

BRECKLAND COUNCIL

DEVELOPMENT CONTROL COMMITTEE – 5TH JANUARY 2010

REPORT OF DEPUTY CHIEF EXECUTIVE (Author: Chris Raine, Senior Planning Officer)

SHIPDHAM: Residential development at land to the east of Pound Green Lane, Shipdham.

Applicant: Mr. I. Leonard

Reference: 3PL/2010/1095/O

Summary – This report concerns a proposal for residential development on the edge of Shipdham, outside of the defined Settlement Boundary. The application seeks outline planning permission for 35 dwellings, with layout and access to be determined at this stage. All other matters are reserved. Key issues relate to highway safety, neighbour amenity, impact upon local character, archaeology. It is recommended that the application is refused.

1. INTRODUCTION

The application seeks outline planning permission, with layout and access to be considered for a residential development at land to the east of Pound Green Lane, Shipdham. The layout provides 35 dwellings consisting of 3 x 4 bedroom houses, 10 x 3 bedroom houses, 15 x 2 bedroom houses, 3 x 3 bedroom bungalows, 2 x 2 bedroom bungalows and 2 x 1 ½ bedroom bungalows, of which 14 are to be affordable units. The site would be served via an access onto the existing Pound Green Lane. The site currently forms an area of agricultural land.

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. SITE HISTORY

No relevant planning history.

5. CONSULTATIONS

Shipdham Parish Council – Object on the following grounds:

- outside of the current building envelope for the village
- the application fails to take proper account of the traffic in Pound Green Lane both in terms of speed and access to the local school during start and finish times.
- One of the stated reasons for the application is to meet obligations for assisted and social housing under the Breckland 5 year Plan. The Parish Council believe this to be unnecessary as this need has been met through current planning approvals.

Tree & Countryside Officer – The Arboricultural Impact Assessment, Phase 1 Ecological Survey and Great Crested Newt Survey and their recommendations are accepted. Conditions to reflect the recommendations of these reports are required. Further specific details of landscaping and conservation enhancement would be expected at reserved matters stage.

Housing Enabling and Projects Officer - Support the application as there is an identified need for affordable housing in Shipdham. The initial scheme has adequately pepperpotted the affordable dwellings and the addition of in curtilage parking on 3 bed and bungalow properties is deemed acceptable. We would expect the affordable housing to be built at least to HCA minimum design standards and be built so as to not require public subsidy. The plan indicates that 2 one and a half bed properties will be provided; these should be built as 2 bed units.

Planning Policy Officer - Objection. This site is located outside of the Settlement Boundary of Shipdham and, as such, paragraphs 69 and 71 of PPS3 Housing are of particular relevance. Whilst it is acknowledged that Breckland does not currently have a five year supply of land and that Shipdham is proposed to receive a housing allocation through the Sites Specifics DPD, it is questionable whether an outline application displays a clear commitment to aiding delivery. For a site to come forward on the basis of the lack of a five year supply of land, a site's ability to deliver housing in a timely manner is critical. Breckland Council has consulted on its Site Specifics Policies and Proposals Preferred Sites Document. The Local Development Scheme which reflects the timeline for adoption of this document, aims to see its completion by the end of 2011. An outline application may not, therefore, come forward in advance of the Site Specifics. In addition to this, the site was not considered to be a preferred or reasonable alternative option for housing development in Shipdham within this document.

Policies DC1 Protection of Amenity and DC16 Design from the adopted Core Strategy are also of importance to this application. Whilst the access road from Pound Green Lane already exists, the use of the road to serve a further 35 dwellings is likely to cause amenity concerns for the existing property, 25 Pound Green Lane. As such, criterion c of DC1 is likely to be of particular relevance.

Policy DC16 Design states that local character should be taken into consideration within a development and that the form and character of a development should "...compliment the natural landscape, natural features and built form that surround it". This application represents a large increase in density in comparison to dwellings on both Chapel Street and Pound Green Lane which is likely to harm the form and character of the area.

Norfolk Landscape Archaeology - A heritage statement is required as the site lies adjacent to the site of a medieval moat associated with the Bishop of Ely.

Highway Authority - No objection subject to revisions including a £15000 contribution towards the creation of a bus shelter on the Dereham bound side of the A1075 (Market Street).

Contaminated Land Officer – No objection subject to conditions.

Environment Agency - No objection subject to conditions.

Historic Buildings Officer - No comment.

Norfolk Constabulary - The Design and Access Statement makes no mention of how the proposal addresses DC16 in terms of crime prevention. The cul-de-sac is a positive feature in designing out crime. Most of the on-site parking provision meets the requirements of Secured by Design. All specified shrubs and hedges should have a maximum height of 1m and all trees should be of a minimum height of 2m which maintains a clear field of vision around the site. The final dwellings shall be designed with quality windows and door sets. Appropriate lighting should compliment good natural surveillance.

Natural England - The recommendation for biodiversity enhancement and the protection of ecological features as set out within the application should be a prerequisite of any approval. We welcome the retention of the majority of trees and hedgerows. Appropriate green space needs to be considered and included in any planning approval.

Norfolk County Council Planning Team - Financial contributions are required towards infrastructure, service and amenity requirements in accordance with Norfolk County Council's adopted Planning Obligations Standards.

6. REPRESENTATIONS

Objections have been received, a summary of which is as follows:

Increase in traffic would be detrimental to highway safety; outside of the village Settlement Boundary; the site was not considered as part of the Local Development Framework; increase in noise levels; detrimental to wildlife; loss of privacy to local residents; detrimental to the character and appearance of the area; sufficient housing to meet needs of Shipdham over the next 5 years; insufficient need for affordable housing; insufficient local services to cope with additional households; flood risk concerns; bats are present despite the results of the ecological surveys and conflict with traffic movements at the nearby school.

A number of letters of support for the scheme have also been received.

7. POLICY

Relevant national planning policy can be found in PPS 1 'Sustainable Development', PPS 3 'Housing', PPS7 'Sustainable Development in Rural Areas'.

At a local level, the following policies contained in the Council's adopted Core Strategy & Development Control Policies DPD are particularly relevant: Policy CP10 (Natural Environment), Policy CP14 (Sustainable Rural Communities), Policy DC1 (Amenity), Policy DC2 (New Housing), Policy DC4 (Affordable Housing Principles), Policy DC11 (Open Space), Policy DC12 (Trees and Landscape), Policy DC13 (Flood Risk), Policy DC14 (Energy Efficiency), Policy DC16 (Design), Policy DC19 (Parking Provision).

8. ASSESSMENT

Policy

The site lies outside of the defined Settlement Boundary of Shipdham and consequently the applicant has requested that the site be considered against PPS3 and in particular paragraph 71 which states that:

"Where Local Planning Authorities cannot demonstrate an up-to-date five year supply of deliverable sites, for example, where Local Development Documents have not been reviewed to take account policies in this PPS or there is less than five years supply of deliverable sites, they should consider favourably planning applications for housing, having regard to the policies in this PPS including the considerations in paragraph 69."

Paragraph 69 states the following:

"In general, in deciding planning applications, Local Planning Authorities should have regard to:

- Achieving high quality housing.
- Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people.
- The suitability of a site for housing, including its environmental sustainability.
- Using land effectively and efficiently."

Furthermore, paragraph 54 is directly relevant, stressing the requirement for a site to be "deliverable" and to be considered "deliverable" a site must comply with the following requirements:

- Be Available - the site is available now.
- Be Suitable - the site offers a suitable location for development now and would contribute to the creation of sustainable, mixed communities.
- Be Achievable - there is a reasonable prospect that housing will be delivered on the site within five years.

In this instance the Local Planning Authority does not have an up-to-date five year housing supply and as such the proposal can be looked at favourably in general terms.

It is evident that the site is available now as it is entirely within the applicant's control. The site is immediately adjacent to the Settlement Boundary for Shipdham which is classified as a Service Centre and, as such, is considered suitably located. In light of the application having been submitted in outline form only, it would be considered appropriate to shorten the time period for the submission of reserved matters and the time period for commencement so as to ensure that the scheme could be delivered within 5 years.

Local Character

The site forms part of the rural landscape situated behind what is low density residential development to the north and west of the application site. It is considered this represents an unacceptable encroachment into the rural landscape and fails to take account of the existing low density pattern of development which borders the application site.

Landscaping

The arboricultural impact assessment and its recommendations adequately considered the natural features of the site as confirmed by the Tree and Countryside Officer and Natural England. The exact details of additional planting would be agreed and controlled through suitably worded planning conditions.

Pedestrian/Highway Safety

The Highway Authority has requested revisions to the layout which have now been incorporated into the scheme. The Highway Authority has indicated that these revisions would result in no objection to the scheme being put forward by them. A financial contribution is also sought towards the future provision of a bus shelter on the Dereham bound side of the A1075 (Market Street). The financial contribution would be secured as part of the Section 106 legal agreement.

Archaeology

At the request of Norfolk Landscape Archaeology, an investigation into the archaeology of the site has been undertaken and is currently being considered by them.

Affordable Housing

The scheme triggers a requirement for affordable housing to be provided in accordance with Policy DC4 of the Adopted Core Strategy. This requires 40% of the total number of dwellings provided to be "affordable" units. The applicant is willing to comply with this requirement (14 dwellings on-site). This provision is acceptable to the Housing Department. This would be secured through a Section 106 legal agreement which is presently being finalised.

Neighbour amenity

The layout retains adequate separation distances to existing local residents so as to allow for adequate residential amenities to be retained eg light, outlook and privacy. The Local Planning Authority would ensure that the final scheme achieves this when it considers the final design and layout of all 35 dwellings at reserved matters stage. It is considered that the positioning of the site access in relation to existing dwellings would not result in excessive noise and disturbance from vehicle and pedestrian movements.

Flood risk

The Environment Agency has removed their earlier objection, following additional flood risk assessment work, subject to the imposition of condition relating to the agreement of a method to deal with surface water drainage.

Ecology

The applicant has undertaken the requisite ecological surveys which have been assessed by both the Tree and Countryside Officer and Natural England who have concluded that they have no objections.

Renewable energy

Policy DC14 requires all applications for 10 or more residential units to supply at least 10% of the energy they require through on-site and/or decentralised renewable sources. The applicant has agreed to a planning condition so as to achieve this. It should also be noted that it would be possible, as part of any subsequent detailed reserved matters scheme, to address this, for example through the use of solar panels etc.

Infrastructure, service and amenity obligations

Norfolk County Council require financial contributions towards infrastructure, service and amenity requirements in accordance with Norfolk County Council's adopted Planning Obligations Standards. This would be secured through a Section 106 legal agreement.

Conclusion

In conclusion, it is considered that the scheme proposed represents an unacceptable encroachment into the rural landscape and fails to take account of the existing low density pattern of development which borders the application site and, as such, fails to meet the requirements of paragraphs 69 and 54 of PPS3 and Policies DC1 and DC16 of the adopted Core Strategy which require the creation of high quality housing developments in suitable locations.

9. RECOMMENDATION

It is recommended that the application be refused on the grounds of it being detrimental to the character and appearance of this part of Shipdham.