

## **BRECKLAND COUNCIL**

### **DEVELOPMENT CONTROL COMMITTEE – 20<sup>TH</sup> SEPTEMBER 2010**

#### **REPORT OF DEPUTY CHIEF EXECUTIVE**

(Author: Nick Moys, Principal Planning Officer (Major Projects))

#### **ATTLEBOROUGH: PROPOSED RESIDENTIAL DEVELOPMENT, NEW ROAD/LONDON ROAD**

**Applicants: R Foulger, E Spin, M Goldsmith, H Woolston**

**Reference: 3PL/2010/0427/O**

**Summary** – This report concerns an outline planning application for residential development on land off London Road, Attleborough. It is recommended that the application is refused on grounds relating to policy, foul drainage and highway safety.

### **1. INTRODUCTION**

This report concerns an application for outline planning permission for residential development on land off New Road and London Road, Attleborough. All matters are reserved except access. Indicative plans submitted with the application show a development of 80 dwellings, together with areas of new public open space (0.55ha). A new access is proposed off New Road.

The application site is located towards the western edge of Attleborough, approximately 1.2 km from the town centre. The application is broadly rectangular in shape and extends to 2.46 hectares. It is currently used for agricultural purposes. The surrounding area is predominantly residential in character, although established commercial uses are located just to the west.

The application is supported by a number of technical reports including a Design & Access Statement, Planning Statement, Flood Risk Assessment and Contaminated Land Assessment. Preliminary work to draft a Section 106 legal agreement has been undertaken. The draft agreement includes obligations relating to the provision of affordable housing, public open space and financial contributions towards education and library facilities.

### **2. KEY DECISION**

This is not a key decision.

### **3. COUNCIL PRIORITIES**

The following Council priorities are relevant to this report:

- A safe and healthy environment
- A well planned place to live and work

### **4. CONSULTATIONS**

Attleborough Town Council has objected to the application due to the site's designation as proposed open space.

The Highway Authority has objected to the application on the grounds that the junction of New Road and London Road has restricted visibility. A footway link to adjacent commercial development has also been requested.

Norfolk County Council has raised no objection to the application subject to contributions towards education (£2,989/dwelling) and library services (£60/dwelling).

The Environment Agency has raised no objection to the application subject to conditions relating to drainage and contamination.

Anglian Water has indicated that the foul sewerage system cannot accommodate flows from the proposed development. A waste water drainage strategy is required for all allocated growth in Attleborough.

Norfolk Landscape Archaeology has indicated that the site has considerable potential archaeological interest. Additional information has been requested to enable this potential interest to be properly assessed.

Norfolk Police have raised concerns about detailed aspects of the proposed layout relating to parking courts, private space, access to rear gardens and permeability.

The Senior Planning Policy Officer has raised objections to the application on the grounds that the site is allocated as open space and that the scheme would not address satisfactorily the requirements of PPS3 (particularly paragraph 69). Particular concerns were also raised about access, infrastructure and the mix of housing.

The Council's Housing Enabling & Projects Officer has raised concerns about the house type and tenure mix of the proposed affordable housing.

The Tree & Countryside Officer has raised no objection to the application in relation to tree and landscape consideration, but has requested further information to show that biodiversity features would be fully incorporated into the development.

Letters of objection have been received from a number of local residents raising concerns about the loss of the allocated open space and increased traffic.

## **5. POLICY**

At a national level, policies set out in PPS 3 *Housing* and PPG17 *Planning for Open Space, Sport and Recreation* are particularly relevant. The application site falls within the defined Settlement Boundary for Attleborough and is allocated as proposed open space under Policy (002)12, as saved by the adopted Core Strategy and shown on the accompanying Proposals Map (site OS.6). This allocation was saved pending the adoption of further policies through the Attleborough and Snetterton Heath Area Action Plan. The following policies contained in the Core Strategy & Development Control Policies DPD are relevant: Policy CP6 Green Infrastructure, Policy DC1 Amenity, Policy DC2 (Housing), Policy DC4 (Affordable Housing), Policy DC11 (Open Space), Policy DC14 (Energy Generation and Efficiency) and Policy DC16 (Design).

## **6. ASSESSMENT**

The principal issues raised by the application concern planning policy matters.

### **Planning policy**

The application site falls within the Settlement Boundary for Attleborough, but is allocated as proposed open space under saved Policy (002)12. The development of the site for housing as proposed would conflict directly with this policy.

Both local and national planning policies seek to ensure that adequate recreational land and facilities are provided to meet the needs of new and existing residents. Whilst the guidance in PPG 17 and Core Strategy Policy DC11 refer specifically to *existing* recreational land, it is considered that the application of these policies to *proposed* open spaces is consistent with the overall policy objective of maintaining an adequate level of recreational land.

Attleborough is currently deficient in public open space provision, particularly for children's play space, but also for outdoor sports pitches. This shortfall is identified in the Council's Open Space Assessment (2007) and the Core Strategy Infrastructure Report (2009). In the absence of any proposals to provide open space in an alternative location, it is considered that the allocation of the application site as open space should be maintained and that proposals for alternative development should be resisted at this stage. The preparation of the Attleborough and Snetterton Heath Area Action Plan will provide an opportunity for the current allocation of the site to be reviewed.

Notwithstanding this conflict with the current open space allocation, the proposed development must also be assessed against national planning policy for housing. PPS3 paragraph 71 states that where a 5 year supply of deliverable housing land cannot be demonstrated (there is currently a 1.9 year supply in Breckland), favourable consideration should be given to housing proposals if they address satisfactorily PPS 3 policies and development criteria. In this respect, matters such as design quality, housing mix, environmental sustainability, the suitability of the site for housing and the efficient use of land are particularly relevant. Proposals are also required to have regard to the spatial vision for the area and not to undermine wider policy objectives.

The proposed development would address some of the relevant PPS3 criteria. The development of the site for housing would be broadly consistent with the established pattern of development in this part of the town, though the development layout would need to take account of the proximity of commercial development to the west. Affordable housing and on-site open space would be provided in accordance with current policies. As the application is in outline form with all matters other than access reserved, it is not possible to assess whether the proposal would meet the requirements for high quality housing. However, there is no reason to think that these matters could not be satisfactorily resolved at reserved matters stage.

In other respects the proposals perform less well. The conflict with the current open space allocation is such that the proposals cannot be considered to accord with the overall spatial strategy for the area (a key requirement of paragraph 69 PPS3). In addition, concerns about the adequacy of foul drainage infrastructure to accommodate the development raise doubts about the deliverability of the development in the short term and therefore its ability to address current housing land shortfalls. The applicants contend that there is a real prospect of the proposed development being delivered in the next 5 years but a number of factors cast doubt on the likelihood of development commencing in the shorter term. These factors include the outline form of the application, the fact that the applicants are not themselves developers and the apparent absence of housing association partner.

Overall, it is considered that the balance of arguments does not favour the proposals in policy terms. The loss of the open space allocation would conflict with the overall strategy for the area, and accordingly it is considered that the proposed development should not benefit from favourable consideration under PPS3. Concerns about the

delivery of the development due to infrastructure constraints add weight to this conclusion.

### **Other matters**

Anglian Water has indicated that the foul sewerage system cannot accommodate flows from the proposed development. It is suggested that a strategic waste water drainage strategy is required for all allocated growth in Attleborough. It is understood that discussions between the applicants' agent and Anglian Water are on-going. Any further developments will be reported verbally. On the basis of the information currently available, it is considered that the lack of capacity in existing waste water treatment infrastructure would justify refusal of planning permission.

The Highway Authority has objected to the application on the grounds that visibility at the junction of New Road and London Road is substandard. As an alternative, access to the site from London Road has been suggested, though the Highway Authority's preference would be for access via New Road with improvements. It is understood that discussions between the applicants' agent and the County Council are on-going on this matter. An extension of the existing footway network to connect the application site to nearby commercial development has also been requested, though it is not considered that this could reasonably be required in connection with the proposed development.

Norfolk Landscape Archaeology has indicated that the site potentially has considerable archaeological interest and additional supporting information has been requested. It is understood that discussions between the applicants' agent and NLA are on-going with a view to providing additional information.

### **7. RECOMMENDATION**

That planning permission is refused on grounds that the development would be contrary to the allocation of the site as proposed open space and would fail to satisfy all of the requirements of PPS3 relating to the release of sites for housing where a land supply shortfall exists.. Subject to any further comments from Anglian Water, Norfolk County Council and Norfolk Landscape Archaeology, it is recommended that the application is also refused on grounds of inadequate foul drainage infrastructure, detriment to highway safety due to increased traffic movements at a substandard junction and potential harm to archaeological interests.