

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2021/0748/D	CASE OFFICER	Fiona Hunter
LOCATION:	SWAFFHAM Land west of Brandon Road, Swaffham	APPNTYPE:	Reserved Matters
APPLICANT:	Abel Homes Ltd Neaton Business Park (North) Norwich Road	POLICY:	Out Settlemnt Bndry
AGENT:	Abel Homes Ltd Neaton Business Park (North) Norwich Road	CONS AREA:	N
PROPOSAL:	Reserved Matters application for 64 bed care home (use class C2), 40 assisted living dwellings (use class C2), 650 sqm retail use (class A1-A5), 160 residential dwellings (use class C3) with open space, associated infrastructure. Discharge of conditions application for conditions 4, 5, 6, 7, 9, 11, 12, 16, 18, 19 and 22 of outline permission 3PL/2017/1487/O		
		LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

This application has been referred to planning committee by Chairman's Panel on the 19th January 2022.

KEY ISSUES

Principle of development
Layout
Housing Mix
Appearance and Scale of Buildings
Landscaping
Trees
Ecology
Safety
Outline Conditions
Conclusion/ Planning Balance

DESCRIPTION OF DEVELOPMENT

Outline planning permission reference 3PL/2017/1487/O was granted for the erection of up to 64 bed care home (Use Class C2), up to 40 assisted living dwellings (Use Class C2), 650sqm retail use (Use Class A1-A5), up to 160 dwellings (Use Class C3) with Open Space, associated infrastructure and the detailed means of access on 30th August 2019. This application is for approval of appearance, layout, scale and landscaping of the development pursuant to this Outline planning permission. The applicant is also seeking approval of several of the Outline conditions.

Vehicle Access was approved under the Outline Permission which is from a single point off an existing roundabout at Brandon Road to the east of the application redline, which is to be re-engineered and increased in diameter from 36m to 40m, with a new fourth arm providing access to the site.

A primary loop road runs from the new roundabout arm south-westwards before turning north, east and south.

The two commercial units are located adjacent to Brandon Road and to the north-west of the roundabout. Internal vehicle access is from the internal primary loop road, with car parking to the south of the buildings. The commercial buildings have gross internal floor areas of 300sqm and 349sqm and there are 25 parking spaces. The larger commercial unit has been designed to facilitate a Co-op store.

The key materials for the commercial units are cladding and curtain walling with simple curved roofs.

The residential area is located around the primary loop road and to the north and east.

In total 160 residential units are proposed, not including those with assisted care. These are split 120 market units and 40 affordable units. The market unit sizes are: 20 x 4 bedroom units, 65 x 3 bedroom units, 35 x 2 bedroom units. The affordable unit sizes are: 12 x 3 bedroom units, 20 x 2 bedroom units and 8 x 1 bedroom units.

The Care Village is located to the south of the primary loop and comprises 40 assisted living dwellings and 64 bedroom care home. All of the units are open market and are a split of: 5 x 3 bedroom units, 28 x 2 bedroom units and 7 x 1 bedroom units.

The houses including assisted care and the care home building are mainly red brick, with a few houses in key positions finished in white render with areas of natural timber cladding. Windows and fascias are dark grey, rainwater goods are zinc-coated steel. A flat plain tile is used in red and dark grey.

The attenuation basin is located to the south-west of the application site.

Public Open Spaces (POS) are dispersed throughout the site with the largest one being a linear POS running south to east, intersected by the new roads.

SITE AND LOCATION

The site comprises of 13.01 hectares of agricultural land situated to the south of Swaffham, to the west of Brandon Road (A1065). Existing, and under construction residential development is located to the north and east of the site whilst to the west and south of the site is further open agricultural land.

The site predominately comprises of cultivated arable land with some improved grassland and mixed woodland beyond the application boundary. An Aviation Fuel Pipeline runs through the site underground, north to south.

There are no Listed Buildings on, or near to, the site. The nearest Listed Building lies approximately 1.1km to the east of the site. The site is located beyond the settlement boundary of Swaffham in the adopted Swaffham Proposals Map (2019). The site is not subject to any other planning policy designations.

EIA REQUIRED

No.

RELEVANT SITE HISTORY

3PL/2017/1487/O Permission 30-08-19

The erection of up to 64 bed care home (Use Class C2), up to 40 assisted living dwellings (Use Class C2), 650sqm retail use (Use Class A1-A5), up to 160 dwellings (Use Class C3) with Open Space, associated infrastructure and the detailed means of access.

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
HOU06	Principle of New Housing
HOU07	Affordable Housing
HOU10	Technical Design Standards for New Homes
NP	Neighbourhood Plan
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
TR01	Sustainable Transport Network
TR02	Transport Requirements

Swaffham Neighborhood Plan, Made 21st May 2019

OBLIGATIONS/CIL

A S106 was completed in association with the Outline consent and is dated 29th August 2019. The S106 included requirements for:

- Affordable housing (scheme to be agreed outlining type, amount, tenure, location within development)
- Open space provision, management and maintenance
- Education contribution
- Sports contribution of £200,000 for the improvements to and maintenance of outdoor sport provision in Swaffham
- Library contribution
- Use Class C2 accommodation to be secured in perpetuity
- NHS contribution

CONSULTATIONS

SWAFFHAM COUNCIL

No objections as of 27-10-2021 and 22-12-2021.

CRIME REDUCTION & ARCHITECTURAL LIAISON OFFICER

Changes to proposals supported.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection following amendments, recommends conditions. No comment on the proposed Construction Traffic management Plan.

FLOOD & WATER MANAGEMENT TEAM

We are able to recommend that Condition 5 is discharged at this time.

TREE AND COUNTRYSIDE CONSULTANT

No objection, recommends conditions for: compliance with AIA; on-site supervision; no dig construction; veteran tree protection and tree protection barriers.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

Lighting can not be approved at this time. Details of position of bat and bird boxes on elevations should be obtained.

HOUSING ENABLING OFFICER

No objection.

ANGLIAN WATER SERVICE

Foul water details acceptable recommend Outline condition 4 can be discharged.

No objection to surface water proposals and can recommend discharge of the surface water outline condition.

CONTAMINATED LAND OFFICER

Outline Condition 19 can be approved.

NATURAL ENGLAND

No objection subject to suitable offsetting which without this the application would:

- have an adverse effect on the integrity of Breckland Special Protection Area (SPA)
- damage or destroy the interest features for which Breckland Forest Site of Special Scientific Interest (SSSI) has been notified.

In order to offset these adverse effects and make the development acceptable, the following offsetting measures should be secured:

- Development layout to ensure only dwellings connected to care home and assisted living dwellings, and no recreation areas associated with other housing, are within the 400m constraint zone around Breckland SPA / Breckland Forest SSSI. Communal gardens within this area not to be accessible to residents of other housing
- Cat covenant to be attached to care home / assisted living dwellings
- High fencing to be installed to discourage residents from other dwellings from entering the 400m zone, including preventing access to care home gardens
- Planting of dense thorny shrubs to discourage cats from entering 400m zone
- Sufficient greenspace and facilities available to support residents. This should be outside of the 400m zone, to avoid extra disturbance within the 400m zone.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

HISTORIC ENVIRONMENT SERVICE

I can confirm that Condition 22 on 3PL/2017/1487/O can now be discharged in full.

REPRESENTATIONS

A site notice was erected on 21-05-21, neighbours were consulted on 25-05-21 and a newspaper notice published on 07-06-21. 19 local representations have been received raising the following key points:

- Existing services already at capacity
- Even more cars in the town and associated pollution
- Increase in existing traffic congestion, issues at the roundabout
- Over development Swaffham
- Loss of even more countryside
- Site high in biodiversity and development will result in loss of habitat
- Houses will be too expensive for young people
- Houses too cramped together
- Development will/ may truncate existing walking routes which easily be incorporated
- Development will affect existing views
- Safety concerns with aviation fuel pipeline running through the site
- Site more biodiversity/ species diverse than is known by organisations including the RSPB and the development will result in loss of habitat
- Safety concerns with knee high fencing around attenuation pond and potential water depths
- Contradictions between Buffer Zone requirements and submitted proposals for the attention bund
- Cat proof fencing ineffective and not fair on existing residents and their pets
- Where is the cat proof fence going to be built & how high will it be

- All the care homes are condensed in one area and some have empty rooms
- Care homes are dangerous due to Covid 19
- There will be lots of parking on pavement
- Roads will be too restricted to take large vehicles, such as bin-lorries
- Local flooding issues and concerned about displaced flooding
- Unnecessary loss of mature trees
- Would prefer Aldi or a Lidl rather than Co-op for variation
- Ditch needs approved from CLH-PS (case officer note: it is assumed this acronym means the CLH Pipeline System, with CHL part of the The Exolum Group)

ASSESSMENT NOTES

1.0 Principle of Development

1.1 The principle of development is established by the grant of outline planning permission at appeal (ref: 3PL/2017/1487/O) on 30th August 2019. The current application only considers matters relating to appearance, layout, landscaping and scale of the development, which are discussed in the following sections. In addition some Outline conditions are sought to be discharged/ approved. Access was approved via the Outline Application, which is from a single point off an existing roundabout off Brandon Road to the east of the application redline, which is to be re-engineered and increased in diameter from 36m to 40m, with a new fourth arm providing access to the site.

1.2 Local residents have raised concerns with regards to principle of development, traffic impact including congestion and pollution, loss of habitats and infrastructure capacity, however, as the principle of development has already been approved this is not for further consideration under this application.

2.0 Layout

2.1 Section 12 of the NPPF and Policies HOU01, GEN02 and COM01 of the of the Breckland Local Plan (adopted 2019) seek to promote high quality design and protect the character of an area. Policy ENV05 of the Breckland Local Plan (adopted 2019) seeks new development to contribute to and where possible enhance the local environment by recognising the intrinsic character and beauty of the countryside.

2.2 Policy HBE5 of the Swaffham Neighbourhood Plan (SNP) states wherever practical, new development at the town entrances should enhance the visual approach or gateway to Swaffham, through landscaping, signage, planting, hedgerows and building in character. SNP Policy HBE1 requires a mix of housing, SNP Policy HBE2 requires well designed developments which reflect local distinctiveness and do not adversely impact on the appearance of the town.

Integration with the Countryside and Gateway to the Town

2.3 The application site sits at the south and west of the built up part of Swaffham with its south and western boundaries to become the new edge of Swaffham abutting the countryside. The landscape impact was considered at the Outline stage and found to be acceptable, however, the integration between countryside and the town is relevant to the layout and landscaping.

2.4 The development along the eastern and southern boundary is sufficiently low density to ensure a sensitive transition between the countryside and town. Specifically, the attenuation pond is in the south-eastern corner, bungalows are proposed along the southern boundary with public open spaces. The western

most strip of site is characterised by short terraces of dwellings and their rear gardens. The above is considered an appropriate transition between the countryside and the town of Swaffham.

2.5 The south-eastern part of the site will form part of the new gateway into Swaffham and will form the most southerly development within the town. The low density one storey extra care residential properties and care home are located in this area including a 118m length of private open space directly adjacent to Brandon Road. These features will provide a sensitive transition from countryside to the town rather than a new hard edge and this is considered to comply with Policy ENV 05 of the Breckland Local Plan (adopted 2019) and SNP Policies HBE5 and HBE2.

2.6 The two storey Care Home adjacent to Brandon Road will be the first significant structure in the approach to Swaffham on the western side and is 132m north of the site's southern edge. The care home's southern elevation is 42m in length which is large for the non-principal elevation, but will be viewed from the road at an obscure angle and is broken down by three projecting gables together with differing materials (brick, render and cladding). The care home's eastern elevation is 75m in length with a contrast projecting gable in the middle and at the north with a t-shaped wing projecting beyond the principal elevation. The care home is a large building, however is set adjacent to the roundabout, well into the site and will create an appropriate gateway feature into Swaffham due to its elevational design. As such the development is considered to accord with Policy HBE5 of the SNP

Road layout, access and car parking

2.7 Access to the development site from the Brandon Road roundabout is in accordance with the Outline Planning Permission and is not for consideration under this reserved matters application. The layout proposes a primary internal loop road with a further roads connecting from this. The Highways Authority, following amendments, raises no objection and recommends standard conditions. The main road connecting to the roundabout includes footpaths which are separated from the road by a green, highways verge, which will make the area safer and more enjoyable to use and will thus encourage walking in accordance with SNP Policy TRA2.

2.8 The road layout and internal access arrangements are found to meet the requirements of Policies TR 01 (part e), TR 02 and COM 01 of the Breckland Local Plan (adopted 2019) and the guidance provided by paragraphs 106, 111 and 130 of the NPPF together with SNP Policy TRA2.

2.9 At least two parking spaces are provided for each of the houses and assisted care houses in accordance with Policy TR 02 of the Breckland Local Plan (adopted 2019).

2.10 35 car parking spaces are proposed for the care home, which assuming a staff ratio of 3.8 staff to each resident there would be a shortfall of 3 car parking spaces against the starting point recommended by Policies HOU 06 and TR 02 of the Breckland Local Plan (adopted 2019). However, it should be noted that the applicant advises there will be less than 3.8 staff per resident and thus there would not be a shortfall. Each care home has individual staffing ratios depending on the facility requirements. There is also 4 disabled parking spaces provided in accordance with Policy TR 02 of the Breckland Local Plan (adopted 2019) recommendations. Given the proximity of the site to the town and its proposed use then this level of car parking is considered acceptable in this instance. The Policy also recommends 60 cycle spaces for a care home of this size and 10 cycle spaces are proposed with the bin and bike store. For the amount of staff and visitors in the care home at any one time, this is considered proportionate. There is space to add more cycle spaces in the future if needed.

2.11 The commercial units have permission to be A1 to A5 uses (pre-1 September 2020 use classes) which

are shops, financial and professional services, cafe or restaurant, pub or drinking establishment and takeaway. Depending on the final use, the Policies starting point range is between 32 to 216 car parking spaces, the lower end for 100% non food retail and launderettes and the upper end of which would be 100% of the floorspace is takeaways. If both of the units are food retail there would be a starting point requirement of 46 parking spaces. The commercial units have 27 car parking spaces and therefore parking provision is lower than the suggested Policy starting position, there are 3 disabled parking spaces and 1 parent and child parking spaces. The applicant has advised that they have a prospective occupier which is experienced convenience store retailer Co-Op which have requested only 15 spaces and due to detailed knowledge of their stores are able to accurately assess their parking needs. They also note the area is generally level, which will encourage walking. This leaves 26 spaces for the second retail unit. Policies TR01 and TR02 of the Local Plan seek to encourage walking and cycling and it is considered this will assist. Also, the Highways Authority have not objections. Therefore, on balance the proposed car parking levels are considered sufficient to meet parking needs. 6 sheltered Sheffield cycle parking spaces are proposed which is below the suggested starting point of Policy TR02, this is a small negative of the proposal. However, a condition can be applied to require more.

2.12 As such parking arrangements for the development broadly accord with Policies HOU 06 and TR 02 of the Breckland Local Plan (adopted 2019).

Open Space

2.14 The Outline S106 sets out the public open space requirements for the development, which is an Open Space Scheme to be provided for an area of land for Open Space in accordance with the Council's current planning policies, unless otherwise agreed in writing. This scheme must be submitted prior to first commencement of development. However, these requirements should be reflected in the layout, and if not provided fully on site, it can be explored whether an exception may be permissible. A material consideration is that the S106 includes an off-site sports contribution of £200,000, in lieu of onsite outdoor sport. Although, the outline planning report did not state this contribution made an otherwise unacceptable development acceptable and instead appears to be an applicant offered planning benefit.

2.15 There are five Public Open Spaces (POS) proposed across the development. The POS are in the C3 residential area(s) and total 10,835sqm which exceeds the total amount required by Policy ENV 04 of the Breckland Local Plan (adopted 2019) of 9,587sqm (1,248sqm space beyond policy requirement). In terms of use of POS Policy ENV 04 sets out that at least 6591.2sqm should be for outdoor sport and 2996sqm for children's play.

2.16 The supporting text for Policy ENV 04 of the Breckland Local Plan (adopted 2019) sets out that in terms of children's play areas, all dwellings in housing areas should be within 100m of a local area of play (LAP), 400m of a local equipped area for play (LEAP) and 1000m of a neighbourhood equipped area for play (NEAP) as recommended by Fields in Trust (FIT) guidance. Breckland Council Open Space Assessment 2015 (OSA) states "Children's playing space requirement should be dependant on size and type of development and suitable ratios for LAPS, LEAPS and NEAPS". The OSA worked example for 80 dwellings is the minimum provision of one LEAP. The development proposes one LEAP and one LAP with details to be agreed under a separate application. All dwellings will be less than 400m from the proposed LEAP, however, only around a third of the dwellings will be within 100m of a LAP. However, in this regard the constraint of the pipeline is noted, as well as proximity to nearby open space. It is not clear whether the dwellings will be within 1,000m of an existing off-site NEAP. However, the worked examples in the OSA indicate NEAPs are only expected for larger developments.

2.17 No area is configured to be used for formal sports such as playfield for football, MUGA, tennis, bowls

etc. Instead a contribution has been secured. However, the linear POS over the gas line could be used for running, walking and informal ball games, but due to no paths being proposed, its use in wet weather periods would be limited. The POS arrangements therefore do not adhere to Policy ENV 04 of the Breckland Local Plan (adopted 2019) in respect of the type of open space.

2.18 Having regard to whether the access to children's play space and sports deficiencies are acceptable, the following aspects can be considered. The site has a significant unique constraint which is the Aviation Fuel Pipeline running through the site and its easement, which also benefits the site to an additional large area of open space. No houses, play equipment or trees are allowed over this pipeline and any road crossings should be the minimum required to enable the development due to health and safety considerations. Within the residential area, this accounts for around 3,522sqm. The development is also over providing open space in terms of quantum by 1,248sqm which is over 10% and none of this POS is taken up by attenuation / drainage basins, which is normally permitted. A further consideration is that a £200,000.00 off-site sports contribution has been secured under the Outline S106. On balance the POS provision is considered acceptable, for these reasons.

2.19 The development plan includes an attenuation basin and grassed land in the south-east corner of the development site. However, this will not be a publicly accessible place as it is within the Special Protection Area and SSSI Buffer Zone (Ecology Buffer Zone), discussed further in the assessment below.

2.20 The Care Home and assisted Care Houses have their own separate private open space, which would not necessarily always be acceptable given the extent that is provided on site and to ensure integration into the community. However, it is again necessary to comply with Outline condition 17 *"....no housing other than those C3 dwellings connected to the care home and assisted living dwellings, and no recreational areas associated with the housing, are within the 400m Breckland Forest/Breckland SPA constraint zone..."*. Therefore, the principle of the care development having their own private open space is acceptable. The quantum of open space for the care element far exceeds the requirements and is well related to the units.

2.21 The Open Spaces are linear in nature and this is not ideal as it would have been beneficial to have at least one larger wider space. However, the layout has been adjusted so that POS 3 which includes the LEAP has two wider ends and are connected in the middle and this provides a more comprehensive POS. All of the POS and care open spaces are well overlooked.

2.22 Having regard to the above the open space within the development is considered acceptable, whilst deviating from Policy ENV 04 of the Breckland Local Plan (adopted 2019) having regard to material considerations.

Residential Amenity

2.23 There are residential properties directly to the north of the application site which are a mix of detached bungalows and two storey houses. The application proposes 16 x bungalows, 3 x 1/2 storey dwellings and 1 obliquely angled two storey dwelling along the northern boundary and this is considered a sensitive and appropriate response to the existing neighbours. Separation distances are considered appropriate, for example one of the smallest separation distances is plot 114 a bungalow which has 9m from rear elevation to boundary. The impact to existing neighbours is considered acceptable having regard to overlooking, overshadowing or creating a sense of enclosure.

2.24 Within the site, the houses (both C2 and C3) have appropriately sized gardens and back to back distances to create private gardens. The internal space meets the requirements of Government's Nationally Described Space Standard. The new residents and existing neighbours will have acceptable levels of

residential amenity having regard to Policy COM 03 and HOU 10 of the Breckland Local Plan (adopted 2019).

Flood Risk and Drainage

2.25 The application proposes to direct surface water via networks which include filter systems to an on-site attenuation basin in the south-west corner of the development which then is directed to a pumping station in the same area. The pumping station will pump all surface water via a pressurised rising main to the outfall point; an existing public sewer to the east of the proposed development, within the existing Swans Nest development off Brandon Road. Pumped flows will be limited to the existing QBAR Greenfield run-off rate of 4.9 l/s. Anglian Water have confirmed that this is acceptable, stating that the maximum discharge rate to the public system should be no more than 5.0 l/s. The system is designed to the 1 in 100 year rainfall event plus 40% for climate change. Once adopted, the application advises that Anglian Water will be responsible for the maintenance of the piped system, attenuation basin and pumping station. Due to poor infiltration rates, infiltration has not been found to be viable. The LLFA have not objected to the proposal and advised the Outline condition for surface water can be discharged.

2.26 Foul Water flows from the 160 residential units, retail space and assisted living dwellings will be drained via a proposed foul water gravity piped network, discharging to a new foul water pumping station adjacent to the south east public open space. This in turn will be pumped to the Anglian Water system in Brandon Water via a manhole. Anglian Water have not objected and recommended that Outline condition 4 can be discharged which relates to the foul water arrangements.

2.27 Having regard to the above, the drainage proposals are considered fit for purpose and accord with the requirements of Policy ENV 09 of the Breckland Local Plan (adopted 2019). Both Outline conditions 4 and 5 can be discharged.

Place Making

2.28 As set out above, the layout has been formulated to accord with the Outline Consent requirements including the approved access point and the 400m Ecological Buffer where there can be no POS or C3 residential; together with the site specific constraint of an underground oil pipe where there can be no above ground buildings, children's play or sports areas. Within these parameters the applicant has presented a co-cohesive development with open spaces distributed through-out with street layouts creating a unique development which in turn will give it's own sense of place. No single street will appear cramped and good provision has been made for pedestrian and cyclists by the provision of linear open spaces, permeability through the development and pavement for the spine road being separated from the road by green verges. As aforementioned, the provision of the care home and commercial units at the site entrance will create way finding points.

2.29 Overall the layout is considered to achieve a good layout which creates a unique sense of place and will provide a good place for residents of Swaffham to live and work. The layout is found to accord with Policy GEN 02 and COM 01 of the Breckland Local Plan (adopted 2019) together with Policies, HBE2, HBE5 and TRA2 of the Swaffham Neighbourhood Plan.

3.0 Housing Mix

3.1 The 160 residential units are split 120 market units (75%) and 40 affordable (25%) in accordance with the Outline S106 agreement. Of the 40 affordable units 28 (70%) are affordable rent and 12 (30%) are intermediate shared ownership which again accords with the Outline S106. The affordable unit sizes are: 12

x 3 bedroom units, 20 x 2 bedroom units and 8 x 1 bedroom units. The Housing Officer has considered the mix and raises no objection noting the internal sizes are in accordance with the space standards.

3.2 The market units are: 20 x 4 bedroom units, 65 x 3 bedroom units, 35 x 2 bedroom units. This provides a relatively good mix, however, is not entirely compliant with SNP Policy HBE1 which requires the mix to include homes suitable for first time buyers, including one-bedroom properties. This is a negative of the proposal to be considered in the overall balance. However, two bedroom properties will be suitable for some first time buyers and thus is not considered detrimental to the overall application. Some of the 1 bedroom units may be intermediate, part sale part rent, which would meet the Policy requirement but this has not been confirmed. SNP Policy HBE1 also requires other types of housing such as self-build. However, this is not considered to be reserved matter and would have been needed to be secured at the Outline stage.

3.3 The Care Village is located to the south of the primary loop and comprises 40 assisted living dwellings and 64 bedroom care home. All of the units are market and are a split of: 5 x 3 bedroom units, 28 x 2 bedroom units and 7 x 1 bedroom units. It was determined at the Outline stage that none of the care housing would be required to be affordable in accordance with policy at the time of decision.

3.4 The proposed dwellings are considered to accord with Policies HOU01, HOU07 and HOU10 of the Breckland Local Plan (adopted 2019). There is a slight deviation from SNP Policy HBE1 due to lack of 1 bedroom units.

4.0 Appearance and Scale of Buildings

4.1 There are 16 different C3 house types and 4 different C2 house types with various sizes, forms and elevational design. The design of the units are tied together with a pallets of material and design features including red brick, with a few houses in key positions finished in white render with areas of natural timber cladding. Windows and fascias are dark grey, rainwater goods are zinc-coated steel. A flat plain tile is used in red and dark grey. Overall the visual appearance of the dwellings is considered acceptable with sufficient variation and design interest to be visually appealing. The maximum dwelling height is two storeys which the site can comfortably accommodate and reflects the development to the north and across the road to the east.

4.2 As described at paragraph 2.6 the Care Home building is large in width and length, however is visually broken down by projecting gables together with differing materials (brick, render and cladding) together by being screened by an existing mature hedge to be retained. These aforementioned materials tie the building into the residential dwellings. Overall the Care Home design is visually acceptable and will act as a landmark building and wayfinding point within the town.

4.3 The retail units take a different design approach with white and dark grey cladding and curtain walling with simple curved roofs. This will help differentiate them from the residential parts of the development, which together with signage convey their business and/ or retail function. Whilst simple in design, the overall effect is visually pleasing.

4.4 On this basis, the design is considered acceptable and accord with Policies GEN03, COM01 of the Breckland Local Plan (adopted 2019) and HBE2 and HBE5 of the Swaffham Neighbourhood Plan.

5.0 Landscaping

5.1 The public and care open spaces above the gas pipeline are grassed with no trees or paths due to the pipeline easement. Small semi-circle areas of shrub planting are scattered along the POS (i.e. the northern section) edges to provide interest and biodiversity enhancement. Larger plants including trees are not

possible due to their deep roots. The care home open space (i.e. southern part) includes a large wildflower planting area rather than formal shrubs. No paths are proposed.

5.2 The other public open spaces are grassed and planted with small groups of 3 to 6 trees.

5.3 New hedgerows are proposed including at the northern part of the care home open spaces to create the necessary separation to keep out or discourage public use of the open spaces to enable accordance with Outline Condition 17 for the Ecology Buffer Zone. However, the condition specifically requires tall fences so only a part discharge of landscaping can be granted.

5.4 The attenuation pond area will be not accessible to the public and exact details of the barrier are to be agreed at a later stage considering any Anglian Water requirements, the agents are aware of this and are committed to finding an acceptable solution. It is envisioned this will be a visually permeable barrier such as metal fence to allow residents to enjoy its visual amenity without infringing on the Ecology Buffer Zone. The attenuation basin area doubles as a ecological enhancement area and includes: grassed land; new trees; the large basin planted with wild-flowers and edge of pond plants, marginal planting and submergent planting; and bird and bat boxes.

5.5 The open spaces are shown to be edged with timber knee high rail fences, however, no gaps are shown and this will need to be established to ensure easy access by the public at sensible points. There is also no paths, benches or bins shown and these details will be required.

5.6 No soft landscaping around the Co-Op is shown on the most recent submitted landscaping plan(s) and this highly visible area would benefit from tree and shrub planting to enhance the entrance to the estate.

5.7 Overall the landscaping is acceptable. However, only a part discharge of Outline condition 6 is recommended with details of boundaries, paths, seats and bins in and around the open spaces and landscaping around the commercial units to be agreed separately. Details of fencing/ barriers for the buffer zone will also need to be agreed as further discussed in Section 6.0. The agents are aware of this and committed to working with Anglian Water and the Council to find an acceptable solution.

6.0 Trees

6.1 The layout as proposed requires the removal of one category C tree (T18) and 15m of category C hedgerows (G5) the latter of which is to facilitate a road for the attenuation lagoon access and also to plots 154-160. The removal of a single category C tree and 15m of category C hedgerows are considered acceptable to facilitate the site layout.

6.2 A path in the very south-west corner of the application site needs to be amended to retain two veteran trees (T10 and T11). There is sufficient space to do this but plans have not been provided to this affect and therefore this should be conditioned.

6.3 Further trees are required to be removed are to facilitate the Outline approved access point, visibility splays and off-site highways works including 135m of category B hedgerows (G2). These were affectively agreed to be removed at the Outline stage. To mitigate against this loss across the development 150m of new mixed species hedgerow is proposed.

6.4 The Tree Officer raises no objection subject to conditions. The reserved matters in respect of trees and hedges is considered acceptable and accord with Policy ENV 06.

7.0 Ecology

7.1 The Breckland Special Protection Area (SPA) (UK/9009201) and the Breckland Forest SSSI are located 230m to the south of the application site. To ensure the integrity of these habitat sites will be preserved there is Outline condition 17 which requires *"....no housing other than those C3 dwellings connected to the care home and assisted living dwellings, and no recreational areas associated with the housing, are within the 400m Breckland Forest/Breckland SPA constraint zone. Note that the care home communal garden can be within this area but this should not be accessible to residents not linked to the carehome.*

- *A cat covenant is attached to the care home/assisted living dwellings;*
- *High fencing is included to discourage residents from the other dwellings entering the 400m zone, including preventing access to the care home gardens;*
- *Planting of dense, thorny shrubs is put in place to discourage cats from the housing outside the 400m zone;*
- *Sufficient greenspace and facilities available to support residents. This should be outside of the 400m zone, to avoid extra disturbance within the 400m zone."*

7.3 The applicant has submitted a SPA Buffer Zone Plan which confirms that only the C2 care housing and private open space, care home, attenuation lagoon are located within the 400m buffer. However, no high fences to keep people out of the open space zone buffer have been shown so this will need to be conditioned.

7.3 The Council's Ecological and Biodiversity Consultant, following amendments and additional information, raises no objection and their request for additional information for the placement of bird and bat boxes has been provided and their latest comments are awaited.

7.4 Having regard to the above, the reserved matters (appearance, high level landscaping, layout and scale) are found to be acceptable and accord with Outline Condition 17 and Policy ENV 02 of the Breckland Local Plan (adopted 2019). Some aspects such as fencing and soft landscaping will need to be conditioned.

8.0 Safety

8.1 An Aviation Fuel Pipeline runs underground through the application site. The applicant has undertaken consultation with the Pipeline Protection Advisor at Exolum (self described as Europe's leading logistics company for liquid products who are engaged in the transportation and storage of a wide range of bulk liquid products, especially refined products, chemicals and biofuels) whom have advised they are satisfied with the application proposals/ design.

8.2 Local representations have sensibly questioned whether the development is safe in respect of the pipeline and Exolum provides comfort in this regard. However, we can also compare it to the HSE's land methodology for land use planning for High Pressure Gas Pipelines (HPGP). For HPGP HSE requires: there to be no buildings, sports pitches or play equipment above the pipeline or its easement; road crossing to be minimised to only essential; general open space is permitted. The site layout it therefore considered not to give rise to an unacceptable safety impact and thus accords with Policy GEN 02 of the Breckland Local Plan (adopted 2019).

9.0 Outline Conditions

9.1 The application in addition to the reserved matters seeks approval of Outline approval 3PL/2017/1487/O conditions 4, 5, 6, 7, 9, 11, 12, 16, 18, 19 and 22. Each of these, whilst discussed in the above section are considered below taking into account all relevant consideration for the condition.

- Outline condition 4 (foul water). Anglian Water are satisfied with the details and advise the condition can be discharged.
- Outline condition 5 (surface water disposal). LLFA have advised this condition can be discharged.
- Outline condition 6 (landscaping and tree planting). The details are acceptable except for commercial area, which is grass only and requires trees and plants.
- Outline condition 7 (Highways). Highways have confirmed they have no objections to the final site layout.
- Outline condition 9 (Construction Method Statement). Highways have advised they have no comments to make.
- Outline condition 11 (details of the slab levels/finished floor levels). The external levels and finished floor levels are shown on the Engineering Master Plan Sheets 1 to 5. These are considered acceptable with particular consideration given to the northern most units, which back onto the boundary with existing residential neighbours. The finished floor levels for these northern most units are in the most less than 0.5m higher than the ground levels of the neighbours gardens. The plans need to be updated to reflect the December layout changes before this condition can be approved.
- Outline condition 12 (trees). Tree documents have been submitted and considered to be generally acceptable by the Tree Officer and Ecological and Council's Ecological and Biodiversity Consultant subject to a few clarifications. The reports have been updated and the Ecological and Council's Ecological and Biodiversity Consultant has no further comments. A response from the Tree Officer is awaited.
- Outline condition 16 (Ecological Management Plan). A high fence has not been proposed for the 400m buffer as required by condition 17, so only a part discharge can granted. The position of bird and bat boxes have been provided, and the Ecological and Biodiversity Consultants comments on these are awaited.
- Outline condition 18 (32Amp single phase electrical supply that for future inclusion of an individual electric car charging points). A letter from Create Consulting Engineers dated 30th April 2021 has been submitted which details that electric vehicle charging points will be supplied for the retail car park and care home care park and the businesses or landlords electrical distribution equipment. For the residential units with garages these will provide an Electric Vehicle Charging point within it. The chargers will be supplied from either the local garage distribution board or from the main dwelling electrical supply. These details are considered acceptable and the condition can be discharged.
- Outline condition 19 (contamination). An A F Howlands letter dated 3DC/2021/0274/DOC in respect of the "unknown feature" has been submitted, and this was the reason for the condition being applied. The report details that it is unlikely to be anything which will cause contamination and is likely a glacial deposit or disturbed earth from when the pipeline was installed. They were unable to undertake physical investigation due to the pipeline underneath. On this basis, the Council's Contaminated Land Officer advises that it would appear that an adequate scheme to consider land contamination on the above site has been achieved and recommend complete discharge of condition 19.
- Outline condition 22 (archaeological works). An Archaeological Excavation Report has been submitted which reports on the excavations undertaken on site in line with a Brief and Written Scheme of Investigation . NCC Historic Environment have advised this condition can be discharged in full.

10.0 Conclusion/ Planning Balance

10.1 The principle of development has been established by the Outline permission and details of appearance, layout, scale and landscaping are sought for approval.

10.2 The layout is considered to be acceptable and will create a unique, well designed place. Onsite sports and play provision is below that required by Policy ENV 04 of the Breckland Local Plan (adopted 2019). However, the proposed provision is considered acceptable, taking into consideration, the overall quantum exceeds the minimum required, the site has a significant constraint from the pipeline, and as the Outline S106 includes a £200,000 off-site sport contribution, to deal with this type of provision.

10.3 The housing mix is considered to be acceptable resulting in compliance with Policies HOU01, HOU07, HOU10 and COM 01 of the Breckland Local Plan (adopted 2019). Policy HBE1 of the SNP encourages one bedroom dwellings for first time buyers. There are one bed units offered as part of the affordable housing mix to meet the needs of this Policy.

10.4 The developments building appearance and scale are acceptable and will create there own character whilst not being disproportionate in scale to neighbours. On this basis, the design of the dwellings is considered acceptable and accord with Policies GEN03, COM01 of the Breckland Local Plan (adopted 2019) and HBE5 of the SNP.

10.5 Landscaping overall is acceptable, subject to a few changes and some additional information. Strategic Landscaping can be approved and Outline Condition 16 part approved.

10.6 The key ecological constraint of the Ecological Buffer has been provided in accordance with Outline Condition 17 and subject to adjustments, including the buffer barrier, which will be provided in consultation with Anglian Water, are considered acceptable.

10.7 The fuel pipeline has been designed in with no sensitive areas above it such as buildings, children's play or formal sport spaces. The site layout it therefore considered not to give rise to an unacceptable safety impact and thus accords with Policy GEN 02 of the Breckland Local Plan (adopted 2019).

10.8 The application is recommended for approval subject to conditions with some Outline conditions to be discharge in full or part.

RECOMMENDATION

The application is recommended for approval subject to the conditions listed below.

CONDITIONS

- 1 Reserved Matters - time limit**

This approval is granted following the grant of Outline Planning Permission reference 3PL/2017/1487/O dated 30th August 2019. The timescales for implementation of the development are set out at condition 1 of the Outline Planning Permission.
Reason for condition:-
For the avoidance of doubt and to ensure that the development accords with conditions attached to the outline planning permission for the proposal, including time limits specified for commencement, resulting in appropriate development of the site.
- 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, in accordance with Policy COM01 of the Breckland Local Plan (adopted 2019).

3 Tree no-dig (early stage)

No development within 20 meters of any tree or hedge to be retained shall take place pursuant to this permission until details of the no-dig construction as detailed in the approved Arboricultural Impact Assessment 15 December 2021 have been submitted to and approved in writing with the Local Planning Authority. The details to be submitted shall include: sub base material(s), infill material(s) and surface material(s); and CBR existing ground conditions and soil information.

The development will be carried out in complete accordance with the approved no-dig construction methods.

Reason for condition:-

The proposed layout is reliant on no-dig construction of surfaces including footpaths and patios. In order to ensure that tree roots are adequately protected it is essential that a stable structure is provided which will distribute loads, reduce pressure at ground level whilst promoting the migration of water and nutrients. This condition is applied having regard to Policy ENV 06 of the Breckland Local Plan (adopted 2019).

This condition will require to be discharged

4 Veteran Trees (prior to works in this area)

Prior to any works or development pursuant to this permission within 25m of Trees T10 and T11 as defined by the approved Arboricultural Impact Assessment 15 December 2021 amended attenuation basin and access path plans shall be submitted to and approved in writing with the Local Planning Authority which makes provision for the retention and protection of these two trees.

Reason for condition:-

For the protection of trees with veteran features to be retained in accordance with Policy ENV 06 of the Breckland Local Plan (adopted 2019).

This condition will require to be discharged

5 External wall and roof materials to be agreed

No development shall commence above the laying of foundations except for the commercial units unless or until precise details (including samples where requested by the Local Planning Authority), 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 Policies COM3, GEN2 and COM1 of the of the Breckland Local Plan (adopted 2019).

This condition will require to be discharged

6 Landscaping

Prior to development above the laying of foundations (except for the commercial units) the following landscaping details shall be submitted to and approved in writing by the Local Planning Authority via an approval of details application or discharge of planning obligation application for the Outline S106 Open Space Scheme:

- i. Details of openings in the public open spaces fencing
- ii. Details of bench's, bins and paths in the open spaces (public and care)
- iii. Details of boundary treatment for the Care Home northern extent area as the proposed Willow panels are not acceptable
- iv. Landscaping and Planting Implementation and Phasing Programme

The approved landscaping scheme, comprising the approved Landscaping Plans listed in the table within this decision notice together with any amendments approved under i - iv of this condition shall be implemented in strict accordance with the approved Implementation and Phasing Programme. There afterwards the landscaping and planting shall be maintained in accordance with the approved Landscape Specification & Maintenance Plan Rev 1 in perpetuity.

Reason for condition:-

In the interests of visual amenity of the site and surrounding area and in order to maintain and enhance the biodiversity and ecological value of the site. In accordance with policies ENV01, GEN02, COM01 of the Breckland Local Plan (adopted 2019).

Note:-

Design and layout of the equipped play areas to be agreed via a discharge of planning obligation application for the Outline S106 Open Space Scheme.

This condition will require to be discharged

7

Landscaping Commercial Area

Prior to development above the laying of foundations of the commercial units a commercial area, as defined by approved Site Layout plan P - 001 Revision B, landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority via an approval of details application or discharge of planning obligation application for the Outline S106 Open Space Scheme. The landscaping scheme shall include: detailed planting plans, trees, paths, bins, seating, Implementation and Phasing Programme and Management and Maintenance Scheme.

The approved landscaping scheme shall be implemented in strict accordance with the Implementation and Phasing Programme. There afterwards the landscaping and planting shall be maintained in accordance with the approved Landscape Management and Maintenance Scheme in perpetuity.

Reason for condition:-

In the interests of visual amenity of the site and surrounding area and in order to maintain and enhance the biodiversity and ecological value of the site. In accordance with policies ENV01, GEN02, COM01 of the Breckland Local Plan (adopted 2019).

Note:-

Further landscaping details to be agreed under the Outline S106 Open Space Scheme.

This condition will require to be discharged

8

400m Boundary Strategy

Prior to development above the laying of foundations, except for the commercial units, a scheme for barriers/ fencing and planting for the Special Protection Area and SSSI 400m buffer zone shall be submitted to and approved in writing with the Local Planning Authority. The approved scheme shall be implemented in full prior to the adjacent landscaping area, open space, care home or residential property which the barrier/ fencing and planting adjoins are brought into first use; or prior to occupation of the last residential property, whichever is the sooner.

Reason for condition:-

The details submitted in the application do not comply with the requirements of Outline condition 17 and therefore these details remain to be agreed. This condition is applied having regard to Policies ENV 02 and ENV 03 of the Breckland Local Plan (adopted 2019) together with the The Conservation of Habitats and Species Regulations 2017.

Note:-

Details of the barriers/ fencing and planting to the attenuation lagoon should also be agreed by Anglian Water via consultation as they are due to adopt the lagoon and pumping station in this south-west corner of the application site.

This condition will require to be discharged

9

Detailed plans of the roads and compliance

Prior to commencement of development, bar the foundation excavation and laying out of the commercial units and development of the substation and pumping station, detailed plans of the roads (including appropriate traffic calming measures), footways, cycleways, street lighting, foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.

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 specification.

Reason for condition:-

To ensure the safety and proper functioning of the Highways network and pedestrians having regard to Policies COM 01(m), (n) and TR 01 of the Breckland Local Plan (adopted 2019), whilst also having due regard to paragraphs 108 and 109 of the National Planning Policy Framework 2019.

This condition will require to be discharged

10

Tree Report Compliance

Operations and development on site pursuant to this permission shall take place in complete accordance with the approved Arboricultural Impact Assessment 15 December 2021. This shall include the recommended adjustments to allow for the retention of T10 and T11. 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 Arboricultural Impact Assessment have been carried out and all tree protection barriers are in place as indicated on the Tree Protection Plans. Works shall not commence until written confirmation has been obtained from the appointed arboriculturalist to confirm that tree protection is in place as specified and this written confirmation will be provided to the Local Planning Authority upon request.

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 the prior written approval of the local planning authority has been sought and obtained.

Reason for condition:-

For the protection of trees and hedges to be retained in accordance with Policy ENV 06 of the Breckland Local Plan (adopted 2019).

11

On-site arboricultural advice

On-site arboricultural advice and supervision from an appropriately qualified person shall be secured and provided for the following works/ development which shall take place in full accordance with the approved Arboricultural Impact Assessment 15 December 2021 together with details approved under conditions 3 and 4 of this permission:

- To supervise pre-emptive root pruning.
- To confirm that the protective fencing and ground protection is in place correctly
- To ensure the No-Dig surface is put in place satisfactorily.

A record of the date of each visit and a summary of the findings will be kept and emailed to the Local Planning Authority Planning Department and the Main Contractor every two weeks unless another frequency is first agreed in writing by the Local Planning Authority to provide an audit trail enabling the proper implementation of the tree protection measures to be checked and verified.

Reason for condition:-

For the protection of trees and hedges to be retained in accordance with Policy ENV 06 of the Breckland Local Plan (adopted 2019).

Note:- Local Planning Authority Planning Department's current email address is planning@breckland.gov.uk.

12

binder course

Before any dwelling or commercial unit is first occupied the road(s), footway(s) and cycleway(s) shall be constructed to binder course surfacing level from the dwelling or retail unit to the adjoining County road in accordance with the details to be first approved in writing by the Local Planning Authority.

Reason for condition:-

To ensure delivery of the infrastructure to support the development in accordance with Policies COM 01(m), (n) and TR 01 of the Breckland Local Plan (adopted 2019), whilst also having due regard to paragraphs 108 and 109 of the National Planning Policy Framework 2019.

13

cycle parking and servicing area laid out

Prior to the first use of the commercial units hereby permitted the proposed access, on-site car / cycle parking and servicing area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans and retained thereafter available for that specific use.

Reason for condition:-

To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety having regard to Policies GEN 02, TR 01 and TR 02 of the Breckland Local Plan (adopted 2019) and paragraph 108 of the National Planning Policy Framework 2019.

14

Outline approved conditions

The following Outline planning permission reference 3PL/2017/1487/O conditions are either fully or part approved/ discharged in accordance with the approved documents and drawings as set out in the table at the end of this notice as follows:

Outline condition 4 (foul water) is part approved with compliance element remaining undischarged.

Outline condition 5 (surface water disposal) is part approved with compliance element remaining undischarged.

Outline condition 6 (landscaping) is part approved with compliance element remaining undischarged. However, note reserved matters condition 4 requires further landscaping details.

Outline condition 7 (Highways) is part approved with compliance element remaining undischarged.

Outline condition 9 (Construction Method Statement) is part approved with compliance element remaining undischarged.

Outline condition 11 (levels) is part approved with compliance element remaining undischarged.

Outline condition 12 (trees) is part approved with compliance element remaining undischarged.

Outline condition 16 (ecological management plan) is part approved with compliance element remaining undischarged. XXXX TO BE UPDATED ONCE POSITION OF BIRD AND BAT BOXES AGREED.

Outline condition 19 is discharged in full and requires no further action.

Outline condition 18 (32Amp single phase electrical supply that for future inclusion of an individual electric car charging points) is part approved with compliance element remaining undischarged

Outline condition 22 (archaeology) is approved in full.