

BRECKLAND COUNCIL - PLANNING COMMITTEE - 31-10-2011

ITEM	9	RECOMMENDATION : APPROVAL
REF NO:	3PL/2011/0898/O	CASE OFFICER: Chris Raine
LOCATION:	DEREHAM Greenfields Road/Wheatcroft Way	APPN TYPE: Outline POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: Y LB GRADE: N
APPLICANT:	Mr Robin Green Church Farmhouse Bawburgh	
AGENT:	Lucas Hickman Smith 21 Town Green Wymondham	
PROPOSAL:	Construction of 220 homes with associated landscaping and infrastructure	

KEY ISSUES

Principle of development
Impact upon residential amenity
Impact upon the character and appearance of the locality
Highway safety
Archaeology
Trees and ecology
Affordable housing

DESCRIPTION OF DEVELOPMENT

The application seeks outline planning permission for 220 dwellings and associated road infrastructure on land at Greenfields Road/Wheatcroft Way. The application seeks to deal with "scale" and "access", with all other matters reserved.

SITE AND LOCATION

The application site consists of a large parcel of agricultural land on the edge of Dereham located between the A47 dual carriageway to the south and east of the site and residential development to the north and west (Fern Close, Rowan Drive, Greenfields Road and Wheatcroft Way).

EIA REQUIRED

No

RELEVANT SITE HISTORY

No relevant site history

POLICY CONSIDERATIONS

The following National Planning Guidance and the Breckland Adopted Core Strategy and Development Control Policies have been taken into consideration in the determination of this application:

PPS01	Delivering Sustainable Development
PPS03	Housing
PPS25	Development and Flood Risk
CP.01	Housing
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

CONSULTATIONS

DEREHAM T C -

Councillors raised concerns about the link road from Wheatcroft Way and suggested that consideration be given to whether it is to be a through road for all traffic, emergency vehicles only or have some form of traffic calming measures to prevent speeding.

In the centre of the development is a big tree with a large house next to it. Councillors suggested the house should be resited further away from the tree. The mature tree needs to be protected and could form a central feature to a public open space.

Councillors thought that it was unclear from the submitted plans which were social houses.

Councillors were also of the opinion that the proposed play area was too isolated and needed to be more in the centre of the development to prevent it becoming a target for vandals and drug abusers. The play area needs to be overlooked by houses to prevent anti-social behaviour.

Councillors recommended that roofs be south facing to allow for the installation of solar panels.

Councillors questioned why there are 220 houses proposed for this site - they had understood there would be three developments of 200 houses each.

Councillors would appreciate information on who is to maintain the open areas on the site.

Councillors pointed out that there are a number of small pedestrian tracks, which are not overlooked and could become problem sites for anti-social behaviour. The tracks could be used as escape routes down which police cars couldn't patrol, thus making the site impossible to police properly.

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ENVIRONMENT AGENCY

We have no objection to the proposed development, subject to conditions being appended to any subsequent planning permission relating to foul and surface water drainage.

HIGHWAYS AGENCY

No objection

NORFOLK LANDSCAPE ARCHAEOLOGY

The archaeological desk-based assessment submitted with the planning application has identified that there is some potential for the proposed development site to contain heritage assets with archaeological interest. This potential is stated as being low for the prehistoric and Saxon periods, negligible for the Roman period and medium for the medieval to post medieval period. However, the absence of recorded heritage assets with archaeological interest (both sites and findspots) within and around the proposed development site is likely to result from a lack of previous archaeological investigations in this area rather than a genuine absence of potential for these heritage assets to be present. Consequently the proposed development site represents a large area (12.78ha) with uncertain potential to contain heritage assets with archaeological interest (buried archaeological remains). In view of this we consider that the desk-based assessment alone is not sufficient to enable the archaeological significance of the site and the potential impact of the proposed development on the historic environment to be determined. An archaeological evaluation in accordance with Planning Policy Statement 5: Planning for the Historic Environment (2010) Policy HE6.1 should be provided. Norfolk County Council Historic Environment Service will provide a brief for the archaeological work on request.

NORFOLK WILDLIFE TRUST

We have no objection in principle to this application with regard to impacts on biodiversity. In terms of green infrastructure, we recommend that reference is made to the Dereham Green Infrastructure Study, ELP, 2008, which makes recommendations with reference to this area of the town on page 56. These recommendations refer principally to retention of Cherry Lane and the land to the north of the lane as GI. If it is decided to allow housing as proposed in the application on part of this area consideration should be given to enhancing the width of the cherry Lane corridor through this part of the development.

CRIME PREVENTION/ARCHITECTURAL LIAISON OFFICER

I do not wish to formally object to the proposals at this time, however, there are real opportunities to Design out Crime and/or the Fear of Crime and to promote Community Safety. Therefore, should these proposals gain approval I request that the following informative be placed upon said approval;

The applicants should aim to Achieve Secured By Design (SBD) Award Status for the development. SBD is an ACPO owned initiative aimed at providing a minimum set of standards in crime prevention for the built environment. The scheme has a proven track record in crime prevention and reduction. The principles and standards of the initiative give excellent guidance on Crime Prevention Through Environmental Design (CPTED) and also on physical security measures. Details can be found at www.securedbydesign.com

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Section 106

In light of the anticipated impact that a development of this nature would in any case have on Policing, Norfolk Constabulary will be considering an application for s106 funding.

NORFOLK COUNTY COUNCIL - HIGHWAYS

No objection in principle. However, there is a holding objection until such time as issues relating to a repayment scheme associated with the travel plan and the submission of a plan relating to amendments to an association road junction and possible introduction of MOVA traffic control systems have been resolved.

ANGLIAN WATER SERVICE

No objection subject to conditions relating to the need to agree foul and surface water drainage systems.

HISTORIC BUILDINGS OFFICER

No comment.

TREE & COUNTRYSIDE OFFICER

The report by Aurum Ecology dated 01.08.11 is broadly accepted.

Reserved matters will be expected to include details to support policy CP10 "Through the promotion of positive action and the development control process, the enhancement of biodiversity and geodiversity will be sought. There is an expectation that development will incorporate biodiversity or geological features where opportunities exist. Development that fails to exploit opportunities to incorporate available biodiversity and geological features will not be considered appropriate".

Tree T5 of Nicholas Newton's Tree Survey (TPO 2008 No.37, T7) is a key tree and must be given a sustainable location in the final layout. Either the tree should be at the end of several gardens away from the associated dwellings yet still visible and appreciable by the public at large or it should be the focus of a public open space and given a protective zone of chip or bark mulch over its entire Root Protection Area (this detail applies to the other mature trees on the periphery as well).

ENVIRONMENTAL PLANNING

This outline application proposes the erection of 220 dwellings on land between Greenfields Road and the A47, immediately south of Dereham Windmill. The site is currently outside of the settlement boundary for Dereham as defined on the adopted Proposals Map, however, the site has been identified for a positive allocation for 220 dwellings through the Site Specific Policies and Proposals Development Plan Document. As this document has been submitted, weight can be attributed to the proposed allocation. However, whilst the Local Authority can consider application for housing favourably in line with the policies set out in Paragraphs 71 and 69 of Planning Policy Statement 3, it is unclear whether the this application has been made under auspices of Paragraph 69 of PPS3, due to the lack of a 5 year housing land supply. The

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application is outline stage only and The Council's 5 year land supply statement indicates that where applications are coming forward early under the PPS3 provisions, these should be in detail.

The Sites Specifics DPD was subject to a examination in public in July (Inspectors Report is expected in October) and therefore the application should be considered against its conformity to policies contained within the adopted Core Strategy, but also the emerging criteria as set out in Policy D2 of the Site Specific Policies and Proposals document.

In terms of conformity with the principle of, and criterions a-d of Policy D2 "Land off Green Fields Road", the application provides evidence for a vehicular link between Greenfields Road and Wheatcroft Way. Upon satisfactory comments from NCC Highways, this requirement can be secured through a suitable condition. The application contains evidence of noise attenuation measures proposing an earth bund to the boundary of the site adjacent to the A47. It is expected that colleagues from Environmental Health may have further comments to make in this regard; however, a suitable condition could be imposed to secure this element of design.

The proposal appears to include 1.32 ha of open space provision of which Policy D2 expects. This is to include on-site requirement of 2 LEAPS and an area for outdoor sports. Whilst the application proposes an equipped play area at the eastern corner of the site, a "landscape integrated play area" is proposed on the slope up to the footbridge. Whilst the latter may be acceptable upon provision of further details of what constitutes a "landscape integrated play area", it must be noted that this is outside of the NPFA standard and that Dereham has an overall shortfall of children's play provision. Furthermore, Policy D2 requires the provision of an area for outdoor sports, which is not referenced within the design and access statement or indicative site design. In accordance with Policy DC11 of the adopted Core Strategy, proposals should provide evidence as to lack of appropriate on-site contributions, and a commitment to providing off-site contributions. Neither of these has been provided within the application.

The application is accompanied by a Flood Risk Assessment (FRA) confirming that the area in question is located within the area at least risk of flooding. The FRA confirms that appropriate attenuation methods will be provided within the new drainage system to ensure that proposals do not result in an increased risk of on-site or off-site surface water flooding. However, the design and access statement states that detailed negotiations are currently taking place with Anglian Water in respect of foul sewerage solutions, and whilst a solution has been provided in the form of pumping waste to the treatment works at Mattishall, (the agreed approach for Taylor Wimpey's development of 200 new homes north of Norwich Road), this has not been confirmed within this application. Therefore, I would expect to see further detail in this regard if the site is to be considered in advance of the adoption of the Site Specific Policies and Proposals document.

The design and access statement states that affordable homes will be provided at a rate and mix to be agreed with Breckland Council. If the applicant does not wish to comply with the Council's policy, then an "open book" approach should be pursued and an independent assessor considered. Therefore, at present, the proposal may be contrary to Policy DC4 although confirmation of the 40% provision would remove this concern.

The proposal will be expected to provide 10% of the energy used to come from decentralised and renewable sources as required by Policy DC14 of the adopted Core Strategy DPD. As this is an outline application, it is expected that this requirement can reasonably be secured through a suitable condition.

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Conclusions:

Whilst considerable weight can be attached to Policy D2, the document has yet to be adopted and therefore is still subject to providing a statement of how the proposal meets the requirements of Paragraph 69 of PPS3. As this is an outline application, there are no details included other than indicative parameter plans which raises concerns in respect of deliverability within expected timescales. The application should illustrate a good mix of housing to determine conformity with Policy DC4 of the adopted Core Strategy in advance of the Site Specifics. Furthermore, concerns are raised in respect of open space provision detailed within DC11 and Policy D2 in terms of outdoor sports provision, and the lack of confirmation as to the capacity at the Dereham waste water treatment works or an alternative solution.

Therefore, whilst the general principle of residential development is accepted in this location, there are a number of issues that lack detail which need to be resolved. It should be reminded that this is technically still an early application until the Site Specifics is adopted later in the year.

HOUSING ENABLING OFFICER

There is a considerable identified need for affordable housing in Dereham of various mixes, types and tenures. If the principle of development is established on this site then under core strategy policy DC4 40% of the dwellings will be required to be provided as affordable housing which equates to 88nr. Dwellings.

The strategic housing team support the outline application and the applicant's comment that the affordable housing will be provided at a rate and mix agreed with the Council. Brief correspondence has been received from the applicant's representatives requesting a mix of dwelling for the site. Further discussions will be expected in formulating a mix of dwellings that match the needs of Dereham. We would also expect discussions regarding the design and layout of the affordable dwellings in order to ensure that clusters of affordable units are of a size of no more than 10 and well integrated into the scheme. All affordable units must be constructed to at least the minimum level of the HCA design standards and be provided free from any public subsidy.

CONTAMINATED LAND OFFICER

Based on the consultants report there is the potential for contamination to be present. Therefore, requests conditions and an informative

COMMUNITY DEVELOPMENT OFFICER

At this stage I would like to suggest that the developer be obligated to consider the green space and recreation needs of those in the new development and houses already built in the area. Consultation with the Town Council and taking into consideration any previous local consultation on recreation needs would be important. I think that there may be a need for some substantial play equipment/facilities in the area and that would need further investigation/consultation.

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ECONOMIC AND STRATEGY OFFICER - No Comments Received

STREETSCENE - No Comments Received

ENVIRONMENTAL HEALTH OFFICERS - No Comments Received

REPRESENTATIONS

A number of representations have been received. The following is a summary of these representations:

Loss of good farm land; concern at increased traffic flows and associated noise; pollution and congestion; is there sufficient drainage available; should be building on brownfield sites; anti-social behaviour from play areas; detrimental to neighbour amenity and too many dwellings for the town.

ASSESSMENT NOTES

- * The application is referred to the Planning Committee as it is a major application.
- * The site is located outside of the Settlement Boundary for Dereham, however, it has been identified for a housing allocation for 220 dwellings through the Core Strategy. It is considered that weight can be attributed to this.
- * In terms of highway safety, the Highway Agency has confirmed that it has no objection to the proposal in terms of its impact upon the adjacent A47. Norfolk County Council as Highway Authority has confirmed that it has no objection in principle, however, issues relating to a repayment scheme associated with the travel plan, the submission of a plan relating to amendments at an associated road junction and the possible introduction of a MOVA installation (electronic traffic control system) need to be resolved before any permission is granted. These are to be dealt through requisite conditions and a legal agreement.
- * In terms of open space, as "layout" does not form part of this application, it is not possible to comment in detail on this matter. However, the requisite legal agreement attached to any subsequent approval would include the need to provide a sufficient amount of open space to comply with Policy DC11. It is evident that the adjacent windmill represents an important feature within the locality and any subsequent layout should integrate the open space with this feature as effectively as possible. The application reflects this and this desire will be emphasised within the approval through a condition. The Environmental Planning Officer has expressed a need for the layout to include an area for outdoor sports as it has not been referenced within the submission, unless there are strong reasons for not doing so. This matter is being discussed with the applicant and the results of discussions will be reported verbally to Committee.
- * 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. A planning condition would 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.
- * Drainage matters have been considered by the Environment Agency and Anglian Water. Anglian Water has confirmed that foul water will be taken to Mattishall STW which at present has available capacity. On this basis it is acceptable to use planning conditions to secure the delivery of an acceptable foul water drainage system. With regard to surface water drainage, Anglian Water has confirmed that the submitted surface water strategy is unacceptable, however, they consider it appropriate to agree an alternative means via a suitably worded planning condition. The Environment Agency has confirmed that it has no objection subject to conditions.
- * Norfolk Landscape Archaeology has confirmed that, whilst it acknowledges the initial

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assessment of archaeology at the site, there is a need to undertake further work on this matter. This has been requested by the Local Planning Authority and the results of discussion will be reported verbally.

* The Housing Enabling Officer has confirmed support for the scheme with regard to affordable housing provision. A legal agreement will secure that this is provided.

* The Tree and Countryside Officer has assessed the submitted ecology report and accepts its findings. Any subsequent reserved matters application should provide for biodiversity and geodiversity enhancements. Norfolk Wildlife Trust has also confirmed that they have no objection. With regard to the impact on trees, the accompanying tree report identifies the importance of a TPO tree. The Tree and Countryside Officer stresses that any subsequent reserved matters scheme must reflect this important feature.

* Norfolk Constabulary do not object to the proposal given it is in outline form with layout reserved for consideration. They stress the need to aim to achieve "Secured by Design" status.

* Whilst the application does not seek to deal with "layout" or "appearance" as part of this application, an indicative layout has been submitted. It is considered that this adequately demonstrates that the site can accommodate 220 dwellings whilst having adequate regard for the adjacent residential development.

* Given the close proximity of the A47, it is necessary to assess the noise implication for the development. The applicant has submitted a noise survey which makes provision for mitigation measures, namely the creation of an earth bund. This is consistent with the approach taken on the adjacent residential development.

* With regard to neighbour amenity, the application does not seek to deal with "layout" or "appearance", however, an indicative layout has been submitted. It is considered that this adequately demonstrates that the site could accommodate 220 dwellings without leading to any significant overlooking, loss of outlook or light levels. Furthermore, it is considered that a residential development of this scale would not cause undue disturbance in terms of vehicle movements.

* In conclusion, it is recommended that the Planning Committee give delegated authority to approve the application subject to the resolution of the aforementioned highway and archaeological issues.

RECOMMENDATION

Outline Planning Permission

CONDITIONS

3994 Conditions and legal agreement tbc