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Rory Ringer – Democratic Services Team Leader
General Enquiries: Telephone No. 01362 656870
Member Services Fax No. 01362 690821
DX743950 Dereham 2

To The Chairman and Members of the
Planning Committee

All other Members of the Council – for
information

Your Ref:

Our Ref: HM/L.3.4

Contact: Helen McAleer

Direct Dial: 01362 656381

E-mail: helen.mcaleer@breckland.gov.uk

Date 29 May 2013

AGENDA SUPPLEMENT

Dear Sir/Madam

PLANNING COMMITTEE - MONDAY 3 JUNE 2013

I refer to the agenda for the above-mentioned meeting and enclose the following items:

Item No	Report Title	Page Nos
8.	(a) <u>Deferred Item Report: NARBOROUGH: 55 Dwellings, Open Space and Associated Access (Outline) at Chalk Lane, Attleborough: Applicant: Gooderstone Farming Company: Reference: 3PL/2012/1093/O</u>	55 - 62

Report of the Director of Commissioning.

Yours faithfully

Helen McAleer

Senior Committee Officer

BRECKLAND COUNCIL

PLANNING COMMITTEE - 3rd JUNE 2013

**REPORT OF THE DIRECTOR OF COMMISSIONING
(Author: Chris Raine, Senior Planner)**

**NARBOROUGH: 55 DWELLINGS, OPEN SPACE AND ASSOCIATED
ACCESS (OUTLINE) AT CHALK LANE, ATTLEBOROUGH**
Applicant: Gooderstone Farming Company
Reference: 3PL/2012/1093/O

DEFERRED ITEM REPORT

At the Planning Committee on the 14th of January 2013 Members agreed to defer the application, and, subject to receipt of the District Valuer's approval of the affordable housing figures, and the satisfactory resolution of outstanding issues relating to traffic calming, the officers be authorised to grant approval on the completion of a S106 agreement.

Affordable Housing

Since the committee resolution was made in January, it has become apparent that whilst the application as submitted indicated that a figure of 35% affordable housing could be achieved, the financial appraisal concluded that only 25% could be provided. This having arisen as a result of the assessment undertaken by the District Valuer of the financial appraisal. It is considered that whilst the figure is less than the policy requirement set out in DC4 of the Core Strategy (which seeks to achieve 40% unless it is unviable) and indeed the figure originally anticipated (35%), the figure offered is the most that can be secured when considering the "viability" of the scheme, this has been verified by the District Valuer and is broadly consistent with that secured on other sites within the District. For this reason it is considered that the contribution is acceptable.

Highway Safety

Following the committee resolution in January, the agent has been in discussion with the Highway Authority (Norfolk County Council) regarding highway improvements, specifically relating to managing speed on the adjacent stretch of Chalk Lane. These discussions have resulted in an agreement being reached with the Highway Authority to pay £15,000, secured by way of S106 legal agreement to pay for the implementation of a scheme of works which will provide new road markings ('30' and 'SLOW' in either direction) along with a new VAS (Vehicle Activated Sign). It is considered that these proposed measures are an appropriate response to the issues raised regarding vehicle speeds along Chalk Lane.

Conclusion

It is considered that the revised affordable housing contribution is acceptable in this instance and the negotiations regarding highway improvements have been successfully concluded. On this basis the Planning Committee is invited again to approve the application subject to the finalisation of the associated S106 legal agreement.

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ITEM	1	RECOMMENDATION : APPROVAL
REF NO:	3PL/2012/1093/O	CASE OFFICER: Chris Raine
LOCATION:	NARBOROUGH Chalk Lane	APPN TYPE: Outline POLICY: In Settlemnt Bndry ALLOCATION: Site Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Gooderstone Farming Company c/o Agent	
AGENT:	Blubird Land & Planning Ltd 1 Norwich Road Watton	
PROPOSAL:	Development of up to 55 Residential Dwellings, open space & new access road from Chalk Lane	

KEY ISSUES

- Principle of development
- Impact upon the character and appearance of the area
- Contributions
- Neighbour amenity
- Highway safety
- Trees and biodiversity

DESCRIPTION OF DEVELOPMENT

The application seeks outline planning permission for 55 dwellings with associated open space. The development would be accessed via a single access point onto the adjacent Chalk Lane. The application seeks to deal with access, layout and scale with appearance and landscaping reserved for consideration.

SITE AND LOCATION

The application site consists of a 2.74 hectare parcel of agricultural land on the southern outskirts of Narborough. The site lies to the west of Chalk Lane, with residential dwellings bordering its northern perimeter (Westfields), a disused railway to the west and the remainder of the agricultural field to the south.

EIA REQUIRED

No

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RELEVANT SITE HISTORY

No relevant site history

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework have also been taken into account, where appropriate

CP.01	Housing
CP.09	Pollution and Waste
CP.10	Natural Environment
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.04	Affordable Housing Principles
DC.11	Open Space
DC.12	Trees and Landscape
DC.13	Flood Risk
DC.14	Energy Efficiency
DC.16	Design
NPPF	With particular regard to Paragraphs 9, 47, 52 and With particular regard to paragraph 55.

CONSULTATIONS

NARBOROUGH P C -

We have no objections to this application but wish to state the following:

1. We support the principle of a commuted sum being paid to the parish council to be used to provide Play Equipment for older children on the Community Centre land in lieu of providing a LAP for smaller children on site - this was the wish of our residents following consultation with Blue Bird Land & Planning Ltd.
2. We support the enlarged area which is provided to pull the development away from Westfields and mitigate the impact of overlooking; this was a provision of acceptance from our residents, especially those backing onto the development.
3. We deem it essential that the original offer from Bluebird Land & Planning Ltd to provide traffic calming measures on Chalk Lane either side of the entrance to the site be included in the development - the original inclusion was as a result of very strong feeling among our residents that such measures would be essential to protect both pedestrians and drivers entering and exiting the development. It is local knowledge that Chalk Lane is a frequent site of speeding especially in the vicinity of the proposed development. We understand that Norfolk County Council are not convinced that such measures are needed but request that Breckland Council support our request. We are in the process of consulting with the Traffic Police based at

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Swaffham, who frequently deploy their radar gun on this part of Chalk Lane, to confirm that they consider the part of Chalk Lane within the Narborough 30mph restriction to be a regular and frequent speeding area.

We will be writing under separate cover once we have received any supporting documentation from Norfolk Constabulary.

Additional Comments

The title planning application is for outline permission for a development of 55 dwellings along Chalk Lane, Narborough as part of the Breckland LDF.

After consultation between the agent (Bluebird Land & Planning Ltd), the Parish Council and residents, full support was given to the development. However, during consultation one area of particular concern emerged - that of speeding traffic along Chalk Lane, one of the principle access routes to RAF Marham. The agent agreed to incorporate traffic calming measures on Chalk Lane as part of the development, thus placing the costs of the calming measures with the developer.

Much to our disappointment when approached for support for these measures the Highways Department advised the agent that no such works are necessary, nor would they be supported at County Council - without his support the traffic calming measures cannot be included in the development plan.

We have been advised by Norfolk Constabulary (Freedom of Information request Reference No: FOI 398.12/13) that 37 speeding offences have been recorded on Chalk Lane, Narborough between 1 November 2011 and 30 October 2012 - we believe that this supports our case for the need for traffic calming to protect the entry and exit to the new development.

We ask for your support in encouraging County Hall to review their position regarding this matter.

ENVIRONMENT AGENCY

No objection subject to conditions relating to land contamination, surface water drainage details being agreed and the use of non-penetrative foundations.

NATURAL ENGLAND

No objection.

MINISTRY OF DEFENCE

No objections

NORFOLK COUNTY COUNCIL HIGHWAYS

Further information requested.

TREE & COUNTRYSIDE CONSULTANT

There are no overriding reasons, from a tree and countryside standpoint, why the proposal should not be progressed in principle.

However, updates relating to biodiversity mitigation and enhancements shall be submitted as part of any reserved matters submission along with a detailed consideration of trees.

HOUSING ENABLING OFFICER

No objection subject to the viability report being accepted by the District Valuer.

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CONTAMINATED LAND OFFICER

No objection subject to conditions.

ANGLIAN WATER SERVICE

No objection.

NORFOLK LANDSCAPE ARCHAEOLOGY

No objection subject to conditions.

ECONOMIC AND STRATEGY OFFICER - No Comments Received

REPRESENTATIONS

Objections have been received raising the following issues:-

- highway safety concerns
- a mature oak tree will have to be removed
- detrimental to wildlife
- insufficient local services and facilities
- flooding concerns
- play areas are not appropriate and
- insufficient consideration of neighbours in Westfields
- two storey not in keeping with character of area
- impact of two storey on single storey properties

ASSESSMENT NOTES

* The application is referred to the Planning Committee as it is a major application.

Principle of Development

* The site is allocated for residential development under Policy NAR.1 within Breckland's Adopted Site Specific Policies and Proposals Development Plan Document and with this in mind the principle of residential development is accepted.

Impact upon the character and appearance of the locality

* Whilst the application is in outline form, it does seek to deal with layout and scale. It is evident that the layout proposes 55 dwellings which closely reflects the number of dwellings anticipated within NAR.1 which suggests 50 dwellings. The layout allows for a strong built frontage onto Chalk Lane consisting of two storey dwellings, with a mixture of single storey and two storey housing located parallel to the northern boundary in a broadly linear arrangement so as to reflect existing patterns on the southern edge of the village. This arrangement also allows for the rear gardens to these properties to act as a buffer to safeguard the amenities of those properties to the north.

* The remainder of the development consists of a mix of detached, semi-detached and terraced

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two storey dwellings with a linear arrangement to the western perimeter of the site and two broadly circular groups in the central and southern part of the site.

* The scheme also proposes areas of open space which act as attractive green areas within the development. It is considered that the layout is appropriate to this edge of village location subject to agreement of the design of the units which would be secured at reserved matters stage.

* The scheme proposes planting to the northern, eastern and southern boundaries of the site which is appropriate to this edge of village location and specifically referred to in Policy NAR.1.

Necessary contributions

* The scheme requires a number of contributions to be provided.

Policy DC4 of the Adopted Core Strategy requires developments to provide 40% of the dwellings as affordable units unless there are particular constraints why this cannot be achieved. This application proposes that 35% of the units be affordable. In this instance the agent has provided a financial appraisal to support their position and this is to be assessed by the District Valuer. It is considered by officers that this appraisal is an accurate representation of the present situation at the site, and subject to verification from the District Valuer, a contribution of 35% is an acceptable contribution.

* Norfolk County Council has confirmed that no education contribution is required on the basis that sufficient provision exists at local schools and nurseries.

* Library provision has been calculated at £3180 and £844 is required towards the cost of a fire hydrant.

* A contribution towards recreation provision consistent with Policy DC11 of the Adopted Core Strategy is also to be provided.

* The above contributions are to be secured via a Section 106 legal agreement, with the exception of the fire hydrant which would be secured through a suitably worded condition. The legal agreement would also ensure that a private management group be set up to maintain the open space areas within the proposed scheme which satisfies the children's play space element of Policy DC11 of the Adopted Core Strategy.

Neighbour Amenity

* It is evident from the layout proposed that there are only neighbouring dwellings to the north. It is evident that the separation distances between the proposed dwellings and the neighbouring dwellings are sufficient to ensure that light, outlook and privacy would be adequately safeguarded. Any subsequent reserved matters application would control the exact size of the dwellings and the position of all openings within the dwellings which would also protect the amenities of adjacent residents.

Highway Safety

* The Highway Authority has requested further details in respect of road layout, visibility, footpaths and parking provision. Whilst the Highway Authority does not believe traffic calming in Chalk Lane is appropriate, it suggests the existing 30 mph should be reinforced by enhancing the gateway to the village. Members will be up-dated verbally in relation to these matters and issues raised by the Parish Council.

Trees

* There is a mature oak tree on the site adjacent to the Chalk Lane frontage which occupies a prominent position and provides an attractive feature in the site. With this in mind the layout has been designed so as to retain this. A planning condition would be used to safeguard it during the construction phase and any subsequent reserved matters application should make detailed

reference to the impact on all trees.

Other issues

- * The Environment Agency has confirmed no objection subject to conditions relating to land contamination which have also been requested by the Council's Contaminated Land Officer, the use of non-penetrative foundations and agreeing the means of surface water drainage for the scheme.
- * Natural England has confirmed that it has no objection.
- * Anglian Water has confirmed that it has no objection in relation to foul sewerage and waste water.
- * The MOD has confirmed that it has no safeguarding objection.
- * The Housing Enabling Officer has confirmed that, subject to the conclusions of the viability appraisal being accepted by the District Valuer, there is no objection to the proposal. All affordable dwellings will be required to be built to at least the minimum HCA HQi design standards and will be required to be built to Code for Sustainable Homes 3 or whichever code is required by the Homes and Communities Agency.
- * Norfolk Landscape Archaeology has confirmed that it has no objection subject to conditions.
- * With regard to biodiversity, a protected species survey has been submitted, however, it is evident that as this is only an outline application it will need to be updated as part of a reserved matters submission. With this in mind it is considered appropriate to add an informative to any subsequent planning approval that requires the submission of this document as part of any future application.

Conclusion

- * The site is allocated for residential development in accordance with Policy NAR.1 within Breckland's Adopted Site Specific Policies and Proposals Development Plan Document. The layout is considered to be acceptable in design terms and takes account of neighbouring residents, highway safety and all other planning matters. On this basis the application is recommended for approval subject to the District Valuer verifying the conclusions of the financial appraisal submitted by the agent in relation to viability and the affordable housing contribution.

RECOMMENDATION

Outline Planning Permission

CONDITIONS

- 3005** Outline Time Limit (3 years)
- 3058** Standard Outline Condition
- 3060** Standard outline landscaping condition
- 3046** In accordance with submitted plans
- 3920** Land contamination
- 3802** Precise details of surface water disposal
- 3920** Non-penetrative foundations to be used unless agreed
- 3920** Highway related issues

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- 3414** Fencing protection for existing trees
- 3920** Archaeology
- 3106** External materials and samples to be approved
- 3402** Boundary screening to be agreed
- 3920** 10% energy via renewable/decentralised sources
- 3920** Foul water drainage via mains sewer
- 3920** S106 for contributions
- 3998** NOTE: Reasons for Approval
- 4000** Variation of approved plans
- 3996** Note - Discharge of Conditions
- 2000** NOTE: Application Approved Without Amendment