

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2018/1217/O	CASE OFFICER	Mark Simmonds
LOCATION:	WEASENHAM ST.PETER Massingham Road Weasenham	APPNTYPE:	Outline
APPLICANT:	Uphouse Farms Limited Uphouse Farm Swaffham Road	POLICY:	Out Settlemnt Bndry
AGENT:	Brown & Co The Atrium St Georges Street	ALLOCATION:	N
PROPOSAL:	Erection of five dwellings	CONS AREA:	N
		LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

This application is being referred to Planning committee as it is contrary to policy.

KEY ISSUES

Principle of Development
Character & Appearance
Amenity
Trees and Landscaping
Ecology
Access
Land Contamination
Drainage & Flood Risk

DESCRIPTION OF DEVELOPMENT

Outline permission for the erection of 5no dwellings with all matters reserved. The proposed access is via a private drive from School Road which leads onto Massingham Road.

SITE AND LOCATION

The site is located towards the south of the village of Weasenham St Peter, outside but adjacent to the defined settlement boundary.

The site measures 0.49h and is an irregular shaped plot, the north of the plot is adjacent to Massingham Road. Weasenham is classed as a rural settlement within the current Breckland Core Strategy, however, Breckland council is in the process of preparing a local plan which identifies Weasenham as one of sixteen settlements that contain a greater level of services and facilities than other rural settlements.

EIA REQUIRED

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.09	Pollution and Waste
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

OBLIGATIONS/CIL

Not applicable

CONSULTATIONS

WEASENHAM PARISH COUNCIL

The councillors support the above application subject to satisfactory outcomes to the following concerns, which have been raised by residents:

1. Sewage - there are already over capacity problems with the existing system leading to bad odours in the area of Lamberts Close. This must be put right by the developer if the existing system is to be used, or separate arrangements made.
2. Surface drainage is thought to be a problem.
3. The bus stop will have to be moved if the entrance to the proposed development is to be as

indicated. Alternatively, the entrance could be moved to School Road.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objections, subject to conditions.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No objections, subject to conditions.

TREE AND COUNTRYSIDE CONSULTANT

No objections, subject to conditions.

NATIONAL GRID

No objections.

NORFOLK FIRE & RESCUE OFFICER

No objections subject to conditions

REPRESENTATIONS

The site notice has been erected and displayed from 26-10-18 to 16-11-18

Fifteen letters were received from residents, of these there were ten objections, four with concerns and one, a letter following a public meeting held with the developer whereby the main concerns being that of a currently very poor and inadequate drainage and sewer system which needs updating.

- Surface water drainage and flooding-major problem, needs addressing before any new development.
- Soakaways not suitable
- Sewage system already overloaded
- Access not suitable off Massingham Road
- Already busy road, agricultural vehicles and HGV
- Loss of privacy, overlooking and reduction in property prices
- Lighting
- Loss of open space

ASSESSMENT NOTES

1.0 Principle of Sustainable Development:

1.1 The site is located outside the settlement boundary of Weasenham at the south end of the village - as defined by the Weasenham Proposals Map pursuant to Policies SS1, CP1, CP14 and DC2 of the Core Strategy and Development Control Policies Development Plan Document 2009. As such the proposed residential development would be contrary to the development plan.

1.2 Notwithstanding the above, housing applications should be considered in the context of the presumption in favour of sustainable development and Footnote 7 to Paragraph 11 of the National Planning Policy Framework (2019) states that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. Currently the council cannot demonstrate a five year supply of housing.

1.3 The presumption in favour of sustainable development is set out in paragraphs 8 and 11 of the National Planning Policy Framework (NPPF 2019). Paragraph 8 states there are three objectives to sustainable development: environmental, economic, social and these cannot be undertaken in isolation, as they are mutually dependant.

1.4 In environmental terms, though the site is outside of the defined settlement, it is immediately adjacent to that boundary - existing dwellings sit mainly adjacent to the northern boundary along Massingham Road, there is some development to the west and further to the south. As such, it will be perceived - on approach from the west along Weasenham Road against the backdrop of the existing settlement, mitigating its visual impact.

1.5 As this application is in outline form, only an indicative plan has been submitted at this stage and further details would be required if planning was to be granted at a reserved matters stage. However, the indicative plan submitted proposes five detached 2-storey dwellings to be sited further to the rear of the plot, with one dwelling adjacent to Massingham Road, open space area to the north-west of the plot with access running through the centre to School road on the west which then runs north to Massingham Road. This layout is considered acceptable in principle and would be further considered at reserved matters stage.

1.6 The village of Litcham- a local service centre village, is approximately 5 miles away, benefits from both primary and secondary schools, shop, post office, butcher, chip shop, public house and community hall as well as a handful of businesses - which all stand to be further supported through the introduction of additional residents. Litcham does not benefit from a daily bus service and as such, public transport is not a realistic alternative, therefore, the need for travel and some dependency on the use of the private car would be required.

1.7 Weasenham is classed as a rural settlement within the current Breckland Core Strategy, however, Breckland council is in the process of preparing a local plan which identifies Weasenham as one of sixteen settlements that contain a greater level of services and facilities than other rural settlements. Therefore, some development may be acceptable in this village, despite the limited weight which can be attributed to the emerging Local Plan at this stage.

1.8 In social and economic terms, the development of the site would contribute modestly to the overall housing land supply within the District and would provide short-term construction employment.

1.9 On balance, it is considered that the proposal achieves the three objectives of sustainable development and therefore would comply with Paragraphs 8 and 11 of the NPPF (2019).

2.0 Amenity

2.1 The scheme proposes the erection of 5no dwellings to be sited further south of the plot with 1 dwelling to be positioned adjacent to Massingham Road on the east side of the plot. The dwelling would have garden facing the Road and additional garden space to the east of the dwelling with existing trees providing a natural buffer from the residents on the opposite side of Massingham Road, therefore it is considered that the proposed new dwellings would not be visually obtrusive in the outlook from those existing properties, whilst sufficient distance is maintained to secure against any material loss of privacy.

2.2 It is acknowledged that the activity from the presence of these new dwellings and the additional vehicular and pedestrian movements are likely to be perceptible, however, it is not considered likely to be so intense as to be unacceptable. Opportunities for landscaping would also have a mitigating effect which could be

addressed at the reserved matters stage.

2.3 Details of the internal configuration of the proposed new dwellings will be proposed at the reserved matters stage. However, it is considered that adequate internal space can be achieved and notwithstanding any changes to the proposed layout which may be required at the reserved matters stage, the outline proposal indicates an acceptable minimum level of private amenity space for each dwelling.

2.4 In light of the above, - for the purposes of this outline application - the scheme is considered to be acceptable with regard to Policy DC1 of the Core Strategy and Development Control Policies Development Plan Document 2009 and paragraph 180 of the NPPF (2019).

3.0 Trees and Landscaping

3.1 The Tree officer has no objection to the principal of the development and advised that any final layout should take into account the tree constraints identified in the report supplied by A.T Coombes. The category A and B trees should be incorporated into the design with dwellings located outside the identified root protection areas and sufficiently far enough away to ensure future problems leading to pressure to heavily prune or remove trees do not arise.

A full AIA and tree protection plan will be required based on the final layout.

5.6 In light of the above for the purposes of this outline application the potential impact on trees is considered to be acceptable with regard to Policy DC12 of the Core Strategy.

6.0 Ecology

6.1 The Natural Environment Team have been consulted and advise that they have no objections to the proposed development. The application is supported by an Ecological Assessment (Hopkins Ecology; September 2018) and the report is fit for purpose. The mitigation measures proposed will likely reduce the likelihood of impacts on protected species to acceptable levels. Conditions have been specified should permission be granted.

7.0 Access

7.1 The initial indicative site layout plan indicated access to be direct from Massingham Road via a private driveway onto the proposed plot, however, following concerns and a meeting held with the residents the applicant submitted an amended indicative site layout indicating access to be from School Road which is accessed from Massingham Road. A private driveway would then lead from School Road onto each of the dwelling plots.

7.2 The Highways Officer has been consulted and has commented that they are surprised the private point of access is now proposed on School Road as the environment of reduced frontage housing presents a different perception to the driver, being that turning is not expected. Therefore, they have a preference that access remains proposed on Massingham Road with the bus shelter set back. However, in relation to the adopted standards are satisfied that the visibility splays indicated and private access width on the revised plan would be in accordance with the adopted standards and as such the access could therefore be accepted. It is observed that this new access position would leave pedestrians without a formal link to the bus stop and existing footway section on Massingham Road and recommends that one should therefore be

provided. A condition is therefore recommended.

7.3 Therefore, the proposals are considered to be able to comply with Policy CP4 of the Core Strategy and Development Control Policies Development Plan Document 2009 and Paragraph 109 of the NPPF (2019), subject to conditions.

8.0 Land Contamination

8.1 As part of this submission a Contamination questionnaire has been completed which implies there is no contamination present, however, the Contamination officer has not been consulted therefore, the proposals would be subject to conditions securing any approved remediation scheme and making provision for the discovery of any unexpected contamination.

8.1 Drainage & Flood Risk

8.2 The proposed site is within Flood risk zone 1 and therefore at low risk of flooding. It should be noted however, that there has been significant concern and a number of objections from residents with regards to existing problems with surface water flooding and drainage. A condition is therefore recommended.

8.3 Considering the above, the proposal would therefore comply with paragraph 153 and footnote 50 of the NPPF (2019).

9.0 Other matters

9.1 Cadent Gas Limited have been consulted on the proposals and have confirmed that there is no apparatus within the immediate vicinity and therefore have no objections.

9.2 Norfolk Fire Brigade has been consulted on the proposals and have specified conditions regarding the provision of a hydrant.

10.0 Conclusion

10.1 In terms of the overall planning balance of the scheme, it is considered that the proposal achieves all the objectives of sustainable development as defined within paragraph 8 of the NPPF (2019). The development would provide a modest amount of housing contributing to the housing stock at a time when the council are unable to provide a 5-year housing supply and therefore the presumption in favour of sustainable development applies.

10.2 It is not considered that the proposal would result in significant and demonstrable harm to warrant refusal of planning permission in this instance.

RECOMMENDATION

Grant Planning Permission subject to conditions :

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 Standard Outline Condition

No development whatsoever shall take place until the plans and descriptions giving details of the reserved matters referred to above shall have been submitted to and approved by the Local Planning Authority and these plans and descriptions shall provide details of the appearance, layout, scale, access and landscaping of the development.

Reason for condition:-

The details are not included in the current submission.

3 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.

4 Parking and Turning plan

The applicant shall provide an appropriate design at a reserved matters stage to address the following points in accordance with the adopted standards:

- i) Parking provision in accordance with adopted standard.
- ii) Turning

Reason for condition:-

In the interests of highway safety.

5 New access (over verge/ditch/watercourse/footway)

Prior to the first occupation of the development hereby permitted the vehicular access / crossing over the verge shall be constructed in accordance with the highways specification TRAD 4 and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposal of separately so that it does not discharge from or onto the highway.

Reason for condition:-

To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety.

This condition will require to be discharged

6 Provision of visibility splays - condition/approved plan

Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splays shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

Reason for condition:-
In the interests of highway safety.

This condition will require to be discharged

7

Highway improvements - off-site

Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise first agreed in writing until detailed drawings for the off-site highway improvement works (footway fronting the site between the private point of access and existing footway provision on Massingham Road) have been submitted to and approved in writing by the Local Planning Authority.

Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in this condition shall be completed to the written satisfaction of the Local Planning Authority.

Reason for condition:-

To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.

8

Water Hydrant

No development shall commence on site above slab level until a scheme for the provision of a fire hydrant has been submitted to and approved in writing by the Local Planning Authority. Prior to first occupation the approved scheme shall be fully implemented.

Reason for Condition:-

Condition is needed to ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

Informative

With reference to the condition, the developer will be expected to meet the costs of supplying and installing the fire hydrant.

9

Ecology

Mitigation measures shall be implemented as outlined in section 6.9 of the Ecological Assessment (Hopkins Ecology; September 2018).

Enhancement measures shall be incorporated into the site's design as outlined from section 6.10 to 6.16 of the Ecological Assessment (Hopkins Ecology; September 2018) including but not limited to infilling gaps in hedgerows with native species, wildflower seeding and the provision of bat boxes and bird boxes in suitable locations.

Reason for condition:-

In the interests of bio-diversity in accordance with Policy 15 of the NPPF.

10

Precise details of surface water disposal

Prior to the commencement of any works above the laying of foundations, 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

11

Precise details of foul water disposal

Prior to the commencement of any works above the laying of foundations, precise details of the means of foul water disposal shall be submitted to and approved in writing by the Local Planning Authority.

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

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