

## **BRECKLAND COUNCIL**

### **DEVELOPMENT CONTROL COMMITTEE – 5<sup>TH</sup> JANUARY 2011**

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

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

#### **DEREHAM: PROPOSED RESIDENTIAL DEVELOPMENT, OPEN SPACE & CEMETERY: LAND OFF NORWICH ROAD**

**Applicant: Taylor Wimpey**

**Reference: 3PL/2010/1142/F**

**Summary** – This report concerns a planning application for residential development on the edge of Dereham. A verbal recommendation will be made.

### **1. INTRODUCTION**

This report concerns an application for full planning permission for residential development and green infrastructure on land at Norwich Road, Dereham. The development proposed would comprise the erection of 200 dwellings, the construction of a new access road, the provision of an area of public open space and a cemetery.

For the residential development a range of house types is proposed, including 12 x 1 bed dwellings, 40 x 2 bed dwellings, 77 x 3 bed dwellings, 12 x 3-4 bed houses, 52 x 4 bed houses and 7 x 5 bed houses. Two storey dwellings would predominate, but a small number of 2½ storey buildings are proposed in key locations and bungalows are proposed adjacent to existing development. Affordable housing provision would comprise 72 dwellings, including four wheelchair adapted bungalows. A total of 4.8 hectares of public open space is proposed, including 3 children's play areas. In addition it is proposed to reserve land for a new cemetery. The proposed housing would be served by a new vehicular access onto Norwich Road, together with an emergency access off Yarrow Road. New footways/cycleways would be constructed along Norwich Road. The proposed cemetery would be accessed directly off Norwich Road.

The application site is located on the eastern fringe of Dereham, approximately 1.8km to the east of the town centre. The site is currently in agricultural use and comprises an irregularly shaped parcel of land, extending in total to 16.3 hectares. The land is adjoined by existing residential development, a sports ground and areas of open countryside.

The application is supported by a number of technical reports including a Design & Access Statement, Planning Statement, Statement of Community Involvement, Flood Risk Assessment, Habitat Assessment, Ecological Assessment, Open Space Strategy, Foul Drainage Statement, Arboricultural Impact Assessment, Archaeological Statement, Noise Impact Statement, Lighting Impact Assessment, Sustainable Energy Report, Cemetery Assessment Report, Transport Assessment and a Contamination Assessment Report. A Section 106 legal agreement has been drafted which includes obligations relating to the provision of affordable housing, public open space, cemetery provision and financial contributions towards education, transport 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**

Dereham Town Council has offered a number of comments in relation to the application. Concerns are raised about the design of the development and the size of dwellings and gardens. A larger play area would be preferred rather than three smaller ones. Proposals for biodiversity enhancements were supported. All Councillors declared a personal interest because of the proposal for a cemetery.

The Highway Authority has requested a number of amendments relating to detailed layout issues, off-site highway works and travel plan arrangements.

Norfolk County Council has requested that financial contributions are secured through a Section 106 agreement towards local infrastructure including schools (£339,669) and libraries (£12,000).

The Environment Agency has objected to the application on the grounds that the flood risks related to the development site have not been fully considered. Further information to supplement the submitted Flood Risk Assessment has been requested. Concerns have also been raised about the potential impact of the development on water quality given that the Dereham Waste Water Treatment Works (WwTW) is operating at capacity. Further comments are awaited from the Agency.

Anglian Water has confirmed that the Dereham WwTW is operating at capacity. Accordingly it is recommended that a drainage strategy is required by condition to determine whether additional capacity flows can be discharged and to cover any necessary temporary interim measures. Further comments are awaited from Anglian Water.

Natural England has raised strong concerns about foul drainage and potential adverse effects on water quality in Wendling Beck and the River Wensum SAC due to increased pressure on the Dereham WwTW. The applicant's proposals for green space and biodiversity enhancements are welcomed. A condition is also recommended to cover surface water drainage details.

Norfolk Wildlife Trust has raised no objection to the application, subject to implementation of the biodiversity enhancement measures recommended in the submitted Habitat Survey.

Norfolk Landscape Archaeology has requested that limited trial trenching be undertaken to confirm the findings of the submitted archaeological assessment that no features of interest were present.

Norfolk Police have raised no objection to the application, noting that open spaces would be well overlooked and the parking would be provided within residential curtilages.

The Council's Housing Enabling & Projects Officer supports the proposed development.

The Council's Environmental Health Officer has raised no objection to the application, subject to conditions relating to noise/light mitigation measures and drainage.

The Senior Planning Policy Officer has raised no objection to the application, noting that the scheme would address the requirements of PPS3 and would be broadly in line with the spatial vision for the area as set out in the Council's Core Strategy. The proposal should, therefore, benefit from favourable consideration in principle given the current shortfall of housing land in the District, subject to assurances on delivery, particularly in the light of outstanding concerns about the capacity of Dereham WwTW. The proposed cemetery use would accord with emerging planning policy, subject to the provision of appropriate access.

The Tree & Countryside Officer has raised no objection generally to the proposals. The measures proposed to conserve and enhance the biodiversity of the site are supported. Some concerns are raised about the proximity of a proposed drainage pond to Shillings Lane.

At the time of writing, 10 letters of objection had been received. Objections raised concern the scale of development, effects on local character, inadequate local infrastructure, increased traffic, existing drainage problems, loss of residential amenity and harm to wildlife interests.

## **5. POLICY**

At a national level, the following policy documents are relevant: PPS3 'Housing', PPS5 'Planning for the Historic Environment', PPS 7 'Sustainable Development in Rural Areas', PPS9 'Biodiversity & Geological Conservation', PPS25 'Development and Flood Risk', PPG13 'Transport' and PPG17 'Planning for open space, sport and recreation'.

The application site falls outside the defined Settlement Boundary for Dereham, as set out in the Core Strategy Proposals Maps. Dereham is identified in the Core Strategy for the allocation of 600 new dwellings. The application site is identified as a 'preferred site' for housing and a cemetery in the Site Specifics Policies and Proposals Preferred Options consultation document. The following policies contained in the Core Strategy & Development Control Policies DPD are relevant: Policy CP14 (Sustainable Rural Communities), Policy DC2 (Housing), Policy DC4 (Affordable Housing), Policy DC11 (Open Space), Policy DC12 (Trees), Policy DC14 (Energy Generation and Efficiency) and Policy DC16 (Design).

## **6. ASSESSMENT**

The principal issues raised by the application concern: i) planning policy matters, ii) the effect of the development on local character and ecology, iii) effects on residential amenities, iii) drainage matters and iv) transport.

### **Planning policy**

The application site lies outside the Settlement Boundary for Dereham and, accordingly, the proposal would conflict with Core Strategy Policies DC2 and CP14, and countryside protection policies set out in PPS 7. Whilst the application site has been identified in the Site Specifics Preferred Options consultation as a preferred site for development, given the stage that this proposal has reached in the LDF process, and bearing in mind the mixed local response to its proposed allocation, it is considered that only limited weight can be given to this factor.

Notwithstanding this conflict with countryside protection policy, the proposed development must also be assessed against national planning policy for housing. PPS3 states that where a 5 year supply of deliverable housing land cannot be demonstrated (there is currently a 1.7 year supply in Breckland), favourable consideration should be given to housing proposals if they address satisfactorily PPS3 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.

The proposal would address satisfactorily a number of the criteria set out in PPS3 paragraph 69. The development would be closely related physically to the existing built form of the town and would be within easy reach of the town centre and local facilities/services. The proposed development would not result in a significant visual intrusion into the rural setting of the town (see below) and would create a good quality residential environment. The scheme would make a significant contribution to local green infrastructure. Satisfactory access to the development can be achieved. Subject to resolution of outstanding issues relating to drainage (see below), it is considered that the site is suitable for housing.

A total of 72 dwellings would be provided as affordable housing as part of the proposed development. This equates to 36% of the scheme and falls slightly short of the 40% required by Core Strategy Policy DC4. However, a significant number of bungalows are proposed as part of the affordable housing scheme, including 4 fully adapted wheelchair units. Given the additional land take associated with single storey properties and the cost of providing higher specification disabled units, it is considered that the value of the provision proposed is equivalent to the policy requirement and is thus acceptable.

A total of 4.81 hectares of open space is proposed as part of the development, including areas of green space for informal recreation, areas for sporting activities and 3 children's play areas. The play areas would comprise 2 small LAPs (Local Areas for Play) and a larger LEAP (Local Equipped Area for Play). Indicative plans show how the larger areas of open space could be used in part for more adventurous play and sport, including a fitness trail, five-a-side goals and mounded earth features suitable for BMX use. The design of all play areas would be based on the concept of 'natural play'. The open space proposed would be an important component in proposals to link Neatherd Moor and Etling Green with an area of strategic green space. The proposed recreation provision would exceed the requirements of Core Strategy Policy DC11.

### **Local character/layout/design**

Careful consideration has been given to the likely impact of the proposal on the character and appearance of the area. In terms of the likely impact on the wider rural setting of the town, it is considered that the proposal would have only a limited effect. The development would not be prominent in long and medium distance views. The site is partly screened by established boundary hedges which would be retained and supplemented with new planting where appropriate. Areas of open space and the cemetery are proposed around the northern and eastern edges of the site to help soften the impact of new built development and to help integrate the scheme into the rural landscape. The proposed housing development would, in part, be sandwiched between existing housing and the adjacent football ground.

Whilst the proposed development would inevitably result in a noticeable change to the character and appearance of the site's immediate surroundings, it is considered that the layout and design of the proposed development is generally well conceived.

The scheme has been designed to create a series of well-defined and attractive streets and spaces, linking areas of varied character. Various aspects of local character would be incorporated. A perimeter block structure has been employed to provide legibility, visual continuity, and to ensure that open spaces and routes through the development are well overlooked. The overall density of the scheme (35 DPH) would be compatible with the character of the surrounding area. Higher densities would be located towards the centre of the site, in a formal street pattern. A more irregular layout, broken up by areas of open space, is proposed around the outer edge of the site. Development on the site frontage would continue the linear pattern of development along Norwich Road, with houses set back behind existing hedging. House designs would be broadly traditional in form with external materials reflecting local building patterns. Changes to the design of some house types are proposed following negotiations with the applicant, in order to create a greater sense of local distinctiveness in key areas. Amendments made include the addition of flint work, black painted plinths, stone cills, parapet gables and changes to window, dormer and porch designs.

### **Residential amenity**

Given the scale of development proposed and the site's location adjacent to existing housing, some impact on the amenities of nearby residential properties is considered to be inevitable due to visual effects and additional activity levels. However, it is considered that the scheme has generally been designed so as to avoid significant impact on neighbours. Bungalows are proposed adjacent to existing development on the Windmill Avenue estate in order to minimise overlooking. Reasonable separation distances would be provided and tree planting is proposed to rear gardens to help soften the visual impact of development. Access through the Windmill Avenue estate would be limited to pedestrians and cyclists, other than in emergencies, which should ensure that no significant disturbance occurs.

### **Ecology**

The application is supported by a habitat and species surveys and proposals for various mitigation and enhancement measures. As arable farmland, much of the application site is of relatively low ecological value. However, the site includes a number of species rich hedgerows around its perimeter, and is bordered to the north by Shillings Lane, a green lane of ecological and local historic interest. Species surveys have revealed a significant population of great crested newts close to, but outside, the application site. Breeding and wintering birds were recorded within the site itself, together with a small number of bats.

A range of mitigation methods are outlined in the submitted ecological reports. Amphibian exclusion fencing would be maintained during the construction period and any captured newts would be translocated to a receptor site (subject to licensing by Natural England). Other proposals include the improvement of existing hedgerows, new native species landscaping, habitat creation and the erection of bird boxes. Subject to these measures (to be secured by condition), it is considered that the proposals would not cause harm to ecological interests.

### **Drainage**

The application site is generally classified as being at low risk of flooding, with the exception of a small area adjacent to the northern boundary, which may be liable to flooding from adjacent ditches. No built development is proposed in this area. The submitted Flood Risk Assessment has modelled the potential flood risks and found that the development would not be subject to flooding. Further modelling information has been submitted by the applicant at the request of the Environment Agency and it is understood that this will allow the Agency to withdraw its objection.

In order to prevent any increased risk of flooding beyond the site, the development proposes to adopt a Sustainable Urban Drainage System (SUDS). This would include various ponds and swales located within the proposed areas of green space. Surface water run off would be limited to the existing green field rate, with storm water storage provided in an attenuation pond. The use of SUDS would accord with national planning guidance and provides a means of achieving a range of objectives including controlling surface water run-off, avoiding increased flood risk downstream and removing pollutants from urban run-off. New developments can also increase their amenity, recreation and biodiversity value by combining water management with green space.

Foul water from the development would be discharged to the Dereham WwTW. Given existing drainage infrastructure constraints, a drainage strategy has been prepared which proposes that foul water should be discharged at a predetermined and controlled rate. It is also proposed to construct the development to meet the water efficiencies standards of Sustainable Homes Code Level 4 (a 19% improvement on current Building Regulations). There are concerns, however, about the capacity of Dereham WwTW to deal with additional flows without adversely affecting water quality in receiving watercourses. Current restrictions on discharges from the treatment works are tight in order to meet the 'no deterioration' objective of the Water Framework and Habitats Directives. The Environment Agency has indicated that increased discharges might not be permitted. Natural England has asked that, in order to avoid harm to water quality in Wendling Beck and the River Wensum, assurances should be provided that improvements to the treatment works will keep pace with the rate of new house building proposed. Discussions in relation to this issue are on-going with all relevant parties.

### **Transport**

It is considered that satisfactory access to the development can be achieved. A new junction would be formed onto Norwich Road in accordance with highway standards, together with footway/cycleways extending along the site frontage to the proposed cemetery access. Internal access roads would be designed to adoptable standards. It is considered that additional traffic likely to be generated by the proposal can be accommodated on the local road network. Although there are generally good pedestrian, cycling and public transport facilities in the locality, local improvements are proposed in the form of new footways/cycleways along the site frontage and extending to the proposed cemetery access. A car free link would be provided from Norwich Road to Shillings Lane via the proposed open space and a new farm access track. Improvements to local bus stop infrastructure are also under consideration. A Travel Plan has been prepared in order to provide a framework for the promotion of sustainable transport options.

## **8. CONCLUSION**

Despite the conflict with local policy that arises because of the location of the site outside the defined Settlement Boundary for Dereham, it is considered that the proposed development has a good deal to recommend it. The scheme would help to address current housing land supply shortfalls and would generally perform well when assessed against the development criteria set out in PPS3. The development would relate well to its surroundings and create an attractive residential environment. The development would also make a significant contribution to the provision of green infrastructure in the area, providing an enhanced level of open space and land for a new cemetery. To set against these positive aspects, concerns and uncertainties remain about foul drainage and associated water quality issues. These matters are of fundamental importance and, in the absence of an agreed way forward, it is not

considered appropriate to make a recommendation at this time. Discussions with relevant parties are on-going and a verbal update and recommendation will be made at the Committee meeting.

**9. RECOMMENDATION**

A verbal recommendation will be made.