Framework (2018) and Environment Agency Groundwater Protection: Principles and Practice. In accordance with policy ENV09 of the Breckland Local Plan (Adopted).

9 Precise details of foul water disposal

Prior to any development commencing above slab level and the construction of any drainage systems on site precise details of the means of foul water disposal shall be submitted to and approved first in writing by the Local Planning Authority. The approved foul water system will be made available and fully functional for each dwelling prior to their first occupation.

Reason for condition:-

Details are required at an early stage in accordance with Policies in accordance with Policies ENV09 and COM03 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

10 Trees and hedges

No development shall commence on site until an updated Tree Protection Plan and Arboricultural Method Statement have been submitted to and approved in writing by the Local Planning Authority. 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 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.

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 or until the prior written approval of the local planning authority has been sought and obtained.

Reason for condition:-

In the interests of the satisfactory appearance of the development and the protection of existing trees and hedges, having regard to Policies GEN02, COM01 and ENV06 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

11 Boundary screening to be agreed

Prior to any the occupation of the development hereby approved, a scheme for the provision of boundary screening, shall be submitted to the Local Planning Authority for approval. The approved scheme shall thereafter be completed prior to the first occupation of the dwelling which the screening adjoins.

Reason for condition:-

To safeguard the interests of the amenities of neighbouring occupiers and to ensure the satisfactory appearance of the development, in accordance with Policies GEN02, COM01 and COM03 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

12 Landscaping - details and implementation

Prior to the first occupation of any of the dwellings hereby permitted an updated landscaping

scheme which shall take account of any existing trees or hedges on the site, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out during the planting season November/March immediately following the commencement of the development, or within such longer period as may be first agreed in writing with the Local Planning Authority. The details shall take account of the Council's leaflet "Tree pack" (Landscaping advice for applicants). Any trees or plants which within a period of 5 (five) years from the completion of the landscaping scheme die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with others of the same size and species unless the Local Planning Authority gives written consent to any variation.

Reason for condition:-

To ensure the satisfactory appearance of the development and surrounding area, in accordance with Policies GEN02, COM01 and ENV05 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

13

Compliance with submitted Ecology Report

The proposed development shall proceed in accordance with the approved Ecological Impact Assessment, version BE-1099.4b (Bagshaw Ecology; December 2019) and the approved Ecological Design Strategy, version BE-1099.2f (Bagshaw Ecology; February 2020) including enhancement measures must be installed as shown on the Ecological Enhancement Plan in Appendix 2 of the Ecological Design Strategy, version BE-1099.2f (Bagshaw Ecology; February 2020) and post development monitoring must be carried out in accordance with section 2.11 of the Ecological Design Strategy, version BE-1099.2f (Bagshaw Ecology; February 2020).

Reason for condition:-

In order to protect wildlife and nature conservation interests within and around the application site, and to mitigate the ecological impacts of the development having regard to Policy ENV02 of the Breckland Local Plan (Adopted) and policy guidance contained within the NPPF.

14

Lighting strategy

No development above slab level shall take place (including demolition ground works, vegetation clearance) until a 'lighting design strategy for biodiversity' for the site has been submitted to and approved in writing by the local planning authority. The strategy shall:

- (a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example foraging; and
- (b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to breeding sites, resting places or feeding areas.
- (c) The lighting plan must be developed in accordance with the Bat Conservation Trust and The Institution of Lighting Professionals (ILP) guidance on bats and lighting: <https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/>.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason for condition:-

In order to ensure those ecological enhancement measures are integrated into the site and design of the final scheme being implemented on site. In order to protect wildlife and nature conservation interests within and around the application site, and to provide ecological enhancements having regard to Policy ENV02 of the Breckland Local Plan (Adopted) and policy guidance contained within the NPPF.

15 Archaeological condition

The development shall take place in accordance with the approved written scheme of investigation. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved archaeological written scheme of investigation and details for the analysis, publication and dissemination of results and archive deposition have been submitted to and approved in writing by the Local Planning Authority.

Reason for condition:-

To secure the recording and preservation of previously below ground heritage assets in accordance with Policy ENV07 and ENV08 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

16 Fire Hydrants

Prior to the commencement of any works above slab level a scheme shall be submitted to and approved in writing by the Local Planning Authority for the provision of two fire hydrants (served by mains water supply) serving the development. No dwelling shall be occupied until the approved hydrant(s) for that Phase have been provided in accordance with the approved scheme.

Reason for condition:-

In order to secure the provision of fire hydrants in accordance with Policy INF02 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

17 Scheme for security around basin

Prior to the occupation of the first dwelling hereby permitted, a scheme detailing the provision of a barrier or means of enclosure around the surface water attenuation basin within the public open space shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed in accordance with the approved details prior to the surface water drainage systems being brought into use.

Reason for condition:-

In the interests of the safety of the future residents and members of the public, in accordance with Policy COM03 of the Breckland Local Plan (Adopted).

18 Non-standard condition

Prior to the commencement of the development hereby approved, the following will be

submitted to and approved in writing by the Local Planning Authority in consultation with the Mineral Planning Authority:

A) A Mineral Resource Assessment

The Mineral Resource Assessment will be carried out to inform a Materials Management Plan-Minerals (MMP-M). The Mineral Resource Assessment will include a written methodology for an intrusive site investigation, including Particle Size Distribution testing to determine if the site contains a viable mineral resource for prior extraction. Assessment of the results of the Particle Size Distribution testing should refer to material class types in Table 6/1 of the Manual of Contract Documents for Highway Works: vol. 1: Specification for Highway Works Series 600, in order to identify potential suitability for use in the construction phases.

B) A Materials Management Plan - Minerals (MMP-M)

The MMP-M will consider the extent to which on-site materials, which could be extracted during the proposed development, would meet specifications for use on-site through intrusive site investigations, testing and assessment. The MMP-M will outline the amount of material which could be reused on site; and for material extracted which cannot be used on-site its movement, as far as possible by return run, to an aggregate processing plant. The MMP -M will outline that the developer shall keep a record of the amounts of material obtained from on-site resources which are used on site and the amount of material returned to an aggregate processing plant. The development shall then be carried out in accordance with the approved MMP-M. The developer shall provide an annual return of these amounts to the Local Planning Authority and the Mineral Planning Authority, or upon request of either the Local Planning Authority or Mineral Planning Authority.

Reason for condition:-

The details are required prior to the commencement of development because details of the mineral management plan will be informed by ground works on the site. The condition is required in order to ensure that needless sterilisation of safeguarded mineral resources does not take place in accordance with the National Planning Policy Framework and Policy CS16 of the Norfolk Core Strategy and Minerals and Waste Development Management Policies DPD 2010-2026.

19

Construction Method Statement

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. detailed proposals for the removal of asbestos from existing buildings to be demolished
- viii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason for condition:

The details are required prior to the commencement of the development in the interests of the amenity of the area and to ensure a safe development from the outset of the development. In accordance with Policies GEN02 and COM03 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

20

Contaminated Land - Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with details to be agreed in writing with the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason for condition:-

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. In accordance with Policy COM03 of the Breckland Local Plan (Adopted).

This condition will require to be discharged