

ITEM:		RECOMMENDATION: APPROVAL
REF NO:	3PL/2018/1246/F	CASE OFFICER Chris Hobson
LOCATION:	SWANTON MORLEY Swanton Morley Residential Allocation 1 Swanton Morley	APPNTYPE: Full POLICY: Out Settlemnt Bndry CONS AREA: N LB GRADE: N TPO: N
APPLICANT:	Hopkins Homes Limited, J & V Keith, Melton Park House Scott Lane	
AGENT:	Hopkins Homes Limited Melton Park House Scott Lane	
PROPOSAL:	Erection of 85 Dwellings with Associated Open Space	

REASON FOR COMMITTEE CONSIDERATION

The application is for a major development as defined by the Council's scheme of delegation and has been referred to Committee by the Chairmans Panel.

KEY ISSUES

Principle of Development
Impact Upon the Countryside and Setting of the Village
Quantum of Development
Highways
Trees
Ecology
Design
Residential Amenity
Contamination
Flooding and Drainage
Housing Mix and Tenure
Open Space
Infrastructure
Heritage and Archaeology

DESCRIPTION OF DEVELOPMENT

Full planning application for the erection of 85 dwellings at land to the south of Rectory Road, Swanton Morely. Access is proposed from Hoe Road East which is to be widened to 6m with a 2m footway to the site access from the junction with Recotory Road.

75% of the properties are proposed to be market units, with the following mix: 14 x 2 bedroom, 28 x 3 bedroom and 22 x 4 bedrooms.

25% of the properties are proposed to be affordable with the following mix: 4 x 1 bedroom, 14 x 2 bedroom and 3 x 3 bedroom.

There is a mix of heights between single storey and 2 and half storeys.

3,609sqm of open space is proposed centrally within the site including a Local Equipped Area of Play.

SITE AND LOCATION

The site is an irregularly shaped agricultural field extending to 4.9ha. The site is bounded by existing trees and hedges. To the north is Hoe Road East and Rectory Road. To the east is modern housing development (application ref: 3PL/2014/0083/F). To the south is a public footpath with the Swanton Morley's village sports field beyond. To the west is agricultural fields.

The site is within the settlement boundary of the Local Service Centre village of Swanton Morely which is formed by three developed clusters. Swanton Morely Primary School is the west of the application site. The site is allocated in the adopted Breckland Local Plan for residential development of at least 85 dwellings.

Swanton Morley has a primary school, two public houses, church, Cricket Club, GP Surgery and good bus Service to Norwich.

EIA REQUIRED

No.

RELEVANT SITE HISTORY

The site has no relevant planning history.

The housing development to the east was approved under 3PL/2014/0083/F.

POLICY CONSIDERATIONS

The following policies of the Breckland Local Plan, 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

COM01	Design
COM02	Healthy Lifestyles
COM03	Protection of Amenity
ENV01	Green Infrastructure
ENV02	Biodiversity protection and enhancement
ENV04	Open Space, Sport & Recreation
ENV05	Protection and Enhancement of the Landscape
ENV06	Trees, Hedgerows and Development

ENV07	Designated Heritage Assets
ENV08	Non-Designated Heritage Assets
ENV09	Flood Risk & Surface Water Drainage
GEN01	Sustainable Development in Breckland
GEN02	Promoting High Quality Design
GEN03	Settlement Hierarchy
GEN05	Settlement Boundaries
HOU01	Development Requirements (Minimum)
HOU02	Level and Location of Growth
HOU06	Principle of New Housing
HOU07	Affordable Housing
HOU10	Technical Design Standards for New Homes
INF02	Developer Contributions
NP	Neighbourhood Plan
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
SWRA1	Swanton Morley Residential Allocation 1 Land off Rectory Road (LP013)

OBLIGATIONS/CIL

Draft Heads of Terms have been put forward which will be secured by Section 106 Agreement if the planning committee resolve the application is to be approved. The following obligations are proposed to be provided by the development and included in the Section 106 agreement:

- £6,500 to upgrade surface of Public Rights of Way within Swanton Morley;
- Libraries contribution equivalent to £75 per dwelling;
- On site Open Space provision including LEAP and future maintenance contribution at £8.50 per square meter, in accordance with policy ENV04.
- On site Affordable Housing provision of 21 dwellings in accordance with policy HOU7.
- A financial contribution of £12,500 towards affordable housing provision off site.

CONSULTATIONS

ANGLIAN WATER SERVICE

Foul Water:

The foul drainage from this development is in the catchment of Bylaugh-Near Church Water Recycling Centre that will have available capacity for these flows.

Used Water Network:

Development will lead to an unacceptable risk of flooding downstream. Anglian Water will need to plan effectively for the proposed development, if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. The developer has not confirmed the foul discharge strategy including discharge regime and connecting manhole at this time. We

therefore request a condition requiring phasing plan and/or on-site drainage strategy.

Surface Water:

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets and the developer is proposing SuDS via soakways at this time (FRA 3.3). As such, we are unable to provide comments in the suitability of the surface water management.

HISTORIC ENVIRONMENT SERVICE

No objections subject to conditions requiring further investigations and trial trenching be undertaken.

RAMBLERS ASSOCIATION: NORFOLK AREA

Pleased to note proposals retain the permissive route to the north of the site. Request that the footpath be provided of 3 metres in width and the permissive route should be secured through a Section 106 Agreement.

Officer Note: The proposals provide for the widening of Hoe Road East to 6 metres and provision of 2 metre wide footpath along the site frontage which is considered appropriate for the locality, the existing situation and likely future use.

NATURAL ENGLAND

No objections to current proposals. Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

NORFOLK COUNTY COUNCIL HIGHWAYS

1. We remain in discussion with the applicant regarding the layout/design of the proposed highway drainage proposals. The layout of the attenuation basin shown on SWA3-003-RevJ has already been superseded and we await further revised drawings. Please note these discussions may result in minor changes to the proposed layout.
2. We previously asked whether the permissive path west of the site falls within the control of the applicant and if so whether it will be upgraded and/or incorporated into the site. We're unaware if confirmation of these points has been provided?
3. In our comments of 23 August 2019 we recommended the Highway Access Arrangement Plan be revised to include the revised access to plots 1-6 onto Rectory Road. We are unaware this has been submitted.

Officer Note:

With regards to comment 2, the permissive route is to remain in the ownership of the current owner and is not part of the proposals. With regards to point 3, these have been addressed in revised plans submitted.

OBLIGATIONS OFFICER, NORFOLK COUNTY COUNCIL

The proposed development would require financial contributions towards the following matters in order to mitigate for the impacts of the development on these facilities/infrastructure:

- Library services contribution equivalent to £75 per dwelling towards mobile service;
- Green infrastructure contribution to improve local footpath network;
- Provision of fire hydrants (to be conditioned).
- There is available capacity for education in the local area so no financial contribution is requested.

FLOOD & WATER MANAGEMENT TEAM

Due to the above we maintain our objection to this planning application in the absence of an acceptable Drainage Strategy and/or supporting information relating to:

- The capacity of the proposed drainage system. Evidence is required to demonstrate that in light of the constraining half drain times, sufficient capacity exists within the system to accommodate a follow up rainfall event equivalent to a 10% AEP event occurring within 24 hours of a 1% AEP (plus an adequate allowance for future climate change) event.

- Insufficient information has been submitted regarding the future adoption and maintenance of the entire drainage system to indicate there is an acceptable standard of operation for the lifetime of the development.

Further information is therefore requested.

TREE AND COUNTRYSIDE CONSULTANT

Concerns regarding proposed layout and proximity to trees along the western boundary.

Officer Note: The proposed layout has subsequently been amended and the proposals now avoid new buildings within the root protection areas of trees with only minimal areas of hardstanding in the root protection areas of trees. Updated comments are awaited, and further discussion reported below.

HOUSING ENABLING OFFICER

Object to the wording of the draft Section 106 agreement presented. The proposals also need to provide a financial contribution of Â£12,500 for the 0.25 dwelling in order to provide for 25% affordable housing as required by policy HOU7.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No objections subject to conditions.

CONTAMINATED LAND OFFICER

No objections subject to conditions.

AIR QUALITY OFFICER

No objections subject to conditions, including the submission of an Air Quality Assessment.

HISTORIC BUILDINGS CONSULTANT

No objections.

ENVIRONMENTAL HEALTH OFFICERS

No objections subject to condition securing a construction management plan detailing noise and dust control measures along with site working hours for approval by the planning authority.

ENVIRONMENT AGENCY

No formal comments to make on the application.

The site is located above a Principal Aquifer and within a Source Protection Zone (SPZ 3). The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination.

COMMUNITY DEVELOPMENT OFFICER

No Comments Received

PUBLIC RIGHTS OF WAY OFFICER

No Comments Received

NORFOLK WILDLIFE TRUST

No Comments Received

REPRESENTATIONS

A site notice was erected on 6th December 2018. Immediate neighbours were consulted by post on 8th November 2018. A further consultations were issued on 13th May 2018 due to submission of amended plans and the 21st June to to submission of amended drainage information. 11 local representations were received and key points from these are summarised below:

- Over development of the site
- Road infrastructure off-site unable to accommodate these additional dwellings and will reduce safety due to increased traffic
- Hoe Road East needs to be widened for the other emerging allocations and for access to the school
- Investment needed in surrounding area
- Cumulatively with other developments, too many dwellings proposed
- Village services at capacity already
- Development should not be determined until the village neighbourhood plan is made
- Development will result in overlooking to existing neighbours to the east
- Increased off-site flood risk to existing neighbours to the east
- 4 bedroom units should be along eastern boundary, and affordable homes at the rear
- More parking needed
- native trees should be planted around perimeter
- Alleyways to rear gardens unsafe
- Permissive path along west of the site should be retained/ replaced
- Plot 4 should have a hipped roof
- Insufficient private garden for units 14-17
- Design poor and not in keeping with neighbouring development

ASSESSMENT NOTES

1.0 Principle of Development

1.1 This application seeks full planning permission for 85 dwellings, open space and associated infrastructure at land off Rectory Road, Swanton Morely. The site is the allocated Housing site in the Local Plan for Swanton Morley which seek to focus new housing within defined Settlement Boundaries. The Swanton Morley Neighbourhood Plan (SMNP) also recently adopted allocates the application site (and adjoining land to the west) for residential development of up to 205 dwellings. The proposals for 85 dwellings would accord with and not compromise the delivery of this policy.

1.2 The Council has recently adopted the Breckland Local Plan which includes the allocation of this site for the development of at least 85 dwellings. The principle of residential development of this quantum is therefore accepted on the site. As is set out elsewhere in this report the proposals are considered to comply with criteria 1-10 of this allocation policy.

1.3 The site is immediately adjacent to the built up part of Swanton Morely which is a Service Centre Village with sufficient facilities and services to meet the day to day needs of existing residents. The village has a primary school, two public houses, church, village hall, Cricket Club, butchers, small shop, GP Surgery and good bus service to Norwich. Swanton Morely is spread out in clusters, however, the site is in comfortable walking distance of many of facilities including the school, Darby's Freehouse and the small shop. This together with the bus service results in the site being within a sustainable location with various opportunities to travel in sustainable manner to meet residents everyday needs.

2.0 Impact Upon the Countryside and Setting of the Village

2.1 The site is located within the countryside, however, is immediately adjacent to the built up part of Swanton Morley and a recently completed housing development of predominantly two storey houses.

2.2 The Breckland District Council Settlement Fringe Landscape Assessment 2007 identifies the site as falling within character area SM1: Northall Green which has a moderate landscape sensitivity and is the least sensitive category in terms of other land around the village. It details that "The local character area is defined by arable farmland interspersed with a largely intact network of mixed native hedgerows and hedgerow oaks."

2.3 The development would be visible from immediate view points and would be noticeable, a field changing to a housing development. From medium viewpoints there would be filtered views towards the site the from the west from Hoe Road and Mann's Lane . To the east and south the site would be completely screened by the adjacent housing development together with existing trees, hedges and earth banks. Negative impacts on local views is therefore minor in nature.

2.4 In terms of form of the village, the development would change this be considerably increasing the size of the middle cluster, however, it would still be subservient to the largest cluster to the south, and is well related so would not in due course, appear out of character or incongruous with the existing village.

2.5 The development would on the above basis, have a minor negative impact on the character of the countryside in this location and setting of the village when considering Policy ENV05 of the Breckland Local Plan.

3.0 Density

3.1 The development including open space has a density of 17.3dph, or 18.7dph without the open space. This reflects the approach to density set out in Policy HOU6 of the Breckland Local Plan which accepts densities should reflect their context. The site is at an edge of settlement location for a village where a lower density would assist in creating a transition from built environment to the countryside. Furthermore, Local Plan Policy "Swanton Morley Housing Allocation" which relates to this site sets out that at least 85 dwelling is appropriate, therefore the development meets this minimum number.

3.2 Local representations have raised the density is too high, however, as set out above this is not concurred with, and as further explored elsewhere in report also provides for adequate levels of residential amenity.

7.0 Layout and Design

7.1 The site is centered around an irregular shaped are of public open space which broadly accords with the open space requirements set out in policy ENV04 of the Breckland Local Plan. The open space includes an equipped childrens play area with additional informal areas of open space and seating areas which will help create a use and focus to the scheme. The proposed surface water attenuation pond and landscaping of the public open space provides an opportunity to secure green infrastructure improvements and integrate biodiversity improvements in accordance with policy ENV02 of the Local Plan and policy 10 of the SMNP.

7.2 An adoptable standard road loops around the open space, with permeable roads branching off this central loop. The layout would appear residential in nature and is set out with the majority of units addressing the streetscene. A mix of approaches to car parking are included with in curtilage parking predominating

which addresses the need for natural surveillance as referred to by the Architectural Liaison Officer.

7.3 There are a range of house types across the scheme but all reflect a traditional appearance in their design, with pitched roofs, chimneys and Georgian windows. Brick and tiles are the prominent materials with some areas of horizontal cladding to provide variation. The design approach which runs through the development would create a sense of identity and its own sense of place.

7.4 The proposals provide for the widening of Hoe Road East and provision of a 2 metre footpath along the site frontage which would provide connections eastwards along Rectory Road into the village and westwards along Hoe Road East to the permissive route to the west of the site and the village hall and playing fields and subsequent phases of development if brought forward. Whilst not sufficient width to provide a Highways Authority standard combined footpath/cycleway, given the character of Hoe Road East, its level of use by different modes of traffic and the scale of development proposed in this application it is not considered a 3 metre wide combined footpath/cycleway is justified at this point in time. Therefore, the proposals are considered to accord with and would not compromise policy 3 of the SMNP.

7.5 Policy 11 of the Swanton Morley Neighbourhood Plan (SMNP) requires that all new development should where possible, create network links to encourage the use of existing footpath and cycleway links to the wider parish and countryside. The proposed layout provides for a link to the public right of way running along the southern boundary of the site (Swanton Morley RB2) and therefore the proposals integrate into and enhance existing networks in line with policies in the Local plan and SWNP. Along the western boundary is an existing permissive path, which representations note is coming towards the end of the legal period for remaining open to the public. It is noted that this path provides a direct and pleasant route for local residents and connects residents from the north-west to Harker Lane which in turn leads to the school, playing fields and shops. The permissive route sits just outside the application site and would be unaffected by the proposed development. Replacing this route with a less direct route through the new estate would also not meet the requirement of SMNP Policy 11.

7.6 Notwithstanding the above, given the proximity of the proposed development to this and other rights of way connecting the site to the village and its facilities it is considered necessary to secure financial contributions to provide improvement works to this and surrounding network given the increased footfall likely, as recommended by the NET at Norfolk County Council. It is recommended that these be secured through the legal agreement attached to this permission.

7.7 Overall, the layout and dwelling form and elevation design are considered acceptable reflecting the approach taken on the adjacent site to the east and would provide for an attractive environment place to live. On this basis, the design of development is considered acceptable and complies with policies GEN02, and COM01 of the Local Plan, policy 11 of the SMNP, and Policy 16 and Section 12 of the NPPF 2019.

8.0 Residential Amenity

Existing Neighbours

8.1 Existing residential neighbours are located to the east of the site including Moffet Drive and Whiteside Mews. The gardens length for units 8 to 13 which rear elevations face directly to the site boundary and existing neighbours is 12m, and they have a back to back distances of at least 20 meters.

8.2 The side elevations of units 1, 7 and 14 - 17 are adjacent to the boundary, however, have been positioned sufficiently away from neighbours to prevent overshadowing or any unacceptable oblique overlooking. The proposals are therefore not considered to result in significant harm to the amenity of nearby

residents and the proposals would comply with policy COM03 of the Breckland Local Plan.

8.3 In line with the requests of the Environmental Health Team and in the interests of the amenity of existing residents adjacent to the site, a condition has been recommended requiring the submission and approval of a Construction Management Plan.

New Residents

8.4 All of the proposed dwellings have suitable private rear gardens space and have been arranged in a manner to prevent any unacceptable levels of overlooking, overshadowing or creating a sense of enclosure. The proposals have been amended to comply with the National Described Space Standards (NDSS) required within policy HOU10 of the Breckland Local Plan.

8.5 Affordable rented 1 bedroom flat units 14 to 17 have the smallest garden provision, which is a shared square space of 76sqm. In addition, there is a strip to the east and bin and cycle store. Whilst no as generous as the other units, it is considered an acceptable quantum given that the store area in addition and not cutting into the living space.

8.6 The Environmental Health Officer has recommended all dwelling elevations are 20m away from LEAP which has been complied with.

8.7 Based on the foregoing the proposals provide for acceptable levels of residential amenity for future occupants and the proposed development complies with Policies GEN02, COM01 and COM03 of the Breckland Local Plan.

4.0 Highways

4.1 Highways have not objected to the proposal following submission of amended plans which moved the point of vehicle access to Hoe Road East. The scheme has been amended to reflect their comments regarding plots 1 - 6 and the applicants have confirmed that the permissive route along the western boundary would be retained.

4.2 Local representations have raised objection due to the wider local road network being unable to accommodate further traffic. The Parish Council have raised that the new development could lead to the access/ egress for Old Rectory residential property to the north of the site becoming less safe. However, the NPPF advises application should only be refused on highways capacity grounds were the impact would be severe and in this instance it is not considered to be the case as shown by the Highways Authority not objecting to the application.

4.3 A further point raised by the Parish Council is whether a bus would stop at the site as shown by the submitted plan. A bus service serving the site from a new stop is not considered necessary to make the development acceptable as there is an existing stop within 465m of the site entrance. Whilst further than the industry standard 400m, it is considered unlikely there is sufficient demand for a further stop. Any subsequent development, such as those identified in the SMNP may need to re-assess this point. The application has however, demonstrated that the road has sufficient width to accommodate new stops.

4.4 All plots have at least 2 parking spaces, with many having a third provided by a garage. Having regard to the above, the proposals comply with Policies TR01 and TR02 of the Breckland Local Plan and the policy principles set out within the NPPF.

5.0 Trees

5.1 A revised arboriculture report has been submitted in support of the application. To facilitate the development one category B tree and six lower quality trees/ hedges are required to be removed together with two trees requiring surgery. The application proposed a number of small replacement trees through-out the development.

5.2 It is noted that neighbours have requested that tree at the north of the site along Rectory Road are retained, including T003 which is category C1 with moderate visual amenity. However, this tree conflicts with the proposals for the new footpath along the highways, and given the tree is not category A or B, this is considered an acceptable arrangement. In addition, replacement planting is proposed along this boundary which would provide screening in the long term and is recommended to be secured by condition.

5.3 It is noted that the tree officer has raised objections to the original layout, however, their comments on the revised layout are awaited and will be reported to committee. It is noted that the proposals seek to retain those most important landscape features and trees of significant arboricultural merit. Subject to conditions the proposals would provide for adequate replacement trees on site. On the foregoing basis, the development complies with Policy ENV06 of the Breckland Local Plan and is acceptable in relation to impact to trees.

6.0 Ecology

6.1 The application has been supported by a Ecological Report which found that the development would have a low risk to protected species which could be managed by by adopting the advised mitigation measures. The only valued ecological receptor for which a residual (post-mitigation) negative impact is probable is skylark, which may nest in the arable field.

6.2 The Natural Environment Team has raised no objection and recommended conditions for mitigation and enhancement measures including installation of at least 40 bird nest boxes. Subject to application of the recommended conditions, the ecological impact is acceptable and complies with Policy ENV02 of the Breckland Local Plan and Policy 10 of the SMNP.

9.0 Contamination

9.1 The Council's Contaminated Land Officer has reviewed the submitted Site Investigation Report prepared by Harrison Environmental and have raised no objection subject to conditions for unexpected contamination. On this basis, the development is acceptable in relation to contamination and compiled with Policy COM03 of the Breckland Local Plan.

10.0 Flooding and Drainage

10.1 Both policy ENV09 and policy 12 of the SMNP seek to ensure that flood risk is not increased elsewhere as a result of development and where feasible development has a neutral or positive impact on surface water drainage and management.

10.2 The site is within Flood Zone Risk 1 which has the lowest risk of flooding from rivers and sea as identified by the governments mapping system. The risk of ground water flooding is identified by the same system as very low with a small area in the north part of the site as high. The Environment Agency have raised no objections to the proposals.

10.3 In order to sustainably manage surface water the proposed scheme and indicative drainage strategy includes the collection of surface water from buildings, roads, drives and parking areas and discharge to ground through deep borehole soakaways, the use of permeable paving where feasible and the provision of an on site attenuation basin located in the on site public open space.

10.4 The Lead Local Flood Authority (LLFA) have raised objections to the proposed strategy for dealing with surface water on the site, and despite the submission of further information including an updated Flood Risk Assessment, modelling and drainage strategy the LLFA have requested further information. The applicants have submitted additional information and the updated comments of the LLFA are still awaited and will be reported to committee.

10.5 Subject to the LLFA being satisfied with the revised information and drainage proposals and confirming that they do not object subject to conditions the development is acceptable in respect of flooding and drainage and accords with Policy ENV09 of the adopted Local Plan. Noting the concerns raised by the Parish Council who have agreed to take on the open space with regards to safety of the surface water attenuation basin, a condition has been recommended requiring the submission and approval of a means of enclosure to be provided around the basin.

11.0 Housing Mix and Tenure

11.1 The development proposes 21 affordable homes on site which is in line with that required by Policy HOU 7 of the Local Plan. The Housing Officer has asked that a financial contribution of £12,500 is provided equivalent to 0.25 of a unit in order to provide for the full required level of affordable housing provision. This is considered necessary in order that the proposed development accords with policy HOU7 of the Local Plan. Subject to this and other amendments to the wording of the Section 106 Agreement it is considered that the proposals would comply with policy HOU7 of the Breckland Local Plan.

11.2 The application proposes a good mix of dwellings including bungalows, detached, semi-detached, terraces, large gardens, smaller gardens and 1 bedroom through to 4 bedroom. Whilst not in compliance with the latest SHMA which seeks for only 3 bedroom unit for the whole of Breckland, it does provide a good mix and would assist in meeting the needs of a range of households.

11.3 The SMNP Policy 12 advises developments should provide a good mix with an emphasis on local needs which are first time buyers, starter homes and good quality accommodation for elderly people. The development includes 6 bungalows (7% of the units) 2 of which are affordable and all of which would be suitable for elderly. There is 6 shared ownership units and 12 x 2 bedroom units which would be suitable for starter homes/ first time buyers. It is therefore considered the development complies with SMNP Policy 12.

12.0 Infrastructure

12.0 The additional dwellings will result in increased demand on local services and facilities.

12.1 Norfolk County Council Infrastructure Team have commented on the application and advised that there is capacity for early, primary and secondary education at local facilities and therefore no contribution is required. Contributions are required for libraries (£75 per dwelling). It is proposed that fire hydrants (1 hydrant per 50 houses rounded up) be secured by condition.

12.2 The NHS have requested £10,000 for fund additional resources to serve the development. However, as this is in order to assist staff recruitment a broader national issue, it is not considered that such a contribution would meet the tests for such set out in the CIL Regulations and therefore such a contribution could not be

secured.

12.3 Policy ENV04 of the Local Plan requires for a proposal of this number of units and mix to provide 5,261 square metres of outdoor playing space. The proposals provide 5,084 square metres of public open space on site including a LEAP, which is slightly below the amount of on site open space required in Policy ENV04. The Breckland Open Space Assessment 2015 reports that Swanton Morley has a over provision of Outdoor Sports Provision (0.08ha per 1000 population) and a under supply of Children's Play Areas (-0.91ha per 1000 population). The applicants also highlight that the adjacent site significantly over-provided the amount of on site open space by approximately 2,000 square metres. It is also noted that the site is within close proximity to Swanton Morley Village Hall and playing fields which are located immediately to the south of the site.

12.4 Having regard to the above, the site allocation in the local plan for this number of dwellings and the site context, it is considered that the proposed on site open space and childrens play space provision is adequate. Subject to the on site open space and LEAP being secured through the legal agreement, the open space proposals are considered acceptable although not strictly compliant with Policy ENV04 of the Breckland Local Plan.

13.0 Heritage and Archaeological Considerations

13.1 The site has archaeological potential as evidenced by the supporting reports and confirmed by NCC Environment Services, whom have not raised an objection subject to a condition for further investigation. With regards to the impacts on designated and un-designated heritage assets in the surrounding area, given the separation distance, intervening vegetation and buildings it is not considered that the proposed development would have an adverse impact on such heritage assets. The Councils Historic Building Consultant has raised no objections to the proposed development. Accordingly the proposed development is considered to accord with policies ENV07 and ENV08 of the Breckland Local Plan (adopted).

14.0 Conclusion/ Planning Balance

14.1 The site is a sustainable location with access to the good range of services and facilities provided within the Local Service Centre of Swanton Morley village. The site is a housing allocation within the recently adopted Breckland Local Plan and the application will deliver 85 new houses. The proposals are considered to accord with the policies contained within the new local plan.

14.2 The proposals are also considered to favourably align with the policies contained within the recently adopted Swanton Morley Neighbourhood Plan.

14.3 Therefore, the proposed development is considered to accord with the development plan and in accordance with paragraph 11 of the NPPF. Subject to receiving no objections from the LLFA with respect to surface water drainage proposals, the application is recommended for approval subject to conditions and Section 106 agreement satisfactorily addressing for those obligations set out above.

RECOMMENDATION

The application is recommend for approval subject to no objections being raised by the Lead Local Flood Authority to the latest information submitted, and the objections of the Housing Officer being resolved through the completion of the Section 106 Agreement; along with the conditions set out below. Should the Section 106 agreement not be completed within 3 months of the committee resolution the application will be reported

back to committee.

CONDITIONS

- 1 Full Permission Time Limit (2 years)**

The development must be begun not later than the expiration of THREE YEARS beginning with the date of this permission.

Reason for condition:-
As required by section 91 of the Town & Country Planning Act 1990 (as amended).
- 2 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.
- 3 Standard estate road conditions**

No works shall commence on the site until such time as detailed plans of the roads, footways, cycleways, street lighting, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.

Reason for condition:-
This needs to be a pre-commencement condition to ensure fundamental elements of the development that cannot be retrospectively designed and built are planned for at the earliest possible stage in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the development. In accordance with policies TR01, TR02 and COM01 of the Breckland Local Plan (Adopted).

This condition will require to be discharged
- 4 Standard estate road conditions**

Prior to the occupation of the final dwelling all works shall be carried out on roads/footways/cycleways/street lighting/foul and surface water sewers in accordance with the approved details.

Reason for condition:-
To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway. In accordance with policies TR01, TR02 and COM01 of the Breckland Local Plan (Adopted).
- 5 Provision of visibility splays - condition/approved plan**

Prior to the occupation of the first dwelling within the development hereby permitted, visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.

Reason for condition:-
In the interests of highway safety in accordance with policies TR01, TR02 and COM01 of the

Breckland Local Plan (Adopted) and the principles of the NPPF.

This condition will require to be discharged

6

Highway improvements - off-site

Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site until a detailed scheme for the provision and completion of off-site highway improvement works as indicated on Drawing have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the necessary mechanisms for securing necessary consents; detailed drawings of the works; and timescales for their completion. The permitted off-site highway improvement works (including any to Public Rights of Way) shall be completed prior to the first occupation of the development hereby approved or as otherwise approved pursuant to this condition.

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. In accordance with policies TR01, TR02 and COM01 of the Breckland Local Plan (Adopted).

7

External wall and roof materials to be agreed

No development beyond slab level shall take place until precise details, (including samples where required), of the materials used in the construction of the external walls and roof(s) of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply notwithstanding any indication as to these matters that have been given in the current application. The materials to be used in the development shall be in accordance with the approved details.

Reason for condition:-

To enable the Local Planning Authority to control the colour, tone, texture and appearance of the materials used to ensure the satisfactory appearance of the development, as required by Policy GEN02, COM01 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

8

Drainage condition

No development above slab level nor construction of any drainage system shall take place until a detailed surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include timescales for its implementation and completion and details for its ongoing management and maintenance. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme.

Reason for condition:-

Details are required prior to works above ground level to prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (2018) and Environment Agency Groundwater Protection: Principles and Practice. In accordance with policy ENV09 of the Breckland Local Plan (Adopted).

9

Precise details of foul water disposal

Prior to any development commencing above ground level and the construction of any drainage systems on site precise details of the means of foul water disposal shall be

submitted to and approved first in writing by the Local Planning Authority. The approved foul water system will be made available and fully functional for each dwelling prior to their first occupation.

Reason for condition:-

Details are required at an early stage in accordance with Policies in accordance with Policies ENV09 and COM03 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

10

Trees and hedges

Operations on site shall take place in complete accordance with the approved Arboricultural Impact Assessment (AIA), Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) provided by CJ Yardley dated August 2018. No other operations shall commence on site in connection with the development until the tree protection works and any pre-emptive tree works required by the approved AIA or AMS have been carried out and all tree protection barriers are in place as indicated on the TPP.

The protective fencing shall be retained in a good and effective condition for the duration of the construction of the development and shall not be moved or removed, temporarily or otherwise, until all site works have been completed and all equipment, machinery and surplus materials removed from site, unless or until the prior written approval of the local planning authority has been sought and obtained.

Reason for condition:-

In the interests of the satisfactory appearance of the development and the protection of existing trees and hedges, having regard to Policies GEN02, COM01 and ENV06 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

11

Boundary screening to be agreed

Prior to any the occupation of the development hereby approved, a scheme for the provision of boundary screening, shall be submitted to the Local Planning Authority for approval. The approved scheme shall thereafter be completed prior to the first occupation of the dwelling which the screening adjoins.

Reason for condition:-

To safeguard the interests of the amenities of neighbouring occupiers and to ensure the satisfactory appearance of the development, in accordance with Policies GEN02, COM01 and COM03 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

12

Landscaping - details and implementation

Prior to the first occupation of any of the dwellings hereby permitted a scheme of landscaping which shall take account of any existing trees or hedges on the site, shall be submitted to and approved in writing by the Local Planning Authority. The approved 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 first 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 and surrounding area, in accordance with Policies GEN02, COM01 and ENV05 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

13

Compliance with submitted Ecology Report

The development shall take place in complete accordance with the approved Ecology Report (prepared by Wild Frontier Ecology; August 2018), with particular regard to mitigation section 7.2 of the report and the timescales for implementation and management contained within the report.

Reason: In order to protect wildlife and nature conservation interests within and around the application site, and to mitigate the ecological impacts of the development having regard to Policy ENV02 of the Breckland Local Plan (Adopted) and policy guidance contained within the NPPF.

14

LEMP

Prior to the commencement of the development a landscape and ecological management plan (LEMP) shall be submitted to, and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a fiveyear period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures
- i) A timetable for implementation

The LEMP shall also include details of the legal and funding mechanism (s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/ or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

The development will take place in full accordance with the approved LEMP and the

timetable for delivery embodied within the approved document.

Reason for condition:-

This condition requires approval prior to the commencement of development in order to ensure those ecological enhancement measures are integrated into the site and design of the final scheme being implemented on site. In order to protect wildlife and nature conservation interests within and around the application site, and to provide ecological enhancements having regard to Policy ENV02 of the Breckland Local Plan (Adopted) and policy guidance contained within the NPPF.

15

Archaeological condition

No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and

- 1) The programme and methodology of site investigation and recording;
- 2) The programme for post investigation assessment;
- 3) Provision to be made for analysis of the site investigation and recording;
- 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation;
- 5) Provision to be made for archive deposition of the analysis and records of the site investigation; and
- 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.

The development shall thereafter take place in accordance with the approved written scheme of investigation. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under this condition and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.'

Reason for condition:-

To secure the recording and preservation of previously below ground heritage assets in accordance with Policy ENV07 and ENV08 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

16

Implementation of measures within sustainability statement

The development shall be carried out in accordance with and the measures set out in section 6 of the Sustainability Statement, December 2019, prepared by JSP Sustainability Ltd shall be incorporated into the dwellings hereby approved.

Reason for condition:- In the interests of delivering sustainable development in accordance with policies GEN01, COM01 of the Breckland Local Plan and Policy 11 of the Swanton Morley Neighbourhood Plan.

17

Full details of external lighting

No external lighting shall be installed without prior written approval from the Local Planning Authority. Only such approved lighting shall be installed. Such lighting shall be kept to a minimum for the purposes of security and site safety, and shall prevent illumination of mature trees and boundary hedges, and shall be:

- 1) fully shielded (enclosed in full cut-off flat glass fittings)
- 2) directed downwards (mounted horizontally to the ground and not tilted upwards)
- 3) be sensor operated
- 4) white light low-energy lamps (LED, metal halide or fluorescent) and not orange or pink sodium sources

Reason for condition:-

In the interests of amenity of the surrounding area and to reduce disruption to commuting/ foraging bats and to limit light pollution. In order to protect wildlife and nature conservation interests within and around the application site, having regard to Policy ENV02 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

18 Fire Hydrants

Prior to the commencement of any works above slab level a scheme shall be submitted to and approved in writing by the Local Planning Authority for the provision of two fire hydrants (served by mains water supply) serving the development. No dwelling shall be occupied until the approved hydrant(s) for that Phase have been provided in accordance with the approved scheme.

Reason for condition:-

In order to secure the provision of fire hydrants in accordance with Policy INF02 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

19 Scheme for security around basin

Prior to the occupation of the first dwelling hereby permitted, a scheme detailing the provision of a barrier or means of enclosure around the surface water attenuation basin within the public open space shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed in accordance with the approved details prior to the surface water drainage systems being brought into use.

Reason for condition:-

In the interests of the safety of the future residents and member of the public, in accordance with Policy COM03 of the Breckland Local Plan (Adopted).

20 Construction Method Statement

No development shall take place, including any works of demolition, 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. In accordance with Policies GEN02 and COM03 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

21

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. In accordance with Policy COM03 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

24

Note Legal agreement re: afford hsg, p open space & fin cont

The permission is subject to a legal agreement dated xxxx requiring the provision of affordable housing, public open space and financial contributions towards local services.