

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2018/0228/O	CASE OFFICER	Julie Lawson
LOCATION:	SHIPDHAM Land at Swan Lane Shipdham	APPNTYPE:	Outline
APPLICANT:	Clayand Estates Ltd The Glass House Lynford Road	POLICY:	Out Settlemnt Bndry
AGENT:	Clayland Architects The Glass House Lynford Gardens	ALLOCATION:	N
PROPOSAL:	Outline application for up to seven dwellings and provision of footpath (amended description and site area)	CONS AREA:	N
		LB GRADE:	N
		TPO:	N

KEY ISSUES

Principle of sustainable development
Character and appearance
Amenity
Highways
Other matters - Trees and landscaping & Flooding
Conclusions

DESCRIPTION OF DEVELOPMENT

The applicant seeks outline consent with all matters reserved for the development of 7No. three bedroom Market dwellings. The agent has amended the plans to revise the site area to 0.49 hectares. The plans also include a public right of way footpath to the rear of properties on the western side of Swan Lane linking to Market Street.

SITE AND LOCATION

The site is located adjacent to the defined settlement boundary for Shipdam. By consequence, the site is located within the countryside as defined by policy SS1 of the Adopted Local Plan (2009).

The site is a rectangular parcel of land, sited to the west of Swan Lane. Site surroundings are prodominantly residential, and the site currently is in use as an agricultural field. The site is relatively flat in nature with some light vegetation to its boundary. The site also has a sloped embankment to its eastern boundary fronting Swan Lane.

EIA REQUIRED

No.

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 and National Planning Policy Guidance have also been taken into account, where appropriate

CP.01	Housing
CP.10	Natural Environment
CP.11	Protection and Enhancement of the Landscape
CP.13	Accessibility
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.12	Trees and Landscape
DC.13	Flood Risk
DC.16	Design
DC.19	Parking Provision
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
SS1	Spatial Strategy

OBLIGATIONS/CIL

Not applicable

CONSULTATIONS

SHIPDHAM P C

Outside Settlement Area. No special requirement for any further development. Already up to allocation. Junction on corner not good sight.

NORFOLK COUNTY COUNCIL HIGHWAYS

The applicant is prepared to create a formal Public Right of Way from the farm track to the north of the site to link into the adopted footway in Market Street which would provide continuous pedestrian access to village amenities and facilities including the school, Drs Surgery, public transport provision and shop. The applicant is also willing to surface the Right Of Way to a standard approved by Norfolk County Council.

In my original response, I flagged up the existence of a pinch point near to 33A Market Street where the

carriageway narrows to 3.4m. However I do not consider that I could substantiate an objection if it were solely on these grounds. Swan Lane is of sufficient width, elsewhere along its length, for vehicles to pass and forward visibility is good. Further, it already serves as a link between A1075 at Shipdham and the old A47 at Scarning and is consequently used by the wider community.

Given the size of development proposed, that Swan Lane is lit, that residents are within cycling distance of village amenities and that the applicant is willing to create a public right of way for use by the wider community, I consider it would be difficult to maintain an objection to the proposal.

Details will be required at reserved matters stage of the access details, visibility splays, parking, turning, the formal footpath details.

TREE AND COUNTRYSIDE CONSULTANT

No comments.

CONTAMINATED LAND OFFICER

Recommended approval subject to conditions.

HOUSING ENABLING OFFICER

Following the recent changes to the NPPF, I can confirm that the site area and number of dwellings proposed trigger the thresholds of the Council's affordable housing policy as per DC4 of the Council's Adopted Core Strategy and Development Control Policies Development Plan Document. At present a 40% provision is required on sites capable of accommodating 5 or more dwellings and/or 0.17ha. This is then further split into 65% being made available for rent and 35% for shared ownership, shared equity or any other intermediate product that meets the intermediate definition within NPPF, meets an identified need in the District and is agreed by the Council. However, NPPF states that affordable housing should only be sought on developments of 10 or more dwellings or 0.5ha. In this instance 2 units would be required, 1 for rent and 1 for intermediate housing.

FLOOD & WATER MANAGEMENT TEAM

It appears that this development relates to seven houses and would be classed as minor development (see section 7.3 of our current guidance). Norfolk County Council LLFA Statutory Consultee for Planning - Guidance Document If there is an incident of flooding that has been investigated by Norfolk County Council in the vicinity of the site.

CRIME REDUCTION & ARCHITECTURAL LIAISON OFFICER

This application is below the threshold of houses of which Norfolk Constabulary ALO team would comment. However I would like to take this opportunity to make the following comments:

1. I am disappointed to see that the design and access statement makes no reference to security or proposals for crime prevention measures for this development.
2. Vulnerable areas such as rear and side gardens will need a robust defensive barrier by using walls or fencing to a minimum height of 1.8m.

REPRESENTATIONS

Four letters of objection were received for the proposal on the basis of the below:

Limited infrastructure to support the development
Site is a high risk of flooding

Noise and pollution from traffic
Over provision of housing in the area
Development on existing agricultural land
Increased traffic congestion
No mains sewer to support the development on Swan Lane
Negative impacts on pedestrian safety

One letter stating no objection but raising concerns regarding generators at night, construction traffic and requesting that Swan Lane is re-surfaced once the driveways are installed.

One letter of support was received for the following reason:

Shipdam needs well designed dwellings. There is a need for well spaced bungalows for residents already living in Shipdham wanting to move for either downsizing or level-living necessity.

3 further letters of objection following re-consultation on amended plan showing footpath to rear of dwellings fronting Swan Lane:

- The plans for a footpath behind our properties would increase the risk of unlawful access to the rear of the properties and have a detrimental impact on our privacy and safety.
- The footpath only address half the original concerns of Highways as the road is no wide enough and is used by large agricultural vehicles which take up the whole of the lane. Two cars are unable to pass and there can be difficulties turning into the junction of Swan Lane from Market Street when there are cars coming out of the lane.
- How will the footpath be maintained and will it be adopted and have lighting?
- Providing a footpath does not stop the extra traffic using Swan Lane which is a single lane.
- Flooding risk
- Impact on security and privacy.
- The proposed footpath is unlikely to be used by the proposed new occupants as their main entrances are positioned along the front of Swan Lane.
- We are not entirely against some development providing it benefits all residents of Swan Lane, by means of safer movement having paving on the existing road on one side and making the surface of the highway better.
- A surfaced path is now proposed; this will not be lit or maintained to a good standard in the long term and is an unnecessary. It will be within 3m of our lounge and impact on security and privacy.

ASSESSMENT NOTES

1.0 Principle of sustainable development

1.1 The National Planning Policy Framework (NPPF 2018) confirms that local authorities should attach significant weight to the benefits of economic and housing growth and enable the delivery of sustainable developments. It states that achieving sustainable development means that the planning system has three overarching objectives, namely an economic objective, a social objective and an environmental objective. The application will therefore be assessed in the content of the presumption in favour of sustainable development.

1.2 In relation to housing, NPPF states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with

permission is developed without unnecessary delay. In order to achieve this objective government requires that authorities should identify and maintain a rolling supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements plus an additional buffer of 5% to ensure choice and competition in the market for land. Where there has been persistent under delivery the buffer should be increased to 20%.

1.3 Paragraph 78 of the NPPF states that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services.

1.4 In accordance with policy SS1 of the Adopted Local Plan (2009), Shipdam has been identified as a Service Centre Village. Service centre villages are those which contain adequate services and facilities including all of a convenience shop, public transport, health care, primary school and access to employment opportunities. The strategy for these centres is around service protection and enhancement and development to meet local needs. Shipdam has been identified as an area to see a positive housing allocation, and can sustainably accommodate a modest level of growth.

1.5 The site lies directly adjacent to the defined settlement boundary for Shipdam. However, due to its location, this area to the north east of Shipdam village has limited pedestrian infrastructure. The Parish Council object to the application on the basis it is outside the defined settlement boundary for Shipdam.

1.6 The primary school, village shops, surgery and bus stops are all within walking distance and it is not unreasonable to assume residents would wish to access these on foot rather than by car.

1.7 The applicant has submitted a plan showing a Public Right of Way route to provide a pedestrian access from the application site to Market Street, thereby providing a pedestrian route avoiding Swan Lane. NCC Highways were re-consulted on this and they now advise that they do not consider that an objection could be substantiated. The highway safety merits of the proposal are further discussed below.

1.8 From an economic perspective, the proposal would provide a modest contribution to the overall housing land supply within the district, alongside providing additional footfall to existing services within Shipdam as a village. The addition of 7No market dwellings would also potentially provide short term construction work to potentially local contractors.

1.9 The site is currently in use as agricultural land. In accordance with policy CP8 of the Adopted Core Strategy and Development Control Policies Development Plan Document (2009) development will only be supported where it will enhance, or protect the non essential loss of the natural resources of the District, and development should avoid the unnecessary loss of high grade agricultural land.

1.10 The approach into Shipdam village from the north east is predominantly rural with housing opposite the application site. The indicative layout submitted shows a similar linear layout to that seen along Swan Lane, therefore it is not considered that the removal of this area of agricultural land would be detrimental to the character and appearance of the village.

1.11 It is considered that the proposed development is acceptable in principle.

2.0 Character and appearance

2.1 The application has been submitted in outline form with all matters to be reserved. The applicant has

provided an indicative site layout showing a linear layout, which is not dissimilar to the already established urban grain within the village.

2.2 The indicative layout shows the 7No. single storey dwellings would appear similar in scale and mass and maintain a linear frontage and building line from north to south. Each dwelling is shown to provide a good level of amenity space both to the front and rear of each property with acceptable separation distances.

2.3 The indicative layout and design proposed is considered acceptable in principle in accordance with policies DC1 and DC16 of the Adopted Local Plan (2009).

3.0 Amenity

3.1 As stated above the application is in outline form with all matters to be reserved. The applicant has provided an indicative site layout and streetscene showing a linear layout, with single storey dwellings facing Swan Lane. This layout and form of development would not have a detrimental impact on the amenity of the occupiers of the dwellings opposite or adjacent to the application site.

3.2 The applicant has submitted a plan showing a proposed Right of Way to the west of the properties to the west of Swan Lane, from the site to adjacent to Orange Fields and 31 Market Street. Objections have been received to this footpath on grounds of impact on security and loss of privacy. It is noted that the proposed footpath would introduce a pedestrian route in a location where none currently exist. Whilst it is not considered that the impact would be so significant to warrant refusal, the Police Crime and Architectural Liaison Officer has been consulted and advised that vulnerable areas such as rear and side gardens will need a robust defensive barrier by using walls or fencing to a minimum height of 1.8m. This can be conditioned.

4.0 Highways

4.1 NCC Highways initially raised concerns about the development and Swan Lane. The initial concerns expressed by NCC Highways were that the carriageway width of Swan Lane varies to allow sporadic passing provision but in places is as narrow as 3.4m. One such pinch point is adjacent to the gable frontage of 33A Market Street where the verge is already being overrun by vehicles attempting to pass resulting in the carriageway edge being eroded and mud and debris being carried out into the carriageway causing a potential skid hazard.

4.2 Guidance within the DfT publication Manual for Streets advises that a surfaced width of at least 4.8m is necessary for a large vehicle and a car to pass safely whilst a minimum of 4.1m is required for two cars to pass each other with care. Below 4m the carriageway is considered as too narrow for cars to pass each other in free flow.

4.3 The applicant has submitted a plan showing the location of a Public Right of Way. NCC Highways now advise that the applicant is prepared to create a formal Public Right of Way from the farm track to the north of the site to link into the adopted footway in Market Street which would provide continuous pedestrian access to village amenities and facilities including the school, Drs Surgery, public transport provision and shop. The applicant is also willing to surface the Right Of Way to a standard approved by Norfolk County Council.

4.4 With regards to the existence of a pinch point near to 33A Market Street where the carriageway narrows to 3.4m, NCC Highways advise that they do not consider that an objection on these grounds alone could be substantiated. They advise that Swan Lane is of sufficient width elsewhere along its length, for vehicles to pass and forward visibility is good. Further, it already serves as a link between A1075 at Shipdham and the

old A47 at Scarning and is consequently used by the wider community. Given the size of development proposed, that Swan Lane is lit, that residents are within cycling distance of village amenities and that the applicant is willing to create a public right of way for use by the wider community, NCC Highways consider it would be difficult to maintain an objection to the proposal.

4.4 It is therefore considered that the proposed development is acceptable in terms of its impact on highway safety.

5.0 Other matters

5.1 The Lead Local Flood Authority were consulted on the proposal but had no comments to make as the scheme is considered to be a minor application, which falls below their assessment threshold.

5.2 The Housing Enabling Officer has advised that due to the recent update to NPPF affordable housing may be required. In response to this the agent has amended the site area to below 0.5 hectares. No affordable housing is therefore required.

5.3 The Contaminated Land Officer was consulted on the application and has no objection to the proposal subject to appropriate conditions recommended.

5.4 The Tree and Countryside Officer had no comments on the proposal. A detailed landscaping scheme will be required at reserved matters stage.

6.0 Conclusions

6.1 The application has been assessed in accordance with the presumption in favour of sustainable development.

6.2 It is considered that the indicative design and layout of the dwellings would be considered in keeping with the surrounding urban grain and residential vernacular.

6.3 The site is considered to be a sustainable location for development, and it is recommended for approval.

RECOMMENDATION

Outline Planning Permission

CONDITIONS

- 1 Outline Time Limit (2 years) Early Delivery**

Application for Approval of Reserved Matters must be made not later than the expiration of TWO YEARS beginning with the date of this permission, and the development must be begun within TWO YEARS of the FINAL APPROVAL OF THE RESERVED MATTERS or, in the case of approval at different dates, the FINAL APPROVAL OF THE LAST SUCH MATTER to be approved.
Reason for condition:-
As required by section 92 of the Town & Country Planning Act 1990 and in order to ensure the early delivery of housing.
- 2 Construction Method Statement**

No development shall take place until a Construction Method Statement has been submitted

to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. detailed proposals for the removal of asbestos from existing buildings to be demolished
- viii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason for condition:

The details are required prior to the commencement of the development in the interests of the amenity of the area and to ensure a safe development from the outset of the development.

This condition will require to be discharged

3 External materials and samples to be approved

Prior to the commencement of any works above slab level details and samples of all external materials to be used shall be submitted to and approved in writing by the Local Planning Authority, and this condition shall apply notwithstanding any indication as to these matters which have been given in the current application. Only such agreed materials shall be used in connection with this approval.

Reason for condition:-

To ensure the satisfactory appearance of the development, in accordance with Policy DC 1 and DC 16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged

4 Hardlandscaping - details and completion

Prior to the occupation of the development hereby permitted details of the hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. Such approved works shall be completed in all respects before the occupation of the development hereby permitted and thereafter retained.

Reason for condition:-

To ensure the satisfactory appearance of the development, in accordance with Policy DC01 and DC16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged

5 In accordance with submitted plans NEW 2017

The development must be carried out in strict accordance with the application form, and approved documents and drawings as set out in the table at the end of this notice.

Reason for condition:-

To ensure the satisfactory development of the site.

6 Landscaping - details and implementation

The approved landscaping scheme shall be carried out during the planting season

November/March immediately following the commencement of the development, or within such longer period as may be agreed in writing with the Local Planning Authority. The details shall take account of the Council's leaflet "Tree pack" (Landscaping advice for applicants). Any trees or plants which within a period of 5 (five) years from the completion of the landscaping scheme die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with others of the same size and species unless the Local Planning Authority gives written consent to any variation.

Reason for condition:-

To ensure the satisfactory appearance of the development, in accordance with Policy DC 12 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged

7 Precise details of surface water disposal

Prior to the commencement of any works above slab level precise details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. Only such agreed system or works shall be used in connection with this approval.

Reason for condition:-

The details are required to be submitted prior to the commencement of development to minimise the possibilities of flooding from the outset of the development.

This condition is imposed in accordance with Policies DC 1 and DC 13 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009

This condition will require to be discharged

8 Non-standard condition

The development hereby approved shall be limited to single storey dwellings only.

Reason: To ensure a form of development compatible in scale and massing with the adjacent buildings and in the interests of residential amenity, as required by policies DC 1 & DC 16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

9 Non-standard condition

The development hereby approved shall be limited to no more than 7 dwellings.

Reason: To ensure a form of development compatible in scale and massing with the adjacent buildings and in the interests of residential amenity, as required by policies DC 1 & DC 16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

10 Non-standard condition

The details to be submitted at Reserved Matters Stage shall include details of the access (paired or grouped), visibility splays (to be in accordance with the Manual for Streets), parking on site in accordance with NCC adopted guidance, turning facilities on site and details of the formal footpath provided between the site and Market Street to be created as a Public Right of Way and surfaced in accordance with details to be agreed with Norfolk County Council. The details as approved at reserved matters shall be implemented in accordance with the agreed details prior to the occupation of any of the dwellings hereby approved and retained thereafter.

Reason: In the interests of highway safety, accessibility and sustainability.

12 Contaminated Land - Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with details to be agreed in writing with the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason for condition:-

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

This condition is imposed in accordance with CP9 of the Breckland Adopted Core Strategy.

This condition will require to be discharged

13

Fencing protection for existing trees

Prior to the commencement of any work on the site, all existing trees shall be protected by the erection of Tree Protection Fencing. This fencing shall be retained throughout the period of the development and at all times when works (as defined below) are being carried out on the site.

For the purposes of this condition "work" shall include the storage of plant, materials, site huts or the use of any machinery either for preparatory site work or construction itself.

"Trees" shall refer to all trees both on and adjacent to the site.

Protective fencing shall be constructed and maintained in accordance with BS5837:2012 and the Council's document Practice Note: Construction and Maintenance of Tree Protection Fencing, which is available to download from the Council's website.

Reason for condition:-

The works are required to be undertaken prior to the commencement of the development in order to safeguard the protection of trees from the outset of the development, in accordance with Policy DC 12 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009